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— PART 1 —

LANDS

LA301*

Strata Titles Act 1985

Strata Titles General Amendment Regulations (No. 2) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Strata Titles General Amendment Regulations (No. 2) 2008*.

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 19 January 2009.

3. Regulations amended

These regulations amend the *Strata Titles General Regulations 1996*.

4. Schedule 1 amended

In Schedule 1 item 1:

- (a) in paragraph (d) delete “88.00” and insert:

105.00

- (b) in paragraph (e) delete “88.00” and insert:

105.00

- (c) in paragraph (f) delete “88.00” and insert:

105.00

(d) in paragraph (g) delete “88.00” and insert:

105.00

By Command of the Governor,

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

LA302*

Registration of Deeds Act 1856

Registration of Deeds Amendment Regulations (No. 2) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Registration of Deeds Amendment Regulations (No. 2) 2008*.

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 19 January 2009.

3. Regulations amended

These regulations amend the *Registration of Deeds Regulations 2004*.

4. Schedule 1 amended

- (1) In Schedule 1 Division 1:
 - (a) in item 1 delete “\$88” and insert:

\$105
 - (b) in item 2 delete “\$88” and insert:

\$105

(2) In Schedule 1 Division 2 item 1 delete “\$15.00” and insert:

\$17.50

(3) In Schedule 1 Division 3 item 2 delete “\$88” and insert:

\$105

By Command of the Governor,

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

LA303*

Transfer of Land Act 1893

Transfer of Land Amendment Regulations (No. 2) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transfer of Land Amendment Regulations (No. 2) 2008*.

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 19 January 2009.

3. Regulations amended

These regulations amend the *Transfer of Land Regulations 2004*.

4. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[r. 6(1), (1a), (1b), (1c), (2), (2a), (2b)]

Division 1 — Registrations and recordings

- | | | |
|----|--|----------|
| 1. | Of a transfer of a mortgage or charge — | |
| | first mortgage or charge | \$105.00 |
| | subsequent mortgage or charge | \$13.00 |
| 2. | Of a transfer if stamp duty is assessed under the <i>Stamp Act 1921</i> Second Schedule item 6 or is exempted under section 75AB or 119 of that Act before lodgment for registration, or is exempt under the Third Schedule to that Act | \$105.00 |
| 3. | Of a transfer of a lease, surrender, easement or restrictive covenant | \$105.00 |
| 4. | Of any other transfer where the value of the consideration in respect of the land or the value of the land as assessed under the <i>Stamp Act 1921</i> , whichever is the greater — | |
| | does not exceed \$85 000 | \$105.00 |
| | exceeds \$85 000 but does not exceed \$120 000 .. | \$115.00 |
| | exceeds \$120 000 but does not exceed \$200 000 | \$135.00 |
| | plus, for each whole or part \$100 000 above \$200 000 | \$20.00 |
| | Note: Where — | |
| | (a) stamp duty is assessed on a parcel of land; and | |
| | (b) transfers are lodged for parts of that parcel; and | |
| | (c) a separate value for each part is not allocated in the contract, | |
| | the fee for registering and recording the first of the transfers lodged for registration is to be assessed under item 4 on the value as assessed under the <i>Stamp Act 1921</i> of the parcel and, subject to proof of the payment of that fee, the fee for registering and recording each of the second and subsequent of the transfers is | \$105.00 |
| | Note: The fees specified in items 1 to 4 include the creation and registration of a new certificate of title where such certificate is required by the Registrar. | |
| 5. | Of a mortgage or charge or of a whole or partial discharge of a mortgage or charge — for each interest | \$105.00 |
| 6. | Of an extension of a mortgage or charge — for each interest | \$105.00 |
| 7. | Of a Crown lease or of a freehold lease or sub-lease or extension of a freehold lease | \$105.00 |
| 8. | Of a memorial or notification under any State or Commonwealth Act (unless exempted from payment under that Act) | \$105.00 |
| 9. | Of an order of the Supreme Court, the District Court or the Magistrates Court | \$105.00 |

10.	Of revocation of a power of attorney	\$105.00
11.	Of an instrument not specifically provided for in this Division	\$105.00

Division 2 — Lodgments

1.	Of a caveat, a power of attorney or a declaration of trust	\$105.00
2.	Of a deposited plan —	
	(a) general fee —	
	(i) if approval of Western Australian Planning Commission is required	\$197.00
	(ii) if approval of Western Australian Planning Commission is not required	\$137.00
	(b) for each lot (including any lot shown on an inset on the plan) other than a lot vesting in the Crown under the <i>Planning and Development Act 2005</i> section 152	\$54.00
3.	Of a replacement deposited plan for a certified correct deposited plan —	
	(a) if approval of Western Australian Planning Commission is required	\$197.00
	(b) if approval of Western Australian Planning Commission is not required	\$137.00
4.	Of a replacement deposited plan for a deposited plan in respect of which a requisition has been raised prior to preparation of Western Australian Planning Commission's prints	\$137.00
5.	Of a duplicate certificate of title or lease for the registration or recording of a dealing lodged by a third party —	
	(a) for the first certificate of title or lease	\$52.50
	(b) for each subsequent certificate of title or lease	\$6.00
6.	Of a memorandum within the meaning of section 54(1) of the Act — section 54(2) of the Act	\$105.00
7.	Of a form for the notification of a factor affecting the use or enjoyment of land — section 70A(1) of the Act	\$105.00
8.	Of an instrument for a restrictive covenant created under section 129BA of the Act — section 129BA(2)(b) of the Act	\$105.00
9.	Of an instrument for an easement created under Part IVA of the Act — section 136C(4) of the Act ..	\$105.00
10.	Of an instrument for a restrictive covenant created under Part IVA of the Act — section 136D(3) of the Act	\$105.00

Division 3 — Withdrawals

1.	Of a caveat, order of the Supreme Court, the District Court or the Magistrates Court, a memorial under the <i>Taxation Administration Act 2003</i> Part 6 Division 2 or a memorial under the <i>Land Tax</i>	
----	--	--

- Assessment Act 1976* section 46 that was registered before that Act was repealed, or any other Act or Commonwealth Act (unless exempted from payment under that Act) \$105.00
2. Of a document from registration or recording \$52.50

Division 4 — Applications

1. For a new certificate of title in respect of undivided shares in land —
- (a) for one certificate \$105.00
- (b) for each additional certificate \$6.00
2. For a new certificate of title the subject of a deposited plan \$105.00
- plus, for each lot shown on the deposited plan, other than a lot that is proposed to be vested in the Crown under the *Planning and Development Act 2005* section 152 \$6.00
3. For a new certificate of title in any other case \$105.00
4. To amend certificates of title of other owners affected by section 170 of the Act — for each certificate of title affected \$105.00
5. To serve a section 138A caveator with notice under section 138B of the Act \$210.00
6. For each replacement edition of a duplicate certificate of title where a duplicate certificate of title was issued on the registration of the certificate of title \$105.00
7. An application in respect of any matter not specifically provided for in this Division \$105.00

Division 5 — Certificates

1. For the issue of a certificate of title, either on request or where necessary in connection with an application or process (except where this service is included in another fee) \$105.00
2. For a certificate of ownership issued under the *Local Government Act 1995* section 9.41 \$60.00
3. For certification by the Registrar of a certificate of title, Crown lease, deposited plan, plan, diagram or other document \$60.00
4. For the issue of a certified and sealed document for the purposes of section 239B(1)(b) of the Act fee as assessed by the Registrar, not exceeding actual cost

Division 6 — Inspection and/or copies of documents

1. Inspection of a Crown lease, Crown title, permit or licence \$17.50

2.	Copy of a Crown lease, Crown title, permit or licence	\$17.50
3.	Inspection of a Crown land lease	\$17.50
4.	Copy of a Crown land lease	\$17.50
5.	Inspection of a certificate of title — (a) where required as a result of a check search ..	\$8.75
	(b) in other cases	\$17.50
6.	Copy of a certificate of title — (a) where required as a result of a check search ..	\$8.75
	(b) in other cases	\$17.50
7.	Inspection of a plan, diagram or deposited plan	\$17.50
8.	Copy of a plan, diagram or deposited plan	\$17.50
9.	Inspection of a licensed surveyor's field book	\$17.50
10.	Copy of a licensed surveyor's field book	\$17.50
11.	Copy of a plan, diagram, deposited plan, survey index plan or licensed surveyor's field book obtained by use of departmental self-service equipment	fee as assessed by the Registrar, not exceeding actual cost
12.	Inspection of the record of dealings and matters referred to in section 48A(2) or 81P of the Act, as is relevant to the case, that were endorsed on previous digital versions of a digital title, but are not endorsed on the current version of that digital title ..	\$8.75
13.	Inspection of other documents and related information not specifically provided for in this Division, including documents listed as subject to dealing and status reports	\$17.50 per document
14.	Copy of other documents and related information not specifically provided for in this Division, including documents listed as subject to dealing and status reports	\$17.50 per document
15.	Inspection of a survey index plan	\$17.50
16.	Copy of a survey index plan	\$17.50
17.	Check search	\$8.75
18.	In response to a request via a privately owned data terminal for the results of any of the following searches to be sent to that data terminal — (a) check search	\$8.75
	(b) search of the power of attorney file for the number of a power of attorney document if the number is given with confirmation of the document's existence	\$1.00

Note: The fees specified in item 18 include the taking a hard copy of screen print.

- | | | |
|-----|--|---|
| 19. | In response to a request via a privately owned facsimile machine for the results of any search referred to in items 1 to 17 — for each request (in addition to the fees payable under items 1 to 17) | \$2.40 |
| 20. | For arranging the postal delivery of any material for which a fee is payable under this Schedule — | |
| | (a) if the material is sent within Australia and is not greater than 50 grams | \$9.00 |
| | (b) if the material is sent outside Australia or is greater than 50 grams | \$9.00 plus
any
additional
costs
incurred, as
assessed by
the Registrar |
| 21. | Search of the power of attorney file for the number of a power of attorney document (unless item 18(b) applies) | \$8.75 |
| 22. | Inspection of a power of attorney document where the number is known | \$17.50 |
| 23. | Copy of a power of attorney document where the number is known | \$17.50 |

Division 7 — Miscellaneous

- | | | |
|----|--|---|
| 1. | For advertising (minimum fee payable on lodgment of application, additional actual cost payable when actual cost is known) | \$105.00
plus actual
cost above
\$105.00 |
| 2. | For — | |
| | (a) a map or a colouring of a map on a copy of a certificate of title, Crown lease, deposited plan or other document; or | |
| | (b) drafting of a deposited plan or other document; or | |
| | (c) the provision of consultancy services relating to project planning and project conveyancing | fee as
assessed by
the
Registrar,
not
exceeding
actual cost |
| 3. | For dispensing with the production of a duplicate of a certificate of title or other instrument | \$105.00 |
| 4. | Supply of statement of grounds | \$105.00 |
| 5. | Order for stay of registration under section 148 of the Act | \$105.00 |

6.	For requisitions raised on —	
	(a) a deposited plan or other survey document ...	\$89.00
	(b) any other document —	
	(i) if the requisition is complied with and this fee is paid before 5.00 p.m. on the business day following the day on which the requisition is issued	\$50.00
	(ii) otherwise	\$75.00
7.	For amendments made to a deposited plan or other survey document in respect of which requisitions have been raised	fee as assessed by the Registrar, not exceeding actual cost
8.	For serving a caveator with notice under section 138 or 141A of the Act — each caveat	\$105.00
9.	Cancellation of a plan or diagram	\$65.00
10.	Search of an historic tenure	fee as assessed by the Registrar, not exceeding actual cost
11.	Providing a replica of a certificate of title, plan or document registered in the State	actual cost
12.	Amendment to a deposited plan resulting in a new version including excisions, addition or amendment of lots, easements, and interests and notifications table and lodged layer updates	\$43.50
	if a deposited plan, plan or diagram has been certified correct and is to be forwarded to Western Australian Planning Commission, an additional fee of	\$60.00
13.	For rejection of a document under section 192(1) of the Act	75% of the registration, recording, lodgment or application fee paid or payable on the document (rounded down to the nearest multiple of \$1)

14. For registrations and recordings under Division 1, lodgments under Division 2 and applications under Division 4 — involving more than 10 certificates or leases — each certificate or lease in excess of 10 \$6.00
15. For the priority processing of a transfer, mortgage, discharge of mortgage, withdrawal of caveat, or survivorship application, or not more than 4 of such documents if lodged together, or of an enduring power of attorney, subject to regulation 5A \$34.00

By Command of the Governor,

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

MARINE/MARITIME

MX301*

Western Australian Marine Act 1982

Navigable Waters Amendment Regulations (No. 6) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Navigable Waters Amendment Regulations (No. 6) 2008*.

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 *Navigable Waters Regulations 1958*.

4. Regulation 45B amended

In regulation 45B(7):

- (a) in paragraph (a) delete “a vessel other than a yacht which is or may be propelled by mechanical power,” and insert:

not a vessel to which paragraph (b) or (c) applies,

- (b) in paragraph (b)(v) delete “slanting.” and insert:

slanting;

- (c) after paragraph (b) insert:

and

- (c) where the vessel is a personal watercraft, the registration number allotted to the vessel is legibly marked on each side of the vessel in accordance with the following provisions —
- (i) the number shall be positioned so as to be easily visible;
 - (ii) each digit of the number shall be not less than 100 millimetres in height, and not less than 25 millimetres in width;
 - (iii) where the background of each digit is not white, each digit of the number shall have a white surround not less than 7 millimetres in width;
 - (iv) each digit of the number shall be of plain block design and not script and be vertical and not slanting.

5. Regulation 46 amended

In regulation 46(2) in the definition of *personal watercraft* in paragraph (b) delete:

by means of handlebars

By Command of the Governor,

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

— PART 2 —

COMMUNITY AND CHILD SERVICES

CX401

ADOPTION ACT 1994

CONTACT AND MEDIATION LICENCE

I, Terry Murphy, Director General for Department for Child Protection, issue the following person with a licence to act as a Contact and Mediation Licensee under Sections 105 and 106 of the *Adoption Act 1994* and subject to the Adoption Regulations, the *Code of Practice 1995* and conditions as stipulated for a period of three years—

Isabel Maria Andrews
91 Hensman Road
Subiaco WA 6008

Dated this 14th day of December 2008.

TERRY MURPHY, Director General,
Department for Child Protection.

EDUCATION

ED401

SCHOOL EDUCATION ACT 1999

HIGHER SCHOOL LEAVING AGE OPTIONS ORDER (3) 2008

Made by the Minister for Education and Training under Section 11B(2) and (3) of the *School Education Act 1999*.

1. Citation

This is the *Higher School Leaving Age Options Order (3) 2008*.

2. Prescribed courses and providers

(1) A course specified in column 1 of the table to this clause being a course that does not otherwise come within section 11B(1) of the *School Education Act 1999* is prescribed as a course for the purposes of that subsection.

(2) The person or body specified in column 2 of the table to this clause opposite and corresponding to a course referred to in column 1 of the table is specified as the provider for that course.

TABLE

Column 1 Course	Column 2 Provider	Location
Connections, Kununurra	East Kimberley Job Pathways	Kununurra

Dated this 20th day of December 2008.

Dr Elizabeth Constable MLA, Minister for Education;
Tourism; Women's Interests.

LOCAL GOVERNMENT

LG401*

SHIRE OF DARDANUP
AUTHORISED PERSON

It is hereby notified for public information that Annaliese Cave-Smith has been appointed as an authorised person of the Shire of Dardanup pursuant to the following—

To exercise powers under Part XX of the Local Government Act (Miscellaneous Provisions) Act 1960; Section 44 9 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;

Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;

Section 3.39 of the Local Government Act 1995 as an Authorised Person;

and as an Authorised Person pursuant to the following—

Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E (1) Dog Act as an Authorised Person;

Control of vehicles (Off Road Area) Act 1978;

Litter Act 1979;

Bush Fires Act 1954

Caravan Parks and Camping Grounds Act 1995

and effecting general rangers duties within the district.

It is hereby notified for public information that David Stewart and Alana Keane have been appointed as an authorised person of the Shire of Dardanup pursuant to the following—

To exercise powers under Part XX of the Local Government Act (Miscellaneous Provisions) Act 1960; Section 44 9 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;

Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;

Section 3.39 of the Local Government Act 1995 as an Authorised Person;

and as an Authorised Person pursuant to the following—

Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E (1) Dog Act as an Authorised Person;

Litter Act 1979; and effecting general rangers duties within the district.

The appointment of Mr Jeff Weaver is hereby cancelled.

P. S. ROWE, Acting Chief Executive Officer.

5 January 2009.

LG402*

LOCAL GOVERNMENT ACT 1995
Shire of Murray
(BASIS OF RATES)

Department of Local Government
and Regional Development.

DLGRD: MY5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedules hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2009.

JENNIFER MATHEWS, Director General.

SCHEDULE
ADDITION TO GROSS RENTAL VALUE AREA
SHIRE OF MURRAY

All those portions of land comprised in the schedules below—

SCHEDULE "A"

All that portion of land being Lot 171 and Lot 196 as shown on Plan 2087; Lot 27 as shown on Plan 4841; Lot 2, Lot 3, Lot 9, Lot 11, Lot 13, Lot 15, Lot 16, Lot 18, Lot 21, Lot 22, Lot 24, Lot 25, Lot 28, Lot 32, Lot 33, Lot 40, Lot 41, Lot 46, Lot 47, Lot 58 and Lot 59 as shown on Plan 5383; Lots 5 to 9

inclusive and Lots 11 to 17 inclusive as shown on Plan 6224; Lots 51 to 65 inclusive as shown on Plan 10545; Lots 101 to 123 inclusive and Lots 125 to 129 inclusive as shown on Plan 11003; Lots 67 to 69 inclusive and Lots 71 to 74 inclusive as shown on Plan 11422; Lots 1 to 11 inclusive as shown on Plan 11676; Lots 70 to 74 inclusive and Lots 76 to 81 inclusive as shown on Plan 12088; Lot 69, Lots 82 to 92 inclusive and Lots 96 to 98 inclusive as shown on Plan 12396; Lots 1 to 20 inclusive as shown on Plan 12910; Lots 48 to 54 inclusive and Lot 58 as shown on Plan 13896; Lots 19 to 22 inclusive, Lots 26 to 29 inclusive, Lot 32 and Lot 46 as shown on Plan 13897; Lots 33 to 45 inclusive and Lots 55 to 57 inclusive as shown on Plan 13898; Lots 2 to 14 inclusive as shown on Plan 14523; Lot 202 as shown on Plan 14556; Lots 15 to 20 inclusive and Lots 27 to 33 inclusive as shown on Plan 14955; Lot 10 as shown on Plan 16444; Lots 1 to 36 inclusive and Lots 48 to 59 inclusive as shown on Plan 16750; Lots 37 to 47 inclusive and Lots 60 to 72 inclusive as shown on Plan 16752; Lots 51 to 80 inclusive as shown on Plan 17071; Lots 1 to 13 inclusive and Lots 15 to 32 inclusive as shown on Plan 18582; Lots 50 to 52 inclusive as shown on Plan 19184; Lots 35 to 41 inclusive and Lots 44 to 52 inclusive as shown on Plan 19296; Lots 32 to 46 inclusive and Lot 48 as shown on Plan 19966; Lots 1 to 5 inclusive and Lot 20 as shown on Plan 20925; Lots 6 to 19 inclusive as shown on Plan 20926; Lot 1 and Lots 15 to 17 inclusive as shown on Plan 21138; Lots 2 to 14 inclusive as shown on Plan 21139; Lots 1 to 10 inclusive as shown on Plan 21167; Lots 19 to 27 as shown on Plan 21225; Lots 107 to 113 inclusive as shown on Plan 21250; Lots 101 to 106 inclusive and Lots 114 to 118 inclusive as shown on Plan 21251; Lot 18, Lot 32, Lots 34 to 50 inclusive, Lot 69 and Lots 73 to 75 inclusive as shown on Plan 21537; Lots 1 to 17 inclusive, Lots 19 to 31 inclusive, Lot 33 and Lots 76 to 80 inclusive as shown on Plan 21538; Lots 51 to 66 inclusive and Lots 70 to 72 inclusive as shown on Plan 21539; Lots 14 to 24 inclusive as shown in Plan 21999; Lots 9 to 17 inclusive as shown on Plan 22268; Lots 102 to 104 inclusive and Lot 139 as shown on Plan 23408; Lots 105 to 112 inclusive as shown on Plan 23409; Lot 113, Lot 115, Lot 116, Lot 118, Lot 119, Lot 124 and Lot 125 as shown on Plan 23410; Lot 114, Lot 117, Lots 121 to 123 inclusive, Lot 126 and Lot 127 as shown on Plan 23411 and Lots 128 to 135 inclusive as shown on Plan 23412.

SCHEDULE "B"

All that portion of land being Lot 200 and 201 as shown on Deposited Plan 24355; Lot 74 and 75 as shown on Deposited Plan 24442; Lot 905 and 906 as shown on Deposited Plan 25060; Lots 101 to 128 inclusive as shown in Deposited Plan 25738; Lot 908 and Lot 909 as shown on Deposited Plan 25747; Lot 906 and Lot 907 as shown on Deposited Plan 25748; Lot 272 as shown on Deposited Plan 26608; Lots 208 to 210 inclusive, Lot 212, Lot 214 and Lot 217 as shown on Deposited Plan 26867; Lot 1 and Lot 2 as shown on Deposited Plan 28197; Lots 701 to 708 inclusive as shown on Deposited Plan 29503; Lot 81 and Lot 82 as shown on Deposited Plan 30351; Lot 210 and Lot 211 as shown on Deposited Plan 30586; Lot 90 and Lot 91 as shown on Deposited Plan 30711; Lot 903 and Lot 904 as shown on Deposited Plan 32430; Lot 200 as shown on Deposited Plan 32690; Lot 202 and Lot 203 as shown on Deposited Plan 33298; Lots 502 to 504 inclusive as shown on Deposited Plan 34399; Lots 201 to 204 inclusive as shown on Deposited Plan 37459; Lot 801 as shown on Deposited Plan 38263; Lot 11 as shown on Deposited Plan 39519; Lot 801 as shown on Deposited Plan 40007; Lot 803 as shown on Deposited Plan 40010; Lot 204 and Lot 205 as shown on Deposited Plan 40031; Lots 605 to 615 inclusive as shown on Deposited Plan 41235; Lot 212 and Lot 213 as shown on Deposited Plan 41777; Lots 401 to 415 inclusive as shown on Deposited Plan 42372; Lot 500 and Lot 501 as shown on Deposited Plan 42837; Lot 400 as shown on Deposited Plan 44007; Lots 99 to 105 inclusive, Lot 176, Lots 183 to 185 inclusive, Lots 187 to 189 inclusive, Lot 202 and Lots 207 to 210 inclusive as shown on Deposited Plan 46563; Lots 106 to 111 inclusive, Lots 161 to 164 inclusive, Lot 173, Lot 205 and Lot 206 as shown on Deposited Plan 46564; Lots 201 to 228 inclusive as shown on Deposited Plan 46803; Lots 101 to 119 inclusive, Lot 121 and Lot 122 as shown on Deposited Plan 47145; Lot 76 and Lot 77 as shown on Deposited Plan 50005; Lot 800 and Lot 801 as shown on Deposited Plan 56579; Lot 401 as shown on Deposited Plan 302468 and Lot 97 as shown on Deposited Plan 302637.

SCHEDULE "C"

All that portion of land being Lot 2 as shown on Diagram 11569; Lots 18 to 21 as shown on Diagram 18504; Lots 1 to 5 inclusive as shown on Diagram 18505; Lots 1 to 4 inclusive as shown on Diagram 18745; Lot 13 as shown on Diagram 18880; Lots 19 to 23 inclusive as shown on Diagram 19085; Lots 1 to 3 inclusive as shown on Diagram 19752; Lot 12 and Lot 13 as shown on Diagram 31504; Lot 27 and Lot 28 as shown on Diagram 32699; Lot 20 as shown on Diagram 38322; Lot 21 as shown on Diagram 43316; Lot 41 as shown on Diagram 46546; Lot 31 as shown on Diagram 46777; Lots 15 to 17 inclusive as shown on Diagram 49346; Lot 125 as shown on Diagram 50992; Lot 120 and Lots 122 to 130 inclusive as shown on Diagram 52087; Lots 51 to 57 inclusive as shown on Diagram 52167; Lots 100 to 105 inclusive as shown on Diagram 52583; Lot 6 as shown on Diagram 53755; Lot 130 as shown on Diagram 53829; Lot 1 and Lot 2 as shown on Diagram 53946; Lot 132 as shown on Diagram 54090; Lot 82, Lot 83, Lots 85 to 93 inclusive as shown on Diagram 54755; Lot 35 as shown on Diagram 55485; Lot 32, Lot 33, Lots 36 to 38 inclusive as shown on Diagram 55536; Lot 3 and Lot 4 as shown on Diagram 55622; Lots 131 to 136 inclusive as shown on Diagram 55639; Lot 3 and Lot 4 as shown on Diagram 56042; Lot 5 as shown on Diagram 56357; Lot 64 and Lot 65 as shown on Diagram 56805; Lots 25 to 31 inclusive as shown on Diagram 56819; Lot 107 and Lot 108 as shown on Diagram 57971; Lot 6 and Lot 7 as shown on Diagram 58527; Lot 21 and Lot 22 as shown on Diagram 59069; Lot 133 and Lot 134 as shown on Diagram 59861; Lots 32 to 34 inclusive as shown on Diagram 60649; Lots 23 to 29 inclusive as shown on Diagram 61165; Lot 102 as shown on Diagram 62019; Lot 103 and Lot 104 as shown on Diagram 62617; Lot 200 as shown on Diagram 62766; Lots 1 to 4 inclusive as shown on Diagram 63545; Lot 5 and Lot 6 as shown on Diagram 63577; Lot 66 and Lot 67 as shown on Diagram 64345; Lot 1 as shown on Diagram 67208; Lots 500 to 503 inclusive as shown on Diagram 67511; Lot 135 and Lot 136 as shown on Diagram 69354; Lot 1 and Lot 2 as shown on Diagram 69551; Lot 8 and Lot 9 as shown on Diagram 75044; Lot 500 and Lot 501 as shown on Diagram 75853; Lot 68 and Lot 69 as shown on Diagram 76996; Lot 70 and Lot 71 as shown

on Diagram 77867; Lot 20 as shown on Diagram 78721; Lot 110 and Lot 111 as shown on Diagram 78927; Lot 112 and Lot 113 as shown on Diagram 78928; Lot 72 and Lot 73 as shown on Diagram 82249; Lot 3 and Lot 4 as shown on Diagram 82357; Lot 100 and Lot 101 as shown on Diagram 82729; Lot 500 and Lot 501 as shown on Diagram 84304; Lot 34 as shown on Diagram 84689; Lots 901 to 906 inclusive as shown on Diagram 85129; Lot 100 and Lot 101 as shown on Diagram 86723; Lot 112 and Lot 113 as shown on Diagram 87870; Lot 502 and Lot 503 as shown on Diagram 89181; Lot 700 and Lot 701 as shown on Diagram 91930; Lot 702 as shown on Diagram 91931; Lots 101 to 106 inclusive as shown on Diagram 93570; Lots 50 to 52 inclusive as shown on Diagram 93743; Lot 53, Lot 54 and Lot 56 as shown on Diagram 94309; Lots 115 to 118 inclusive as shown on Diagram 95697; Lot 120 as shown on Diagram 97623; Lot 705 as shown on Diagram 97715; Lot 703 and Lot 704 as shown on Diagram 97716; Lot 80 as shown on Diagram 98113; Lot 471 and Lot 472 as shown on Diagram 98815; Lot 57, Lot 58, Lot 60, Lot 66 and Lot 67 as shown on Diagram 99273; Lot 211, Lot 213, Lot 215 and Lot 216 as shown on Diagram 99563; Lot 69 and Lot 70 as shown on Diagram 99958; Lot 59 as shown on Diagram 100303; Lot 503 and Lot 504 as shown on Diagram 100359 and Lot 500 and Lot 501 as shown on Diagram 100779.

MARINE/MARITIME

MX401*

**WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958**

Shire of West Arthur

WATER SKI AREA

Lake Towerrining

Department for Planning and Infrastructure,
Fremantle WA, 9 January 2009.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the department by this notice temporarily revokes paragraph (1)(b)(24)(i) of Notice MH404 as published in the *Government Gazette* on 25 October 1991, relating to the water ski area at Lake Towerrining.

Providing that this revocation will apply only on Sunday 8th February 2009, to allow for the approved aquatic event being held by the Australian Power Boat Association (Inc).

DAVID HARROD, General Manager, Marine Safety,
Department for Planning and Infrastructure.

MINERALS AND PETROLEUM

MP401*

MINING ACT 1978

FORFEITURE

Department of Industry and Resources,
PERTH WA 6000.

I hereby declare in accordance with the provisions of section 99(1)(a) of the *Mining Act 1978* that the undermentioned exploration licences are forfeited for breach of covenant, being failure to comply with the prescribed expenditure conditions, with prior right of application being granted to the plaintiff under section 100(2).

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
59/974	Wildbeach Corporation Pty Ltd	Yalgoo
59/975	Wildbeach Corporation Pty Ltd	Yalgoo
59/976	Wildbeach Corporation Pty Ltd	Yalgoo
59/977	Wildbeach Corporation Pty Ltd	Yalgoo
70/2233	Wildbeach Corporation Pty Ltd	South West
70/2234	Wildbeach Corporation Pty Ltd	South West
70/2235	Wildbeach Corporation Pty Ltd	South West
70/2236	Wildbeach Corporation Pty Ltd	South West

MP402***MINING ACT 1978****INSTRUMENT OF VARIATION TO EXEMPTION OF LAND**

The Minister for Mines and Petroleum pursuant to the powers conferred on him by section 19 of the *Mining Act 1978*, hereby **varies** the exemptions of land designated S19/138, S19/186, S19/187, S19/188, S19/190, S19/192 and S19/194 in TENGRAPH by including those portions of land described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) into the respective exemptions with all the exemptions expiring on 8 May 2009.

Locality

Ord River Development Area—Kimberley Mineral Field

Description of land being included into current exempted lands

Current S19 Exemption No. (as shown in DoIR's TENGRAPH System)	Name of Current S19 Exemption	Current S19 Exemption Varied by Adding Additional Area (Ha)	Description of Additional Area	New Total Area of Current S19 Exemption (Ha)
S19/138	Green Swamp Area	1.7023	See page 162 of DoIR File A1620/200405	23,152.0872
S19/186	M2 Area	307.0958	See page 161 of DoIR File A1620/200405	31,489.9298
S19/187	Mantina Area	41.3842	See page 160 of DoIR File A1620/200405	37,253.8317
S19/188	Ord West Bank and Ord East Bank Area	(Sections 1, 2 & 3) 1,954.5649	(Sections 1, 2 & 3) See pages 158 & 159 of DoIR File A1620/200405	63,696.3193
S19/190	Packsaddle Swamp/Plain Area	1,832.8073	See pages 153 to 157 of DoIR File A1620/200405	2,510.0018
S19/192	Zimmerman Area	638.6661	See page 152 of DoIR File A1620/200405	11,602.0194
S19/194	Packsaddle Acquisition Area	(Sections 1 & 2) 84.0286	(Sections 1 & 2) See pages 150 & 151 of DoIR File A1620/200405	858.0191

Dated at Perth this 23rd day of December 2008.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

PLANNING AND INFRASTRUCTURE

PI401***PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***City of Albany*

Town Planning Scheme No. 3—Amendment No. 269

Ref: 853/5/4/5 Pt 269

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 Albany local planning scheme amendment on 4 December 2008 for the purpose of—

1. Rezoning Lot 48 Morgan Place, Lot 49 Morgan Road and Lots 47, 50 & 51 Lancaster Road, McKail from the 'Rural' Zone to the 'Residential Development' zone.
2. Amending the Scheme Maps accordingly.

M.J. EVANS, Mayor.
P. R. RICHARDS, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Broome

Town Planning Scheme No. 4—Amendment No. 43

Ref: 853/7/2/4 Pt 43

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 Broome local planning scheme amendment on 25 November 2008 for the purpose of exercising Lot 1259 (No. 1) Pryor Drive, Broome from “R15” code area and including it in the “R50” code area and modifying the Scheme map accordingly.

G. T. CAMPBELL, Shire President.
 K. DONOHOE, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Broome

Town Planning Scheme No. 4—Amendment No. 50

Ref: 853/7/2/4 Pt 50

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 Broome local planning scheme amendment on 25 November 2008 for the purpose of exercising Lot 1260 (No. 3) and Lot 1264 (No. 11) Pryor Drive and Lot 1267 (No. 30) Piggot Way, Broome from the “R15” code area and including it in the “R30” code area and modifying the Scheme map accordingly.

G. T. CAMPBELL, Shire President.
 K. DONOHOE, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Subiaco

Town Planning Scheme No. 4—Amendment No. 8

Ref: 853/2/12/7 Pt 8

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 Subiaco local planning scheme amendment on 19 November 2008 for the purpose of—

CITY OF SUBIACO TOWN PLANNING SCHEME No. 4
 Amendment No. 8

The City of Subiaco under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by—

1. The following clauses are amended by deleting the term/s “Residential Planning”—
 - (a) Clause 12 (3)
 - (b) Clause 12 (4)
 - (c) Clause 39
 - (d) Clause 42
 - (e) Clause 54 (3)
 - (f) Clause 57 (1)
 - (g) Schedule 1
2. The Zoning Table in clause 14 is amended by—
 - (a) deleting the terms “/Motel/Tavern” after the term Hotel;
 - (b) deleting the term “Child Day-Care/Family Care Centre” and substituting the term “Child Care Service”

- (c) amending the existing use classes and the symbols as follows—
- i. Consulting Rooms
 - ii. Office; and
 - iii. Research and Development.

“

USE CLASSES	Residential R15 and R20	Residential R30 and R50	Residential R80
Consulting Rooms	X(4)	X(4)	X(4)
Dwelling: Single bedroom		P	
Office	X(4)	X(4)	X(4)
Research and Development	X(3)	X(3)	

”

- X (3) “SA” only in respect of relevant residential zones within the University Precinct 13 for Research and Development related to the University of Western Australia, “X” in all other cases.
- X (4) Council may consider the above as a “SA” use only in respect of land and buildings registered on the City’s Register of Places of Cultural Heritage Significance as per Clause 58 of the Scheme. “X” Use in respect of all other land and buildings.
3. Clause 15 is amended by deleting the term “section 13 of”.
 4. Clause 19 is amended by deleting the terms “Metropolitan Region Town Planning Scheme Act 1959/Western Australian Planning Commission Act 1985” and substituting the term “Act”.
 5. Clause 21 (2) is amended by deleting the term “Town Planning and Development Act 1928” and substituting the term “Act”.
 6. Clause 21 (4) is amended by deleting the term “section 12 of the Town Planning and Development Act 1928” and substituting the term “Act”.
 7. Clause 23(k) is amended by deleting the full stop after the term “purpose”, and replacing with a semi colon and inserting the following paragraph
 - (I) demolition of an outbuilding where the subject outbuilding is not—
 - (i) the proposal is the subject of an Order under Part 6 of the Heritage of Western Australia Act 1990; or
 - (ii) the proposal is listed in the Register of Places of Cultural Heritage Significance referred to in clause 58; or
 - (iii) the proposal is located in a place that has been entered in the Register of Places under the Heritage of Western Australia Act 1990; or
 - (iv) the proposal is located in a conservation area declared under clause 59; or
 - (v) listed on the City’s Municipal Inventory.
 8. Clause 34(1) is amended by deleting paragraph (a) and substituting the following paragraph—

“(a) 60 days of the receipt of the application as defined in Clause 27;

or”
 9. Clause 35 is amended by deleting reference to “Home Occupation” and substituting the term “Home Business”.
 10. Clause 41(2) is amended by deleting the full stop after paragraph (g), and substituting with a semi colon and inserting the following paragraphs—
 - (h) to assist in the rejuvenation of degraded streetscapes;
 - (i) to promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, reduction in greenhouse gas emissions, water conservation, waste management and recycling;
 - (j) to promote and encourage design that incorporates crime prevention through environmental design principles including but not limited to, appropriate fencing, appropriate landscaping, casual surveillance of public open spaces and adequate pedestrian movement sightlines.

15. Clause 42 (9) (c) is amended by adding an additional sentence after the term “Residential Design Codes” being—

“Should no plot ratio be identified in the Codes, the proposed development shall meet the open space requirements of the Codes for the relevant zoning”.
16. Clause 42A (1) (a) is amended by deleting the term “and” after paragraph (i) and substituting the term “or”.
17. Clause 44 is amended by deleting the full stop after paragraph (6), and substituting with a semi colon and inserting the following paragraph—
 - (7) to promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, reduction in greenhouse gas emissions, water conservation, waste management and recycling;
 - (8) to promote and encourage design that incorporates crime prevention through environmental design principles including but not limited to, appropriate fencing, appropriate landscaping, casual surveillance of public open spaces and adequate pedestrian movement sightlines
18. Clause 47 is amended by deleting the full stop after paragraph (b), and substituting with a semi colon and inserting the following paragraph—
 - (c) to promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, reduction in greenhouse gas emissions, water conservation, waste management and recycling;
 - (d) to promote and encourage design that incorporates crime prevention through environmental design principles including but not limited to, appropriate fencing, appropriate landscaping, casual surveillance of public open spaces and adequate pedestrian movement sightlines.
19. Clause 50 is amended by deleting the full stop after paragraph (f), and substituting with a semi colon and inserting the following paragraph—
 - (g) to promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, reduction in greenhouse gas emissions, water conservation, waste management and recycling;
 - (h) to promote and encourage design that incorporates crime prevention through environmental design principles including but not limited to, appropriate fencing, appropriate landscaping, casual surveillance of public open spaces and adequate pedestrian movement sightlines.
20. Clause 53 is amended by deleting the full stop after paragraph (g), and substituting with a semi colon and inserting the following paragraph—
 - (j) to promote and encourage design that incorporates sustainability principles, including but not limited to solar passive design, energy efficiency, reduction in greenhouse gas emissions, water conservation, waste management and recycling;
 - (k) to promote and encourage design that incorporates crime prevention through environmental design principles including but not limited to, appropriate fencing, appropriate landscaping, casual surveillance of public open spaces and adequate pedestrian movement sightlines.
21. Clause 54 is amended by deleting paragraph (4) and substituting the following paragraph.
 - (4) Building Heights—
 - (a) New building facades should be of a compatible height with existing buildings and be in harmony with the existing streetscape.
 - (b) Any portion of a building situated within 3 metres of a front boundary must not exceed 9 metres in height.
 - (c) Any portion of the building situated between 3 metres and 6 metres from the front boundary must not exceed 12 metres in height.
 - (d) Any portion of the building situated more than 6 metres from the front boundary must not exceed 15 metres in height.
22. Clause 71(2) is amended by inserting the following words after the term ‘restrictive covenant’—

“, easement or other legal instrument satisfactory to the City”
23. Clause 81 is amended by deleting the term “section 11 of”.
24. Schedule 1 is amended by deleting the definition of ‘Act’, ‘Child Day Care Centre’, ‘Child Family Care Centre’, ‘Commission’, ‘Metropolitan Region Scheme’, ‘Non Conforming Use’, ‘Residential Planning Codes’ and ‘Serviced Apartments’ and substituting the following definitions—

Act: means the Planning and Development Act 2005.

Child Care Service: has the same meaning as is given to it in Section 198 of the Children and Community Services Act 2004 but does not include—

- (a) a child care service that is provided solely as a benefit of employment and is situated in the same premises as the persons who are employed and for whose benefit it is provided; or

- (b) a child care service that is provided solely as an ancillary service to a commercial or recreational activity and is situated in the same premises as the activity is conducted.

Commission: means the Western Australian Planning Commission constituted under the Act.

Metropolitan Region Scheme: means the Metropolitan Region Scheme made pursuant to the Act as published in the *Government Gazette* of August 9 1963 and as amended from time to time.

Non Conforming Use: has the same meaning as it has in the Act.

The Codes: means the Residential Design Codes, noted in Part B of the Western Australian Planning Commission Statement of Planning Policy No.1.

Serviced Apartments: means a building or buildings, which include self contained units, for temporary accommodation of less than 3 months.

25. Schedule 3 is amended by deleting the term "Home Occupation" and substituting the term "Home Business".
26. Schedule 4 is amended by deleting the term "and land" located after "Name and Address of Owner".

H. HENDERSON, Mayor.
S. TINDALE, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Donnybrook-Balingup
Town Planning Scheme No. 4—Amendment No. 79

Ref: 853/6/4/4 Pt 79

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Donnybrook-Balingup local planning scheme amendment on 2 December 2008 for the purpose of—

1. Rezoning Lots 12, 14, 15, 16, 17, 18, 19, 21, 22, 23 and 24 South Western Highway, Donnybrook from 'Special Use No. 2' to 'Commercial';
2. Amending the Scheme Maps accordingly;
3. Inserting 'Storage' use into Table 1 of the Scheme as follows so that it forms Use Class No. 68 and the renumbering of the existing 'Tavern' use and subsequent uses with the next consecutive number;

USE CLASSES	ZONES													
	1	2	3	4	5	6	7	8	9	10	11	12	14	
68. Storage	AA							AA		P	P		AA	

4. Inserting the definition of 'Storage' Use into Schedule No. 1 'Interpretations' of the Scheme, as follows—
Storage—means premises used for the storage of goods, equipment, plant or materials;
5. Deleting reference to Special Use No. 2 from 'Schedule No. 4—Special Use Sites' of the Scheme; and
6. Inserting a new Clause 6.20 into the Scheme under 'Development Requirements' as follows—
6.20 The use of land for 'Storage' as may be provided for by the Scheme is to be carried out in such a way as to—
 - be screened from public view; and
 - maintain the amenity and streetscape of the immediate locality.

The local government may impose conditions on any development approval to ensure these objectives are satisfied."

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

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Manjimup

Town Planning Scheme No. 2—Amendment No. 114

Ref: 853/6/14/20 Pt 114

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 Manjimup local planning scheme amendment on 18 December 2008 for the purpose of—

1. Rezoning Reserve 19523, bounded by Rutherford, Collier, Mount and Moore Streets, Manjimup from “Public Purpose Reserve—Civic and Cultural” to “Special Development”;
2. Amending the Scheme Text at Appendix No. IV—Special Development Zone—by inserting an additional entry of “S Dev 10” as follows—

Zone Identification	Special Development Zone—Permitted Uses	Conditions of Use
<p><u>S Dev 10</u> Land bounded by Rutherford, Collier, Mount and Moore Streets, Manjimup</p>	<p>1. The Zoning Table provisions relating to the Residential Zone shall apply to the subject land.</p> <p>(i) Residential subdivision and/or development at the R20 density coding.</p> <p>(ii) Aged Persons’ subdivision and/or development at the R30 density coding. The minimum site area variation provided under Clause 6.1.3 A3 i of the codes is not applicable to Aged Persons’ Development.</p>	<p>1. Preparation and implementation of a Landscape and Building Design Plan which is to outline the preferred building design/construction and landscape outcomes to the satisfaction of the Shire.</p> <p>2. Retention as far as practicable of the existing vegetation which exists on the site.</p>

3. Amending the Scheme Maps accordingly.

W. DE CAMPO, Shire President.
 J. HUBBLE, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 229

Ref: 853/6/16/7 Pt 229

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 Murray local planning scheme amendment on 10 December 2008 for the purpose of—

1. Replacing Special Provision 8(a) of Schedule 5—Special Use Zone of the Scheme Text relating to Lot 91A corner of Lakes and Gull Roads, with the following—
 each kennel shall have a floor area of not less than 2.5 square metres for each dog over three months old.
2. Replacing the description of the specified land within column A of Schedule 5—Special Use Zone of the Scheme Text relating to Lot 91A corner Lakes and Gull Roads with the following—
 Lots 51-80 Sunshine Place, D’Rayne Glade, Windfire Grove and Gull Road, Nambellup (formerly Lot 91A corner of Lakes and Gull Roads).

N. H. NANCARROW, Shire President.
 C. BASTOW, Acting Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Claremont

Town Planning Scheme No. 3—Amendment No. 110

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 Town of Claremont Local Planning Scheme Amendment 110 on 19 November 2008.

A full copy of the amendment documentation can be viewed at the Council Offices, 308 Stirling Highway, Claremont.

P. OLSON JP, Mayor.
A. KYRON, 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 following temporary appointment—

Hon J. H. D. Day MLA to act temporarily in the office of Minister for Local Government; Heritage; Citizenship and Multicultural Interests in the absence of the Hon G. M. Castrilli MLA for the period 16 to 22 February 2009 (both dates inclusive).

P. CONRAN, Director General,
Department of the Premier and Cabinet.

TRANSPORT

TR401*

RAIL FREIGHT SYSTEM ACT 2000
RAIL FREIGHT SYSTEM (S.37 CORRIDOR LAND) ORDER NO. 8/2008

Made under Section 37 by the Minister for Transport.

1. Citation

This order may be cited as the *Rail Freight System (S.37 Corridor Land) Order No.8/2008*.

2. Cancellation of Corridor Land

The cancellation of corridor land identified in the last column of the Schedule.

Schedule—Land to be cancelled

Designation Identification	Railway Line Identification	Railway Identification Plan Number	Land Description
52.129.8 km	Kalgoorlie—Leonora	Plan 52-2	Identified as 'Lot 300' on Deposited Plan 49818 having a total area of 1222m ² .

SIMON O'BRIEN MLC, Minister for Transport.

Dated this 10th day of December 2008.

WATER/SEWERAGE

WA401*

WATER AGENCIES (POWERS) ACT 1984
WATER AGENCIES (WATER USE) BY-LAWS 2007
WATER RESTRICTIONS

Halls Creek

Issued by the Water Corporation under By-law 7 of the *Water Agencies (Water Use) By-laws 2007*.

Notice is hereby given that Stage 4 water restrictions will apply to every person using water supplied by the Water Corporation in the town of Halls Creek from 9 a.m. on 12 January 2009 until further notice.

This notice applies to the use of water supplied directly or indirectly by the Water Corporation under the *Water Agencies (Powers) Act 1984*.

STAGE 4 WATER RESTRICTIONS

Stage 4

- (1) A person must not water a lawn or garden except by—
- (a) reticulation during either, but not both, the morning period or the evening period on one or both of 2 days of the week specified in relation to the relevant property; or
 - (b) a hand held hose with one outlet; or
 - (c) a hand held watering can.
- (2) A person must not spray a building, path, paved area or road except—
- (a) to the minimum extent necessary for fire fighting; or
 - (b) with—
 - (i) a high pressure water cleaner; or
 - (ii) a hand held hose with one outlet,
 to the minimum extent necessary for the cleaning of the building, path, paved area or road so as to avoid a threat to public health or safety; or
 - (c) with a hand held hose with one outlet to the minimum extent necessary for purposes related to the construction, demolition or repair of the building, path, paved area or road.
- (3) A person must not fill a swimming pool except to the minimum extent necessary for the proper functioning of the pool.

Note—

“**morning period**” means the period before 9.00 a.m.

“**evening period**” means the period after 6.00 p.m.

Table

The day and the relevant property referred to in clause 1(a) above are indicated by the final digit of the house number or lot number if no house number.

Last digit in house number (or lot number if no house number)	Watering Days
1	Wednesday and Saturday
2	Thursday and Sunday
3	Friday and Monday
4	Saturday and Tuesday
5	Sunday and Wednesday
6	Monday and Thursday
7	Tuesday and Friday
8	Wednesday and Saturday
9	Thursday and Sunday
0	Friday and Monday

Market Gardens

This notice does not apply in respect of the minimum quantities of water required for the viable operation of a market garden or plant nursery that does not have an alternate water supply.

Exemption

There will be no exemptions from the requirements of this notice except where extenuating circumstances are submitted to the Water Corporation and the use of water in contravention of the stage of restrictions under this notice has been approved in writing by the Water Corporation.

Offence

It is an offence to contravene the stage of restrictions under this notice without the approval of the Water Corporation. **PENALTY: \$500**

Offenders may be issued with—

- (a) an infringement notice imposing a modified penalty of \$100; or
- (b) a court summons.

In addition, for repeat offences, the water supply flow to the property concerned may be restricted.

Further information

For further information contact the Water Corporation's 24 hour helpline on 13 10 39.

PETER D. MOORE, Acting Chief Executive Officer,
Water Corporation.

DECEASED ESTATES

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

Notice to Creditors and Claimants

In the matter of the Estate of Richard Alexander Joske, late of 14 Walter Street, Claremont in the State of Western Australia, Professor of Medicine, 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 the 3rd day of November 2008, are required by the Executors, Michael Alexander Joske, William Apperly Joske and David John Longstaff Joske to send particulars of their claims to c/- Taylor Smart, 1 Regal Place, East Perth in the State of Western Australia by the 9th day of February 2009, after which date the said Executors may convey or distribute the assets having regard only to the claims of which they then have had notice.

Dated the 5th day of January 2009.

GARRY E. SAME, Taylor Smart.

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

Notice to Creditors and Claimants

Wayne Martin Brewster, late of Unit 22/165 Mill Point Road, South Perth, 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 23 August 2008 at Kalbarri, are required by the Executor and Trustee of care of Messrs Dwyer Durack Lawyers of 6th Floor, St Martins Tower, 44 St Georges Terrace, Perth to send particulars of their claims to him by 10 February 2009, after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX403***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 the 9 February 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Barr, Kevin David, late of 10 Gallagher Street, Eden Hill, died 21.09.2008 (DE19711017EM17)
- Cameron, John Edward, also known as Ian Cameron, late of unit 1/ 49 Wilcock Avenue, Balcatta, died 27.10.2008 (DE20000969EM26)
- Cloak, Mollie St Claire, late of Craigwood Green Nursing Home, 29 Gardner Street, Como, died 26.10.2008 (DE33041200EM313)
- Cook, Brett Shannon, late of 21 Bronzewing Street, Huntingdale, died 9.03.2008 (DE33065658EM16)
- Edwards, Thelma May, late of Glenn-Craig Village, Beaufort Road, Albany, died 29.10.2008 (DE30223195EM16)
- Gimi, Dosoo Pheroze, late of 71 Dorchester Avenue, Warwick, died 9.08.2008 (DE19781330EM27)
- Goodman, Jasper Owen, late of 35 Bering Promenade, Canning Vale, died 8.11.08 (DE19871789EM16)
- Grant, Ethel, late of Jacaranda Lodge, 55 Belgrade Road, Wanneroo, died 6.12.08 (DE20000269EM36)
- Harrison, Dulcie Mabel, late of Windsor Park Nursing Home, 110 Star Street, Carlisle, died 16.10.2008 (DE19921326EM17)
- Holligan, Anthony, late of 9 Monk Glade, Ocean Reef, died 20.10.2008 (DE33068544EM35)
- Hoogendyk, John, also known as Johannes, late of 9 Nields Street, Ferndale, died 9.11.2008 (DE33045881EM32)
- Hooper, Brian Michael, late of 3/28 Gills Street, East Fremantle, died 1.08.2008 (DE33066807EM110)
- Howie, Irene Tiiu, late of 5 Sussex Street, Nollamara, died 28.11.2008 (DE19913441EM15)
- Johnston, Althea Irene, late of 73 Jarrah Road, Bentley, died 1.12.2008 (DE19711554EM37)
- Jones, Georgina Jessie Park, late of 38 Alday Street, St James, formerly of 22 Tate Street, Bentley, died 1.12.2008 (DE30319157EM38)
- Joyce, Bessie, late of Shoalwater Aged Care, 72 Fourth Avenue, Shoalwater, formerly of unit 12/22 Fantail Drive, Bibra Lake, died 26.11.2008 (DE19764043EM22)
- Miller, Mary Zelicia, late of unit 14 Brownlie Towers, 32 Dumond Street, Bentley, died 18.10.2008 (DE19931870EM26)
- Miller, Victor Claude, late of Gracehaven Nursing Home, 2 Westralia Gardens, Rockingham, died 4.6.2008 (DE19830894EM16)
- Penna, Margareta Elisabeth, late of Amaroo Village McMahon Caring Centre, 74 Lissiman Street, Gosnells, died 1.12.08 (DE19853749EM15)
- Richards, Peter George, late of 5/108 Arcadia Drive, Shoalwater, died 7.08.2007 (DE31051447EM15)
- Scambler, George Mckay, late of Bethanie Waters, 18 Olivenza Crescent, Port Kennedy, died 22.11.2008 (DE19733886EM17)
- Smith, Phyllis May, late of Grandview Aged Care, 21 Aldwych Way, Joondalup, died 10.12.08 (DE19925097 EM26)
- Sofoulis, Joan, late of 18 Cockram Place, Beechboro, died 1.12.2008 (DE19963052EM36)
- Stevenson, Robert, late of 221/45 Adelaide Terrace, East Perth, died 6.11.2008 (DE33068863EM15)
- Stoltze, Alan Vaughan, late of Shawford Lodge, Shawford Place, Innaloo, died 2.11.2008 (DE20002825EM110)
- Taylor, Gertrude Bessie Muriel, late of Midland Nursing Home, John Street, Midland, died 19.10.08 (DE19744185EM32)
- Taylor, William Alfred Frank, late of 10 High Tor, Woodvale, died 24.09.2008 (DE19821156EM27)
- Traylen, Ada May Irene, late of Suite 22 Wearne Hostel, Gibney Street, Cottesloe, formerly of Unit 24 Regent Park, 80 Mooro Drive, Mt Claremont (DE19904288EM38)
- Welch, Verna Bernice, also known as Verna Berenice Joyce Welch, late of Lathlain Care Facility, 63 Archer Street, Carlisle, died 30.11.2008 (DE19733865EM27)
- Wood, Mary Dorothy, late of 32 Ommanney Street, Hamilton Hill, formerly of 1C Sunray Circle, Ellenbrook, died 29.11.2008 (DE19863408EM16)
- Worley, John Reginald, late of 16 Freedman Road, Menora, died 5.12.2008 (DE19991668EM37)

JOHN SKINNER, Public Trustee,
Public Trust Office,
565 Hay Street,
Perth WA6000.
Telephone: 9222 6777

ZX404*

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 9th day of January 2009.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Victor Claude Miller DE19830894EM16	103 Seabroke Avenue Rockingham	4 June 2008	17 December 2008
Donald Eagleton Alexander Ross DE30332335EM37	10 Dean Street Claremont	15 October 2008	17 December 2008
Dosoo Pheroze Gimi DE19781330EM27	71 Dorchester Avenue Warwick	9 August 2008	23 December 2008
Mary Dorothy Wood DE19863408EM16	12 Pinewood Green Mirrabooka	29 November 2008	23 December 2008
Jeanette Sims DE30330423EM37	Third Avenue Maylands	15 July 2008	24 December 2008
Yolanda Kellermann DE19962070EM37	19 Woollana Street Como	2 July 2008	5 January 2009

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

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