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# — PART 1 —

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## ENERGY

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EN301\*

Electricity Act 1945

### **Electricity (Supply Standards and System Safety) Amendment Regulations (No. 2) 2009**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Electricity (Supply Standards and System Safety) Amendment Regulations (No. 2) 2009*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Electricity (Supply Standards and System Safety) Regulations 2001*.

**4. Regulation 4 deleted**

Delete regulation 4.

**5. Regulation 23 amended**

In regulation 23(3):

- (a) delete “who,” and insert:

must not,

- (b) in paragraph (a) delete “makes” and insert:

make

(c) in paragraph (b) delete “makes” and insert:

make

(d) in paragraph (b) delete “particular,” and insert:

particular.

(e) delete “commits an offence.”.

**6. Regulation 30 amended**

In regulation 30(4):

(a) delete “who,” and insert:

must not,

(b) in paragraph (a) delete “makes” and insert:

make

(c) in paragraph (b) delete “makes” and insert:

make

(d) in paragraph (b) delete “particular,” and insert:

particular.

(e) delete “commits an offence.”.

**7. Regulation 46 amended**

In regulation 46 in the Penalty:

(a) delete “\$5 000.” and insert:

a fine of \$50 000.

(b) delete “\$20 000.” and insert:

a fine of \$250 000.

By Command of the Lieutenant-Governor and deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

EN302\*

Electricity Act 1945

## Electricity Amendment Regulations (No. 4) 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

### 1. Citation

These regulations are the *Electricity Amendment Regulations (No. 4) 2009*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

### 3. Regulations amended

These regulations amend the *Electricity Regulations 1947*.

### 4. Regulation 18 deleted

Delete regulation 18.

By Command of the Lieutenant-Governor and deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## LOCAL GOVERNMENT

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LG301\*

HEALTH ACT 1911

LOCAL GOVERNMENT ACT 1995

*Shire of Harvey*

HEALTH AMENDMENT LOCAL LAW 2009

Under the powers conferred by section 342 of the *Health Act 1911*, subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Harvey resolved on 23rd June, 2009, to make the *Shire of Harvey Health Amendment Local Law 2009*.

The *Shire of Harvey Health Local Laws 1997* as published in the *Government Gazette* on 22 September 1997 as amended and published in the *Government Gazette* on

20 February 1998, 7 August 1998 and 17 October 2000, is referred to as the principal Local Law. The principal Local Law is amended as follows—

Item	Sections Affected	Description
1	3(1)	In subsection 3(1) in the definition of “Act”, delete the words “and includes subsidiary legislation made under the <i>Health Act 1911</i> ”.
2	3(1)	In subsection 3(1) delete the definition of “approved” and substitute the following definition— ““approved” means approved by the local government;”.
3	3(1) and the complete Local Law	In subsection 3(1) delete the definition of “Council” and then, except in the definition of “water” and “local government” in subsection 3(1), delete the word “Council” wherever it appears in the Local Laws and substitute “local government” or “the local government” as appropriate.
4	3(1)	In subsection 3(1) in the definition of “water”, (a) delete the words “Guidelines for Drinking Water Quality In Australia” and substitute the words “Australian Drinking Water Guidelines”; and (b) delete the symbol and numbers “-1987” and after the last word “Council” insert the words “in 2004 and as amended from time to time”.
5	6(1)(c)	In paragraph (c) of subsection 6(1) insert the subparagraph— “(i) in accordance with the Building Code of Australia;”.
6	7(1)(c)(ii); 7(1)(d)(ii); 158(c); and twice in Schedule 3	Twice in Schedule 3 and in subparagraphs 7(1)(c)(ii) and 7(1)(d)(ii) and subsection 158(c), delete the words “wash hand basin” and substitute the words “hand wash basin”.
7	9 to 202	Renumber sections 9 to 202 as sections 8 to 201 respectively.
8	13	In section 13 after the numeral “1909” and before the words “and shall” insert the words “and the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> ”.
9	14	Delete Section 14 and substitute the following section— “Bathrooms 14. (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that— (a) is adequately lined with an impervious material and has an adequate ceiling; (b) complies with the <i>Health Act (Laundries and Bathrooms) Regulations</i> ; and (c) is equipped with— (i) a hand wash basin; and (ii) either a shower in a shower recess or a bath. (2) All baths, showers, hand wash basins and similar fittings shall be provided with an adequate supply of hot and cold water.”
10	15	Delete Section 15 and substitute the following section— “Laundries 15. (1) A laundry must conform to the provisions of the Building Code of Australia. (2) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the ceiling. (3) Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall— (a) not be more than 1220 millimetres wide; and (b) have a door which when closed shall completely fill the opening.”

Item	Sections Affected	Description
11	17(2)(b)	In paragraph (b) of subsection 17(2), delete the words “with a minimum capacity of 0.03 cubic metres”.
12	17(4)	In paragraph (a) of subsection 17(4), delete the words “the Office of Energy” and substitute the words “Energy Safety”.
13	18(m)	In subsection (m) of section 18, delete the term “the Office of Energy” and substitute “Energy Safety”.
14	19	Delete the whole of Section 19 and substitute the following section— <p style="text-align: center;">Guttering and Downpipes</p> <p>19. The owner of a house shall not use or occupy, or permit to be used or occupied, a house unless—</p> <p>(a) the house is provided with adequate guttering and downpipes or drains sufficient to receive without overflow all rainwater flowing into them and for all rainwater to be effectively disposed of to the satisfaction of the Principal Environmental Health Officer;</p> <p>(b) the guttering and downpipes or drains are installed in accordance with Part 3.5.2 of the Building Code of Australia; and</p> <p>(c) any rainwater from any downpipe is not discharged onto any unpaved surface of land within 1.5 metres of any house.</p>
15	23	In section 23, delete the word and numeral “Section 23” and substitute the word and numeral “Section 22”.
16	24(2)	In paragraph (b) of subsection 24(2) delete “AS1668.2” and substitute “AS1668.2: 2002”
17	24(3)	In paragraph (a) of subsection 24(3) delete “AS3666—1989” and substitute “AS/NZS 3666.2: 2002”.
18	24(3)	In paragraph (b) of subsection 24(3), after the word “occupied” insert a comma and words “, if it is a building without approved natural ventilation”.
19	26(1)	In subsection 26(1), delete the words “licensed water service” and substitute the words “licensed drinking water service”.
20	26(2)	In subsection 26(2), delete the words “each tap in the house or on the site on which the house is located” and substitute the words “at least one tap in the kitchen in the house”.
21	33	In section 33 insert in the correct alphabetical order the definition— <p style="text-align: center;">““approved carrier” means a carrier licensed under the <i>Environmental Protection (Controlled Waste) Regulations 2004</i>,”</p>
22	35(2)	In the second line of paragraph (b) of subsection 35(2) delete the word “and” after “Health” and substitute the word “or”.
23	35(2)	In paragraph (c) of subsection 35(2) after the words “Public Health” delete the full stop “.” and insert the words “or by the Chief Executive Officer of the Department of Environment and Conservation;”
24	35(2)	In subsection 35(2) insert in the correct numerical order the paragraph— <p style="text-align: center;">“(d) collection and disposal by an approved carrier.”</p> <p>and after the semicolon at the end of paragraph (c) of subsection 35(2) insert the word “and”.</p>
25	36	Delete the whole of section 36.
26	37 to 201	Re-number sections 37 to 201 as sections 36 to 200 respectively
27	37	Delete the whole of section 37.
28	38 to 200	Re-number sections 38 to 200 as sections 37 to 199 respectively
29	37	In section 37, delete the definition of “approved enclosure”.
30	37	In section 37, delete the definition of “building line”.

Item	Sections Affected	Description
31	37	In section 37, delete the definition of ““refuse disposal site” and substitute the following definition— ““refuse disposal site” means a waste treatment facility or depot licensed under Part V of the <i>Environmental Protection Act 1986</i> to store, treat, reuse or dispose of rubbish or refuse;”
32	39(1)	In subsection 39(1), delete the word and numeral “Section 41” and substitute the word and numeral “Section 38”.
33	42(2)	In paragraph (a) of subsection 42(2), delete the word and numeral “Section 43” and substitute the word and numeral “Section 40”.
34	45(1)	In paragraph (b) of subsection 45(1), delete the word “or” where it appears after the symbol “;” and substitute the word “and”.
35	46(2)	In subparagraph (a)(i) of subsection 46(2), delete the last word “or” and substitute the word “and”.
36	46(2)	In paragraph (d) of subsection 46(2), delete “in AS1875—1976” and substitute “by the local government”.
37	46(3)	Delete the whole of subsection 46(3).
38	49	In section 49, delete the definition of “butchers waste” and substitute the definition— ““butchers waste” includes animal skeletons and rib cages from a boning room and the inedible products of an abattoir.”
39	53	Delete section 53 and substitute the section— “Footpaths etc, to be kept clean 53. An owner or occupier of premises shall maintain any footpath, pavement, area or right of way immediately adjacent to the premises clear of rubbish, matter or other things coming from or belonging to the premises.”
40	54	In section 54, delete the words “(1) Subject to subsection (2), an” and substitute the word “An”. Then delete subsection (2).
41	57(2)	In subsection 57(2), delete the last word “therefrom” and substitute the words “there from”.
42	65(1)	In subsection 65(1), after the word “person” insert the symbols and words “, unless exempted under Regulation 5 of the <i>Health (Meat Hygiene) Regulations 2001</i> ,”.
43	66	In section 66, add the following subsection “(3) Where the owner or occupier fails to dispose a carcass at an approved disposal site an Environmental Health Officer may give to the owner or occupier notice in writing directing him or her to arrange for the disposal of the carcass at a site specified by the Environmental Health Officer.”
44	67	In the definition of “approved animal” in section 67, delete the word and numeral “Section 71” and substitute the word and numeral “Section 68”.
45	68(1)	Delete subsection 68(1) and substitute the subsection— “68. (1) An owner or occupier of premises shall not keep on those premises, without the written approval of the local government, on land zoned, as defined in the local government’s District Planning Scheme, as— (a) Residential, a horse, cow or large animal; or (b) Special Residential or Special Rural, a pig or pigs.”
46	68(2)(e)	In paragraph (e) of subsection 68(2), before the words “have a floor” insert the words and comma “subject to subsection (4),”.
47	68	In section 68 insert a new subsection as follows— (4) A stable constructed with a sand floor may be permitted by the local government, subject to the following— (a) the site must be well drained with the highest known water table at least 1.5 metres below the sand floor level, which may be achieved artificially;

Item	Sections Affected	Description
		<p>(b) a 300mm thick bed of crushed limestone shall be laid under the sand of the stable;</p> <p>(c) sand, whether natural or imported, must be clean, coarse and free from dust;</p> <p>(d) footings to each stable shall be a minimum of 450mm below ground level;</p> <p>(e) the stable design must allow for the access of small earth moving machinery, such as a skid steer loader, into each individual stall, to maintain the correct floor height;</p> <p>(f) the minimum floor area of each stall shall be not less than 28 square metres and walls shall not be less than 3 metres vertically or 4 metres horizontally; and</p> <p>(g) the roofed area of each stall shall not be less than 50 percent of the floor area of the stall.”</p>
48	71	In paragraph (d) of section 71 in the definition of “Affiliated Person”, add the words “or Poultry” after the word “Pigeon”.
49	72	In subsection 72(a) delete, the number “20” and substitute the number “12”.
50	73	<p>In section 73,</p> <p>(a) insert in the correct alphabetical order a new subsection (f) as follows—  “(f) poultry food is contained in a rodent proof receptacle or a compartment, which is kept effectively protected against access by rodents.”</p> <p>(b) delete the word “and” after the semi-colon at the end of subsection (d) and also replace the full stop at the end of subsection (e) with a semi-colon and the word “and”.</p>
51	74(2)	In subsection 74(2), delete the last three words “of this Section”.
52	76(1)	In subsection 76(1), delete the word and numeral “Section 78” and substitute the word and numeral “Section 75”.
53	76(2)	In subsection 76(2), insert the word “made” before the word “under”.
54	77(2)	In subsection 77(2), delete the word “the” before the word “local government” and substitute the word “a” and then insert the word “made” before the word “under”.
55	79(1)	In subsection 79(1) delete “AS1668.2 Part 2 1991” and substitute “AS 1668.2:-2002”.
56	80	In paragraph (a)(i) of section 80, in both subparagraphs (A) and (B) delete “AS1668.2 Part 2 1991” and in both places, substitute “AS 1668.2:-2002”.
57	82	In section 82, in the second line delete the comma between the words “left” and “in”.
58	85(1)(a)	In paragraph (a) of subsection 85(1), delete the word and numeral “Section 87” and substitute the word and numeral “Section 84”.
59	95(1)(a)	In paragraph (a) of subsection 95(1), delete the word and numeral “Section 97” and substitute the word and numeral “Section 94”.
60	101(3)(b)	In paragraph (b) of subsection 101(3), delete the word and numeral “Section 100” and substitute the word and numeral “Section 97”.
61	110	In section 110, in the definition of “arthropod vectors of disease” delete paragraph (f). Then delete the semi colon and the word “and” after paragraph (e) and substitute a full stop. After paragraph (d), insert the word “and”.
62	115	Delete section 115, then renumber sections 116 to 199 as sections 115 to 198 respectively.
63	123 to 125	Delete sections 123 to 125 inclusive and the heading “Division 3—Tattooing Establishments”.

Item	Sections Affected	Description
64	126 to 198	Renumber sections 126 to 198 as sections 123 to 195 respectively.
65	123	In subsection 123, insert, in the appropriate alphabetical position, the definition— ““Food Standards Code” means the Australian New Zealand Food Standards Code as defined in the <i>Commonwealth Food Standards Australia New Zealand Act 1991</i> ,”
66	126(b)	In subsection 126(b), delete the word and numeral “Section 132” and substitute the word and numeral “Section 128”.
67	128	In section 128, delete the word and numeral “Section 131” and substitute the word and numeral “Section 127”.
68	133(1)(b)	Delete paragraph (b) of subsection 133(1) and substitute the paragraph— “(b) bathrooms, each fitted with a hand wash basin and either a shower or a bath,”
69	135(c)	In subsection 135(c), delete the words “the requirements of the <i>Health (Food Hygiene) Regulation 1993</i> ” and substitute the words “any of the requirements of Standard 3.2.3 of the Food Standards Code”.
70	135(d)	In subsection 135(d), delete the words “wash hand basin” and substitute the words “hand wash basin”.
71	136(3)	In subsection 136(3), delete the words “ <i>Health (Food Hygiene) Regulation 1993</i> ” and substitute the words “requirements of Standard 3.2.3 of the Food Standards Code”.
72	144	After subsection 144(2), insert new subsections 144(3) and 144(4) as follows— “(3) The sheets and blankets required to be provided by subsection (1)(b)(ii), shall be deemed to have been provided by the keeper, where the keeper offers them for hire to the lodgers. In such circumstances, each lodger must either provide his own clean sheets or hire them from the keeper. (4) In a short term hostel or recreational campsite, the storage facilities required by subsection (1)(c) may be located in a separate secure storage room or locker room.”
73	155	In subsection (b) of section 155 delete the comma and the word “, obnoxious”.
74	157(p)	Delete subsection 157(p) from the definition of “offensive trade”.
75	157	Delete the word “and” from where it appears after the semicolon at the end of subsections 157(m) and 157(o) and insert the word “and” after the semicolon at the end subsection 157(n).
76	158(1)(a)	In paragraph (a) of subsection 158(1), delete the word and numeral “section 162” and substitute the word and numeral “section 159”.
77	159	In section 159, delete the word and numeral “Section 161” and substitute the word and numeral “Section 158”.
78	159(d)	In subsection 159(d), delete the word and numeral “Section 161” and substitute the word and numeral “Section 158”.
79	160(b)	In subsection 160(b), delete the title of the regulations and substitute the current title “ <i>Health (Offensive Trades Fees) Regulations 1976</i> .”
80	167	In section 167, delete the words “wash hand basins” and substitute the words “hand wash basins”.
81	170	In subsection 170(d) delete the words “and at such more frequent intervals as may be directed” and substitute the words “or at such other intervals as may be approved or directed”.

Item	Sections Affected	Description
82	185	In section 185, delete the definition of "exempt laundry".
83	185	In section 185, in the definition of "laundry", delete the words "an exempt laundry or".
84	185	In paragraph (iii) of section 185 in the definition of "exempt laundromat", delete the word "therefrom" and substitute the words "there from".
85	185	In section 185, in the definition of "dye works", delete the word "therefrom" and substitute the words "there from".
86	Schedules 1, 2, 7, 9, 10, & 13	In Schedules 1, 2, 7, 9, 10 and 13 delete the prefix "19" in the line provided for entering the date of signature.
87	Schedule 4	In Schedule 4 delete the prefix "19" where it appears in line 7 and in the line provided for entering the date of signature
87	Schedule 3	Delete the word "Coppers" from the table entitled "Laundry Facilities" in Schedule 3

Dated: 25th June, 2009.

Cr. P. F. MONAGLE, Shire President.  
M. A. PARKER, Chief Executive Officer.

Dated: 22nd July, 2009.

Consented to—

A. ROBERTSON, Executive Director, Public Health.

## LG302\*

### LOCAL GOVERNMENT ACT 1995

#### *City of Wanneroo*

#### STANDING ORDERS AMENDMENT LOCAL LAW 2009

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the City of Wanneroo resolved on 25 August 2009 to make the following local law.

#### 1. Citation

This local law may be cited as the *City of Wanneroo Standing Orders Amendment Local Law 2009*.

#### 2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

#### 3. Principal Local Law

In this local law, the *City of Wanneroo Standing Orders Local Law 2008* as published in the *Government Gazette* on 21 November 2008 is referred to as the principal local law. The principal local law is amended.

#### 4. Clause 4.9 deleted

Clause 4.9 and its heading "Presiding person to be heard without interruption" are deleted.

#### 5. Clause 4.11 deleted

Clause 4.11 and its heading "Presiding person to draw attention of meeting to unbecoming behaviour" are deleted.

#### 7. Clause 4.14 amended

In subclause (3) after the word "final" delete the words "and must be accepted by the meeting without argument or comment".

#### 8. Clause 4.15 amended

In subclause (3) after the words "part in" delete the words "that meeting" and insert the words "the debate of the item".

#### 9. Renumbering of clauses

Clause number "4.10" is redesignated "4.9" and Clause numbers "4.12" through to "4.17" are redesignated "4.10" to "4.15" consecutively.

**10. Clause 5.9 amended**

Subclause (3) is deleted.

Dated: 31 August 2009.

The Common Seal of the City of Wanneroo was hereunto affixed by authority of a resolution of Council in the presence of—

JON KELLY, Mayor.  
DANIEL SIMMS, Chief Executive Officer.

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**TRANSPORT**

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TR301\*

Taxi Act 1994

**Taxi Amendment Regulations (No. 2) 2009**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Taxi Amendment Regulations (No. 2) 2009*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Taxi Regulations 1995*.

**4. Regulation 19 amended**

Delete regulation 19(1) and insert:

- (1) For the purposes of section 19(1), the prescribed annual fee payable by plate holders for taxi plates is \$107.75 where the fee is paid within the time allowed by section 19(2).

By Command of the Lieutenant-Governor and deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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**TREASURY AND FINANCE**

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TF301\*

Public Works Act 1902

**Public Works (Early Learning and Care Centres) Order 2009**

Made by the Governor in Executive Council under the *Public Works Act 1902* section 11 and paragraph (19) of the definition of *public work* in section 2.

**1. Citation**

This order is the *Public Works (Early Learning and Care Centres) Order 2009*.

Note: Under the *Interpretation Act 1984* section 41(1)(b), this order comes into operation on the day on which it is published in the *Gazette*.

**2. Terms used**

In this order —

*child care service* has the meaning given in the *Child Care Services Act 2007* section 4;

*early learning and care centre* means a centre at which child care services and early learning services are provided to children under 5 years of age.

**3. Authorisation of works: early learning and care centres**

The Minister is authorised to undertake, construct or provide early learning and care centres.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE

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AG401\*

**PLANT DISEASES ACT 1914**  
APPOINTMENTS

Department of Agriculture and Food  
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914* hereby appoint the following persons as authorised inspectors under section 7A of the *Plant Diseases Act 1914* to carry out all the functions that may be performed by an inspector under that Act—

Colin David Hanbury  
Cuiping Wang  
Christine Elizabeth Wood  
Ming Pei You

TERRY REDMAN, MLA, Minister for Agriculture and Food.

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AG402\*

**MARKETING OF EGGS LEGISLATION EXPIRY REGULATIONS 2005**  
MARKETING OF EGGS LEGISLATION EXPIRY REGULATIONS (EXPIRY) ORDER 2009

1. This order is made under section 11 of the *Marketing of Eggs Legislation Expiry Regulations 2005*.
2. Being satisfied that the regulations are no longer required I hereby fix the day after the day on which this order is published in the Gazette as the day on which the regulations will expire.

TERRY REDMAN, MLA, Minister for Agriculture and Food.

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

**TRAVEL AGENTS ACT 1985**  
MINISTER TO DESIGNATE COMMISSIONER

It is hereby notified that the Minister for Tourism has designated the person who from time to time holds (either substantively or in an acting capacity) the position of 'Executive Director, Consumer Protection' as Commissioner for the purposes of the *Travel Agents Act 1985*.

Dated this 9th day of September 2009.

Dr. ELIZABETH CONSTABLE, Minister for Tourism.

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DESIGNATION OF COMMISSIONER

I, Dr. Elizabeth Constable, Minister for Tourism, pursuant to section 49A(1) of the *Travel Agents Act 1985*, say as follows—

1. I designate the person who from time to time holds (either substantively or in an acting capacity) the position of 'Executive Director, Consumer Protection' as 'Commissioner' for the purposes of the *Travel Agents Act 1985*.
2. For the purposes of the *Travel Agents Act 1985*, the 'Commissioner' will be known as the 'Commissioner for Consumer Protection'.
3. The instrument may be amended or revoked in writing by the Minister for Tourism.

Dated this 9th day of September 2009.

Dr. ELIZABETH CONSTABLE, Minister for Tourism.

## CORRECTIVE SERVICES

CS401\*

### PRISONS ACT 1981

#### PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Lyndon-James	Gavin Lee	AP 0101	16/09/2009
Hall	Peter	AP 0397	28/08/2009
Johnson	Glenn Ronald	AP 0555	24/08/2009
Higgins	Jennifer Anne	AP 0586	10/09/2009

This notice is published under section 15P of the *Prisons Act 1981*.

BRIAN LAWRENCE, Manager Acacia Prison Contract.

Date 25 September, 2009.

CS402\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

#### PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Beverley	John Claude	CS9-356	22/09/2009
Board	Paul	CS9-352	22/09/2209
Colledge	Yvonne Marie	CS9-449	22/09/2209
Franklin	Aaron Mark	CS9-461	22/09/2209
Gibbs	Randolph Russell	CS9-115	22/09/2209
Marchant	Thomas Michael	CS9-343	22/09/2209
McClelland	Donna Lee	CS9-390	22/09/2209
McDonogh	Fiona Jane	CS9-334	22/09/2209
Mellar	Anthony John	CS9-054	22/09/2209
Merigan	Susanne Henriksson	CS9-462	22/09/2209
Morgan	Kevin Michael	CS9-299	22/09/2209
Neale	George Albert	CS9-484	22/09/2209
Noakes	Sylvia Yvette	CS9-276	22/09/2209
Shilcock	Paul Harold	CS9-068	22/09/2209
Stevens	Andrew	CS8-116	22/09/2209
Street	Ross Stewart	CS9-451	22/09/2209
Wharton	Corey Allan	CS9-192	22/09/2209

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

MIKE REINDL, CSCS A/Contract Manager.

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## EDUCATION

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ED101\*

*CORRECTION***EDITH COWAN UNIVERSITY ACT 1984**

The notice published under the above heading in the *Government Gazette* dated 31 July 2009 on page 3041 is hereby cancelled and replaced with the following.

**EDITH COWAN UNIVERSITY ACT 1984**

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 27 of the *Edith Cowan University Act 1984*, has approved Amending Statute No. 2 of 2009 as set out in the attached schedule.

Dr ELIZABETH CONSTABLE MLA, Minister for Education; Tourism.  
R. KENNEDY, Clerk of the Executive Council

**EDITH COWAN UNIVERSITY ACT 1984**

Edith Cowan University  
Amending Statute No. 2 of 2009

The University Statutes are hereby amended as follows—

1. This Amending Statute comes into operation on the day it is published in the *Government Gazette*.
2. Statute No. 6 Chief Executive Officer is repealed.
3. Statute No. 6 Vice-Chancellor as set out in the attached Schedule is enacted.

The Common Seal of the Edith Cowan University was hereto affixed by authority of a resolution of the Council of the University in the presence of—

Pr. KERRY O. COX, Vice-Chancellor.  
Dr. SUSAN E. KING, Authorised Sealing Officer.

Dated this 31<sup>st</sup> day of March 2009.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

***Schedule***

**EDITH COWAN UNIVERSITY**  
University Statute No. 6—Vice-Chancellor

**1. Definitions**

In this Statute, unless the contrary intention appears—

- “Act” means the *Edith Cowan University Act 1984*;
- “by-laws” means by-laws made by the Council under section 29(3) of the Act;
- “Chancellor” means the Chancellor of the University elected under section 12(1)(a) of the Act;
- “Council” means the Council of the University as established by section 8 of the Act;
- “chief executive officer” means the chief executive officer of the University who holds office under section 30 of the Act;
- “Council committee” means a committee established by the Council;
- “Pro-Chancellor” means the Pro-Chancellor elected under section 12(1)(b) of the Act;
- “rules” means rules referred to in section 26(7) of the Act;
- “University committee” means a committee of the University, other than a Council committee, or a committee established pursuant to the Act, Statutes, by-laws, or rules of the University.

**2. Titles of Vice-Chancellor and President**

The chief executive officer has the additional titles of Vice-Chancellor of the University and President of the University.

**3. Functions of the Vice-Chancellor**

Subject to the Act and matters reserved to the Council by resolution of the Council, and in addition to other powers and duties that may be prescribed under section 30 of the Act or delegated to him or her by the Council under section 15 of the Act, the functions of the Vice-Chancellor are to—

- (a) provide strategic leadership and manage the academic, administrative, financial and other affairs of the University;

- (b) promote the interests and further the development of the University, and represent the University;
- (c) ensure that advice and information is given to the Council to enable the Council to make informed decisions in carrying out its functions;
- (d) liaise with the Chancellor on the affairs of the University and the performance of its functions;
- (e) implement policies and decisions of the Council;
- (f) report to the Council from time to time on the affairs of the University;
- (g) administer University Statutes, by-laws and rules and approve University policies, other than policies reserved for approval by the Council;
- (h) exercise supervision over the activities and welfare of the enrolled students of the University;
- (i) administer the recruitment, appointment, management and supervision of the University's officers and employees; and
- (j) perform any other function conferred by the Act, Statutes, by-laws and rules of the University or any other written law as a function to be performed by the Vice-Chancellor.

#### 4. Membership of committees

- (1) The Vice-Chancellor is to be an *ex officio* member of all Council committees except when specifically excluded by resolution of the Council.
- (2) The Vice-Chancellor may, if he or she considers it desirable—
  - (a) attend as a member or preside at any meeting of a University committee ; or
  - (b) appoint a person to represent him or her on any such University committee.

#### 5. Rules

The Council may make rules, not inconsistent with this Statute, regulating or providing for the regulation of any matter referred to in this Statute or for carrying out or giving effect to this Statute.

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## LOCAL GOVERNMENT

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LG401\*

### LOCAL GOVERNMENT ACT 1995

*City of Melville*

#### AUTHORISED PERSON

It is hereby notified for public information that Perry Browning has been appointed as an Authorised Person at Bull Creek Shopping Centre Parking station No.14 (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Section 9.10, 9.13 and 9.15 of the *Local Government Act 1995*.

SHAYNE SILCOX, Chief Executive Officer.

LG501\*

### BUSH FIRES ACT 1954

*City of Swan*

#### FIRE BREAK ORDER

Notice to owners and/or occupiers of land Within, the City of Swan

Pursuant to Section 33 of the *Bush Fires Act 1954* you are hereby required on or before the 2 November, 2009, or within 14 days of the date of you becoming owner or occupier should this occur after 2 November 2009, to remove from the land owned or occupied by you, all inflammable material or to clear firebreaks in accordance with the following requirements, and thereafter to maintain the land or the firebreaks clear of inflammable material up to and including the 31 day of March, 2010.

#### GENERAL

1. Where the area of land is less than 100 hectares, clear and maintain firebreaks at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings on the land.

2. Where the area of land is greater than 100 hectares, clear and maintain firebreaks—
  - (a) at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings on the land, and
  - (b) at least 3 metres wide in such a position so as to divide the land into the areas not exceeding 100 hectares, with each area to be enclosed by such a firebreak.

### **FUEL DUMPS**

On all land where fuel drum ramps are located and where fuel dumps, whether containing fuel or not, are stored, clear and maintain a firebreak at least four metres wide around any drum, ramp or stack of drums.

### **HAY STACKS**

Clear and maintain a firebreak at least 3 metres wide completely surrounding any haystack on the land, within 60 metres of the haystack.

### **PINE PLANTATIONS**

1. Clear and maintain a firebreak at least 10 metre wide—
  - (a) immediately surrounding any area of land on which pine trees are planted,
  - (b) along the boundary of those portions of pine plantations which adjoin a formed public road; and
  - (c) in such positions so that the area of pine plantation bounded by each firebreak does not exceed 200 hectares.
2. Clear and maintain firebreaks at least 6 metres wide (including the firebreaks referred to in (a) above) in such positions so that the area bounded by each firebreak does not exceed 25 hectares.

In addition, to the firebreaks required by this notice, pine plantations traversed by Western Power transmission lines have additional obligations under the State Energy Commission Act.

### **BURNING**

The requirements of this notice to provide a firebreak, other than an alternative or strategic firebreak may be carried out by burning. That burning must be in accordance with the relevant provisions of the *Bushfires Act 1954*.

### **ALTERNATIVE FIREBREAKS**

1. (a) Should you consider it to be impracticable for any reason to clear firebreaks or remove inflammable material from the land as required by this notice, you may apply to the Council in writing on or before the 15 October, 2009, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted in writing by the Council prior to 2 November 2009, you shall comply with the requirements of this notice
- (b) When written permission to provide alternative firebreaks has been granted, you shall—
  - (i) comply with all conditions endorsed on the permit.
  - (ii) provide firebreaks at least 3 metres wide in the agreed position(s) on the land.
2. (a) Where the Council has, in writing, approved a Fire Management Plan and the Fire Management Plan depicts an array of alternative firebreaks, an owner may as an alternative to the construction of a general firebreak, elect to provide the alternative firebreak depicted on the Bushfire Management Plan. However, where the alternative firebreak is not constructed by the date required by this notice, the general firebreak requirements shall apply.
- (b) Any alternative firebreak provided for under (c) above shall be of the same width requirements as that applicable to a general firebreak but shall be limited to the extent and location depicted on the Bushfire Management Plan.

### **STRATEGIC FIREBREAKS**

- (a) Where, under an agreement with the Council, or where depicted on an approved Bushfire Management Plan, strategic firebreaks are required to be provided on the land you are required to clear and maintain firebreaks at least 6 metres wide in the agreed position.
- (b) Strategic firebreaks shall be graded to provide a continuous trafficable surface (suitable for 4 wheel drive vehicles) at least 4 metres wide unimpeded by obstructions including boundary or dividing fences unless fitted with approved gates.

### **FIREBREAK CONSTRUCTION**

Without affecting the generality of any other provision herein requiring trafficable firebreaks, all firebreaks required by this order on properties greater than 5 hectares in area shall be constructed and maintained in a condition trafficable by 4 wheel drive vehicles. Overhanging trees abutting firebreaks shall be pruned to minimise accumulation of litter and to allow unimpeded access to vehicles up to 4 metres high.

M. J. FOLEY, Chief Executive Officer,

LG502\*

**BUSH FIRES ACT 1954***City of Melville***FIRE BREAK NOTICE**

Notice to all owner and / or occupiers of land situated in the City of Melville

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before the 15th day of November 2009 or within 14 days of the date of you becoming the owner or occupier, should this be after the 15th day of November 2009 and thereafter up to and including the 30th day of April 2010 to clear flammable matter from that land in accordance with the following requirements—

- A As to land which is 1,500 square metres or less in area, or which is zoned “residential” to clear all flammable matter from the whole of the land except living trees, shrubs and plants under cultivation and lawns.
- B As to all other land within the district the owner or occupier shall—
- (i) Clear firebreaks of a minimum width of three (3) metres inside all external boundaries of the land; and
  - (ii) Clear firebreaks of a minimum width of five (5) metres around all buildings situated on the land; and
  - (iii) Where that area of land exceeds ten (10) hectares, clear firebreaks of a minimum width of five (5) metres so as to ensure that no area of land within the firebreaks exceeds ten hectares in land; and
  - (iv) In any event, clear the firebreaks to the satisfaction of Council’s duly authorised officer.

If for any reason an owner or occupier considers it to be impracticable to clear firebreaks or comply with other fire protection measures in accordance with this requirement, the owner or occupier may apply in writing to the Council’s duly authorised officer no later than 31 October 2009 for an exemption or partial exemption from compliance with the requirement of this notice.

The penalty for failing to comply with this notice is a fine of not more than \$5,000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

SHAYNE SILCOX, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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MP401\*

**PETROLEUM PIPELINES ACT 1969****GRANT OF PIPELINE LICENCE**

Pipeline Licence No. PL 83 was granted to WA Gas Networks Pty Ltd to have effect for a period of 21 years from 23 September 2009.

W. L. TINAPPLE, Executive Director,  
Petroleum and Environment Division.

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## PARLIAMENT

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PA401\*

**PARLIAMENT OF WESTERN AUSTRALIA****ROYAL ASSENT TO BILLS**

It is hereby notified for public information that the Lieutenant and deputy of the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

<b>Title of Act</b>	<b>Date of Assent</b>	<b>Act No.</b>
Tobacco Products Control Amendment Act 2009	22 September 2009	22 of 2009

MALCOLM PEACOCK, Clerk of the Parliaments.

Date 24 September 2009.

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## PLANNING

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Stirling*

District Planning Scheme No. 2—Amendment No. 517

Ref: 853/2/20/34 Pt 517 &amp; TPS/0037/1

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Stirling local planning scheme amendment on 7 September 2009 for the purpose of amending the Scheme Map by replacing the "Residential R12.5" zoning with "Private Institutions" zoning for Lot 1152 (HN 28) and Lot 385 (HN 30) Queens Crescent, Mount Lawley.

D. BOOTHMAN, Mayor.  
 S. JARDINE, Chief Executive Officer.

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Stirling*

District Planning Scheme No. 2—Amendment No. 544

Ref: 853/2/20/34 Pt 544

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Stirling local planning scheme amendment on 7 September 2009 for the purpose of designating portion of Lot 9001 (HN 248) Pearson Street, Woodlands as 'Medium Density Residential R40'.

D. BOOTHMAN, Mayor.  
 S. JARDINE, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**Approved Local Planning Scheme Amendment**  
*Shire of Donnybrook-Balingup*

Town Planning Scheme No. 4—Amendment No. 88

Ref: 853/6/4/4 Pt 88

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the Shire of Donnybrook-Balingup local planning scheme amendment on 7 September 2009 for the purpose of—

1. Rezoning Lot 491 Mead Street, Donnybrook from 'Parks and Recreation' reserve to 'Residential R30' and area of no zone.
2. Amending the Scheme Maps accordingly.

S. B. DILLEY, Shire President.  
 J. R. ATTWOOD, Chief Executive Officer.

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## DECEASED ESTATES

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ZX401

**TRUSTEES ACT 1962**  
**DECEASED ESTATES**

Notice to Creditors and Claimants

Valmai Daphne Robertson, late of 15 Milgun Drive, Yangebup, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 30 June 2009, are required by the trustee of the late Valmai Daphne Robertson of C/- Haynes Robinson Solicitors of PO Box 485, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 24th day of September 2009.

HAYNES ROBINSON.