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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

### TELECOMMUNICATIONS (INTERCEPTION) WESTERN AUSTRALIA AMENDMENT ACT 2011

No. 2 of 2011

PROCLAMATION

Western Australia

*By His Excellency the Honourable  
Wayne Stewart Martin,  
Chief Justice of Western Australia,  
Lieutenant-Governor and Administrator of  
the State of Western Australia*

[L.S.]

WAYNE STEWART MARTIN  
Lieutenant-Governor and Administrator

I, the Lieutenant-Governor and Administrator, acting under the *Telecommunications (Interception) Western Australia Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which Parts 2 and 3 of that Act, come into operation.

Given under my hand and the Public Seal of the State on 28 June 2011.

By Command of Lieutenant-Governor and Administrator,

R. JOHNSON, Minister for Police.

Note: Under the *Telecommunications (Interception) Western Australia Amendment Regulations 2011* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Telecommunications (Interception) Western Australia Amendment Act 2011* Parts 2 and 3 come into operation.

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## COMMUNITY AND CHILD SERVICES

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CN301\*

Working with Children (Criminal Record Checking) Act 2004

### **Working with Children (Criminal Record Checking) Amendment Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

#### **1. Citation**

These regulations are the *Working with Children (Criminal Record Checking) Amendment Regulations 2011*.

**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 1 July 2011.

**3. Regulations amended**

These regulations amend the *Working with Children (Criminal Record Checking) Regulations 2005*.

**4. Regulation 8 amended**

After regulation 8(2) insert:

- (3A) An applicant for an assessment notice is required to pay —
- (a) the fee specified in Schedule 3 item 1(a) if the applicant is, or is to be, remunerated for carrying out any child-related work; or
  - (b) the fee specified in Schedule 3 item 2 if the applicant carries on, or is to carry on, a child-related business,

whether or not the applicant also carries out, or is also to carry out, any child-related work in respect of which the fee specified in Schedule 3 item 1(b) would otherwise be payable.

**5. Schedule 1 clause 13 inserted**

After Schedule 1 clause 12a insert:

**13. Child-related work carried out by a student as part of an educational or vocational course of study**

Work referred to in section 6(1)(a) carried out without remuneration, as part of his or her educational or vocational course of study, by a student who is a child.

**6. Schedule 3 amended**

In Schedule 3 items 1(a), 2 and 3 delete “\$50” and insert:

\$51.50

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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**CONSUMER PROTECTION**

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CP301\*

Retail Trading Hours Act 1987

**Retail Trading Hours (Perth Special Trading Precinct) Variation Order 2011**

Made by the Minister for Commerce under section 12A of the Act.

**1. Citation**

This order is the *Retail Trading Hours (Perth Special Trading Precinct) Variation Order 2011*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Order varied**

- (1) This order varies the *Retail Trading Hours (Special Trading Precincts) Order (No. 2) 2010*.
- (2) Despite the *Retail Trading Hours (Special Trading Precincts) Order (No. 2) 2010*, general retail shops in the Perth special trading precinct are required to be closed until 8 a.m. and from and after 9 p.m. on Friday 28 October 2011.

SIMON O'BRIEN, Minister for Commerce.

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**ENVIRONMENT**

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EV301\*

Waste Avoidance and Resource Recovery Act 2007  
Waste Avoidance and Resource Recovery Levy Act 2007

**Waste Avoidance and Resource Recovery Levy Amendment Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Waste Avoidance and Resource Recovery Levy Amendment Regulations 2011*.

## 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 *Waste Avoidance and Resource Recovery Levy Regulations 2008*.

## 4. Regulation 5 amended

- (1) Before regulation 5(1) insert:

- (1A) In this regulation —

**hazardous waste** means waste that poses an immediate risk of harm to human health or the environment;

**public authority** has the meaning given in the *Waste Avoidance and Resource Recovery Act 2007* section 3;

**reasonably removed**, in relation to waste, means removed in circumstances where alternative methods of dealing with the waste are impracticable.

- (2) In regulation 5(1):

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

reuse, reprocessing, recycling or use in energy recovery;

- (b) delete paragraph (c) and insert:

- (c) waste reasonably removed from an orphan site as defined in the *Contaminated Sites Act 2003* section 32 by a public authority to mitigate or prevent a risk of harm to human health or the environment;

- (d) hazardous waste reasonably removed by a public authority;

- (e) waste resulting from storm, fire, flood or other natural disaster that cannot reasonably be reused, reprocessed, recycled or used in energy recovery;

- (f) waste that —

- (i) is deposited on a shoreline by the action of water; and

- (ii) is reasonably removed from the shoreline by a public authority to

- mitigate or prevent a risk of harm to human health or the environment; and
    - (iii) cannot reasonably be reused, reprocessed, recycled or used in energy recovery;
  - (g) waste used for construction or maintenance work carried out on the licensed landfill if —
    - (i) the amount of waste is specified in advance in a plan prepared by a registered builder or an engineer; and
    - (ii) no charge is made by the licensee for accepting the waste;
  - (h) waste used for cover on the licensed landfill if —
    - (i) a closure notice has been given in respect of the licensed landfill under the *Environmental Protection Act 1986* section 68A(2); and
    - (ii) the waste is used as required by the closure notice.
- (3) After regulation 5(4) insert:
- (5A) Without limiting subregulation (4)(b), the conditions that may be specified in a notice granting an exemption applied for under subregulation (1) include the following —
- (a) that the licensee must remove, reuse or recycle the exempt waste within a period specified in the notice;
  - (b) that the licensee must store or use the exempt waste in accordance with requirements specified in the notice;
  - (c) that the licensee must measure the exempt waste in accordance with measurement criteria specified in the notice;
  - (d) that the licensee must keep records specified in the notice as to the quantity, nature and location of exempt waste located or used on the licensed landfill and payments received in respect of that waste;
  - (e) that the licensee must provide reports to the CEO as to the acceptance, storage, removal, reuse or recycling of the exempt waste as requested by the CEO;
  - (f) that the quantity of waste that is exempt is not to exceed an amount specified in the notice.

- (4) In regulation 5(5) delete “subregulation (1)(b) or (c)” and insert:

subregulation (1)

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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EV302\*

Waste Avoidance and Resource Recovery Act 2007

## Waste Avoidance and Resource Recovery Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

### 1. Citation

These regulations are the *Waste Avoidance and Resource Recovery Amendment Regulations 2011*.

### 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 *Waste Avoidance and Resource Recovery Regulations 2008*.

### 4. Regulation 6 amended

Delete regulation 6(1) and insert:

- (1) An application for a waste collection permit must —
  - (a) be made in the approved manner and form; and
  - (b) be accompanied by an application fee of \$275; and



- (c) include an undertaking to provide the required waste service if the permit is issued to the applicant; and
- (d) include details of the following —
  - (i) how the waste will be collected;
  - (ii) how the waste collected will be dealt with;
  - (iii) the proposed mechanisms and amounts of charges for the waste service;
  - (iv) the impact of the proposed waste service on existing waste services to other premises in the local government district;
  - (v) the extent to which, and the means by which, the applicant proposes to use resources such as plant, equipment and staff that were used by the local government to provide waste services in the local government district;
  - (vi) how the applicant proposes to meet the standards set by the CEO in respect of the waste service and the frequency of the waste service;
  - (vii) any other information relevant to the application that the CEO reasonably requires.

**5. Regulation 7 amended**

- (1) Before regulation 7(1) insert:

- (1A) In this regulation —  
*specified* means specified in the waste collection permit.

- (2) After regulation 7(1) insert:

- (2A) Without limiting subregulation (1), the conditions to which a waste collection permit may be subject include the following —
- (a) that the permit operates in respect of a specified area;
  - (b) that the permit holder must collect waste at a specified frequency or at specified dates and times;
  - (c) that the permit holder must collect all, or specified categories of, waste in a specified manner or in containers of a specified type;

- (d) that the permit holder must keep specified records as to the quantity and type of waste collected;
- (e) that the permit holder must provide reports to the CEO as to the manner in which waste is collected and the quantity and type of waste collected as requested by the CEO;
- (f) that the permit holder must comply with a specified code of practice made by the Waste Authority under section 52 of the Act.

**6. Regulation 10 replaced**

Delete regulation 10 and insert:

**10. Surrender of waste collection permit**

- (1) The holder of a waste collection permit may apply to the CEO to surrender the permit.
- (2) The CEO may, on an application under subregulation (1), accept the surrender of the permit if the CEO is satisfied that there are alternative arrangements reasonably available to ensure that waste collection in the area in which the permit operates is adequate and consistent with modern practice.
- (3) A waste collection permit ceases to have effect from the day on which the CEO accepts the surrender of the permit.

**7. Regulation 11 amended**

- (1) In regulation 11(2) delete “revoking or suspending” and insert:

or refusing to accept the surrender of,

- (2) Delete regulation 11(7) and insert:

- (7) The CEO must give the holder of the waste collection permit written notice —
  - (a) of any amendment of the permit; or
  - (b) if the CEO refuses to accept the surrender of the permit.

Note: The heading to amended regulation 11 is to read:

**Manner of amendment**

**8. Regulation 12 amended**

In regulation 12 delete “revokes or suspends” and insert:

or accepts the surrender of,

**9. Regulation 17 amended**

(1) Delete regulation 17(2)(g) and insert:

(g) any other particulars relevant to the calculation or verification of the amount of the levy payable by the licensee that the CEO, by written notice to the licensee, requires the licensee to include.

(2) Delete regulation 11(4) and insert:

(4) A licensee must, on the written request of an authorised person, make the records available to the authorised person in the manner, and within the time, specified in the request.

**10. Regulation 19 deleted**

Delete regulation 19.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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**FISHERIES**

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FI301\*

Fish Resources Management Act 1994

**Fish Resources Management Amendment  
Regulations (No. 7) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**Part 1 — Preliminary****1. Citation**

These regulations are the *Fish Resources Management Amendment Regulations (No. 7) 2011*.

## 2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2011.

## **Part 2 — *Fish Resources Management Regulations 1995* amended**

### 3. Regulations amended

This Part amends the *Fish Resources Management Regulations 1995*.

### 4. Part 11 Division 6A inserted

After Part 11 Division 5 insert:

## **Division 6A — Replacement of cancelled authorisations**

### **129A. Terms used**

In this Division —

***authorisation*** means a managed fishery licence granted in respect of the West Coast Rock Lobster Managed Fishery;

***cancelled authorisation*** means authorisation No. 1450 or No. 1493;

***former authorisation holder*** means the person who held authorisation No. 1450 or No. 1493 immediately before it was cancelled under section 224;

***section 224*** has the meaning given in section 78A(1) of the Act.

### **129B. CEO may grant replacement authorisations**

- (1) If —
  - (a) a former authorisation holder applies on or before 15 August 2011 to the CEO for the grant of an authorisation; and
  - (b) the application is accompanied by —
    - (i) an application fee of \$329.00; and
    - (ii) the relevant replacement authorisation fee set out in subregulation (3),

the CEO may grant to the former authorisation holder an authorisation to replace the former authorisation holder's cancelled authorisation.

- (2) When an authorisation is granted to replace a cancelled authorisation, the replacement authorisation —
  - (a) confers the same authority and entitlement that were conferred by the cancelled authorisation immediately before it was cancelled; and
  - (b) is subject to the same conditions to which the cancelled authorisation was subject immediately before it was cancelled.
- (3) The replacement authorisation fee —
  - (a) for the grant of an authorisation to replace authorisation No. 1450 — is \$82 180;
  - (b) for the grant of an authorisation to replace authorisation No. 1493 — is \$100 878.

### **Part 3 — *West Coast Rock Lobster Management Plan 1993* amended**

#### **5. Management plan amended**

This Part amends the *West Coast Rock Lobster Management Plan 1993*.

#### **6. Clause 7 amended**

Delete clause 7(2) and insert:

- (2) For the purposes of subclause (1) and subject to clause 7A, the zone endorsed on the licence is —
  - (a) the zone endorsed on the licence as at 30 June 2011; or
  - (b) if the licence is a replacement authorisation granted under regulation 129B of the regulations, the zone endorsed on that authorisation when it was granted.

#### **7. Clause 14A amended**

After clause 14A(3) insert:

- (4) Each capacity applying to a zone of the Fishery in which a replacement authorisation granted under regulation 129B of the regulations may be operated is increased on the granting of the authorisation by the number equal to one half of the number of units of entitlement conferred by the authorisation.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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**JUSTICE**

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JU301\*

Criminal Procedure Act 2004

**Criminal Procedure Amendment  
Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Criminal Procedure Amendment Regulations 2011*.

**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 1 July 2011.

**3. Regulations amended**

These regulations amend the *Criminal Procedure Regulations 2005*.

**4. Schedule 1A amended**

In Schedule 1A —

- (a) delete “*Consumer Affairs Act 1971*”, “*Consumer Credit (Western Australia) Act 1996*” and “*Door to Door Trading Act 1987*”;
- (b) insert in alphabetical position:

*Fair Trading Act 2010*

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

JU302\*

## Prohibited Behaviour Orders Act 2010

## Prohibited Behaviour Orders Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

### 1. Citation

These regulations are the *Prohibited Behaviour Orders Amendment Regulations 2011*.

### 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 *Prohibited Behaviour Orders Regulations 2011*.

### 4. Regulation 8 inserted

After regulation 7 insert:

### 8. Registrar to provide publication information to CEO

- (1) In this regulation —  
*CEO* has the meaning given in section 34(1).
- (2) After a court makes a PBO under section 6(2) or 24(2)(b), a registrar must cause to be given to the CEO written notice of the following information relating to the PBO —
  - (a) the name of the constrained person;
  - (b) the town or suburb where the constrained person lives;
  - (c) the constraints imposed by the PBO on the activities and behaviour of the constrained person.

- (3) After a court makes an order under section 24(2)(a) varying a PBO, a registrar must cause to be given to the CEO written notice of any changes to information referred to in subregulation (2) relating to the PBO.
- (4) After a court makes an order under section 24 cancelling a PBO, a registrar must cause to be given to the CEO written notice of that fact.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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JU303\*

Magistrates Court (Civil Proceedings) Act 2004

## **Magistrates Court (Civil Proceedings) Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

### **1. Citation**

These regulations are the *Magistrates Court (Civil Proceedings) Regulations 2011*.

### **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. Term used: section**

In these regulations —

*section* means a section of the *Magistrates Court (Civil Proceedings) Act 2004*.

### **4. Jurisdiction conferred by *Prohibited Behaviour Orders Act 2010***

The jurisdiction conferred on the Court by the *Prohibited Behaviour Orders Act 2010* is prescribed for the purposes of section 44(2)(c).



**5. Police officer may represent prosecutor**

- (1) In this regulation —  
*PBO proceedings* has the same meaning as in the *Prohibited Behaviour Orders Act 2010* section 3(1);  
*police prosecutor* means a police officer who is a prosecutor, as defined in the *Prohibited Behaviour Orders Act 2010* section 3(1), in PBO proceedings.
- (2) Where a person is a party to PBO proceedings by virtue of being a police prosecutor, another police officer may, for the purposes of section 44(2)(c), perform the party's entitlement under section 44(1) in those proceedings.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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**LOCAL GOVERNMENT**

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LG301\*

Cemeteries Act 1986

**Cemeteries Amendment Local Law 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council under section 56A(1) of the Act.

**Part 1 — Preliminary****1. Citation**

This local law is the *Cemeteries Amendment Local Law 2011*.

**2. Commencement**

This local law comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this local law is published in the *Gazette*;
- (b) the rest of the local law — on the day after that day.

**3. Term used: model local law**

In this local law —

*model local law* means the model local law published in the *Gazette* on 12 May 1998 at p. 2743-54.

**Part 2 — Certain local laws amended**

**4. Certain local laws resulting from adoption of model local law amended**

(1) In this clause —

*cemeteries local law*, in relation to a local government listed in the first column of the Table, means the local law that results from the adoption of the model local law, by reference and with or without modification, by a local law made by the local government and published in the *Gazette* as described in the second column of the Table.

(2) This clause amends the cemeteries local laws of the local governments listed in the first column of the Table.

(3) Delete the provisions listed in the third column of the Table.

**Table**

<b>Local government</b>	<b>Gazette details of adopting local law</b>	<b>Provision</b>
Shire of Boddington	29 November 2000 p. 6723-4	cl. 7.18(3)
Shire of Broome	18 June 1999 p. 2640-1	cl. 7.20(3)
Shire of Capel	21 February 2001 p. 1141-2	cl. 7.20(3)
Shire of Chittering	12 September 2003 p. 4076-7	cl. 7.20(3)
Shire of Cranbrook	23 April 2002 p. 2153-4	cl. 7.17(3)
Shire of Dandaragan	9 May 2001 p. 2308-9	cl. 7.20(3)
Shire of Dumbleyung	21 March 2003 p. 867-8	cl. 7.17(3)
Shire of Dundas	4 June 1999 p. 2271-2	cl. 7.20(3)

<b>Local government</b>	<b>Gazette details of adopting local law</b>	<b>Provision</b>
Shire of Lake Grace	20 October 2000 p. 5906-7	cl. 7.20(3)
Shire of Meekatharra	29 July 2008 p. 3429-31	cl. 7.17(3)
Shire of Merredin	7 October 2002 p. 5090	cl. 7.20(3)
Shire of Moora	29 November 1999 p. 5949	cl. 7.20(3)
Shire of Pingelly	22 July 2003 p. 3137-8	cl. 7.17(3)
Shire of Roebourne	16 June 2003 p. 2196-7	cl. 7.17(3)
Shire of Shark Bay	12 February 1999 p. 479	cl. 7.20(3)
Shire of Toodyay	1 November 1999 p. 5467	cl. 7.20(3)
Shire of Trayning	28 September 2001 p. 5449-50	cl. 7.20(3)
Shire of Wagin	4 December 2001 p. 6116-7	cl. 7.17(3)
Shire of Westonia	8 April 2003 p. 1106-7	cl. 7.17(3)
Shire of Wickepin	8 December 2000 p. 6921-2	cl. 7.20(3)
Shire of Wongan-Ballidu	26 September 2000 p. 5517-8	cl. 7.17(3)
Shire of Wyndham-East Kimberley	3 December 2003 p. 4891-2	cl. 7.20(3)

#### **5. Other local laws amended**

- (1) This clause amends the local laws listed in the first column of the Table.
- (2) Delete the provisions listed in the second column of the Table.

**Table**

<b>Local law</b>	<b>Provision</b>
<i>Cemeteries Local Law</i> (Shire of Koorda) published in <i>Gazette</i> 21 March 2000 p. 1553-67	cl. 7.18(3)
<i>Cemeteries Local Law 1998</i> (Shire of Dardanup) published in <i>Gazette</i> 30 December 1998 p. 6979-87	cl. 7.20(3)
<i>Cemeteries Local Law 1999</i> (Shire of Kojonup) published in <i>Gazette</i> 16 May 2000 p. 2386-401	cl. 7.20(3)
<i>Serpentine and Jarrahdale Cemeteries Local Law 2005</i> published in <i>Gazette</i> 22 July 2005 p. 3391-7	cl. 7.17(3)
<i>Shire of Bridgetown-Greenbushes Cemeteries Local Law</i> published in <i>Gazette</i> 2 June 2000 p. 2748-54	cl. 7.20(3)
<i>Shire of Broomehill-Tambellup Cemeteries Local Law 2008</i> published in <i>Gazette</i> 23 December 2008 p. 5599-607	cl. 7.17(3)
<i>Shire of Collie Cemeteries Local Law 2010</i> published in <i>Gazette</i> 8 September 2010 p. 4317-26	cl. 7.20(3)
<i>Shire of Donnybrook-Balingup Cemeteries Local Law 2008</i> published in <i>Gazette</i> 30 December 2008 p. 5667-79	cl. 7.18(3)
<i>Shire of Esperance Cemeteries Local Law 2002</i> published in <i>Gazette</i> 13 December 2002 p. 5801 and amended in <i>Gazette</i> 5 November 2010 p. 5567	cl. 7.20(3)
<i>Shire of Gingin Cemeteries Local Law (2004)</i> published in <i>Gazette</i> 13 September 2004 p. 4047-54	cl. 7.20(3)
<i>Shire of Harvey Cemeteries Local Law</i> published in <i>Gazette</i> 23 June 2000 p. 3113-29	cl. 7.20(3)
<i>Shire of Mundaring Cemeteries Local Law 2003</i> published in <i>Gazette</i> 16 June 2004 p. 2093-9	cl. 7.17(3)
<i>Shire of Northam Cemeteries Local Law 2008</i> published in <i>Gazette</i> 16 September 2008 p. 4291-6	cl. 7.20(3)

Local law	Provision
<i>Shire of Perenjori Cemeteries Local Law 2000</i> published in <i>Gazette</i> 2 February 2001 p. 676-82	cl. 7.17(3)

### Part 3 — Certain by-laws amended

#### 6. *Geraldton Cemetery Board By-law 2001* amended

- (1) In this clause —  
*Geraldton Cemetery Board By-law 2001* means the by-law that results from the adoption of the model local law, by reference and with modification, by a by-law made by the Geraldton Cemetery Board and published in the *Gazette* on 24 August 2001 at p. 4576-7.
- (2) This clause amends the *Geraldton Cemetery Board By-law 2001*.
- (3) Delete clause 7.20(3).

#### 7. *Kalgoorlie-Boulder Cemeteries By-law 2007* amended

- (1) This clause amends the *Kalgoorlie-Boulder Cemeteries By-law 2007* published in the *Gazette* on 26 November 2007 at p. 5893-905.
- (2) Delete clause 7.20(3).

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

LG302\*

Local Government Act 1995

## Local Government Amendment (Cuballing and Popanyinning Cemeteries) Local Law 2011

Made by the Lieutenant-Governor and Administrator in Executive Council under section 3.17(1) of the Act.

### 1. Citation

This local law is the *Local Government Amendment (Cuballing and Popanyinning Cemeteries) Local Law 2011*.

**2. Commencement**

This local law comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this local law is published in the *Gazette*;
- (b) the rest of the local law — on the day after that day.

**3. Terms used**

In this local law —

***Cuballing and Popanyinning Cemeteries Local Law*** means the local law that results from the adoption of the model local law, by reference and with modification, by a local law made by the Shire of Cuballing and published in the *Gazette* on 18 September 1998 at p. 5168-9;

***model local law*** means the model local law published in the *Gazette* on 12 May 1998 at p. 2743-54.

**4. Local law amended**

This local law amends the *Cuballing and Popanyinning Cemeteries Local Law*.

**5. Clause 7.20 amended**

Delete clause 7.20(3).

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

LG303\*

Cemeteries Act 1986

## **Cemeteries Model Local Law Amendment Notice 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council under section 56(3) of the Act.

**1. Citation**

This notice is the *Cemeteries Model Local Law Amendment Notice 2011*.

**2. Commencement**

This notice comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this notice is published in the *Gazette*;

(b) the rest of the notice — on the day after that day.

**3. Model local law amended**

This notice amends the model local law published in the *Gazette* on 12 May 1998 at p. 2747-54.

**4. Clause 7.20 amended**

Delete clause 7.20(3).

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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LG304\*

Local Government Act 1995

## Local Government (Yalgoo - Rectification of Omission) Order 2011

Made under section 9.64 by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

This order is the *Local Government (Yalgoo - Rectification of Omission) Order 2011*.

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. Rectification and validation**

- (1) In this order —  
*declaration* means a declaration required under section 2.29(1) of the Act to be made by a person elected as a councillor on the council of a local government.
- (2) The declaration made on 24 March 2011 by Mr Neil Grinham, who was declared elected as a councillor on the council of the Shire of Yalgoo on 14 December 2010, is to be taken to have been made within 2 months after Mr Grinham was declared elected to that office.
- (3) Anything done, or purported to be done, by Mr Grinham in acting in that office before 24 March 2011 is as valid and

effective, and is taken always to have been as valid and effective, as it would have been had the declaration been made within 2 months after Mr Grinham was declared elected to that office.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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## MINERALS AND PETROLEUM

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MP301\*

Petroleum and Geothermal Energy Resources Act 1967

### **Petroleum and Geothermal Energy Resources Amendment Regulations (No. 2) 2011**

Made by the Governor in Lieutenant-Governor and Administrator Council.

**1. Citation**

These regulations are the *Petroleum and Geothermal Energy Resources Amendment Regulations (No. 2) 2011*.

**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 1 July 2011.

**3. Regulations amended**

These regulations amend the *Petroleum and Geothermal Energy Resources Regulations 1987*.

**4. Regulation 3 amended**

Amend the provisions listed in the Table as set out in the Table.



**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 3(4)(a) and (b)	\$40.00	\$41.00
r. 3(5)(a) and (b)	\$40.00	\$41.00
r. 3(6)	\$80.00	\$82.00
r. 3(7)	\$9 598.00	\$9 886.00
r. 3(8)	\$23 455.00	\$13 228.00

**5. Schedule 1 replaced**

Delete Schedule 1 and insert:

**Schedule 1 — Prescribed fees**

[r. 3(1)]

<b>Column 1 Item</b>	<b>Column 2 Provision of Act</b>	<b>Column 3 Amount of prescribed fee (\$)</b>
1.	s. 31(1)(f)	4 932.00
2.	s. 34(1)(a)	4 932.00
3.	s. 37A(2)(e)	987.00
4.	s. 40(2)(c)	1 973.00
5.	s. 43B(1)(f)	4 932.00
6.	s. 43F(3)(d)	1 973.00
7.	s. 48A(2)(e)	1 973.00
8A.	s. 48CA(3)(d)	1 973.00
8.	s. 48F(2)(d)	1 973.00
9.	s. 51(1)(e)	1 973.00
10.	s. 58(1)(a)	4 932.00
11.	s. 61(2)(e)	987.00
12.	s. 64(2)(d)	1 973.00
13.	s. 73(2)	98.00
14.	s. 73(3)(b)	98.00

<b>Column 1 Item</b>	<b>Column 2 Provision of Act</b>	<b>Column 3 Amount of prescribed fee (\$)</b>
15.	s. 80(1)	21.00
16.	s. 81(3)	49.00
17.	s. 105(2)(d)	987.00
18.	s. 137(a)	1 724.00

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

MP302\*

Petroleum (Submerged Lands) Act 1982

## **Petroleum (Submerged Lands) Amendment Regulations (No. 2) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

### **1. Citation**

These regulations are the *Petroleum (Submerged Lands) Amendment Regulations (No. 2) 2011*.

### **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 1 July 2011.

### **3. Regulations amended**

These regulations amend the *Petroleum (Submerged Lands) Regulations 1990*.

**4. Regulation 3 amended**

In regulation 3 amend the provisions listed in the Table as set out in the Table:

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 3(4)(a) and (b)	\$40.00	\$41.00
r. 3(5)(a) and (b)	\$40.00	\$41.00
r. 3(6)	\$1 674.00	\$1 724.00
r. 3(7)	\$80.00	\$82.00
r. 3(8)	\$9 598.00	\$9 886.00
r. 3(9)	\$23 455.00	\$13 228.00

**5. Schedule 1 replaced**

Delete Schedule 1 and insert:

**Schedule 1 — Prescribed fees**

[r. 3(1)]

<b>Column 1 Item</b>	<b>Column 2 Provision of Act</b>	<b>Column 3 Amount of prescribed fee (\$)</b>
1.	s. 21(1)(f)	4 932.00
2.	s. 24(1)(a)	4 932.00
3.	s. 30(2)(c)	1 973.00
4.	s. 38A(2)(e)	1 973.00
5A.	s. 38CA(2)(d)	1 973.00
5.	s. 38F(2)(d)	1 973.00
6.	s. 41(1)(e)	1 973.00
7.	s. 48(1)(a)	4 932.00
8.	s. 51(2)(e)	987.00
9.	s. 54(2)(d)	1 973.00
10A.	s. 60B(2)(d)	4 932.00
10B.	s. 60J(2)(d)	987.00

<b>Column 1 Item</b>	<b>Column 2 Provision of Act</b>	<b>Column 3 Amount of prescribed fee (\$)</b>
10.	s. 64(1)(f)	4 932.00
11.	s. 68(2)(c)	1 973.00
12.	s. 71(2)(e)	987.00
13.	s. 79(2)	98.00
14.	s. 79(3)(b)	98.00
15.	s. 86(1)	21.00
16.	s. 87(3)	49.00
17.	s. 111(2)(d)	987.00
18.	s. 141	108.00

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

MP303\*

Petroleum (Submerged Lands) Registration Fees Act 1982

## **Petroleum (Submerged Lands) Registration Fees Amendment Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

### **1. Citation**

These regulations are the *Petroleum (Submerged Lands) Registration Fees Amendment Regulations 2011*.

**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 1 July 2011.

**3. Regulations amended**

These regulations amend the *Petroleum (Submerged Lands) Registration Fees Regulations 1990*.

**4. Regulation 3 amended**

In regulation 3 amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 3(1)	\$958.00	\$987.00
r. 3(2)	\$958.00	\$987.00
r. 3(3)	\$4 788.00	\$4 932.00
r. 3(4)	\$958.00	\$987.00
r. 3(5)	\$4 788.00	\$4 932.00

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

MP304\*

Petroleum Pipelines Act 1969

## **Petroleum Pipelines Amendment Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Petroleum Pipelines Amendment Regulations 2011*.

**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 1 July 2011.

**3. Regulations amended**

These regulations amend the *Petroleum Pipelines Regulations 1970*.

**4. Regulation 4B amended**

In regulation 4B delete “\$105.00.” and insert:

\$108.00.

**5. Third Schedule replaced**

Delete the Third Schedule and insert:

### Third Schedule — Fees

[r. 4]

Item no.	Purpose	Provision of Act	Fee (\$)
1.	Application for licence	s. 8(1)(j)	4 932.00
2.	Application for renewal of licence	s. 11(2)(d)	1 973.00
3.	Application for variation of licence	s. 15(2)(d)	987.00
4.	Registration of memorandum of transfer and name of transferee	s. 44(9)	98.00
5.	Registration as licensee on devolution by operation of law	s. 45(2)	98.00
6.	Application by company licensee for registration of change of name	s. 45(3)	98.00
7.	Entry on memorial of registration of approval of dealing	s. 47(12)	98.00
8.	Inspection of register	s. 52(1)	21.00

Item no.	Purpose	Provision of Act	Fee (\$)
9.	Copies of or extracts from the register or of or from an instrument certified by Minister	s. 53(2)	3.50
10.	Certificate by Minister as to entry, matter or things under the Act	s. 53(3)	49.00

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

MP305\*

Petroleum and Geothermal Energy Resources Act 1967

## Petroleum and Geothermal Energy Resources (Registration Fees) Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

### 1. Citation

These regulations are the *Petroleum and Geothermal Energy Resources (Registration Fees) Amendment Regulations 2011*.

### 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 1 July 2011.

### 3. Regulations amended

These regulations amend the *Petroleum and Geothermal Energy Resources (Registration Fees) Regulations 1990*.

**4. Regulation 3 amended**

- (1) In regulation 3(1) delete “\$958.00.” and insert:  
\$987.00.
- (2) In regulation 3(2) delete “\$958.00.” and insert:  
\$987.00.
- (3) In regulation 3(3) delete “\$4 788.00.” and insert:  
\$4 932.00.
- (4) In regulation 3(4) delete “\$958.00.” and insert:  
\$987.00.
- (5) In regulation 3(5) delete “\$4 788.00.” and insert:  
\$4 932.00.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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**POLICE**

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PO301\*

Misuse of Drugs Act 1981

**Misuse of Drugs (Amounts of Prohibited Drugs)  
Order (No. 2) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council under section 42 of the Act.

**1. Citation**

This order is the *Misuse of Drugs (Amounts of Prohibited Drugs) Order (No. 2) 2011*.



**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Schedule III of the Act amended**

In Schedule III of the Act:

- (a) after item 24 insert:

25A.	1-BUTYL-3-(1-NAPHTHOYL)INDOLE (JWH – 073)	500.0
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- (b) after item 46A insert:

46B.	5-(1,1-DIMETHYLHEPTYL)-2-[(1R,3S) -3-HYDROXYCYCLOHEXYL]-PHENOL (CP 47,497)	500.0
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46C.	5-(1,1-DIMETHYLOCTYL)-2-[(1R,3S) -3-HYDROXYCYCLOHEXYL]-PHENOL (CANNABICYCLOHEXANOL or CP 47,497 C8 HOMOLOGUE)	500.0
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- (c) after item 80A insert:

80B.	2-(2-METHOXYPHENYL)-1-(1-PENTYLINDOL -3-YL)ETHANONE (JWH – 250)	500.0
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- (d) after item 93 insert:

94A.	1-[2-(4-MORPHOLINYL)ETHYL] -3-(1-NAPHTHOYL)INDOLE (JWH – 200)	500.0
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- (e) after item 109 insert:

110A.	1-PENTYL-3-(1-NAPHTHOYL)INDOLE (JWH – 018)	500.0
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110B.	1-PENTYL-3-(4-METHYL-1-NAPHTHOYL) INDOLE (JWH – 122)	500.0
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**4. Schedule V of the Act amended**

In Schedule V of the Act:

- (a) after item 24 insert:

25A.	1-BUTYL-3-(1-NAPHTHOYL)INDOLE (JWH – 073)	100.0
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(b) after item 47A insert:

47B.	5-(1,1-DIMETHYLHEPTYL)-2-[(1 <i>R</i> ,3 <i>S</i> )-3-HYDROXYCYCLOHEXYL]-PHENOL (CP 47,497)	100.0
47C.	5-(1,1-DIMETHYLOCTYL)-2-[(1 <i>R</i> ,3 <i>S</i> )-3-HYDROXYCYCLOHEXYL]-PHENOL (CANNABICYCLOHEXANOL or CP 47,497 C8 HOMOLOGUE)	100.0

(c) after item 82A insert:

82B.	2-(2-METHOXYPHENYL)-1-(1-PENTYLINDOL-3-YL)ETHANONE (JWH – 250)	100.0
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(d) after item 95 insert:

96A.	1-[2-(4-MORPHOLINYL)ETHYL]-3-(1-NAPHTHOYL)INDOLE (JWH – 200)	100.0
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(e) after item 111 insert:

112A.	1-PENTYL-3-(1-NAPHTHOYL)INDOLE (JWH – 018)	100.0
112B.	1-PENTYL-3-(4-METHYL-1-NAPHTHOYL)INDOLE (JWH – 122)	100.0

## 5. Schedule VII of the Act amended

In Schedule VII of the Act:

(a) after item 2A insert:

2B.	1-BUTYL-3-(1-NAPHTHOYL)INDOLE (JWH – 073)	3.0 kg
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(b) after item 5AA insert:

5AB.	5-(1,1-DIMETHYLHEPTYL)-2-[(1 <i>R</i> ,3 <i>S</i> )-3-HYDROXYCYCLOHEXYL]-PHENOL (CP 47,497)	3.0 kg
5AC.	5-(1,1-DIMETHYLOCTYL)-2-[(1 <i>R</i> ,3 <i>S</i> )-3-HYDROXYCYCLOHEXYL]-PHENOL (CANNABICYCLOHEXANOL or CP 47,497 C8 HOMOLOGUE)	3.0 kg

(c) after item 8A insert:

8B.	2-(2-METHOXYPHENYL)-1-(1-PENTYLINDOL-3-YL)ETHANONE (JWH – 250)	3.0 kg
-----	----------------------------------------------------------------	--------

(d) after item 11 insert:

12A. 1-[2-(4-MORPHOLINYL)ETHYL]  
-3-(1-NAPHTHOYL)INDOLE (JWH – 200) 3.0 kg

(e) after item 12 insert:

13. 1-PENTYL-3-(1-NAPHTHOYL)INDOLE 3.0 kg  
(JWH – 018)

14. 1-PENTYL-3-(4-METHYL-1-NAPHTHOYL)  
INDOLE (JWH – 122) 3.0 kg

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Chief Executive Officer.

PO302\*

Telecommunications (Interception) Western Australia Act 1996

## Telecommunications (Interception) Western Australia Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive  
Council.

### 1. Citation

These regulations are the *Telecommunications (Interception)  
Western Australia Amendment Regulations 2011*.

### 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 on which the *Telecommunications (Interception) Western Australian Amendment Act 2011* Parts 2 and 3 come into operation.

### 3. Regulations amended

These regulations amend the *Telecommunications (Interception)  
Western Australia Regulations 1996*.

**4. Regulation 1 amended**

In regulation 1 delete “(*Interception*)” and insert:

*(Interception and Access)*

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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PO303\*

Community Protection (Offender Reporting) Act 2004

## **Community Protection (Offender Reporting) Amendment Regulations 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Community Protection (Offender Reporting) Amendment Regulations 2011*.

**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 *Community Protection (Offender Reporting) Regulations 2004*.

**4. Regulation 8 amended**

In regulation 8:

- (a) before paragraph (a) insert:
  - (aa) an offence under *The Criminal Code* section 218;
  - (ab) an offence under *The Criminal Code* section 219;
  - (ac) an offence under *The Criminal Code* section 220;

- (b) in paragraph (a) delete “section 60;” and insert:  
section 60 (deleted);

**5. Regulation 17 amended**

In regulation 17:

- (a) after paragraph (a) insert:
- (ba) an offence under *The Criminal Code* section 218;
  - (bb) an offence under *The Criminal Code* section 219;
  - (bc) an offence under *The Criminal Code* section 220;
- (b) in paragraph (g) delete “section 60;” and insert:  
section 60 (deleted);

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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PO304\*

Misuse of Drugs Act 1981

## **Misuse of Drugs Amendment Regulations (No. 3) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Misuse of Drugs Amendment Regulations (No. 3) 2011*.

**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 *Misuse of Drugs Regulations 1982*.

**4. Regulation 5B amended**

(1) Before regulation 5B(1) insert:

(1A) In subregulation (1) —

**chemist** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the pharmacy profession;

**optometrist** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the optometry profession.

(2) In regulation 5B(1):

(a) before paragraph (a) insert:

(aa) chemist;

(b) delete paragraph (e).

(3) Delete regulation 5B(2).

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

PO305\*

Security and Related Activities (Control) Act 1996

## **Security and Related Activities (Control) Amendment Regulations (No. 4) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Security and Related Activities (Control) Amendment Regulations (No. 4) 2011*.

**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 *Security and Related Activities (Control) Regulations 1997*.

**4. Regulation 3 amended**

In regulation 3(1) delete the definition of *medical practitioner* and insert:

*medical practitioner* means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.

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## — PART 2 —

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### CONSUMER PROTECTION

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CP401\*

**ASSOCIATIONS INCORPORATION ACT 1987**

## REINSTATED ASSOCIATION

Happydays Playgroup Incorporated—A1005900H

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the Associations Incorporation Act 1987.

Dated: 23 June 2011.

SUSAN NULSEN, Director, Business Services for  
Commissioner of Consumer Protection.

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### FIRE AND EMERGENCY SERVICES

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FE101

*PRINTERS CORRECTION***BUSH FIRES ACT 1954**

## PROHIBITED BURNING PERIOD

An error occurred in two notices published under the above heading on page 2181 of *Government Gazette* No. 97 dated 17 June 2011 and are corrected by republishing the complete notices below.

**BUSH FIRES ACT 1954**

## RESTRICTED BURNING PERIOD

Correspondence No. 00111

Fire and Emergency Services Authority,  
Perth.

It is hereby notified that pursuant to the powers contained in Section 18(2) of the *Bush Fires Act 1954* the Fire and Emergency Services Authority of Western Australia has declared that it shall be unlawful to set fire to the bush in the Local Government district of the Shire of Jerramungup during the period indicated in the schedule below, except in accordance with a permit obtained under section 18 of the Act. The declaration made under Section 18(2) of the Act, as published in the *Government Gazette* of 27 October 1995, is hereby revoked.

## Schedule

Local Government	Restricted Burning Period
Shire of Jerramungup	1 October—1 May

JO HARRISON-WARD, FESA Chief Executive Officer.

**BUSH FIRES ACT 1954**

## RESTRICTED BURNING PERIOD

Correspondence No. 00111

Fire and Emergency Services Authority,  
Perth.

It is hereby notified that pursuant to the powers contained in Section 18(2) of the *Bush Fires Act 1954* the Fire and Emergency Services Authority of Western Australia has declared that it shall be unlawful to set fire to the bush in the Local Government district of the Shire of Kalamunda during the period indicated in the schedule below, except in accordance with a permit obtained under section 18 of the Act. The declaration made under Section 18(2) of the Act, as published in the *Government Gazette* of 27 October 1995, is hereby revoked.



## Schedule

Local Government	Restricted Burning Period
Shire of Kalamunda	1 October—31 May

JO HARRISON-WARD, FESA Chief Executive Officer.

FE401\*

**BUSH FIRES ACT 1954**  
PROHIBITED BURNING PERIOD

Fire and Emergency Services Authority,  
Perth.

Correspondence No. 00111

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 17(1) of that Act that it shall be unlawful to set fire to the bush in the Local Government district of the Shire of Kalamunda during the period indicated in the schedule below. The declaration made under Section 17(1) of that Act, as published in the *Government Gazette* of 27 November 2001, is hereby revoked.

## Schedule

Local Government	Prohibited Burning Period
Shire of Kalamunda	1 December-31 March

FRANK PASQUALE, A/FESA Chief Executive Officer.

FE402\*

**BUSH FIRES ACT 1954**  
PROHIBITED BURNING PERIOD

Fire and Emergency Services Authority,  
Perth.

Correspondence No. 00111

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 17(1) of that Act that it shall be unlawful to set fire to the bush in the Local Government district of the City of Mandurah during the period indicated in the schedule below. The declaration made under Section 17(1) of that Act, as published in the *Government Gazette* of 11 November 1997, is hereby revoked.

## Schedule

Local Government	Prohibited Burning Period
City of Mandurah	1 December-31 March

FRANK PASQUALE, A/FESA Chief Executive Officer.

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## HEALTH

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HE401\*

**HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994**

HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE) ORDER (No. 4) 2011  
Made by the Director, Office of Safety and Quality (as delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

**Citation**

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Order (No. 4) 2011*.

**Commencement**

2. This order comes into operation on the day on which it is published in the *Government Gazette*.

**Committee**

3. The Mount Hospital Clinical Review Committee established by the Mount Hospital Executive is an approved quality improvement committee for the purposes of the Act.

**Expiry of order**

4. This order expires three years after its commencement.

Dated this 20th day of June 2011.

Dr CHANTAL FERGUSON, Director and Principal Medical Officer,  
Office of Safety and Quality in Healthcare  
Performance Activity and Quality Division.

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**HERITAGE**

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**HR101\****CORRECTION***HERITAGE OF WESTERN AUSTRALIA ACT 1990****ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES**

In the notice published in the *Government Gazette* dated 13 December 1996, item HR401 on page 6905 an error occurred. Under Schedule 1, the land description for Boan's Furniture Factory (fmr) at Cnr Saunders and Glyde Streets, East Perth should read—

Lot 50 on Diagram 90567 being the whole of the land contained in Certificate of Title Volume 2065 Folio 730.

In the notice published in the *Government Gazette* dated 31 March 2006, item HR401 on page 1174 an error occurred. Under Schedule 1, the land description for Quarantine Station (fmr), Woodman Point at O'Kane Court, Woodman Point should read—

Clarence Lots 179, 180, 181 and ptn of Clarence Lot 178 being part of Res 42469 and being part of the land contained in CLT V 3109 F 888. Ptn of Lot 149 on DP 216278 being part of Res 40184 and part of the land contained in CLT V 3136 F 54. Ptn of Lot 177 on DP 219649 being part of Res 40184 and part of the land contained in CLT V 3136 F 56. Ptn of Lot 183 on DP 219648 being part of Res 40184 and part of the land contained in CLT V 3136 F 57. Ptn of Lot 186 on DP 219648 being part of Res 40184 and part of the land contained in CLT V 3136 F 60. Ptn of Lot 61 on D 67078 being part of the land contained in C/T V 1760 F 971. Ptn of Lot 52 on Plan 14756 being part of the land contained in C/T V 1760 F 960. Ptn of Lot 53 on Plan 14756 being part of the land contained in C/T V 1760 F 961. Ptn of Lot 50 on Plan 14757 being part of the land contained in C/T V 1760 F 965. Ptn of Lot 56 on Plan 14758 being part of the land contained in C/T V 1760 F 967. Lots 57 and 58 on Plan 14758 being the whole of the land contained in C/Ts V 1760 F 968 and 969; together as shown on HCWA Survey Drawing No. 0499 prepared by Whelans.

Dated this the 1st day of July 2011.

GRAEME GAMMIE, Executive Director, Office of Heritage,  
108 Adelaide Terrace, East Perth WA 6004.

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**JUSTICE**

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**JU401\*****JUSTICES OF THE PEACE ACT 2004****APPOINTMENTS**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Steven Mark Dobson of Jandakot  
Veronica Anne Rodenbuurg of Point Samson

RAY WARNES, Executive Director, Court and Tribunal Services.

**JU402\*****JUSTICES OF THE PEACE ACT 2004****RESIGNATIONS**

It is hereby notified for public information that the Minister has accepted the resignation of—

Pauline Yvette Green of Iluka  
Margaret Hitching of Busselton  
Terence Neil Jacobson of Brooks Bay, Tasmania

Pamela Frances Lyons of Kelmscott  
 John Evans Way of Walliston  
 from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director, Court and Tribunal Services.

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## MINERALS AND PETROLEUM

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### MP101\*

#### CORRECTION

The notice at page 2522 of the *Government Gazette* dated 24 June 2011 for the Expiry of WA-343-P is corrected as follows.

Commonwealth of Australia

#### OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

#### EXPIRY OF PETROLEUM EXPLORATION PERMIT WA-353-P

Petroleum Exploration Permit No. WA-353-P held by Woodside Burrup Pty Ltd expired on 20 June 2011.

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

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### MP401\*

#### PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

#### PARTIAL SURRENDER OF PETROLEUM EXPLORATION PERMIT EP 456

The partial surrender of Petroleum Exploration Permit No. EP 456, in respect to Broome [SE51] blocks 8052, 8124, 8125, 8126, 8199, 8271, 8272, 8343, 8344, 8345, 8415, 8416, 8417 and 8418 and Oakover River [SF51] blocks 5034, 5035, 5107, 5179, 5180, 5251, 5252, 5323, 5324, 5395, 5396, 5397, 5467, 5468, 5469, 5470, 5541, 5542, 5543, 5614, 5615, 5687, 5688, 5760, 5761 and 5833 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

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

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### MP402\*

#### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
 Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

PAUL ROTH, Warden.

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To be heard by the Warden at Karratha on 29 July 2011.

#### GASCOYNE MINERAL FIELD

#### Prospecting Licences

P 09/461 Bellotti, Victor James

P 09/462 Bellotti, Victor James

#### KIMBERLEY MINERAL FIELD

#### Prospecting Licences

P 80/1652 Heng, Sharon

#### WEST PILBARA MINERAL FIELD

#### Prospecting Licences

P 47/1081 Heymans, Michele  
 Heymans, Martin Andre Peter  
 Scardigno, Luigi  
 Scardigno, Maria Antonietta

**MP403\***

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

PAUL ROTH, Warden.

To be heard by the Warden at Karratha on 29 July 2011.

**GASCOYNE MINERAL FIELD**  
Prospecting Licence

P 09/455                      Bellotti, Rodney Laurence

**KIMBERLEY MINERAL FIELD**  
Prospecting Licence

P 80/1652                    Heng, Sharon

**WEST PILBARA MINERAL FIELD**  
Prospecting Licences

P 47/1081                    Heymans, Michele  
Heymans, Martin Andre Peter  
Scardigno, Luigi

P 47/1170                    Scardigno, Maria Antonietta  
Orion Equities Limited

**PLANNING****PL401\***

**PLANNING AND DEVELOPMENT ACT 2005**

DETERMINATION

EG Custodian Services Pty Ltd v Town of Victoria Park

DR 480 of 2009

It is hereby notified for public information that the Minister for Planning has determined an application for review (refused by Local Government) of an application to vary the Burswood Lakes Structure Plan pursuant to section 247 of the *Planning and Development Act 2005* ("the Act"). The proposed Variation would directly affect Lots 9 and 9525 on Deposited Plan 53689. Those lots are located on Victoria Park Drive approximately between Burswood Dome and the Burswood Train Station.

Section 246(7) of the Act and regulation 44 of the *Planning and Development Regulations 2009* require that copies of any submissions to which the Minister had regard in determining the application be published by making them available to the public during office hours at the Western Australian Planning Commission's office.

Accordingly, copies of the submissions can be viewed at the Western Australian Planning Commission, 140 William Street, Perth.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

**PL403\***

**PLANNING AND DEVELOPMENT ACT 2005**

APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Geraldton-Greenough*

Town Planning Scheme No. 3—Amendment No. 57

Ref: TPS/0533

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 Geraldton-Greenough local planning scheme amendment on 22 June 2011 for the purpose of—

1. Inserting a new Additional Use in Schedule 2 as follows—

No.	Site	Uses
A57	Lots 8 and 9 Pollard Street, West End	Office

2. Inserting after clause 4.15.3 (i)—
- (ii) In considering non-residential uses Council will have regard to the following design principles—
- (a) Development should be sited to ensure the residential streetscape is maintained and not adversely impacted by intensive development.
- (b) Building setbacks should respect the built form of the street and contribute to the street character. Setbacks should be such that they allow for the mass of the building to be architecturally broken up into shapes and forms that will reduce the physical impact on adjoining properties and streetscape. Compensatory floor areas may be achieved by stepping upper levels back and containing the bulk of the building to the rear elevation.
- (c) Building bulk, scale and overall height should not dominate the streetscape and should be consistent In scale with the residential area (maximum 2 storey).
- and correcting the numbering of clause 4.15.3 accordingly.
3. Deleting Additional Use A55 Car Parking for Lot 9 Pollard Street, West End from Schedule 2.
4. Modifying the scheme map accordingly.

I. W. CARPENTER, Mayor.  
A. BRUN, Chief Executive Officer.

PL402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Bunbury*  
Town Planning Scheme No. 7—Amendment No. 29

Ref: 853/6/2/11 Pt 29

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 Bunbury local planning scheme amendment on 22 June 2011 for the purpose of—

1. Amending the Scheme Text by inserting “Special Use Zone 54” into the table of “Schedule 2—Special Use Zones” with associated text provisions included in the “Special Use(s)” and “Conditions” columns of the table accordingly—

**SCHEDULE 2—SPECIAL USE ZONES**

No.	Description of Land	Special Use(s)	Conditions
54.	Lots 17 and 18 Australind Bypass, and Lots 1, 30 and 31 Vittoria Road, Glen Iris	<p>(a) The following uses are classified as “P” uses—</p> <p>i. Consulting Rooms;</p> <p>ii. Medical Centre;</p> <p>iii. Nursery;</p> <p>(b) The following uses are classified as “D” uses—</p> <p>i. Showroom;</p> <p>ii. Cinema;</p> <p>iii. Civic Use;</p> <p>iv. Community Purpose;</p> <p>v. Exhibition Centre;</p> <p>vi. Lunch Bar;</p> <p>vii. Reception Centre.</p> <p>(c) The following uses are classified as “A” uses—</p> <p>i. Child Care Premises;</p> <p>ii. Funeral Parlour;</p> <p>iii. Place of Worship;</p>	<p><b>1. Land Use Requirements</b></p> <p>1.1 The use of premises is to be for general commercial activities, and is to be designed, constructed and operated in a manner that does not result in land use conflict with adjoining premises and does not compete with the function of the proposed Glen Iris Neighbourhood Centre on the adjoining properties to the south.</p> <p>1.2 Uses are not to be operated in a manner that would otherwise be located in a designated activity centre within the defined hierarchy of centres under the State Planning Framework and the Local Planning Policy Framework.</p> <p>1.3 The use Produce Market may only be permitted within the boundaries of Lot 1 Vittoria Road, subject to the adoption of a Detailed Area Plan by the Local Government and its endorsement by the Western Australian Planning Commission.</p> <p>1.4 The maximum net lettable retail area of the total floorspace of the Produce Market use—</p> <p>(a) on any individual lot, including a strata or survey strata lot; and</p>

No.	Description of Land	Special Use(s)	Conditions
		<p>iv. Recreation, Private;</p> <p>v. Veterinary Centre;</p> <p>vi. Produce Market*</p> <p>* The land use definition of a 'Produce Market' means premises used for the storage, processing and sale (by wholesale and/or retail) of domestic fresh produce including the predominant lines of fruit, fresh and processed vegetables, and which may include the incidental sale of other items such as flowers, bread, meat, smallgoods, dairy products, bulk food goods, continental foods and fish. The use does not include a "Shop".</p> <p>vii. Pharmacy#.</p> <p># The land use definition of a 'Pharmacy' means premises used for the production and sale of medicines by a qualified pharmacist but does not include a 'Shop'.</p>	<p>(b) on all or any part of the land in a strata or survey strata scheme, is 1,550 m<sup>2</sup>.</p> <p>1.5 The maximum net lettable area of the total floorspace of a Showroom use on any individual lot (including a strata or survey strata lot) or tenancy is 1,000 m<sup>2</sup>.</p> <p>1.6 A 'Pharmacy' may only be considered in conjunction with an application for a 'Medical Centre' or where a 'Medical Centre' has already been approved.</p> <p><b>2 Application Requirements</b></p> <p>2.1 Detailed Area Plan—</p> <p>(a) The Local Government shall require the preparation and submission of a Detailed Area Plan for the "development site", to be adopted by Council and endorsed by the Western Australian Planning Commission prior to any subdivision or planning approval being granted.</p> <p>(b) The Detailed Area Plan is to be prepared in accordance with Liveable Neighbourhoods and must show such detail to the satisfaction of the Local Government that the development of land within the Special Use Zone is consistent with orderly and proper planning and the achievement of the highest appropriate level of amenity.</p> <p>(c) The Detailed Area Plan may include information or detail dealing with, but not be limited to, the following—</p> <ol style="list-style-type: none"> <li>i. standards and requirements for development site planning and building design;</li> <li>ii. lot layout of subdivision design and building envelopes;</li> <li>iii. any required limitations on floor areas related to particular land uses;</li> <li>iv. interface and buffer treatments between the surrounding residential uses and the development site;</li> <li>v. urban design treatment of streetscapes and residential interfaces;</li> <li>vi. traffic management, including accessways and internal circulation;</li> <li>vii. vehicle parking and circulation areas and treatments;</li> <li>viii. pedestrian access and movement;</li> <li>ix. building height and scale;</li> <li>x. development setbacks from boundaries;</li> <li>xi. landscaping within setback areas and between buildings; and</li> </ol>

No.	Description of Land	Special Use(s)	Conditions
			<p data-bbox="1007 271 1394 344">xii. passive surveillance (Designing out Crime principles).</p> <p data-bbox="932 356 1257 385"><b>3 Development Standards</b></p> <p data-bbox="932 392 1394 495">3.1 All development is to be undertaken in a manner which is generally consistent with an adopted Detailed Area Plan.</p> <p data-bbox="932 501 1394 604">3.2 Where development standards are not prescribed in the adopted Detailed Area Plan the Scheme provisions shall prevail.</p> <p data-bbox="932 611 1177 640">3.3 Building Height—</p> <p data-bbox="967 647 1394 721">The height of development will be in accordance with the relevant Local Planning Policy.</p> <p data-bbox="932 728 1214 757">3.4 Setbacks to Streets—</p> <p data-bbox="978 763 1394 866">(a) The minimum setback distances to lot boundaries with frontage to a street for all development is 6 metres.</p> <p data-bbox="978 873 1394 947">(b) setback to any other accessway or right-of- way is not less than 3 metres.</p> <p data-bbox="932 954 1235 983">3.5 Setbacks to Premises—</p> <p data-bbox="967 990 1394 1093">The minimum setback distances to lot boundaries adjoining premises for all development is to be in accordance with an adopted Detailed Area Plan.</p> <p data-bbox="932 1099 1329 1128">3.6 Open Space and Landscaping—</p> <p data-bbox="967 1135 1394 1238">The minimum open space and landscaped area on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p data-bbox="932 1245 1307 1274">3.7 Vehicle Access and Parking—</p> <p data-bbox="978 1281 1394 1429">(a) Vehicle access, circulation and on-site parking provision for all uses is to be provided in accordance with the Scheme, and located in accordance with an adopted Detailed Area Plan.</p> <p data-bbox="978 1435 1394 1509">(b) No direct vehicle access is to be provided to the Australind Bypass.</p> <p data-bbox="932 1516 1086 1545">3.8 Signage—</p> <p data-bbox="978 1552 1394 1767">(a) A Precinct Signage Plan is required as a component of the Detailed Area Plan for the entire Precinct, which is to regulate the location and area of signage, the type of signage, its unified style and quality of presentation.</p> <p data-bbox="978 1774 1394 1944">(b) Applications for planning approval for the development of premises will require a detailed Development Signage Plan, which is to be approved by the City of Bunbury prior to the issuing of any building licence.</p> <p data-bbox="932 1951 1102 1980">3.9 Drainage—</p> <p data-bbox="967 1986 1394 2110">An Urban Water Management Strategy should be prepared as part of the Detailed Area Plan to the satisfaction of the Department of Water and the Local Government.</p>

2. Amending the Scheme Map by—
- (a) Replacing the “Development Zone—Residential” depicted over Lots 17 and 18 Australind Bypass, Lot 1 (corner of Vittoria Road and Australind Bypass), Lots 30 and 31 Vittoria Road, Glen Iris with a “Special Use Zone” designation and inserting the text overlay “S.U.54 Gateway Commercial Precinct”.
  - (b) Rezoning portion of Vittoria Road reserve from “Development Zone—Residential Zone” to “Access Road Reserve”.

D. L. SMITH, Mayor.  
A. BRIEN, Chief Executive Officer.

**PL404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Northampton*  
Town Planning Scheme No. 9—Amendment No. 9

Ref: 853/3/14/11 Pt 9

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 Northampton local planning scheme amendment on 22 June 2011 for the purpose of—

1. Amending the zoning of portion of Unallocated Crown Land, Cygnet Court, Kalbarri from ‘Parks and Recreation—Local Scheme Reserve’ to ‘Residential R17.5’.
2. Amending the Scheme Maps accordingly.

G. D. WILSON, Shire President.  
G. L. KEEFFE, Chief Executive Officer.

**PL405\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Ravensthorpe*  
Town Planning Scheme No. 5—Amendment No. 15

Ref: 853/5/20/7 Pt 15

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 Ravensthorpe local planning scheme amendment on 22 June 2011 for the purpose of—

1. Rezoning Lot 61 Hopetoun-Ravensthorpe Road, Hopetoun, from ‘General Agriculture’ zone to ‘Rural Conservation’ zone, as more clearly shown on the Scheme Amendment Map.
2. Inserting the following to ‘Schedule 9—Rural Conservation Zone Provisions’—

**SCHEDULE 9—RURAL CONSERVATION ZONE PROVISIONS**

(a) Specified Area of Locality	(b) Provisions relative to (a)
Rural Conservation Zone No 8 Portion Lot 61 Hopetoun- Ravensthorpe Road, Hopetoun	1 Objective The objective of this Rural Conservation Zone is for rural residential purposes in a natural bushland setting and the conservation of the existing natural vegetation is of paramount importance.
	2 Subdivision Subdivision shall generally be in accordance with the Subdivision Guide Plan signed by the Chief Executive Officer. No further subdivision will be supported.
	3 Building Envelopes (a) All buildings and effluent disposal systems shall be constructed within a single building envelope not exceeding 2,500m <sup>2</sup> , located outside of any areas shown on the Subdivision Guide Plan as ‘Building Exclusion Area’ or ‘Shelter Belt’ and setback a minimum of 50 metres from Hopetoun-Ravensthorpe Road, 30 metres to a road boundary and 20 metres to any other boundary.



- (b) Notwithstanding the building envelope size, vegetation clearance for the purpose of constructing a house, shed and/or other buildings shall be limited to 2,500m<sup>2</sup> unless approved by the Council and in consultation with DEC for the relevant lots designated in the Subdivision Guide Plan.
- (c) Building envelopes shall be defined by the landowner in a position to be approved by the local government prior to the commencement of any development on a lot. Such envelopes shall meet the following requirements—
  - (i) buildings and effluent disposal systems to be setback a minimum of 50 metres from the wetland dependant vegetation of any water body or wetland and a minimum of 100 metres from any adjoining Crown lands;
  - (ii) building setback for bush fire protection purposes; and
  - (iii) the building envelope and access way do not adversely affect any rare flora and/or fauna.
- (d) Subject to (a) above, the local government may permit a variation to the building envelope, prior to the construction of any building, if it is shown to the satisfaction of the local government that the proposed location of the building envelope will not be detrimental to the landscape or the environment.

#### 4 Service Requirements

- (a) No dwelling shall be constructed or approved for construction unless a supply of water (either from an underground bore or well, or a minimum of 92,000 litre water storage tank), an approved method of effluent disposal has been incorporated into the approved plans, and no dwelling shall be considered fit for human habitation unless such supply of water and method of effluent disposal has been installed and is operating.
- (b) Effluent disposal systems are to be located where the vertical separation from natural ground level to the highest known water table meets relevant standards, and alternative treatment units are to be used where the vertical separation is inadequate for conventional septic systems.
- (c) The local government shall require that a prospective purchaser of a lot is made aware of the responsibility to install an individual supply of water and method of effluent disposal.
- (d) Reference should be made to Department of Agriculture guidelines relating to water storage, tanks size and area of roof catchment.

#### 5 Vegetation Protection and Enhancement

- (a) No trees or shrubs shall be felled or removed from a lot except for—
  - (i) trees that present an imminent danger to human health;
  - (ii) the establishment of fire hazard reduction measures are required;
  - (iii) specific requirements of an adopted fire management plan; and
  - (iv) building, road and access way construction approved by the local government and in consultation with DEC for the relevant lots designated in the Subdivision Guide Plan.
- (b) Vegetation clearance for the purpose of constructing a house, shed and/or other buildings shall be limited to 2,500m<sup>2</sup> unless approved by the local government and in consultation with DEC for the relevant lots designated in the Subdivision Guide Plan.
- (c) No clearing will be permitted within the designated Building Exclusion Areas on the Subdivision Guide Plan.
- (d) At the time of subdivision, subject to agreement from the relevant Agency, the local government may request that the WA Planning Commission impose a condition requiring a conservation covenant to protect the vegetation in perpetuity and/or a Section 70A Notification or similar notification on all Titles to alert first and subsequent purchasers of the Rural Conservation lots that vegetation outside of the designated building envelope is to be maintained and protected for its conservation values.

- (e) At the time of subdivision the local government may request the WA Planning Commission to impose a condition requiring the planting of shelter belts and/or revegetation areas with approved local indigenous species.
- (f) Upon the submission of an application for planning approval in accordance with the Scheme, the local government may require that the lot owner plant and maintain trees and shrubs of a type and density of planting approved by the local government.
- (g) No vehicle or motorcycle shall be driven or horses ridden along firebreaks or other areas apart from established roads or tracks except where such use is necessary for maintenance or management purposes.
- (h) The keeping of horses, sheep, goats, cattle or other grazing animals will only be permitted in accordance with the requirements of the Land Degradation provisions, and only on those lots with existing cleared and fenced areas and will not be permitted under any circumstances on Lots 1, 27 to 39 and 50 to 55 inclusive.

#### 6 Land Degradation

- (a) With the intention of preventing soil erosion and any other land degradation, whether by overstocking, land management practices, or destruction of vegetation, the local government may, with the advice of the Department of Agriculture, take any soil conservation action considered necessary to reduce or eliminate the adverse effects on the environment, including the removal of animals, and any costs incurred by the local government in taking such action shall be recoverable by the local government from the landowner and/or occupier.
- (b) Where permitted in accordance with provision 5(h), prior to putting stock onto a lot landowners shall seek and comply with advice from the Department of Agriculture on suitable animal stocking rates.
- (c) Landowners are responsible for protecting remnant vegetation and vegetation in shelter belts by fencing such vegetation should stock be put on the lots.
- (d) Landowners are required to maintain to the satisfaction of the Department of Agriculture the erosion control grade banks.

#### 7 Bushfire Management Control

- (a) The local government and/or relevant agency may request the Commission to impose a condition at the subdivision stage requiring the implementation of the adopted fire management plan for the land, including the provision and construction of Strategic Fire Breaks, designed and constructed so as to avoid erosion impacts, to the specifications of the local government and the requirements of Planning for Bushfire.
- (b) Where a lot is traversed by a Strategic Fire Break as shown on the Subdivision Guide Plan, the owner of the lot shall maintain such firebreak to the satisfaction of the local government. Access along the strategic firebreak shall remain available at all times. Gates across the strategic firebreak shall only be permitted at the discretion of and to the satisfaction of the local government. Such gates shall not be locked.
- (c) Building Protection and Hazard Separation Zones shall be established and maintained around each habitable building in accordance with the requirements of *Planning for Bushfire Protection*.

#### 8 Development Requirements

- (a) The local government and/or the relevant water authority may at or prior to the subdivision stage request the subdivider to prepare stormwater management plan to the specifications of the relevant water authority and the local government.
- (b) During the construction of the roads and lot access ways, management practices shall be implemented to minimise the spread of dieback.
- (c) Approval must be sought from and granted by the relevant water authority before a bore is constructed.
- (d) The materials and colours used on the exterior surfaces of all buildings shall be designed to blend in with the landscape to the satisfaction of the local government.

	<p>(e) In order to limit the destruction of natural vegetation, and allow ease of access for fauna and emergency vehicles—</p> <ul style="list-style-type: none"> <li>(i) Fencing is to be restricted to around the building envelope and/or existing cleared areas only. Alternative methods of demarcation (e.g. cairns or bollards) are to be used where for boundaries intersect vegetated areas;</li> <li>(ii) The materials used in fencing shall be to the satisfaction of the local government and appropriate for an area where the keeping of stock is not permitted; and</li> <li>(iii) With exception of perimeter fencing of the building envelope, fencing shall provide for the free movement of kangaroos.</li> </ul>
	<p><b>9 Advice and Notifications</b></p> <p>At the subdivision stage the Western Australian Planning Commission may impose a condition requiring the subdivider to make arrangements with the Commission for a notification in accordance with section 165 of the Planning and Development Act 2005 to be deposited which will inform lot owners and prospective purchasers of the potential mosquito risk and aircraft noise.</p>
	<p><b>10 Dieback and Weed Hygiene Plan</b></p> <ul style="list-style-type: none"> <li>(a) The subdivider shall prepare and implement a Dieback and Weed Hygiene Plan in order to minimise the risk of introduction or spread of dieback or weeds to the site. The plan shall include— <ul style="list-style-type: none"> <li>(i) requirements and procedures for clean-down of vehicles engaged in subdivisional or development works prior to entry to the site;</li> <li>(ii) sourcing of any fill materials for subdivision works and lot development from certified dieback and weed-free sources;</li> <li>(iii) requirements and procedures for clean-down of vehicles or machinery engaged in post-development management works including hoeing of firebreaks, prior to entry to the site.</li> </ul> </li> <li>(b) The plan shall be prepared and implemented prior to the issue of a Development Approval for site works, to the satisfaction of the local government on advice from the relevant environmental agency.</li> </ul>
	<p><b>11 Weed Eradication Plan</b></p> <ul style="list-style-type: none"> <li>(a) The subdivider shall prepare and implement a weed eradication programme to control weeds including the declared plant <i>Asparagus asparagoides</i>.</li> <li>(b) The programme shall be prepared and implemented prior to the issue of titles to the satisfaction of the local government on advice from the relevant agency.</li> </ul>
	<p><b>12 Bushland Management Plan</b></p> <p>The subdivider shall prepare a bushland management plan that describes—</p> <ul style="list-style-type: none"> <li>(i) the value of remnant vegetation to fauna;</li> <li>(ii) the need to maintain bushland in good condition to maintain the fauna population;</li> <li>(iii) the potentially detrimental effects of non-local plants;</li> <li>(iv) the advantages of using local plants to minimise water use, create additional habitat and ameliorate clearing for development;</li> </ul> <p>and make arrangements for the provision of the plan to all potential purchasers and subsequent owners.</p>
	<p><b>13 Prohibition of Cats</b></p> <p>The keeping of domestic cats shall be prohibited on all lots.</p>
	<p><b>14 Control of Dogs</b></p> <ul style="list-style-type: none"> <li>(a) Domestic dogs shall be confined to the approved building envelope on all lots except when they are being exercised under supervision.</li> <li>(b) Dogs may be exercised on internal roads and tracks provided that they are kept under close supervision at all times.</li> <li>(c) Fencing around all building envelopes shall be of a type and standard (e.g. chain mesh or ringlock) that does not permit dogs to escape.</li> </ul>

	<p>15 Control of Off-road Vehicles</p> <p>No vehicle shall be driven along firebreaks or other areas apart from established roads or tracks within the Rural Conservation zone except where such use is necessary for maintenance or management purposes (e.g. construction or maintenance of fences, maintenance of firebreaks, weed control or fire fighting).</p>
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I. GOLDFINCH, Shire President.  
P. DURTANOVICH, Chief Executive Officer.

**PL406\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Serpentine-Jarrahdale*  
Town Planning Scheme No. 2—Amendment No. 165

Ref: TPS/0090

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 Serpentine-Jarrahdale local planning scheme amendment on 22 June 2011 for the purpose of—

1. Deleting the words 'or any one of two lots created because of particular circumstances.' from Clause 5.4.2 (c).
2. Inserting Clause 5.10.4—

The Council will generally not support subdivision within the Rural zone that will result in the creation of lots less than 40 hectares.

S. J. Y. TWINE, Shire President.  
J. ABBISS, Chief Executive Officer.

**PL407\***

**PLANNING AND DEVELOPMENT ACT 2005**  
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION  
*Shire of Dowerin*  
Local Planning Scheme No. 2 and Local Planning Strategy

Ref: TPS/0520

Notice is hereby given that the local government of the Shire of Dowerin has prepared the abovementioned local planning scheme and local planning strategy for the purpose of—

Local Planning Scheme

1. setting out the local government's planning aims and intentions for the scheme area;
2. setting aside land as reserves for public purposes;
3. zoning land within the scheme area for the purposes defined in the scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the scheme; and
7. addressing other matters set out in Schedule Seven to the Planning and Development Act.

Local Planning Strategy

1. setting out the long-term planning directions for the local government;
2. applying State and regional planning policies; and
3. providing the rationale for the zones and other provisions of the Scheme.

Plans and documents setting out and explaining the local planning scheme and local planning strategy have been deposited at Council Offices, 13 Cottrell Street, Dowerin and at the Western Australian Planning Commission, 140 William Street, Perth, and will be available for inspection during office hours up to and including 4 October 2011.

Submissions on the local planning scheme and local planning strategy may be made in writing on Form No. 4 and lodged with the undersigned on or before 4 October 2011.

D. ALCOCK, Chief Executive Officer.



6	11	10
7	18	10
7a	18	10
8	18 In granting consent to the maximum 18 metre height prescribed for Area 8 Council shall be satisfied in regard to all of the following— (a) That the proposal is consistent with predominant height patterns of adjoining properties and the locality generally, (b) The proposal would not be detrimental to the amenity of the area, (c) The proposal would be consistent, if applicable, with conservation objectives for the site and locality generally, and (d) Any other relevant matter outlined in Council's local planning policies. Council may impose a lesser height in the event that the proposal does not satisfy any one or all of the above requirements.	10

- (d) In the front elevation of all new development, except fronting Quarry Street, the ground floor level must be no greater than 600mm above the level of the adjacent footpath and the first floor level must be at least 4.5 metres above the level of the footpath adjacent to the site.
- (e) Notwithstanding the specific building height requirements in the table above, Council may permit additional height to a maximum of 4 metres subject to development satisfying both of the following criteria—
- (i) The additional level being sufficiently set back from the street façade so as to not be visible from the street(s) adjoining the subject site; and
  - (ii) The design being integrated with the design of the overall building.

Note: 'Visible from the street' will be based on an assumed line of sight measured at a perpendicular angle from the streets adjoining the subject land, at an assumed point of 1 metre less than the street width and 1.6 metres above ground level.

- (f) In addition to the general height requirements outlined in the table above and the additional height in e), Council may permit further building height to a maximum of 4 metres in Areas 1a, 1b, 2, 3a, 4a and 7a where the Council is satisfied that the proposed development satisfies all of the following criteria—
- (i) Exceptional design quality and distinctive architecture befitting its location
  - (ii) Demonstrates best practice in environmentally sustainable design, incorporating into the building fabric measures to minimise energy consumption, water usage, emissions and waste
  - (iii) Provide a high quality landscaped and publicly accessible pedestrian environment at ground level that includes, where appropriate—
    - (a) the area of the required setbacks in Queen Victoria Street and James Street being transferred at no cost to Council for the purposes of a road widening; and
    - (b) east-west mid-block pedestrian links between Queen Victoria and Beach Street that are an integrated component of any development concept and are convenient, legible, attractive, safe and activated. Ongoing public access arrangements are to be determined by and be to the satisfaction of the City and set as a condition of planning approval

The setback from the street façade required in e) for any additional height above the Permitted Building Height does not apply in these areas if additional height is granted in accordance with f).

(g) Council may permit a minor projection above the highest part of a development, subject to the development satisfying both of the following criteria—

- (i) The projection being no more than 4 metres above the highest part of the main building structure; and
- (ii) The cumulative area of the minor projections being no more than 10 per cent of the total roof area of the building;

Note: 'Minor Projection' will be interpreted as including plant and equipment such as air conditioning units, lift overrun rooms, flagpoles, aerials and decorative architectural features, but not rooms or other facilities intended for regular human use such as rooftop decks or swimming pools.

(h) Building setbacks shall be in accordance with the requirements set out in the table below. Council may vary the prescribed setbacks where it is satisfied that the design outcome will be improved or where the road has been widened.

Area	Frontage to:	Minimum Street Setback (Metres)	Maximum Street Setback (Metres)	Minimum side and rear Setback (Metres)
1a	All streets	Not specified	Not specified	Nil
1b	All streets	Not specified	Not specified	Nil
2	Beach St	Nil	2 to 10m height	Nil
	James St	2	3.3	Nil
3	Queen Victoria St	3.3	3.3 to 10m height	Nil
3a	Queen Victoria St	3.3	3.3 to 10m height	Nil
	James St	2	3.3	Nil
4	Queen Victoria St north of James St	3.3	3.3 to 10m height	Nil
	Queen Victoria St south of James St	Nil	3.3 to 10m height	Nil
	James St	2	3.3	Nil
	Quarry St	Nil to 11m height, then 3m setback from lower front elevation	4	Nil
4a	Queen Victoria St north of James St	3.3	3.3 to 10m height	Nil
	James St	2	3.3	Nil
	Queen Victoria St south of James St	Nil	3.3 to 10m height	Nil
4b	Queen Victoria St	Nil	3.3 to 10m height	Nil
5	All streets	Nil	4	Nil
6	All streets	Nil	2	Nil
7	James St	2	3.3	Nil
	Queen Victoria St	Nil	3.3 to 10m height	Nil
	Beach St	Nil	2 to 10m height	
7a	James St	2	3.3	Nil
	Queen Victoria St	Nil	3.3 to 10m height	Nil
8	All streets	Nil	3.3	Nil

(i) The maximum aggregate width of spaces between buildings at ground floor level at street frontage may be no more than 8 metres on any one lot.

Other Development Standards

(j) The General site requirements specified in Table 4 of the Residential Design Codes for development at R-AC 3 density do not apply to any type of residential development in Sub Area 1.

- (k) In developments comprising of ten or more dwellings, a minimum of 25 per cent of the total number of dwellings must have a maximum floor area of 60 square metres or less and no more than 40 per cent of the total number of dwellings may have a floor area of 120 square metres or more.
- (l) New buildings in the area should embody contemporary and innovative architecture which is sensitive to Fremantle's sense of place and satisfies any relevant planning and design policy adopted for the area.
- (m) As part of any future development in Area 4, a high amenity pedestrian access link with a minimum width of 5 metres is to be provided for both pedestrians and cyclists between Queen Victoria Street and Quarry Street in the vicinity of Shuffrey Street at no cost to the City, unless otherwise agreed between the City and the landowner. The provision of the pedestrian access link is to be considered as an integrated component of any redevelopment concept in this location to ensure the provision of activated ground level frontages and a high quality built form outcome. Ongoing public access arrangements are to be determined by and be to the satisfaction of the City, and set as a condition of planning approval.

#### Car Parking

- (n) The provisions of clause 5.7.3 (a) (i) and (ii) of the Scheme do not apply in Sub Area 1.
- (o) For residential development the parking requirements of the Residential Design Codes R-AC code apply.
- (p) Notwithstanding o) above, Council may waive car parking requirements for residential development under clause 5.7.3 in cases where the development is expressly designed and marketed as a zero parking development that incorporates such elements as the following—
  - (i) Provision of parking on site for bicycles / scooters;
  - (ii) Operation of a formal shared vehicle ownership scheme amongst the residents.

In any cases where such development is granted planning approval the Council may require, as a condition of planning approval, provision to be made to include notification on the property title(s) that owners and/or occupiers will not be entitled to on-street residential parking permits;

- (q) Council may waive car parking requirements in accordance with clause 5.7.3 for ground level non-residential uses anywhere in Sub Area 1 subject to the development/use being able to generate interest and activity within the adjacent public domain.

#### Special Conditions of Planning Approval

- (r) The Council may impose a condition on planning approval for any new development in Sub Area 1 requiring a memorial to be placed on the property title advising of the potential for future development on adjoining land to be constructed in accordance with the building height and setback requirements applicable to Sub Area 1, which include zero minimum side and rear setbacks.

B. PETTITT, Mayor.  
G. MacKENZIE, Chief Executive Officer.

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## PREMIER AND CABINET

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PR401\*

### DEPARTMENT OF THE PREMIER AND CABINET APPOINTMENT

It is notified for public information that the Lieutenant-Governor and Administrator, in Executive Council, has appointed Mr Nicholas John Hagley as Clerk of the Executive Council with effect on and from 31 May 2011.

PETER CONRAN, Clerk of the Executive Council.



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**DECEASED ESTATES**

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**ZX401****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Peter Hubeck, formerly of 10 Macdonald Street, Merredin in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above-named deceased who died on 20 March 2011 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron (see address below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

c/- ANDREW MARSHALL,  
RSM Bird Cameron Chartered Accountants,  
GPO Box R1253, Perth WA 6844.  
Telephone: (08) 9261 9393.  
Contact: Andrew Marshall.

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**ZX402****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Jeffrey Charles Hogan, formerly of 17 Colonial Gardens, Mosman Park in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above-named deceased who died on 8 December 2010 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron (see address below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

c/- ANDREW MARSHALL,  
RSM Bird Cameron Chartered Accountants,  
GPO Box R1253, Perth WA 6844.  
Telephone: (08) 9261 9393.  
Contact: Andrew Marshall.

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**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Alfred James Coleman, late of Brightwater, 35 Hudson Drive, Dudley Park in the State of Western Australia, deceased.

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 25 February 2011 are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 8 August 2011 after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & Co as solicitors for the personal representative.

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**ZX404****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Marjorie Dorothy Barbara Grimes, late of Embleton Care Facility, 46 Broun Avenue, Embleton, Western Australia, Retired Nurse, deceased.

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 November 2010 are required by the Executor of 21 Punai Place, Bickley, Western Australia to send particulars of their claims to him by no later than 1 August 2011 after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

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**ZX405****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

Estate Late Raymond Alan Burton, late of 16 Gummery Street, Bedford WA, Panel Beater, died 23 April 2011

Estate Late Margaret Mabel Nelson, late of Applecross Nursing Home Riverway, Applecross WA, Publican, died 2 April 2011

Estate Late Eleanor Jean Browning, late of Westralia Gardens, Rockingham WA, Manager, died 26 April 2011

Estate Late Helen Margaret Hage, late of Unit 2, 5 Flametree Place, Beechboro WA, Home Duties, died 18 April 2011

Estate Late Kenneth Charles Norton, late of 3/10 Comer Street, Como WA, Police Officer, died 16 April 2011

Estate Late Ivan Patrick Fitzgerald, late of 51 Arlunya Avenue, Belmont WA, Truck driver, died 30 April 2011

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**ZX406\*****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 1 August 2011 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bowell, Jean Burnice, late of Ella Williams House, 77 Camboon Road, Noranda 6062, died 15 May 2011 (DE 30329974 EM35)

Delano, John Victor also known as Vic Delano, late of 2 Hellenic Drive, Dianella 6059, died 24 May 2011 (DE 19920877 EM36)

Doherty, William Patrick, late of 24 Valencia Road, Carmel 6076, died 11 April 2011 (DE 30228834 EM35)

Holland, Clarise May, late of 8 Gilroy, Cloverdale 6105, died 19 May 2011 (DE 19970725 EM38)

McCauley, Cecil Alexander also known as Sandy McCauley, late of 8a George Street, Midland 6056 died, 9 May 2011 (DE 33070034 EM17)

McDonald, Francis Richard, late of Midland Nursing Home, 44 John Street, Midland 6056, died 9 April 21011 (DE 30319386 EM37)

McDonough, Michael Joseph, late of 26 Madora Beach, Madora 6210, died 1 June 2011 (DE 19980107 EM22)

Saunders, Mary Beatrice also known as Bea, late of Cygnet Hostel, Hillview Terrace, Bentley 6102, died 9 April 2011 (DE 19942501 EM26)

JOHN SKINNER, Public Trustee,  
Public Trust Office,  
565 Hay Street,  
Perth WA 6000.  
Telephone: 9222 6777

ZX407\*

**PUBLIC TRUSTEE ACT 1941**  
ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 1st day of July 2011.

JOHN SKINNER, Public Trustee,  
565 Hay Street,  
Perth WA 6000.

Name of Deceased	Address	Date of Death	Date Election Filed
Joyce Edith White (DE 19990261 EM37)	26B Dubove Road, Spearwood Western Australia	30/11/2009	26/06/2011
Ronald Gregory Bodinner (DE 33086157 EM26)	51 Albert Street, Bellevue Western Australia	28/10/2010	23/06/2011

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## PUBLIC NOTICES

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ZZ401

**PARTNERSHIP ACT 1895**  
NOTICE TO ALL PERSONS

Resignation

The SSF Practice Trust has resigned from the Partnership of Trusts which trades as Dwyer Durack as at 30 June 2011.

WESTERN AUSTRALIA

**LOCAL GOVERNMENT ACT 1995**

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