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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**MARINE AND HARBOURS ACT 1981**

No. 21 of 1981

PROCLAMATION

Western Australia

By His Excellency

Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council—

- (a) cancel the proclamation made under that Act and published in the *Gazette* on 5 February 1982 at pages 410 to 412; and
- (b) vest in The Minister for Transport constituted under section 8(1) of that Act the land and water known as the proclamation area on Deposited Plan 52026 Lot 3054 and Lot 3055, Deposited Plan 174170 Lot 561 and Deposited Plan 210532 Lot 460 held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*.

Given under my hand and the Public Seal of the State on 10 February 2009.

By Command of the Governor,

S. O'BRIEN, Minister for Transport.

AA102\*

**SHIPPING AND PILOTAGE ACT 1967**

No. 17 of 1967

PROCLAMATION

Western Australia

By His Excellency

Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Shipping and Pilotage Act 1967* section 10(2) and with the advice and consent of the Executive Council—

- (a) vary the proclamation made under section 10(2)(a) of that Act and published in the *Gazette* on 24 August 1990 by deleting the item in the Schedule to the proclamation that relates to the Port of Onslow; and
- (b) declare the water shown as the proclamation area shown on Deposited Plan 52026 Lot 3054 and Lot 3055 and Lot 561 held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* to be a mooring control area, called the Port of Onslow Mooring Control Area, for the purposes of the *Shipping and Pilotage Act 1967*; and
- (c) specify the Department within the meaning given by the *Shipping and Pilotage Act 1967* section 3 as the controlling authority for the mooring control area.

Given under my hand and the Public Seal of the State on 10 February 2009.

By Command of the Governor,

S. O'BRIEN, Minister for Transport.

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**FISHERIES**


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FI301\*

Fish Resources Management Act 1994

## Fish Resources Management Amendment Regulations (No. 8) 2009

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 8) 2009*.

### 2. Commencement

These regulations come into operation as follows —

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

### 3. Regulations amended

These regulations amend the *Fish Resources Management Regulations 1995*.

### 4. Schedule 2 amended

- (1) In Schedule 2 Part 2 Division 5 in the first Table delete the item for Rock Lobster, Western and insert:

Rock Lobster, Western —

- (a) when —
  - (i) taken by the holder of a commercial fishing licence from; or
  - (ii) in the possession of, or consigned by, the holder of a commercial fishing licence on a boat on; or
  - (iii) brought ashore by the holder of a commercial fishing licence from, the waters between 30° and 34° 24' south latitude but excluding all waters on the south coast which are east of 115° 08.091' east longitude ..... 77
- (b) in any other case —
  - (i) from 1 February to 14 November ..... 76
  - (ii) from 15 November to the next 31 January ..... 77

- (2) In Schedule 2 Part 2 Division 5 in the second Table delete the item relating to the waters between 21° 44' and 30° south latitude and insert:

Rock Lobster, Western, female —	
(a) taken from; or	
(b) in the possession of a person on a boat moored or anchored in; or	
(c) brought ashore from,	
the waters between 21° 44' and 30° south latitude —	
(d) if the person is the holder of a commercial fishing licence .....	95
(e) in any other case .....	105

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## MARINE/MARITIME

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MX301\*

Shipping and Pilotage Act 1967

## Navigable Waters Amendment Regulations 2009

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Navigable Waters Amendment Regulations 2009*.

### 2. Commencement

These regulations come into operation as follows —

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

### 3. Regulations amended

These regulations amend the *Navigable Waters Regulations 1958*.

**4. Regulation 19E amended**

In regulation 19E(2)(c) delete “aboriginal aide appointed under section 38A of the *Police Act 1892*,” and insert:

Aboriginal police liaison officer appointed under the *Police Act 1892* section 38B(1),

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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**PREMIER AND CABINET**

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PC301\*

Supreme Court Act 1935

**Acting Attorney General Designation  
Order 2009**

Made by the Governor in Executive Council.

**1. Citation**

This order is the *Acting Attorney General Designation Order 2009*.

**2. Minister designated**

Under the *Supreme Court Act 1935* section 154, the Honourable Robert Frank Johnson MLA, the Minister for Police; Emergency Services; Road Safety, is designated as the Minister of the State —

- (a) who may exercise the powers referred to in section 154(3) of that Act; and
- (b) by, to or with reference to whom acts may be done under section 154(4) of that Act,

during the period 27 April to 2 May 2009 (both dates inclusive).

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## RACING, GAMING & LIQUOR

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RG301\*

Liquor Control Act 1988

### Liquor Control Amendment Regulations 2009

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Liquor Control Amendment Regulations 2009*.

#### 2. Commencement

These regulations come into operation as follows —

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

#### 3. Regulations amended

These regulations amend the *Liquor Control Regulations 1989*.

#### 4. Regulation 9A amended

Delete regulation 9A(18) and insert:

- (18) A special facility licence may be granted for the purpose of allowing the sale of liquor at an amusement venue to persons in the venue.
- (19) In subregulation (18) —  
*amusement venue* means premises the primary purpose of which is to allow persons in the premises —
  - (a) to play or view snooker, bowling, electronic games or other similar amusements; or
  - (b) to participate in or view karaoke.

#### 5. Regulation 18B amended

- (1) Delete regulation 18B(2a).

- (2) In regulation 18B(3b) delete “5 years” and insert:
- 10 years
- (3) Delete regulation 18B(4) and (5).

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

  
  

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## — PART 2 —

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### AGRICULTURE

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AG401\*

**GENETICALLY MODIFIED CROPS FREE AREAS ACT 2003**

## REVOCATION

Department of Agriculture and Food,  
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Genetically Modified Crops Free Areas Act 2003* hereby revoke the following Officers as Authorised Inspectors—

*Genetically Modified Crops Free Areas Act 2003*

Geoff Strickland  
Richard Wheeler

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402\*

**MARKETING OF POTATOES ACT 1946**

## APPOINTMENTS

Department of Agriculture and Food,  
South Perth WA 6151.

I, Terry Redman, Minister for Agriculture and Food, acting under Section 7 of the *Marketing of Potatoes Act 1946*, hereby reappoint Mr Herbert Russell as chairman and Mr Eddie Atchison and Ms Annemie McAuliffe as members of the Potato Marketing Corporation of Western Australia for a term of two years commencing on the date of publication of this notice.

TERRY REDMAN MLA, Minister for Agriculture and Food.

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401\*

**ASSOCIATIONS INCORPORATION ACT 1987**

## REINSTATEMENT OF ASSOCIATION

**CURTIN UNIVERSITY WESLEY SPORTS ASSOCIATION INCORPORATED**

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

Dated: 9 March 2009.

TIM ROACH, Director, Business Services,  
for Commissioner for Consumer Protection.

CE402

**ASSOCIATIONS INCORPORATION ACT 1987**

## REINSTATEMENT OF ASSOCIATION

**WESTERN AUSTRALIAN TANDEM CYCLING ADVISORY COUNCIL (INCORPORATED)**

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

Dated: 9 March 2009.

TIM ROACH, Director, Business Services,  
for Commissioner for Consumer Protection.

## CORRECTIVE SERVICES

CS401\*

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

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

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Bainbridge	Amy Kate	CS9-384	06/03/2009	06/03/2009	30/07/2011
David	Allan Bowley	CS9-385	06/03/2009	06/03/2009	30/07/2011
Carter	Murray John	CS9-386	06/03/2009	06/03/2009	30/07/2011
Hendrikse	Denzil Mark	CS9-387	06/03/2009	06/03/2009	30/07/2011
Jones	Denise Rosalind	CS9-388	06/03/2009	06/03/2009	30/07/2011
Mavi	Harsimran Kaur	CS9-389	06/03/2009	06/03/2009	30/07/2011
McClelland	Donna Lee	CS9-390	06/03/2009	06/03/2009	30/07/2011
Monticelli	Simon Kenwin	CS9-391	06/03/2009	06/03/2009	30/07/2011
Radford	Richard John	CS9-393	06/03/2009	06/03/2009	30/07/2011
Richards	Melinda Ann	CS9-394	06/03/2009	06/03/2009	30/07/2011
Roberts	Elaine Beryl	CS9-395	06/03/2009	06/03/2009	30/07/2011
Skinner	Jayne Ruth	CS9-396	06/03/2009	06/03/2009	30/07/2011
van der Harst	Simon Matthew	CS9-397	06/03/2009	06/03/2009	30/07/2011
Vickers	Frank Ernest Lesley	CS9-398	06/03/2009	06/03/2009	30/07/2011
Weymark	Dean Sidney	CS9-399	06/03/2009	06/03/2009	30/07/2011
White	Gerard Martin	CS9-400	06/03/2009	06/03/2009	30/07/2011

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

BRIAN LAWRENCE, CSCS Contract Manager.

## HEALTH

HE401\*

### MEDICAL PRACTITIONERS ACT 2008

#### MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 6) 2009

Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.

#### Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 6) 2009*.

#### 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 34(2)(b)(iv) of the Act.

#### Expiry of determination

4. This determination expires two years after its commencement.

#### Schedule

GENERAL MEDICAL SERVICES IN THE SUBURBS OF MIDLAND AND STRATTON IN THE CITY OF SWAN.

Dated this 3rd day of March 2009.

KIM HAMES MLA, Deputy Premier, Minister for Health.

**HE402\*****MEDICAL PRACTITIONERS ACT 2008****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 7) 2009**Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.**Citation**1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 7) 2009*.**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 34(2)(b)(iv) of the Act.

**Expiry of determination**

4. This determination expires two years after its commencement.

**Schedule**

GENERAL MEDICAL SERVICES IN THE SUBURB OF SOUTH LAKE IN THE CITY OF COCKBURN.

Dated this 3rd day of March 2009.

KIM HAMES MLA, Deputy Premier, Minister for Health.

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**JUSTICE**

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

## APPOINTMENTS

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

James Peter Bartholomeusz of 715 Burt Road, Woodanilling  
Lorriane Jane Morrison of 3402 North Wandering Road, Pingelly  
Olwen Mary Parry of 151 Allen Road, Forrestdale  
Tracey Gardner Roberts of 5 Exeter Lane, Quinns Rocks  
Wayne Arthur Seaton of 40 Callison Way, Koondoola  
Marcel Stephan Willimann of 17 Ferncroft Way, Kingsley

RAY WARNES, Executive Director, Court and Tribunal Services.

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**LOCAL GOVERNMENT**

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**LG402****BUSH FIRES ACT 1954***Shire of Laverton*

## RESTRICTED BURNING PERIODS

It is hereby noted for public information, that the following Restricted Burning Periods are applicable for the Shire of Laverton.

Restricted Period—31 July to 01 June continuous

Prohibited Period—01 November to 30 April continuous

All previous advertised burning periods are hereby cancelled.

S. J. DECKERT, Chief Executive Officer.

LG401\*

**LOCAL GOVERNMENT ACT 1995***Shire of Capel*  
(BASIS OF RATES)Department of Local Government  
and Regional Development.

DLGRD: CP5-4#06

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 Schedule hereunder shall be gross rental value for the purposes of rating with effect from 23 February 2009.

JENNIFER MATHEWS, Director General.

## SCHEDULE

Additions to Gross Rental Value Area  
*Shire of Capel*

All those portions of land being Lots 480 to 506 inclusive and Lots 773 to 782 inclusive as shown on Deposited Plan 62290 and Lot 255, Lot 256 and Lot 268 as shown on Deposited Plan 62291.

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**MINERALS AND PETROLEUM**

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MP401\*

**MINING ACT 1978**

## INSTRUMENT OF CANCELLATION OF 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 cancels the exemption of land described hereunder. The subject land is now subject to Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

**Description of Land**

Land designated S19/311 in the Tengraph electronic plan of the Department of Industry and Resources. A geospatial description is filed at page 150 of Department of Mines and Petroleum File No T6943/200702 Vol12

**Area**

2773.6936 hectares/blocks

Dated at Perth this 5th day of March 2009.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

MP402\*

**MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry & Resources,  
Mount Magnet.

In accordance with Regulation 49 of the *Mining Regulations 1981*, notice is hereby given that the licences are liable to forfeiture under the provisions of Section 96(2)(b) for breach of covenant, viz. exemption refused.

S. RICHARDSON, Warden.

To be heard in the Warden's Court, Mount Magnet on Thursday the 2nd April 2009.

## YALGOO MINERAL FIELD

P59/1555—Minjar Gold Pty Ltd

P59/1556—Minjar Gold Pty Ltd

P59/1557—Minjar Gold Pty Ltd

P59/1558—Minjar Gold Pty Ltd

**MP403\*****MINING ACT 1978****INTENDED HEARING OF APPLICATION FOR FORFEITURE OF MINING TENEMENTS**

In accordance with Regulation 49(2) of the *Mining Regulations 1981*, notice is hereby given that following mining tenement is liable to forfeiture pursuant to the provisions of section 96(1)(a) of the *Mining Act 1978* for non-payment of annual rent in advance.

G. CALDER SM, Warden.

The application for forfeiture is to be heard before the Warden in Open Court, Court Room 36, Level 3, Central Law Courts, 30 St George's Terrace, Perth at 9.30am on 3 April 2009.

<b>Number</b>	<b>Holder</b>	<b>Mineral Field</b>	<b>Year Ending</b>
		PROSPECTING LICENCE	
74/239	Shadbolt; Kim Lynden	Phillips River	29 December 2008

**MP404\*****MINING ACT 1978****INTENTION TO FORFEIT**

Department Mines and Petroleum,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the royalties due for the quarter ending December 2008 on the under mentioned lease is paid on or before 6 April 2009 it is the intention of the Minister for Mines and Petroleum under the provisions of section 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, being non-payment of royalties.

JIM GRIFFIN, Acting Director General.

<b>Number</b>	<b>Holder</b>	<b>Mineral Field</b>
		MINING LEASE
26/220	Blair Nickel Mine Pty Ltd	East Coolgardie

**MP405\*****PETROLEUM (SUBMERGED LANDS) ACT 1982****PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****PETROLEUM PIPELINES ACT 1969****INSTRUMENT OF DELEGATION**

I, Norman Moore, Minister for Mines and Petroleum for the State of Western Australia, being authorised, by or under the Acts described hereunder to delegate any of my powers and functions under those Acts and their regulations and under Acts that incorporate those Acts, do hereby—

**In respect to the Petroleum (Submerged Lands) Act 1982 of Western Australia—**

- (a) revoke all previous delegations made pursuant to section 16 of the Act; and
- (b) delegate, pursuant to section 16 of the Act, to the person who holds, occupies or performs the duties of the office of Executive Director, Petroleum and Environment Division, Department of Mines and Petroleum all my powers under the Act and its associated Act, the *Petroleum (Submerged Lands) Registration Fees Act 1982*.
- (c) delegate, pursuant to section 16 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of General Manager Petroleum Tenure and Land Access, Manager Petroleum Register, Manager Petroleum and Geothermal Infrastructure, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—  
76(1), 76(2), 76(3), 76(5), 77, 78(5), 78(7), 78(9), 78(11), 79(2), 79(3), 81(9), 81(11), 81(12), 81(15), 84, 87, 87A.
- (d) delegate, pursuant to section 16 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—  
76(1), 76(2), 76(3), 76(5), 77, 78(5), 78(7), 79(3), 81(9), 81(11), 84, 87, 87A.

- (e) delegate, pursuant to section 16 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—

76(1), 76(2), 76(3), 76(5), 77, 78(5), 78(7), 81(9), 81(11).

- (f) delegate, pursuant to section 16 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of General Manager Royalties Assessments Branch, Strategic Policy Division, in the Department of Mines and Petroleum the powers and functions of the Minister under section 147 of the Act.

**In respect to the—**

**Petroleum (Submerged Lands) Regulations 1990;**

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Executive Director, Petroleum and Environment Division, in the Department of Mines and Petroleum all the powers and functions of the Minister.

**Petroleum (Submerged Lands) (Management of Well Operations) Regulations 2006;**

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Executive Director, Petroleum and Environment Division, in the Department of Mines and Petroleum all the powers and functions of the Minister.

**Petroleum (Submerged Lands) (Pipelines) Regulations 2007;**

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Executive Director, Petroleum and Environment Division, in the Department of Mines and Petroleum all the powers and functions of the Minister.

**In respect to the Petroleum and Geothermal Energy Resources Act 1967 of Western Australia—**

- (a) revoke all previous delegations made pursuant to section 25 of the Act; and
- (b) delegate, pursuant to section 25 of the Act, to the person who holds, occupies or performs the duties of the office of Executive Director, Petroleum and Environment Division, Department of Mines and Petroleum all my powers under the Act and its associated Act, *Petroleum and Geothermal Energy Resources (Registration Fees) Act 1967*
- (c) delegate, pursuant to section 25 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of General Manager Petroleum Tenure and Land Access, Manager Petroleum Register, Manager Petroleum and Geothermal Infrastructure, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—
- 70(2), 70(3), 70(4), 70(6), 71, 72(5), 72(7), 72(9), 72(11), 73(2), 73(3), 75(9), 75(11), 75(12), 75(14), 78, 81, 81A.
- (d) delegate, pursuant to section 25 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—
- 70(2), 70(3), 70(4), 70(6), 71, 72(5), 72(7), 73(3), 75(9), 75(11), 78, 81, 81A.
- (e) delegate, pursuant to section 25 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—
- 70(2), 70(3), 70(4), 70(6), 71, 72(5), 72(7), 75(9), 75(11).
- (f) delegate, pursuant to section 25 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of General Manager Royalties Assessments Branch, Strategic Policy Division, in the Department of Mines and Petroleum the powers and functions of the Minister under section 145 of the Act.

**In respect to the Petroleum Regulations 1987—**

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Executive Director, Petroleum and Environment Division, in the Department of Mines and Petroleum all the powers and functions of the Minister.

**In respect to the Petroleum Pipelines Act 1969 of Western Australia—**

- (a) revoke all previous delegations made pursuant to section 61 of the Act; and
- (b) delegate, pursuant to section 61 of the Act, to the person who holds, occupies or performs the duties of the office of Executive Director, Petroleum and Environment Division, Department of Mines and Petroleum all my powers under the Act.
- (c) delegate, pursuant to section 61 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of General Manager Petroleum Tenure and Land Access, Manager Petroleum Register, Manager Petroleum and Geothermal Infrastructure, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the

Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—

20(2)(b), 20(3), 20(5), 43(2), 43(3), 43(4), 43(6), 44(5), 44(7), 44(9), 44(11), 45(2), 45(3), 47(9), 47(11), 47(12), 47(14), 50, 53, 53A.

- (d) delegate, pursuant to section 61 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—

20(3), 20(5), 43(2), 43(3), 43(4), 43(6), 44(5), 44(7), 45(3), 47(9), 47(11), 50, 53, 53A.

- (e) delegate, pursuant to section 61 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Petroleum Tenure and Land Access Branch, Petroleum and Environment Division, in the Department of Mines and Petroleum the powers and functions of the Minister under the following sections and subsections of the Act—

43(2), 43(3), 43(4), 43(6), 44(5), 44(7), 47(9), 47(11).

**In respect to the Petroleum Pipelines Regulations 1970—**

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Executive Director, Petroleum and Environment Division, in the Department of Mines and Petroleum all the powers and functions of the Minister.

Dated at Perth this 27th day of February 2009.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

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## PLANNING AND INFRASTRUCTURE

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Armadale*

Town Planning Scheme No. 4—Amendment No. 36

Ref: 853/2/22/7 Pt 36

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 Armadale local planning scheme amendment on 24 February 2009 for the purpose of—

1. Amending the Scheme Text by inserting in appropriate numerical order, a new entry to the Schedule 2 as follows—

No.	Description of Land	Additional Use	Conditions and requirements
39	Lot 65 Rokewood Way, Karragullen	Permitted (P) Use— <ul style="list-style-type: none"> <li>• Warehouse (Cool Storage/Packing Facility).</li> <li>• Incidental car park, office and Exhibition Centre.</li> </ul>	1. Development of the site shall be generally in accordance with the adopted Concept Development Plan and shall address the following— <ul style="list-style-type: none"> <li>• Minimisation of the visual impact of the development on adjacent residential properties by measures including the provision of high quality painted masonry walls and non reflective roofing material.</li> <li>• All loading and unloading activities to be carried out from inside the building.</li> <li>• Additional landscaping to the satisfaction of the City to be provided between any new building/parking areas and the relevant street frontage of the site.</li> </ul>

No.	Description of Land	Additional Use	Conditions and requirements
			<ul style="list-style-type: none"> <li>• A 15m minimum vegetation buffer/setback to be applied from all property boundaries to any new buildings and car parking areas.</li> <li>• No storage outside the building or in car parking areas is permitted.</li> </ul> <ol style="list-style-type: none"> <li>2. The eastern portion of Lot 65 Rokewood Way (east of the driveway accessing Canning Road) shall not be developed or be used for the expansion of the facility. Native vegetation on the eastern portion of Lot 65 shall be retained and maintained to the satisfaction of the City.</li> <li>3. All 'P' use classes listed for the base zone shall be 'D' (discretionary) uses notwithstanding they are 'P' in the zoning table.</li> <li>4. A traffic study to be prepared to detail the number and direction of truck routes, driveway construction, acceptable sight lines on Canning Road and condition of road pavements to further assess the proposed traffic arrangements prior to approval of a development application for the site.</li> </ol>

(b) Amend the scheme maps accordingly.

L. REYNOLDS, Mayor.  
R. S. TAME, Chief Executive Officer.

**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**

APPROVED LOCAL PLANNING SCHEME

*City of Melville*

Community Planning Scheme No. 5—Amendment No. 53

Ref: 853/2/17/12 Pt 53

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 Melville local planning scheme amendment on 21 January 2009 for the purpose of—

1. Amending the Scheme Text by Schedule 3 Additional Uses and Special Conditions as follows—

No.	Address	Additional Uses	Special Conditions
49.	Lot 56 (485) Marmion Street (cnr) Malland Street, Myaree	Office and Medical Centre	<p>Provision of residential setbacks to all streets, with the primary street setback of 6.0 metres to apply to the Marmion Street frontage.</p> <p>Marmion Street frontage to be landscaped and developed as a typical residential front garden with any fencing being open screen fencing.</p> <p>All vehicular parking to be provided off Malland Street behind the Marmion Street front setback and behind landscape screening to Marmion Street.</p>



No.	Address	Additional Uses	Special Conditions
			The development shall be of a residential scale and have a residential façade to Marmion Street with any side setbacks being as would be required by the Residential Design Codes if it had applied and assuming that any opening is a major opening.

2. Amending the Scheme Map by inserting the symbol for Additional Uses onto Lot 56 (485) Marmion Street (corner) Malland Street, Myaree.

R. AUBREY, Mayor.  
S. SILCOX, Chief Executive Officer.

**PI402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Melville*

Community Planning Scheme No. 5—Amendment No. 52

Ref: 853/2/17/12 Pt 52

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 Melville local planning scheme amendment on 21 January 2009 for the purpose of amending Schedule 3: Additional Uses and Special Conditions for Additional Use No. 44 relative to Lot 29 (67) Cranford Avenue, Brentwood by removal of the listed Special Conditions and a new Special Condition to be included to read—

The total floorspace of the building on site be restricted to a maximum of 316.7 square metres.

R. AUBREY, Mayor.  
S. SILCOX, Chief Executive Officer.

**PI404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Melville*

Community Planning Scheme No. 5—Amendment No. 54

Ref: 853/2/17/12 Pt 54

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Melville local planning scheme amendment on 18 December 2008 for the purpose of amending the Scheme Map by reserving portion of Lot 301 Duncraig Road, Applecross for Local Open Space from unzoned land (former Regional Parks and Recreation Reservation).

R. AUBREY, Mayor.  
S. SILCOX, Chief Executive Officer.

**PI405\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Broome*

Town Planning Scheme No. 4—Amendment No. 31

Ref: 853/7/2/4 Pt 31

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 Broome local planning scheme amendment on 19 February 2009 for the purpose of—

1. Excising a portion of Lot 67Crab Creek Road, Broome for the 'General Rural' zone and including it as a Public Purposes Reserve for the purpose of Waste Water Treatment Plant (WWTP).

2. Modify the Scheme Map by—
  - (a) showing the Public Purposes Reserve on portion of Lot 67;
  - (b) showing the notation WWTP on the Public Purposes Reserve;
  - (c) introducing in the Legend the notation WWTP Water Waste Treatment Plant within the uses listed under the Public Purposes Reserve;
  - (d) deleting the existing Essential Services Buffer located adjacent to Broome Road; and
  - (e) inserting an Essential Services Buffer surrounding the Public Purpose Reserve on Lot 67.
3. Deleting Clauses 6.1.9., 6.1.9.1, 6.1.9.2 and 6.1.9.3 and replacing them with the following clauses—
  - 6.1.9 Essential Services Buffer
    - 6.1.9.1 Objective
 

The purpose of identifying the Essential Services Buffer on the Scheme Map is to ensure that the land uses and development permitted within a prescribed distance of a waste water treatment and re-use plant does not jeopardise or conflict with the ongoing operations of the waste water treatment and re-use plant.
    - 6.1.9.2 Waste Water Treatment Plant—Broome North
 

Despite the provisions of the Zoning Table no permanent or temporary residential land development or uses, including caretaker or tourist accommodation, are permitted within the Essential Services Buffer.

In considering an application for planning approval within the Essential Services Buffer, Council must have regard to—

      - (a) whether the proposal is compatible with possible odour emissions from the operation of the plant;
      - (b) any other relevant planning or environmental considerations or advice including, but not limited to, policies of the Commission and Department of Environment.

In consideration of 6.1.5.2 (a) Council may at its discretion refer any development application within the Essential Services Buffer to the relevant service operator requesting their advice.
4. Rewording the heading of 6.1.5.2 to read: Waste Water Treatment Plant—Broome South.

K. R. DONOHOE, Chief Executive Officer.

**PI406\***

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Broome*  
 Town Planning Scheme No. 4—Amendment No. 41

Ref: 853/7/2/4 Pt 41

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 Broome local planning scheme amendment on 20 February 2009 for the purpose of—

1. Excising Reserve No. 43465) Kerr Street from 'Parks and Recreation' Reserve and including it in the Residential Zone and the 'R50' code area.
2. Excising Lot 3080 Reserve No. 45562, Tolentino Street Broome from Residential Zone and the 'R10/R20' code area and including it in 'Parks and Recreation' Reserve.
3. Amending the Scheme Amendment Maps accordingly

K. R. DONOHOE, Chief Executive Officer.

**PI407\***

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Broome*  
 Town Planning Scheme No. 4—Amendment No. 42

Ref: 853/7/2/4 Pt 42

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 Broome local planning scheme amendment on 24 February 2009 for the purpose of—

1. Rezoning Lots 3128, 3129 and 3130 Fairway Drive from the 'Tourist' zone to the 'Development' zone.

2. Rezoning Lot 3150 Magabala Road from the 'Tourist' zone and the 'Light and Service Industry' zone to the 'Development' zone.
3. Rezoning Lot 3132 Magabala Road from the 'Light and Service Industry' zone to the 'Development' zone.
4. Rezoning the Unallocated Crown land and local roads south of Tanami Road and extending to Gubinge Road and Broome Road from the 'Light and Service Industry' zone and the 'Local Roads' zone to the 'Development' zone.

Amending the Scheme Amendment Maps accordingly

K. R. DONOHOE, Chief Executive Officer.

PI408\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Broome*

Town Planning Scheme No. 4—Amendment No. 46

Ref: 853/7/2/4 Pt 46

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 Broome local planning scheme amendment on 23 February 2009 for the purpose of—

Excising the closed road adjoining Lot 1207 Wattle Drive, Broome from the zone 'General Rural' to the 'Special Use—Caravan Park and Camping' zone

K. R. DONOHOE, Chief Executive Officer.

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## RACING, GAMING AND LIQUOR

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RG401\*

**LIQUOR CONTROL ACT 1988**

LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming & Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
12759	Dee Catering and Logistic Services Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Meekatharra and known as Burnakura Mine Wet Mess	17/03/2009
12763	Empire Enterprises Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Kingsley and known as WA Cleanskin Cellars @ Kingsley	08/04/2009
12769	Lawson Nominees (1998) Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in Leederville and known as Duende Tapas Bar	29/03/2009
12770	Coomer Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Nedlands and known as Pata Negra	08/04/2009
12727	Bed Club Pty Ltd	Application for the grant of a Nightclub licence in respect of premises situated in Perth and known as Bed Nightclub	16/03/2009

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATION FOR THE REMOVAL OF A LICENCE</b>			
288744	Oyster Bay Wines Australia Pty Ltd	Application for the removal of a Wholesaler's licence in respect of premises situated in Subiaco and known as Oyster Bay Wines Australia Pty Ltd to premises situated in Ascot	29/03/2009

This notice is published under section 67(5) of the Act.

Dated: 11 March 2009.

B. A. SARGEANT, Director of Liquor Licensing.

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## WATER/SEWERAGE

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### WA401\*

#### WATER SERVICES LICENSING ACT 1995

##### NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE

Notice is given that the following Operating Licence has been amended—

Licensee: Water Corporation  
 Issue Date: 3 February 2009  
 Address of Licensee: PO Box 100  
 Leederville WA 6902  
 Classification: Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services.  
 Term of Licence: Up to and including 28 June 2021.  
 Amendment: Amendment to Clause 5.1 Schedule 4—Remove “on a quarterly basis”.  
 Inspection of Licence: Economic Regulation Authority  
 6th Floor  
 197 St Georges Terrace  
 Perth WA 6000  
[http:// www.era.wa.gov.au](http://www.era.wa.gov.au)

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

### WA402\*

#### WATER SERVICES LICENSING ACT 1995

##### NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE

Notice is given that the following Operating Licence has been amended—

Licensee: Water Corporation  
 Issue Date: 3 March 2009  
 Address of Licensee: PO Box 100  
 Leederville WA 6902  
 Classification: Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services.  
 Term of Licence: Up to and including 28 June 2021.  
 Amendment: Amendment extends the Water Corporation's Mandurah/Pinjarra sewerage services operating area to include the Point Grey development site. (Map OWR-OA-104 (E)).  
 Inspection of Licence: Economic Regulation Authority  
 6th Floor  
 197 St Georges Terrace  
 Perth WA 6000  
[http:// www.era.wa.gov.au](http://www.era.wa.gov.au)

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

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## WORKSAFE

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WS401\*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984****OCCUPATIONAL SAFETY AND HEALTH (CODE OF PRACTICE) NOTICE**

Reprint of *Occupational Safety and Health (Code of Practice) Notice (No. 4) 2008* published in *Government Gazette* No. 4, dated 13 January 2009, page 66, to correct the notice number.

Published under section 57(4) of the *Occupational Safety and Health Act 1984*.

**1. Citation**

This notice may be cited as the *Occupational Safety and Health (Code of Practice) Notice (No. 7) 2008*.

**2. Approval of code of practice**

Notice is hereby given that I, the undersigned Minister for Commerce, being the Minister charged with administration of the *Occupational Safety and Health Act 1984*, acting in exercise of the power conferred upon me by section 57(1) of the said Act, approve the *National Code of Practice for the Preparation of Material Safety Data Sheets 2nd Edition [NOHSC:2011(2003)]* as a code of practice in accordance with section 57 of the *Occupational Safety and Health Act 1984*.

**3. Commencement**

This approval comes into force from the date of publication in the *Government Gazette*.

**Note:** A copy of the code of practice referred to in this notice is available for inspection (without charge) at the WorkSafe Library, 5th floor, 1260 Hay Street, West Perth.

Hon TROY BUSWELL BEc MLA, Minister for Commerce.

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## DECEASED ESTATES

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ZX401

**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

David Charles Knight, late of 50 Tea Tree Way, Thornlie, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 25 January 2009 are required by the Birman & Ride of Level 3, Irwin Chambers, 16 Irwin Street, Perth, WA 6000 to send particulars of their claim to them by 10 April 2009 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX402

**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Hyrhorij Wladymyrovich Dudenko (also known as Hrehorij Dudenko), late of Glen Craig Nursing Home, Beaufort Road, Albany, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 4 July 2007, are required by the trustee of the late Hyrhorij Wladymyrovich Dudenko (also known as Hrehorij Dudenko) of c/- Haynes Robinson Solicitors, PO Box 485, Albany, Western Australia, 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 4th day of March 2009.

HAYNES ROBINSON.

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