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— PART 1 —

AGRICULTURE

AG301*

Stock (Identification and Movement) Act 1970

Stock (Identification and Movement) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Stock (Identification and Movement) Amendment Regulations 2006*.

2. The regulations amended

The amendment in these regulations is to the *Stock (Identification and Movement) Regulations 1972**.

[* Reprint 3 as at 7 October 2005.

For amendments to 17 August 2006 see Gazette
16 June 2006.]

3. Regulation 6 amended

Regulation 6(2) is amended by inserting after “ear” —

“

or applying an NLIS device in accordance with Part 8A
of the *Enzootic Diseases Regulations 1970*

”.

4. Regulation 11A amended

Regulation 11A(a) is amended as follows:

(a) by inserting at the end of subparagraph (i) —

“ and ”;

(b) by deleting subparagraph (iii) and inserting instead —

“

(iii) if the calf is required to be identified by
an NLIS device under regulation 84B of

the *Enzootic Diseases Regulations 1970*, the relevant PIC, as defined in those regulations, of the property in relation to which the device was issued;

”.

5. Regulation 20 amended

Regulation 20(1a) is amended as follows:

- (a) by inserting at the end of each of paragraphs (a) to (l) —
“ and ”;
- (b) in paragraph (l) by deleting “Part 9” and inserting instead —
“ Part 8A ”;
- (c) by deleting the full stop at the end of paragraph (n) and inserting instead —
“
; and
(o) the date of the movement of the stock.

”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

EDUCATION & TRAINING

ED301*

Industrial Training Act 1975

Industrial Training Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Industrial Training Amendment Regulations 2006*.

2. *Industrial Training (General Apprenticeship) Regulations 1981 amended*

- (1) The amendment in this regulation is to the *Industrial Training (General Apprenticeship) Regulations 1981**.

[* Reprint 2 as at 13 February 2004.]

- (2) After regulation 15 the following regulation is inserted —

“

15A. Reduction of term if apprentice competent

- (1) If the Director is reasonably satisfied that an apprentice —
- (a) is competent to work as a tradesperson in the trade in which he or she is apprenticed; and
 - (b) has successfully completed all the technical training that the apprentice is required under the Act to complete during his or her apprenticeship,

the Director may reduce the term of the apprentice's apprenticeship to the period of the apprenticeship already served.

- (2) For the purpose of determining whether he or she is satisfied as to the matters set out in subregulation (1) the Director may —
- (a) accept evidence from the employer as to the apprentice's competence; and
 - (b) require the apprentice to undertake such assessment or provide such evidence of his or her competence as the Director requires.

”.

3. *Industrial Training (Apprenticeship Training) Regulations 1981 amended*

- (1) The amendment in this regulation is to the *Industrial Training (Apprenticeship Training) Regulations 1981**.

[* Reprinted as at 2 August 2002.

For amendments to 5 July 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 214, and Gazette 4 April and 26 May 2006.]

- (2) Regulation 6(3) is repealed.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

HEALTH ACT 1911

Shire of Dandaragan

HEALTH (AMENDMENT) LOCAL LAW 2006

Under the powers conferred by Section 342 of the *Health Act 1911* and sub-division 2 of Division 2 of Part 3 of the *Local Government Act 1995*, the Council of the Shire of Dandaragan resolved on the 13 July 2006 to Make the *Shire of Dandaragan Health (Amendment) Local Law 2006*.

1. Citation

This Health Local Law may be cited as the *Shire of Dandaragan Health (Amendment) Local Law 2006*.

2. Principal Local Laws

The *Shire of Dandaragan Health Local Laws 2005*, as published in the *Government Gazette* on 13 September 2005, are referred to as the principal local laws.

These principal local laws are amended.

3. Schedule of Amendments

The amendments to the principal local laws are as follows—

- (a) Subsections 4.2.9 (1) and (2) are to be deleted and the numbering of remaining clauses 3, 4 and 5 amended to 1, 2 and 3 accordingly
- (b) The additional divisions 5, 6 and 7 are to be included after Part 5 Nuisances and general—Division 4.

Division 5—Keeping of Animals and Birds

Interpretation

In this division, unless the context otherwise requires—

- 5.5.1 “**animal**” includes cats, dogs, rabbits and ferrets or the like; and
“**bird**” includes galahs, parrots, budgerigars, finches, pigeons and doves or the like.

Cleanliness

- 5.5.2 An owner or occupier of premises in or on which a dog, cat or other animal or bird is kept shall—
- (a) keep the premises free from excrement, filth, food waste and all other matter which is or is likely to become offensive or injurious to health or to attract rats or other vectors of disease;
 - (b) when so directed by an Environmental Health Officer, clean and disinfect the premises; and
 - (c) keep the premises, so far as possible, free from flies or other vectors of disease by spraying with a residual insecticide or other effective means.

Animal Enclosures

- 5.5.3 (1) A person shall not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
- (2) The owner or occupier of premises where animals or birds are kept shall, when directed by the Manager of Environmental Health Services, pave, grade and drain the floors of all structures and the surface of the ground of all enclosures used for the keeping of animals and birds.

Cats

- 5.5.4 (1) Subject to sub section (5), a person shall not, without an exemption in writing from the Council, keep more than 3 cats over the ages of 3 months on premises on any land—
- (a) within the residential zone of the Shire of Dandaragan Planning Scheme; or
 - (b) used for residential purposes.
- (2) An owner or occupier of premises may apply in writing to the Council for exemption from the requirements of sub section (1).
- (3) The Council shall not grant an exemption under this section unless it is satisfied that the number of cats to be kept will not be a nuisance or injurious or dangerous to health.

- (4) An exemption granted under this section shall specify—
 - (a) the owner or occupier to whom the exemption applies;
 - (b) the premises to which the exemption applies; and
 - (c) the maximum number of cats which may be kept on the premises.
- (5) A person may keep more than 3 cats on premises used for veterinary purposes or as a pet shop.

Slaughter of Animals

- 5.5.5 (1) Subject to sub section (2), a person shall not slaughter any animal within the district.
- (2) Sub section (1) does not apply to—
 - (a) euthanasia of animals by veterinarians or other duly authorised persons;
 - (b) slaughter of animals for the purposes of pet meat and game meat operations;
 - (c) slaughter of animals for human consumption in abattoirs approved by the Council;
 - (d) farming or grazing property occupiers preparing meat for their own consumption; and
 - (e) the legal eradication of pest species by land owners or their agents.

Disposal of Dead Animals

- 5.5.6 (1) An owner or occupier of premises on which there is a dead animal shall immediately remove the carcass and arrange for its disposal at an approved disposal Site.
- (2) An owner, or a person having the care, of any animal that dies or is killed in a public or private place shall immediately remove the carcass and arrange for its disposal at an approved disposal site.

Division 6—Keeping of Large Animals

Interpretation

5.6.1 In this Division, unless the context otherwise requires—

“**approved animal**” means a horse, cow or large animal the subject of an approval by Council under Section 5.6.2

“**cow**” includes an ox, calf or bull;

“**horse**” includes an ass, mule, donkey or pony; and

“**large animal**” includes a pig, sheep, goat, alpaca, horse, deer, camel, llama, emu, ostrich, kangaroo, including miniature species of the same animal or any animal of potential burden as determined by the Manager Environmental Health Services.

Approval Required to keep a Large Animal or Animal(s) of Potential Burden

- 5.6.2 (1) A cow or large animal or animal of potential burden or animals in such numbers that may cause a nuisance as determined by the Council shall not be kept on any property or premises within a Townsite in the Shire of Dandaragan unless prior written approval has been given by the Council.
- (2) The Council may approve in exceptional temporary circumstances the keeping of a cow or large animal and may impose any conditions it considers necessary to ensure that public health standards are not compromised.

Proximity of Animals to a Dwelling House

5.6.3 The owner or occupier of premises shall not permit an approved animal to approach within 15 metres of a dwelling house.

Manure Receptacle

- 5.6.4 An owner or occupier of premises on which an approved Animal is kept shall—
 - (a) provide in a position convenient to the stable a receptacle for manure, constructed of an impervious and durable material which has a smooth surface, provided with a tight-fitting hinged cover, and with no part of the base of the receptacle lower than the surface of the adjoining ground;

- (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (c) cause the receptacle to be emptied at least once a week and as often as may be necessary to prevent it becoming offensive or a breeding place for flies or other vectors of disease;
- (d) keep the receptacle so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
- (e) cause all manure produced on the premises to be collected daily and placed in the receptacle.

Division 7—Keeping of Poultry and Pigeons

Interpretation

5.7.1 In this Division, unless the context otherwise requires—

“**poultry**” includes fowls, peafowls, turkeys, geese, ducks and other domestic fowls;

“**miscellaneous birds**” includes all birds other than poultry and registered homing or racing pigeons;

Limitation on Numbers of Poultry, Pigeons and Miscellaneous Birds

- 5.7.2 (a) An owner or occupier of premises within a Townsite shall not keep a combined total of more than 10 poultry and/or pigeons without the approval of Council, on any one lot of land.
- (b) The Manager of Environmental Health may impose relevant conditions, and/or reduce the approved number of poultry, pigeons, or miscellaneous birds on any premises within the district, or alternatively ban the keeping of poultry, pigeons, or miscellaneous birds on a particular premises, if the conditions of this Division are not complied with or if unreasonable noise or a nuisance is being caused.
- (c) The restriction on bird numbers does not apply to premises used for veterinary purposes or as a pet shop.

Conditions on Keeping Poultry

5.7.3 A person who keeps poultry or permits poultry to be kept shall ensure that—

- (a) no poultry is able to approach within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure provided with a smooth concrete floor at least 50mm thick and laid with a fall of 1 in 50 to the front;
- (c) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry is able to approach within 18 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance;
- (e) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with as directed by an Environmental Health Officer.

Roosters, Geese, Turkeys and Peafowls

- 5.7.4 (1) An owner or occupier of premises within a townsite shall not—
- (a) without the written approval of the Manager of Environmental Health Services; or
 - (b) except in accordance with any conditions imposed by the Manager of Environmental Health Services in connection with the approval under paragraph (a), keep or permit a rooster, goose, turkey or peafowl to be kept on the premises.
- (2) The Manager of Environmental Health Services may, upon written application, grant approval with conditions to the owner or occupier of premises to keep on the premises a specified number of roosters, geese, turkeys or peafowls for a prescribed period.

Pigeons or Doves

5.7.5 A person who keeps, or permits to be kept, pigeons or doves shall ensure—

- (a) none is able to approach within 15 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold; and
- (b) except where registered homing pigeons are freed for exercise, the pigeons or doves are kept in a properly constructed pigeon loft or dove cote that is in a yard having an otherwise unobstructed area of a least 30 square metres.

Removal of Non-Conforming Structure or Enclosure

- 5.7.6 (1) if a structure or enclosure is used for the keeping of poultry or of pigeons or doves contrary to the provisions of sections 5.7.3 and 5.7.5, an Environmental Health Officer may direct the owner or occupier to remove it.
- (2) An owner or occupier shall comply with a direction from the Environmental Health Officer under this section.

Restrictions on Pigeon Nesting or Perching

- 5.7.7 (1) The Council may order an owner or occupier of a house in or on which pigeons are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier shall comply with a Council order made under this section.

Restrictions on Feeding Wild Birds

- 5.7.8 (1) A person shall not feed a pigeon, dove, seagull, ibis, raven or other wild bird, so as to cause a nuisance or be injurious or dangerous to health.
- (c) Subsections 6.1.5 (3) and 7.1.9 (3) are to be amended by adding the words “except to the extent the person has suffered unreasonable loss or damage because the action taken by the Council was negligent or in breach of its duty” after the last word “Section” in each of the two subsections.
- Also subsection 6.2.3(3) is to be amended by adding the words—
- “under this section except to the extent the person has suffered unreasonable loss or damage because the action taken by the Council was negligent or in breach of its duty” after the last word “Council” in the subsection.
- (d) Section 6.3.3 is to be amended by adding the word “stored” before the word “food” in both paragraphs (a) and (b)
- (e) the wording of section 7.1.2 (4) is to be amended by adding the words “except to the extent the person has suffered unreasonable loss or damage because the action taken by Council was negligent or in breach of its duty” after the last word “Section” in subsection 7.1.2 (4)

Passed at a meeting of the Council of the Shire of Dandaragan on the 13th day of July 2006.

The Common Seal of the Shire of Dandaragan was hereunto affixed by authority of a resolution of the Council.

On this 2nd day of August 2006.

In the presence of—

S. LOVE, Shire President.
C. STRUGNELL, Chief Executive Officer.

Consented to—

A. ROBERTSON, Executive Director, Public Health.

Dated this 5th day of September 2006.

— PART 2 —

AGRICULTURE

AG401*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 (2b)(c) of the *Soil and Land Conservation Act 1945*, on the nomination of the WA Farmers Federation (Inc), Humphrey Park of Bullsbrook is appointed a member of the North Swan Land Conservation District (the Committee was established by an Order in Council and approved by Executive Council on 26 August 1997 and an amendment order approved by Executive Council on 2 June 1998 {Department of Agriculture reference: 970643V01P07} and an amendment published in the *Gazette* of 16 December 2005 at p. 6008). The appointment is for a term ending on 30 June 2009.

Dated this day 13th of September 2006.

ANDREW WATSON, Commissioner of Soil
and Land Conservation.

CONSUMER AND EMPLOYMENT PROTECTION

CE401

COMPANIES (CO-OPERATIVE) ACT 1943

TRANSFER OF A CO-OPERATIVE COMPANY TO A DIFFERENT JURISDICTION

Notice is hereby given that, pursuant to Sections 176A-E of the *Companies Co-Operative Act 1943*, the Albany Gateway Co-Operative Limited has ceased to be registered as a co-operative company under this act and has been formally registered as an incorporated association under the *Associations Incorporation Act 1987* as Albany Gateway Incorporated.

Pursuant to section 176E of the *Companies Co-Operatives Act 1943* the new body corporate is deemed to be a continuation of the co-operative company.

Dated this 8th day of September 2006.

PATRICK WALKER, Commissioner for Fair Trading.

CE402*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATED ASSOCIATIONS

Section 35(4)

ACTON AVE COMMUNITY KINDY INC—A0823374H

GOLDFIELDS COUNTRY MUSIC CLUB INCORPORATED—A1005812K

LESCHENAULT SOFTBALL CLUB INCORPORATED—A1001464D

NORTHERN DISTRICTS CYCLE CLUB INC—A0820179K

THE SEYCHELLOIS CLUB INCORPORATED—A1003987J

Notice is hereby given that the incorporation of the above-named associations has been re-instated as from the date of this notice.

Dated the 19 September 2006.

PATRICK WALKER, Commissioner for Fair Trading.

CE403*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATED ASSOCIATIONS

Section 35(4)

SOUTH ASIAN STUDIES ASSOCIATION—A0800011U

WEST AUSTRALIAN WOMEN IN AGRICULTURE INCORPORATED—A1005695G

Notice is hereby given that the incorporation of the above-named associations has been re-instated as from the date of this notice.

Dated the 19th day of September 2006.

PATRICK WALKER, Commissioner for Fair Trading.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004

ELECTRICITY INDUSTRY (TARIFF EQUALISATION CONTRIBUTION) NOTICE (No. 2) 2006

Made by the Treasurer under section 129D(2) of the *Electricity Industry Act 2004*.

1. Citation

This notice is the *Electricity Industry (Tariff Equalisation Contribution) Notice (No. 2) 2006*.

2. Commencement

This notice shall take effect on 19 September 2006.

3. Determination of tariff equalisation contribution

Pursuant to section 129D(2) of the *Electricity Industry Act 2004*, the tariff equalisation contribution that is payable by the Electricity Networks Corporation for the purpose of Part 9A of the Act in respect of the period commencing on 19 September 2006 and ending on 30 June 2009 is \$213,300,000.00.

ERIC RIPPER, MLA, Treasurer.

HEALTH

HE401

MEDICAL ACT 1894

MEDICAL (UNMET AREA OF NEED) DETERMINATION (No. 22) 2006

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 22) 2006*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

SCHEDULE

General Medical Services in the suburb of Rockingham in the City of Rockingham.

Dated this 11th day of September 2006.

JIM MCGINTY, MLA Minister for Health.

HE402**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 23) 2006**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 23) 2006*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 2 years after its commencement.

SCHEDULE

General Medical Services in the suburb of Gosnells in the City of Gosnells

Dated this 7th day of September 2006.

JIM MCGINTY, MLA Minister for Health.

HE403**HOSPITALS AND HEALTH SERVICES ACT 1927****HOSPITALS AND HEALTH SERVICES (CONTRACT MANAGEMENT) APPROVAL 2006****HOSPITALS AND HEALTH SERVICES (CONTRACT MANAGEMENT) DIRECTION 2006**

Made by the Minister for Health under sections 18(2) and 18(2a) of the *Hospitals and Health Services Act 1927*.

1. Citation

These instruments are the—

- (a) *Hospitals and Health Services (Contract Management) Approval 2006*, and
- (b) *Hospitals and Health Services (Contract Management) Direction 2006*.

2. Commencement

This approval and direction comes into operation on the day on which it is published in the *Government Gazette*.

3. Interpretation

Metropolitan Health Services ("MHS") means the Minister for Health in his or her incorporated capacity under the *Hospitals and Health Services Act 1927* section 7 as the board of the hospitals that comprised the Metropolitan Health Service Board immediately before its abolition by the *Hospitals and Health Services (Metropolitan Health Service Board) Abolition Notice 2001* published in the *Gazette* on 9 March 2001.

4. Approval to provide services on terms and conditions

For the purposes of section 18(2a) of the Act, approval is hereby given for the MHS to provide contract management services to the Minister for Health in relation to the agreements listed in the attached schedule on such terms and conditions, including payment for those services as the MHS thinks fit.

5. Direction

I hereby direct that pursuant to section 18(2) of the Act, the MHS is to provide contract management services to the Minister for Health in relation to the agreements listed in the attached schedule.

SCHEDULE

Agreement No.	After Hours GP Clinic
C03607	Joondalup
C03323	Swan
C03322	Bentley
C03820	Fremantle
C03179	Rockingham
C03183	Royal Perth

JIM MCGINTY, MLA Minister for Health.

Dated this 12th day of September 2006.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976*Town of Bassendean***AUTHORISED PERSONS**

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant acts hereunder effective immediately.

1. Dog Act 1976—Registration Officers Only—

Rhona Marsden
Elysa Odams
Melanie Bonser
Megan Shirt
Samantha Preston
Ryan Carey
Bronwyn Bent
Julie Lyne
Patricia Durward
Rita Edwards

LG402

BUSH FIRES ACT 1954*Shire of Northam***APPOINTMENT**

It is hereby notified for public information that Mr Paul Antonio has been appointed a Fire Control Officer for the Southern Brook Bush Fire Brigade (Shire of Northam).

A. J. MIDDLETON, Chief Executive Officer.

LG403*

DOG ACT 1976*Shire of Quairading***APPOINTMENT OF AUTHORISED PERSONS AND REGISTRATION OFFICERS**

It is hereby notified for public information that pursuant to the provisions of the Dog Act 1976, the following persons have been appointed—

Authorised Persons

Graeme Ashley Fardon
Anthony John Merillo
Raymond Leslie Pepper
Damien Maurice Priest
Robert James Maynard
Desmond Charles Williams
Brian Kevin Peacock

Dog Registration Officers

Graeme Ashley Fardon
Anthony John Merillo
Janice Leeanne Clemens
Hollie Rachelle Wishart
Rachael Mary Johnson

Pound Keepers

Robert James Maynard
Desmond Charles Williams

All previous authorisations are hereby revoked.

Dated 13th September 2006.

GRAEME A. FARDON, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

FIRE NOTICE 2006/2007

City of Mandurah

Notice to All Owners and/or Occupiers of Land

**IMPORTANT INFORMATION RELATING TO YOUR RESPONSIBILITY AS A
LAND OWNER IN THE CITY OF MANDURAH.**

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954 you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this Notice to the satisfaction of Council or its duly authorised officers.

This work must be carried out by **17 November 2006**, OR WITHIN 14 DAYS OF BECOMING THE OWNER OR OCCUPIER, SHOULD THIS BE AFTER THAT DATE and kept maintained throughout the summer months until 31 May 2007.

PERSONS WHO FAIL TO COMPLY WITH THE REQUIREMENTS OF THIS NOTICE MAY BE ISSUED WITH AN INFRINGEMENT NOTICE OR PROSECUTED. WHERE THE OWNER FAILS TO COMPLY WITH THE REQUISITIONS OF THE NOTICE, COUNCIL OR ITS DULY AUTHORISED OFFICERS WILL CARRY OUT THE REQUIRED WORK AT THE COST OF THE OWNER OR OCCUPIER.

In addition, you may be required to carry out further works which may be deemed necessary and specified by way of a separate written notice forwarded to the address shown on the City of Mandurah rate records for that land.

If it is considered for any reason impractical to clear firebreaks as required by this Notice, or if natural features render firebreaks unnecessary, you may apply in writing to the City of Mandurah or its duly authorised officers, not later than 1 November 2006 for alternative positions, or other methods of fire prevention on your land. If permission is not granted, you must comply with the requirements of the Notice

**WHAT YOU ARE REQUIRED TO DO
OCCUPIED OR UNOCCUPIED LAND LESS THAN 2023m²**

Where the area of the land is less than 2023m² (approximately 1/2 acre) remove all flammable material on the land except living standing trees, from the whole of the land by either ploughing, cultivating, scarifying, chemical spraying (followed by slashing down to ground level) or other approved method by an authorised officer of Council.

A 4 METRE FIRE BREAK IS NOT ACCEPTABLE.

OCCUPIED OR UNOCCUPIED LAND 2023m² AND OVER

When the area of land is 2023m² (approximately 1/2 acre) and over, provide a mineral earth firebreak at least 4 metres wide, with a vertical height clearance of 4.2 metres—

1. Immediately inside all external boundaries of the said land.
2. Immediately surrounding all outbuildings erected on the said land

IMPORTANT INFORMATION TO REMEMBER

RESTRICTED PERIOD	PROHIBITED BURNING	RESTRICTED PERIOD
PERMIT REQUIRED		PERMIT REQUIRED
1/4/2006—30/11/2006➔	1/12/2006—31/3/2007	➔ 1/4/2007—30/11/2007

By order of the Council

MARK NEWMAN, Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Capel
 Town Planning Scheme No. 7—Amendment No. 30

Ref: 853/6/7/7 Pt 30

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 Capel local planning scheme amendment on 29 August 2006 for the purpose of amending the Scheme Maps by changing the density code of portions of Lot 4, being portion of Leschenault Location 46 Spurr Street, Capel, depicted as a 'Residential Density Code R10/R15' to a 'Residential Density Code R25' and 'Residential Density Code R30'.

M. T. SCOTT, Shire President.
 P. F. SHEEDY, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Dardanup
 Town Planning Scheme No. 3—Amendment No. 139

Ref: 853/6/9/6 Pt139

It is hereby notified for public information, in accordance with Section 7 of the Planning and Development Act, 2005 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Dardanup local planning scheme amendment No. 139 on 29 August 2006, for the purpose of rezoning No. 1 Lot 13 Glenhuon Boulevard, Eaton from “Residential R15” to “Other Community Use” zone.

B. G. DAY, President.
 M. L. CHESTER, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Donnybrook-Balingup
 Town Planning Scheme No. 4—Amendment No. 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 Shire of Donnybrook-Balingup local planning scheme amendment on 28th August 2006 for the purpose of—

1. Modifying Table 1 Zoning Table; Item 5—‘Caravan Park’ listing it as an “AA” use in Columns 5,6 and 7 within the “General Farming Pastoral” and “General Farming Scenic” zones.
2. Replacing the interpretation of “*Caravan Park*” in Schedule 1 Interpretations to read as follows—
 - “**Caravan Park**”—has the same meaning as in the Caravan Parks and Camping Grounds Act 1995;
 - “**Park Home**”—means a vehicle of a prescribed class or description that is fitted or designed for habitation;
 - “**Short Stay Site**”—means a site at a caravan park which is to be occupied consecutively by the one person, for no longer than 3 consecutive months; and
 - “**Long Stay Site**”—a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time.
3. Add Clause 6.19 within SECTION VI—Development Requirements as follows—
 - 6.19 CARAVAN PARKS
 - 6.19.1 Council’s objective is to ensure that the development of Caravan Parks is done in a sustainable manner with—
 - (a) Minimal impact is imposed upon adjoining land uses;
 - (b) Good access is provided to key tourist attractions within the region;
 - (c) Their location is close to defined tourist roads;
 - (d) The landscape character of the area is not impacted upon;
 - (e) Long stay accommodation levels do not exceed 20 % of the Park’s occupation.
 - 6.19.2 In considering an application for a Caravan Park the Council shall have regard to—
 - (a) Any policy adopted by Council pursuant to Clause 9.6.1;
 - (b) The physical characteristics of the site including slope, land capability and drainage and it’s suitability for development;
 - (c) The availability of services to the site;
 - (d) Any other matter that Council considers appropriate;
 - 6.19.3 Council will assess the suitability of the access road for the likely level of usage and may require that upgrading of the access road be undertaken by the developer.
 - 6.19.4 The design and configuration of the development including building design, materials, height and scale of buildings and their setbacks from boundaries is to be such that the visual impact of the development is minimized and conflict with adjoining uses is avoided.
 - 6.19.5 Application for a Caravan Park are to be accompanied by an assessment of the fire hazard and measures proposed to address the hazard.
 - 6.19.6 The extent of remnant vegetation required to be cleared to provide for a Caravan Park is to be minimized wherever possible;

- 6.19.7 Connection to the reticulated sewerage service is preferable. Should reticulated sewerage not be available, Council may consider on site effluent disposal provided that evidence is provided to confirm that the site is capable of handling on site effluent disposal.
- 6.19.8 In considering an application for a Caravan Park in a rural area, Council may request the preparation of an Agricultural Impact Statement in accordance with Statement of Planning Policy 2.5.
- 6.19.9 The development of Park homes may only occur within an approved Caravan Park.
- 6.19.10 Council may require an application for a Caravan Park to be advertised in accordance with the provisions of Clause 8.2. It may also refer the application to such agencies and Departments as it considers relevant.
- 6.19.11 For approval of 'Long Stay sites' the proponent will be required to provide evidence that any residents will have reasonable access to services, these services are generally to include, but not be limited to, access to employment, shops, schools, public transport, and community and recreation facilities.
- 6.19.12 Council will require that the applicant provide a detailed landscape strategy to demonstrate that adequate on and off site buffers will be provided to adjoining land uses prior to issuing an approval.

W. B. HEARMAN, Shire President.
J. R. ATTWOOD, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet
Town Planning Scheme No. 3—Amendment No. 28

Ref: 853/5/14/4 Pt 28

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 Plantagenet local planning scheme amendment on 8 June 2006 for the purpose of—

1. Inserting the following definition for Timber Plantation into Schedule 1: Interpretations of the Scheme Text: between the definitions of Tavern and Tourist Accommodation
"Timber Plantation" means the use of land for planting, growing, maintenance and harvesting of trees for the production of timber products.
2. Modifying the current definition of Rural Use in Schedule 1 by deleting the following words from (d): and includes the growing of trees for wood products.
3. Including the use class Timber Plantation into the Table 1, the Zoning Table with the corresponding notation of 'P' in the Rural Zone at number 52, following 51 Tavern and renumbering subsequent use classes accordingly.
4. Inserting the following additional sub-clause into Clause 5.1.2 of the Scheme Text—
'(g) the development of land for a Timber Plantation where the development—
 - (1) is a P use in the zone by reference to the Zoning Table, and the land is not located in Special Control Areas 1,2,3,4, or 5 as shown on the Scheme Maps;
 - (2) complies with the Shire's Commercial Plantation Policy;
 - (3) complies with a plantation management plan (as described in the Code of Practice for Timber Plantations WA (1997) as amended) submitted to the Council prior to the commencement of any site works or planting, and a revised harvesting plan submitted to the Council two years prior to the anticipated harvesting date;
 - (4) complies with the Guidelines for Plantation Fire Protection (2001) as amended;
 - (5) complies with any regional and/or local road transport strategy and/or fire management strategy developed by key stake holders and adopted by Council.
5. Inserting the following new clause into Part 3—Zones of the Scheme Text and amending the Contents Table accordingly—
3.8 SPECIAL CONTROL AREAS—
 - 3.8.1 The following Special Control Areas are shown on the Scheme Maps: SCA1: Kendenup Townsite SCA, SCA 2: Rocky Gully Townsite SCA, SCA 3: Narrikup Townsite SCA, SCA 4: Mount Barker SCA and SCA 5: Porongurup SCA. The purpose of Special Control Areas 1, 2, 3, 4 and 5 is to prohibit Timber Plantations within Townsites and to control development of plantations in close proximity to townsites and closely populated parts of the Scheme Area.

- 3.8.2 In respect of a Special Control Area shown on a Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.
- 3.8.3 Notwithstanding the Zoning Table—
- (a) Timber Plantations are prohibited within Townsite Area A as depicted on the Special Control Area Maps 1, 2, 3 and 4 at Schedule No. 13;
 - (b) Timber Plantations are SA uses on land zoned Rural in Townsite Area B as depicted on Special Control Area Maps 1, 2, 3 and 4 and on land zoned Rural within SCA Map 5 at Schedule No. 13.
- 3.8.4 When determining an application for planning consent for Timber Plantations the Council shall consider the following—
- (a) the provisions of the Shire's Commercial Plantation Policy;
 - (b) the Code of Practice for Timber Plantations and whether or not the proponent is a signatory to the Code;
 - (c) Consistency with the performance standards of 'Planning for Bush Fire Protection' and 'Guidelines for Fire Protection', following referral to the Fire and Emergency Services Authority, and with Council's 'Annual Fire Break Notice';
 - (d) existing uses and development on the subject land;
 - (e) the location of the subject land and its relationship to surrounding land uses, especially residential, rural residential, rural small holdings, and tourist land uses;
 - (f) the location of the land in relation to designated haulage routes;
 - (g) access to and from the subject land and the existing standard of local roads and their capacity to support timber haulage vehicles;
 - (h) protection of native vegetation;
 - (i) the impact on the amenity of the area, including scenic views;
 - (j) where the land is located in the Porongurup SCA5, the provisions of the Porongurup Rural Strategy;
 - (k) where the land is located in the Mount Barker SCA4, the Mount Barker Rural Strategy;
 - (l) any submissions received as a result of advertising the application; and
 - (m) any other matters considered relevant.
6. Amending the Scheme Maps to delineate the Special Control Areas (SCA) and annotate them as 'SCA 1: Kendenup Townsite SCA'; 'SCA 2: Rocky Gully Townsite SCA'; 'SCA 3: Narrikup Townsite SCA'; 'SCA 4: Mount Barker SCA'; and 'SCA 5: Porongurup SCA'.
7. Inserting new Schedule 14 'Special Control Area Maps' into the Scheme.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Wyndham-East Kimberley

Town Planning Scheme No. 7—Amendment No. 3

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 Wyndham-East Kimberley local planning scheme amendment on 28 August 2006 for the purpose of—

- (1) Adjusting the scheme boundary to include the whole of Lot 21 Weero Road within the scheme area;
- (2) Rezoning Lot 21 Weero Road Kununurra from the 'Rural Agriculture 1' zone to the "Rural Living" zone.
- (3) Inserting the following provisions into the text of the Scheme—
 - 6.6 Overall Planning Area No. 5—Weero Road Rural Residential Area
 - 6.6.1 In accordance with section 6.7 of the scheme a structure plan will be provided with the subdivision application.
 - 6.6.2 The structure plan will address the compatibility of rural residential uses with existing agricultural and horticultural activity on surrounding lots and will ensure that the future use of prime agricultural land for agricultural purposes is not compromised and shall include the following measures—
 - (a) Residential buildings will be prohibited within 150 metres of the boundary of Lot 20 and all plantings of non-local vegetation will be prohibited within 100 metres of the boundary of abutting Lot 20 and/or Lot 781. The 100 metre buffer will be maintained with intensively planted local vegetation. These restrictions will be

given further protection through the placement of restrictive covenants on certificates of title under section 129BA of the *Transfer of Land Act 1893* (as amended). Such covenants are to prohibit residential development, prohibit the planting of non-local flora and to mandate the retention of a planted buffer within the respective exclusion areas.

The advice of the Department of Environment and Conservation is to be sought in relation to appropriate local species for planting.

- (b) Prior to any certificates of title being issued a 100 metre vegetation buffer shall be planted on all lots abutting Lot 20 and/or Lot 781 which shall be planted in accordance with a vegetation plan approved by the Shire in consultation with the Department of Environment and Conservation in relation to appropriate local species.
 - (c) A 300m wide notification area(s) on proposed rural residential lots which are within 300m of the boundary of abutting Lot 20 and/or Lot 781, implemented through the placement of memorials on title under section 165 of the *Planning and Development Act 2005*. Such memorials are to advise that the lots are in close proximity to an existing agricultural operation and may be adversely affected by virtue of odour, noise, dust, light emissions from that land use and/or spray drift from agricultural chemicals.
 - (d) All lots abutting Lot 20 will be a minimum of 4 ha in area.
 - (e) A notation is to be made on the structure plan to advise prospective purchasers of Scheme provisions that apply to the land.
- 6.6.3 Structure planning will address access to the Kununurra bypass, provide adequate fire separation distances, groundwater and drainage issues, on-site waste disposal, geotechnical suitability, creation of wildlife corridors, preservation of natural features, remnant vegetation and environmental considerations. Consultation in this regard will be required with the Department of Environment and Conservation, Health Department, Main Roads Western Australia, Department of Water and any other relevant agencies.
- 6.6.4 Structure planning in relation to the foreshore is required to include, but not be limited to, the following specific elements—
- (a) A road interface between the foreshore and rural residential lots;
 - (b) An area in the north western most corner of Lot 21 to be included in the foreshore reserve for the purposes of providing facilities for community use, including car parking, recreational areas and facilities;
 - (c) Confirmation of the existing Special Foreshore Reserve being of sufficient width. This may require resurvey and should be conducted in consultation with the Department of Environment and Conservation; and
 - (d) Setbacks to the foreshore reserve to be sufficient to address any potential flooding and erosion issues.
- 6.6.5 The area is to be established as a rural residential subdivision area creating a variety of lot sizes, but not less than 1 hectare, in accordance with the local planning strategy endorsed by the Council and the Commission.
- 6.6.6 Lots below 4 hectares are not required to connect to a reticulated water supply in accordance with the regional variation to Statement of Planning Policy 2.5 endorsed by the Commission.
- (4) Renumber section 6.6 to 6.7, section 6.7 to section 6.8, and references throughout section 6 to 6.6 (now 6.7) and section 6.7 (now 6.8) accordingly.

M. PUCCI, Shire President.
P. STUBBS, Chief Executive Officer.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the appointment of the Hon J C Kobelke MLA to act temporarily in the office of Treasurer; Minister for Government Enterprises; Minister Assisting the Minister for Public Sector Management in the absence of the Hon E S Ripper MLA for the period 1 to 13 October 2006 (both dates inclusive).

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

DECEASED ESTATES

ZX401*

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* and amendments thereto relate) in respect of the estates of the undermentioned deceased persons are required by the personal representatives care of Messrs Jackson McDonald, 25th Floor, 140 St Georges Terrace, Perth, Western Australia 6000 (GPO Box M971 Perth Western Australia 6843) to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they have then had notice.

Dora Annie Kirton deceased, late of Frank Prendergast House, 27 Pearson Drive, Success, Western Australia, who died on 21 July 2006.

Matthew Dirk Rees deceased, late of 43 Foss Street, Bicton, Western Australia, who died between 20 May 2005 and 24 May 2005.

Robert Kelly deceased, late of Unit 2/67 Wheatley Street, Gosnells, Western Australia, who died on 2 May 2006.

Dated this 14th day of September 2006.

JACKSON McDONALD.

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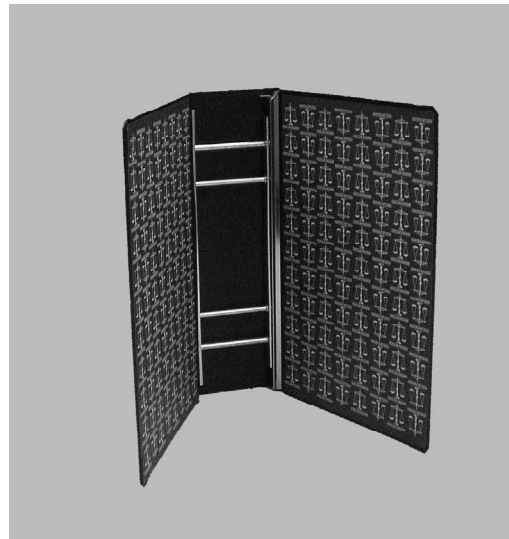
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