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Gazette**

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— PART 1 —

ENVIRONMENT

EV301*

Environmental Protection Act 1986

Environmental Protection Amendment Regulations (No. 2) 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Environmental Protection Amendment Regulations (No. 2) 2007*.

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 November 2007.

3. The regulations amended

The amendments in these regulations are to the *Environmental Protection Regulations 1987*.

4. Schedule 1 amended

Schedule 1 Part 1 is amended as follows:

- (a) in Category 58 by inserting after “bulk granular material” —
“ (other than salt) ”;
- (b) by inserting after Category 58 —
“

58A Bulk material loading or unloading: 100 tonnes or
premises on which salt is loaded onto more per day
or unloaded from vessels by an open
materials loading system.

”.

5. Schedule 4 amended

- (1) Schedule 4 Part 1 Category 58 is amended as follows:
- (a) by deleting “75” and inserting instead —
“ 500 ”;
 - (b) by deleting “150” and inserting instead —
“ 625 ”;
 - (c) by deleting “250” and inserting instead —
“ 750 ”;
 - (d) by deleting “350” and inserting instead —
“ 1 400 ”.

- (2) Schedule 4 Part 1 is amended by inserting the following after Category 58 —

“

Category 58A	Not applicable	500
--------------	----------------	-----

”.

- (3) Schedule 4 Part 1 is amended by deleting the item relating to “Categories 68 to 89” and inserting instead —

“

Categories 68 to 85	Not applicable	24
Category 86	Not applicable	500
Categories 87 to 89	Not applicable	24

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

HEALTH

HE301*

Health Act 1911

Health (Notification of Acute Rheumatic Fever) Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Health (Notification of Acute Rheumatic Fever) Regulations 2007*.

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. Terms used in these regulations

In these regulations —

“**acute rheumatic fever**” means a delayed complication of an untreated group A *streptococcus* bacterial infection;

“**Executive Director**” means the Executive Director, Public Health.

4. Acute rheumatic fever a prescribed condition of health

Acute rheumatic fever is prescribed as a condition of health to which Part IXA of the Act applies.

5. Notification by a medical practitioner

- (1) A medical practitioner who diagnoses a person as suffering from an episode of acute rheumatic fever must notify the Executive Director within 14 days after that diagnosis is made.

Penalty: a fine of not more than \$1 000 and not less than —

- (a) for a first offence, \$100;
 - (b) for a second offence, \$200;
 - (c) for a third or subsequent offence, \$500.
- (2) A notification under subregulation (1) in respect of a person suffering from an episode of acute rheumatic fever —
 - (a) must be in a form approved by the Executive Director; and
 - (b) must include the following information (to the extent that it is known by the medical practitioner) —
 - (i) the full name of the person;
 - (ii) the sex and date of birth of the person;
 - (iii) the address and contact telephone number of the person;
 - (iv) if the person is, or appears to be, under 18 years of age — the name, address and contact telephone number of a parent or guardian of the person;
 - (v) whether the person is of Aboriginal descent;
 - (vi) the onset date and clinical features of the episode.

6. Provision of information by other persons

- (1) If the Executive Director —
- (a) is notified of a diagnosis of an episode of acute rheumatic fever under regulation 5; and
 - (b) believes, on reasonable grounds, that a person has information that the Executive Director considers would assist in achieving the objects of Part IXA of the Act with respect to that diagnosis,

the Executive Director may, in writing, request the person to provide the information.

- (2) A person who receives a request under subregulation (1) must provide the information to the Executive Director within 14 days after receiving the request.

Penalty: a fine of not more than \$1 000 and not less than —

- (a) for a first offence, \$100;
 - (b) for a second offence, \$200;
 - (c) for a third or subsequent offence, \$500.
- (3) It is a defence to a prosecution for an offence under subregulation (2) if the person charged proves that the person did not have at the relevant time the information requested.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

HE302*

Health Act 1911

Health (Meat Hygiene) Amendment Regulations (No. 3) 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Health (Meat Hygiene) Amendment Regulations (No. 3) 2007*.

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* (“**Gazettal day**”);

- (b) the rest of the regulations — on the day after Gazettal day.

3. The regulations amended

The amendments in these regulations are to the *Health (Meat Hygiene) Regulations 2001*.

4. Schedule 2 amended

Schedule 2 Part 1 is amended by deleting item 6 and inserting instead —

“

6	Corrigin	5.88	1.65	9.00
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”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

HE303*

Physiotherapists Act 2005

Physiotherapists Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Physiotherapists Amendment Regulations 2007*.

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* (“**Gazettal day**”);
- (b) the rest of the regulations — on the day after Gazettal day.

3. The regulations amended

The amendments in these regulations are to the *Physiotherapists Regulations 2006*.

4. Regulation 5 amended

The Table to regulation 5(2) is amended in the entry relating to “The University of Notre Dame Australia” by deleting “(conferred during 2006)”.

5. Regulation 13 amended

Regulation 13(2)(c)(i) is amended by inserting after “Cardiopulmonary Physiotherapist” —

“ or Cardio-respiratory Physiotherapist ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

HE304*

Hospitals and Health Services Act 1927

Hospitals (Services Charges) Amendment Regulations (No. 3) 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Hospitals (Services Charges) Amendment Regulations (No. 3) 2007*.

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* (“**Gazettal day**”);
- (b) the rest of the regulations — on the day after Gazettal day.

3. The regulations amended

The amendments in these regulations are to the *Hospitals (Services Charges) Regulations 1984*.

4. Regulation 4 amended

Regulation 4(1) is amended in the definition of “participating hospital” as follows:

- (a) by inserting after paragraph (d) —
“
(e) Sir Charles Gairdner Hospital;
”;
- (b) by inserting after each of paragraphs (a), (b), (c) and (d) —
“ or ”.

5. Schedule 1 amended

Schedule 1 Division 1 item 1 is amended as follows:

- (a) in paragraph (c) by deleting “\$38.20 per day” and inserting instead —
“ \$39.05 per day ”;
- (b) in paragraph (d) by deleting “\$136 per day” and inserting instead —
“ \$136.85 per day ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Economic Regulation Authority Act 2003

Economic Regulation Authority (Water Corporation’s Developer Charges Reference) Notice 2007

Published by the Economic Regulation Authority under the *Economic Regulation Authority Act 2003* section 34(1).

1. Citation

This notice is the *Economic Regulation Authority (Water Corporation’s Developer Charges Reference) Notice 2007*.

2. Reference on Water Corporation's developer charges

- (1) Under the *Economic Regulation Authority Act 2003* section 32(1) the Minister has referred to the Economic Regulation Authority for inquiry the matter of the most appropriate charging mechanisms for the Water Corporation's developer charges.
- (2) The terms of reference for the inquiry are set out in Schedule 1.

3. Period of inquiry

The period of the inquiry is from 1 November 2007 to 30 June 2008.

4. Public submissions

- (1) Members of the public and other interested parties may make written submissions to the Economic Regulation Authority on any matter that —
 - (a) is dealt with in the issues paper or draft report mentioned in the terms of reference; or
 - (b) is otherwise relevant to the terms of reference.
- (2) Submissions in response to the issues paper or draft report may be made within 4 weeks after the release of the relevant document or any longer period allowed by the Economic Regulation Authority.
- (3) Submissions may be sent —
 - (a) by post to the Economic Regulation Authority, GPO Box 8469, Perth Business Centre WA 6849; or
 - (b) by email to the address set out on the Economic Regulation Authority's website at <http://www.era.wa.gov.au>.

5. Further information

Further information about matters relating to the inquiry is available at the Economic Regulation Authority's website at <http://www.era.wa.gov.au>.

Schedule 1 — Terms of reference

[cl. 2(2)]

I, ERIC RIPPER, Treasurer, pursuant to section 32(1) of the *Economic Regulation Authority Act 2003* (the ERA Act), request that the Economic Regulation Authority (the Authority) undertake an inquiry and make recommendations on the most appropriate charging mechanisms for the entire suite of the Water Corporation's developer charges.

In doing so the Authority is expected to consider and develop findings on:

1. the general principles underpinning developer charges for government businesses and the approaches to developer charges adopted by water regulators in other jurisdictions and by other utilities in Western

Australia, as well as the work that is done on a national level as part of the National Water Initiative Agreement;

2. whether standard headworks contributions are an efficient and equitable funding mechanism for the provision of water, and wastewater and drainage infrastructure, or whether alternative pricing structures have the potential to encourage more efficient urban development through cost reflective price signals;
3. the ongoing use of special developer contribution area charges for development in areas having particular local conditions and local requirements;
4. the efficient and equitable recovery of the cost of minor works (connecting works) for frontal and out of sequence developments, having regard to the appropriate cost and risk sharing arrangements between different developers over time;
5. major customer charges for development of infrastructure for high volume customers in country areas; and
6. headworks contributions for temporary connections to Water Corporation services.

In regards to headworks contributions (item 2 above), the Authority is requested to make recommendations on the charging methodology and the most appropriate level of charges, with a view to implementation from July 2008, or as soon as possible thereafter.

For the remaining charges, which are applied on a case by case basis, the Authority is requested to provide recommendations on the appropriate methodology to use in calculating these charges.

The Authority is to have regard to:

- the contribution of developer charges as part of the overall efficient and equitable recovery of the total cost of the provision of water, wastewater and drainage services;
- the Government's uniform pricing policy; and
- the Government's social, economic and environmental policy objectives.

The Authority will release an issues paper as soon as possible after receiving the reference. The paper is to facilitate public consultation on the basis of invitations for written submissions from industry, government and all other stakeholder groups, including the general community.

A draft report is to be made available for further public consultation on the basis of invitations for written submissions.

A final report is to be completed by no later than 30 June 2008.

ERIC RIPPER MLA, Deputy Premier;
Treasurer; Minister for State Development.

Chairman,
Economic Regulation Authority.

— PART 2 —

CONSERVATION

CO401*

CONSERVATION AND LAND MANAGEMENT ACT 1984

MANAGEMENT PLAN FOR THE SHOALWATER ISLANDS MARINE PARK

Under section 60(3) of the Conservation and Land Management Act 1984 (CALM Act), notice is given that the Draft Management Plan for the Shoalwater Islands Marine Park has been approved with modifications by the Minister for the Environment on 28 August 2007, in accordance with section 60(2) of the Act. The Shoalwater Islands Marine Park Management Plan 2007-2017 will come into operation on the day of publication of this notice in the *Government Gazette*.

The Shoalwater Islands Marine Park Management Plan 2007-2017 was approved by the Minister for the Environment; Climate Change under section 60(2) of the CALM Act with the following modifications—

- The application of an eight knot speed limit to the entire the Shoalwater Bay Special Purpose Zone (Wildlife Conservation).
- Minor amendments to general text, objectives, management strategies and targets for the ecological and social values and other sections of the draft plan to clarify management arrangements.
- Other minor changes were made to the text of the draft plan that will not significantly affect management of the marine park (i.e. formatting and minor text amendments).

Copies of the Shoalwater Islands Marine Park Management Plan 2007-2017 can be inspected at the Shire of Rockingham library. Copies of the plan can also be inspected at the following Department of Environment and Conservation offices—

- State Operational Headquarters, 17 Dick Perry Avenue, Technology Park, Western Precinct, Kensington WA 6151.
- Marine Policy and Planning Branch, 47 Henry St, Fremantle WA 6160.
- Swan Coastal District Office, 5 Dundobar Road, Wanneroo WA 6065.

The Shoalwater Islands Marine Park Management Plan 2007-2017 and an analysis of public submissions can also be viewed on the Department of Environment and Conservation's NatureBase website at <http://www.naturebase.net>.

KEIRAN McNAMARA, Director General,
Department of Environment and Conservation.

ERIC STREITBERG, Chairman,
Marine Parks and Reserves Authority.

JUSTICE

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—

Vjeran Victor Duplancich of 63 Vickers Street, Hamersley
Diane Louw of 13 Cleland Crescent, Baldivis

RAY WARNES, Executive Director,
Court and Tribunal Services.

JU402*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**PERMIT DETAILS**

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of the Attorney General has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)		Permit Number	Date Permit Revoked
Brown	Stephen	Ednan	CS7-054	24/10/2007
Carter	Harry	James	CS6-179	24/10/2007
Collins	Guy	Charles	CS7-105	24/10/2007
Holmes	Jennifer	Kym	CS6-611	24/10/2007
Lumsden	Timothy	Christian Matthew	CS6-618	24/10/2007
Mumba	Mumba		CS7-096	24/10/2007
Partridge	Emma	Michelle	CS7-099	24/10/2007
Ainscough	Christopher	Mark	CS6-566	24/10/2007
Barnes	Michael	Paul Hewson	CS6-165	24/10/2007
Bond	Troy	Jamie	CS6-102	24/10/2007
Butler	Andrea	Marie	CS6-569	24/10/2007
Chapman	Justin	Richard	CS6-412	24/10/2007
Cowan	Jacky	Francoise	CS6-119	24/10/2007
Cuthbertson	Aaron	James	CS7-083	24/10/2007
Darrington	Melvin	John	CS6-011	24/10/2007
Evans	Philip		CS6-126	24/10/2007
Garrihy	Darren	James	CS6-100	24/10/2007
Gumede	Dorah		CS6-643	24/10/2007
Harvey	Patricia	Eileen	CS6-532	24/10/2007
Hurley	Peter	John	CS6-398	24/10/2007
Jerinic	Justin	Timothy	CS6-024	24/10/2007
Jones	Courtney	Jade	CS7-045	24/10/2007
Kershaw	Vance	Johl	CS6-438	24/10/2007
King	Ian	Benjamin	CS6-083	24/10/2007
Letica	Melissa	Sue	CS6-440	24/10/2007
Luckhurst	Victor	John	CS6-031	24/10/2007
McDade	Louise		CS6-577	24/10/2007
McKenna	Leslie	Anne	CS6-423	24/10/2007
Murray	Rochelle	Margaret	CS6-499	24/10/2007
Newby	James	Robert	CS7-051	24/10/2007
Pulko	Friederike		CS6-052	24/10/2007
Schober-Rowe	Kristian	Ryan	CS6-582	24/10/2007
Sharma	Manu		CS6-637	24/10/2007
Summerville	Sandee		CS6-505	24/10/2007
Threlfall	Rebeka	Mary	CS6-218	24/10/2007
Watkins	Amanda	Gaye	CS6-350	24/10/2007

These notices are published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

MARK CORBETT, CSCS Contract Manager.

LAND

LA401*

TRANSFER OF LAND ACT 1893**APPLICATION K273024**

Take notice that Anthony Van Toll and Rosemary Ruth Van Toll both of 2/27 Princess Road, Claremont have made application to be registered under the Act as proprietors of an estate in fee simple in possession in the land situated at 7 Pool Street, York being York Suburban Lot P5 on Deposited Plan 223249 containing 1.4569 hectares being the whole of the Land comprised in Memorial Book XXVIII No.385.

All persons other than the applicants claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 23 November 2007 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

City of Canning

APPOINTMENT OF AUTHORISED OFFICERS

It is hereby notified for public information that the following persons have been appointed as a Ranger and Pound Keeper pursuant to Part XX, Section 449 of the *Local Government (Miscellaneous Provision) Act 1960*. The appointment is effective as of 24th October 2007—

Daniel Paul Sharples
Renee Wheat

The City of Canning also wishes to advise the cancellation of appointments of Kevin Stanley Clark, Gavin John Batterham and Mark Warren Lewis as Authorised Officers.

D. CARBONE, Chief Executive Officer.

LG402*

BUSH FIRES ACT 1954

APPOINTMENTS

Fire Control Officers and Permit Issuing Officers for 2007/2008

Chief Fire Control Officer

Shire Chief Executive Officer	Council Office	98891006 W 98891248 H
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Deputy Chief Fire Control Officer

G. Parr	Hyden	98805054 W 98805175 H
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Kondinin Town Brigade

A. Nelson	Permit Issuing Officer	98891114 W 98891214 H
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Kondinin Brigade (West)

*P. Browning	Control Officer	98891115
I. Pegrum	Permit Issuing Officer	98891026

Kondinin Brigade (East)

**N. Whyte	Control Officer	98896059
J. West	Permit Issuing Officer	98891116

Karlgarin Brigade (North)

*L. Marsh	Control Officer	98896038
P. Higgins	Permit Issuing Officer	98896048

Karlgarin Brigade (South)

R. W. Trenorden	Control Officer	98896014
Greg Spurr	Permit Issuing Officer	98895065

Hyden Town Brigade

Geoff Parr	Control Officer	98805175 H
Neil Aggiss	Control Officer	98805074 W 98895010 H

Hyden Brigade (North)

*P. Green	Control Officer	98805240
Jeremy James	Permit Issuing Officer	98805151

Hyden Brigade (South)

*T. Hinck	Control Officer	98805096
S. James	Permit Issuing Officer	98805032

East Hyden Brigade (North)

#R. Meeking (to be confirmed)	Control Officer	98808051
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East Hyden Brigade (South)

*L. Bristow-Baohm	Control Officer	98807049
Tom Mulcahy	Permit Issuing Officer	98807070

~ Joint Control Officer with Corrigin

* Joint Control Officer with Kulin.

+ Joint Control Officer with Narembeen.

Joint Officer with Narembeen and Yilgarn.

PETER R. WEBSTER, Chief Executive Officer,
Shire of Kondinin.

LG403*

CITY OF KALGOORLIE-BOULDER
APPOINTMENTS

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Richard John Rose, as authorised officer to enforce the following Acts and Regulations and Local Laws effective immediately—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976
- Litter Act 1979
- Bush Fires Act 1954 and Regulations—(Bush Fire Control Officer)
- Bush Fires (Infringements) Regulations 1978
- Control of Off-Road Vehicles (Off Road Areas) Act 1978 and Regulations
- Caravan Parks and Camping Grounds Act and Regulations 1995
- City of Kalgoorlie-Boulder Local Laws

D. S. BURNETT, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401***PETROLEUM ACT 1967**

GRANT OF EXPLORATION PERMIT

Exploration Permit No. EP457 has been granted to Rey Resources Ltd to have effect for a period of six (6) years from 24 October 2007.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP402***PETROLEUM ACT 1967**

GRANT OF EXPLORATION PERMIT

Exploration Permit No. EP458 has been granted to Rey Resources Ltd to have effect for a period of six (6) years from 24 October 2007.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

City of Cockburn

Town Planning Scheme No. 3—Amendment No. 53

Resolved that the local government, in pursuance of Section 75 of the *Planning and Development Act 2005* amend the above local planning scheme by—

1. Re-classifying Lot 201 (33) Miguel Road, Bibra Lake from local reserve 'Public Purpose' to 'Industry' zone.

as depicted on the Scheme Amendment Map.

PI402*

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

City of Cockburn

Town Planning Scheme No. 3—Amendment No. 54

Ref: 853/2/23/20 Pt 54

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Cockburn local planning scheme amendment on 16 October 2007 for the purpose of—

1. Rezoning Lot 232 Chesham Way, Hamilton Hill from Local Reserve—'Lakes & Drainage' to 'Residential' (R20).
 2. Rezoning Lot 237 Dacre Court, Hamilton Hill from 'Public Purposes—Water Corporation' to 'Residential' (R20).
 3. Amending the Scheme Map accordingly.
-

PI403*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Northampton

Town Planning Scheme No. 9—Amendment No. 2

Ref: 853/3/14/11 Pt 2

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Northampton local planning scheme amendment on 16 October 2007 for the purpose of—

1. Rezoning Lots 165 and 469 Hackney Street, Kalbarri from 'Local Scheme Reserve' for 'Public Purposes—School Quarters' to 'Residential R50'.
2. Amending the Town Planning Scheme Map accordingly.

G. V. PARKER, Shire President.
G. L. KEEFFE, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Northampton
Town Planning Scheme No. 9—Amendment No. 6

Ref: 853/3/14/11 Pt 6

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Northampton local planning scheme amendment on 16 October 2007 for the purpose of—

1. Recoding Lot 917 Mainwaring Drive and Lots 927, 930, 931, 938 & 949 Crocos Circuit from 'Residential R17.5' to 'Residential R20'.
2. Amending the Town Planning Scheme Map accordingly.

G. V. PARKER, Shire President.
G. L. KEEFFE, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Albany
Town Planning Scheme No. 3—Amendment No. 258

Ref: 853/5/4/5 Pt 258

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Albany local planning scheme amendment on 3 October 2007 for the purpose of—

1. Rezoning Lot 6511 from the 'Rural' zone to the 'Special Use' zone.
2. Amending the Scheme Maps accordingly.
3. Inserting Land Particulars, Permitted Uses and Special Conditions within Schedule 3 of the Scheme to relate to Special Use Zone No.19, a follows—

CODE No.	LAND PARTICULARS	PERMITTED USES	SPECIAL CONDITIONS
19. (Amendment No. 258)	Portion of Lot 6511 Two Peoples Bay Road, Two Peoples Bay	<ul style="list-style-type: none"> • Holiday Accommodation • Café/Restaurant • Caretakers Dwelling • Botanical Golf • Golf Driving Range • Agriculture • Recreational Fishing • Animal Viewing/Interaction • Equestrian Uses. • Caretakers Residence • Other Incidental Uses Considered Appropriate by Council 	See Below

SPECIAL CONDITIONS**1.0 General**

1.1 Subdivision and development of the site to be generally in accordance with the Development Guide Plan (Drawing No. 14055-04A) as signed by the Chief Executive Officer and Mayor along with any variations as may be approved by Council.

1.2 No development is permitted without the consent of the Council.

1.3 All signage for the proposed development to be subject to the prior approval of Council in accordance with Scheme requirements, relevant local law and policy.

1.4 The landowner(s) acknowledges that Lot 6511 is located in a predominantly rural area and that the amenity of the landholding may be affected from time to time by adjoining rural pursuits.

1.5 No more than 12 holiday accommodation units shall be permitted on the site.

2.0 Parking, Access and Drainage

2.1 A minimum of one car parking bay shall be provided per holiday accommodation unit, which shall be marked out adjacent to each unit.

2.2 A minimum of one car parking bay shall be provided per four (4) restaurant seats plus one car parking bay per off-site employee located generally as shown on the Development Guide Plan.

2.3 No more than two vehicle crossovers onto Two Peoples Bay Road shall be permitted.

2.4 Stormwater drainage shall be accommodated on-site to Council's satisfaction.

3.0 Water Supply

3.1 A potable water supply shall be connected to all proposed chalets to the satisfaction of Council and the Health Department of Western Australia.

4.0 Environmental Management

4.1 It may be required at the development or subdivision approval stage, that as a condition of approval, the appropriate management of nutrients, pesticides and water occurs on the site.

4.2 It may be required at the development approval stage, that as a condition of approval, the proponent will be required to implement environmental management techniques on the site.

4.3 It may be required at the development approval stage, that as a condition of approval, stocking rates are in accord with Agriculture Western Australia policy.

5.0 Tree/Shrub Planting and Landscaping

5.1 Council shall require, at the development stage, a landscaping plan to be prepared and implemented for those areas identified for replanting on the Development Guide Plan.

5.2 Landscaping shall comprise tree/shrub species that are endemic to the area and should consist of species that will provide an effective visual screen of the proposed development from adjoining properties, including Two Peoples Bay Road.

5.3 It may be required as a condition at the time of development or subdivision approval that the vegetation and landscape shall be rehabilitated and stabilised.

5.4 Landscaping shall be appropriately maintained for a period of 2 years from the time of planting or as otherwise agreed with the Council.

6.0 Fire Management

6.2 Areas to remain under pasture shall be maintained in a low fuel condition.

6.2 Council may require the installation/provision of smoke detectors, gutter guards, downpipe plugs, fire extinguishers and fire blankets within all holiday accommodation units.

6.3 Strategic firebreaks and emergency exits being constructed to the requirements of the Fire and Emergency Services Authority of Western Australia, and should be available for usage at all times.

6.4 A minimum 20m low fuel zone being maintained around each chalet and all proposed and existing buildings.

6.5 No dwelling to be constructed within 15 metres of any extreme fire hazard.

6.6 Any dwelling that is within 15-40m of a medium or high fire hazard shall be constructed in accordance with Australian Standard 3959 and to the satisfaction of Council.

6.7 Provision of water for fire fighting purposes via a water main to the appropriate size, specifications and location recommended and approved by Council.

7.0 Effluent Disposal

7.1 Effluent disposal shall be undertaken to the satisfaction of Council and the Health Department of Western Australia with approved effluent disposal systems. It is advised that Alternative Treatment Unit systems may be required to service the proposed development.

8.0 Building Location, Design and Construction

8.1 All buildings shall be setback a minimum of 20m from Two Peoples Bay Road.

8.2 Setbacks to all other boundaries shall be 20m except where otherwise dictated on the Development Guide Plan.

8.3 Council may require the use of materials, finishes, toning and facades in sympathy with Nippers Café, or the use of natural/earth materials, finishes, toning and facades to compliment the rural setting of the area.

8.4 Buildings shall not exceed 7.5m in height, which is measured vertically from the natural ground level. The maximum height of any outbuildings will be at the discretion of Council in order to minimise the visual impacts when viewed from Two Peoples Bay Road.

8.5 The maximum habitable floor area for each individual holiday accommodation unit is to be 140m².

8.6 The café/restaurant is to provide no more than 70 seats.

M. J. EVANS, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL TOWN PLANNING SCHEME AMENDMENT
City of Rockingham

Town Planning Scheme No. 2—Amendment No. 28

Ref: 853/2/28/4 Pt 28

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Hon Minister for Planning and Infrastructure approved the City of Rockingham local Planning Scheme Amendment on the 4th July 2007 for the purpose of—

1. Modifying Clause 4.2.9.2, as follows—
 - 4.2.9.2 Subject to Clause 4.2.9.5, if a Structure Plan imposes a classification on the land included in it by reference to reserves, zones, landuses or Residential Design Codes then—
 - (a) the provisions of the Structure Plan apply to the land within the area as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same way as corresponding provisions incorporated in the Scheme; and
 - (b) provisions in the Scheme applicable to land in those classifications under the Scheme apply to the Development Area.
2. Modifying Clause 6.1.2 by adding the following new sub-clause after sub-clause 6.1.2 (k)—
 - (i) Single short stay accommodation within the Development Area within the area covered by the Port Kennedy Development Agreement Act 1992 (as amended), including any extensions, ancillary buildings or swimming pools.
3. Modifying Schedule No.1—'Interpretations', by including the following new definition—

Single Short Stay Accommodation:	means the occupation of a single house by any form of tourist accommodation approved by the Council, by persons for not more than three months in any one twelve month period.
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B. SAMMELS, Mayor.
 GARY G. HOLLAND, Chief Executive Officer.

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