

# PERTH, FRIDAY, 1 MAY 2009 No. 74

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# — PART 1 —

# **HEALTH**

HE301\*

Occupational Therapists Act 2005

# Occupational Therapists Amendment Regulations 2009

Made by the Governor in Executive Council.

# 1. Citation

These regulations are the *Occupational Therapists 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 *Occupational Therapists Regulations 2007*.

# 4. Schedule 1 amended

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

**Table** 

Provision	Delete	Insert
Sch. 1 it. 2	60	84
Sch. 1 it. 3	30	42
Sch. 1 it. 5	60	84
Sch. 1 it. 6	60	84

Provision	Delete	Insert
Sch. 1 it. 7	60	84
Sch. 1 it. 8	60	84
Sch. 1 it. 9	35	49
Sch. 1 it. 11	10	14

# 5. Schedule 2 amended

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

**Table** 

Provision	Delete	Insert
Sch. 1 it. 1	60	84
Sch. 1 it. 2	30	42
Sch. 1 it. 3	60	84

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

\_\_\_\_

HE302\*

Hospitals and Health Services Act 1927

# Hospitals (Services Charges) Amendment Regulations (No. 3) 2009

Made by the Governor in Executive Council.

# 1. Citation

These regulations are the *Hospitals (Services Charges) Amendment Regulations (No. 3) 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 *Hospitals (Services Charges) Regulations 1984*.

# 4. Schedule 1 amended

(1) In Schedule 1 item 1(c) delete "\$40.80" and insert:

\$41.35

(2) In Schedule 1 item 1(d) delete "\$140.10" and insert:

\$140.65

# 5. Schedule 1 amended

(1) In Schedule 1 Division 3 item 4 delete "item 2" and insert:

item 5

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

HE303\*

Podiatrists Act 2005

# **Podiatrists Amendment Regulations 2009**

Made by the Governor in Executive Council.

# 1. Citation

These regulations are the *Podiatrists 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 *Podiatrists Regulations 2006*.

# 4. Regulation 7 amended

- (1) In regulation 7(1) delete paragraph (c) and insert:
  - (c) Doctor of Clinical Podiatry from the University of Western Australia.
- (2) Delete regulation 7(2) and insert:
  - (2) For the purposes of the Act section 30(2)(b), the following qualifications are prescribed qualifications for the speciality of podiatric physician
    - (a) Master of Podiatric Medicine from the University of Western Australia;
    - (b) Doctor of Clinical Podiatry from the University of Western Australia;
    - (c) Doctor of Podiatric Medicine from the University of Western Australia.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

# **LOCAL GOVERNMENT**

LG301\*

# LOCAL GOVERNMENT ACT 1995

City of Mandurah

CITY OF MANDURAH CONSOLIDATED LOCAL LAWS AMENDMENT 2008 (Traffic and Vehicles)

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Mandurah resolved on 21 March 2009 to make the *City of Mandurah Consolidated Local Laws Amendment 2008*.

# 1. Citation

This local law may be cited as the City of Mandurah Consolidated Local Laws Amendment 2008.

# 2. Principal local law

The City of Mandurah Consolidated Local Laws as published in the Government Gazette on 13 February 1998 is referred to as the principal local law. The principal local law is amended as follows.

# 3. Clause 16.2—Application of this Part

Delete the text of subsection 16.2.1 and replace with—

"This Local Law does not apply to a parking facility or a parking station that is not occupied by a Local Government, unless the Local Government or the owner or occupier of that facility or station have agreed in writing that this Local Law will apply to that facility or station."

The Common Seal of the City of Mandurah was affixed by the authority of a resolution of the Council in the presence of—

W. F. PEPPINCK, Corporate Lawyer—authorised signatory pursuant to delegation.

PADDI CREEVEY, Mayor. MARK R. NEWMAN, Chief Executive Officer.

# RACING, GAMING AND LIQUOR

RG301\*

Liquor Control Act 1988

# Liquor Control Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

# 1. Citation

These regulations are the Liquor Control Amendment Regulations (No. 2) 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 27 amended

Delete regulation 27(4) and (5) and insert:

(4) For the purposes of section 167(2)(a), an offence against a provision listed in the Table is a prescribed offence.

# **Table**

Liquor Control (Jigalong Restricted Area) Regulations 2009 regulation 7(1)

Liquor Control (Oombulgurri Restricted Area) Regulations 2008 regulation 7(1)

Liquor Control (Wangkatjungka Restricted Area) Regulations 2008 regulation 7(1)

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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RG302\*

Liquor Control Act 1988

# **Liquor Control (Jigalong Restricted Area) Regulations 2009**

Made by the Governor in Executive Council on the recommendation of the Minister under section 175(1a) of the Act.

# 1. Citation

These regulations are the *Liquor Control (Jigalong Restricted Area) 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. Term used: Jigalong Aboriginal Community

In these regulations —

*Jigalong Aboriginal Community* means the area of the land the subject of —

- (a) Reserve 41265 being the whole of the land in Certificates of Crown Land Title Volume LR3128 Folio 529 and Volume LR3128 Folio 530;
- (b) Pastoral Lease 3114/1103 being the whole of the land in Certificate of Crown Land Title Volume LR3147 Folio 908;
- (c) Crown Lease 154/1984 being the whole of the land in Certificate of Crown Land Title Volume LR3137 Folio 492.

# 4. Note is not part of regulation

The note after regulation 9 does not form part of these regulations.

# 5. Declaration of restricted area

The Jigalong Aboriginal Community is declared to be a restricted area for the purposes of section 175(1a) of the Act.

# 6. Notice of restricted area

- (1) The Director of Liquor Licensing must take all reasonable steps to cause to be posted, and while the Jigalong Aboriginal Community continues to be a restricted area by operation of regulation 5 to be kept posted, at each place where a customary access route enters the Jigalong Aboriginal Community a notice
  - (a) describing the offences set out in regulation 7; and
  - (b) specifying the penalties for those offences.
- (2) A failure to comply with subregulation (1) does not invalidate the declaration in regulation 5.

# 7. Prohibitions as to liquor in Jigalong Aboriginal Community

- (1) A person who
  - (a) brings liquor into, or causes liquor to be brought into, the Jigalong Aboriginal Community; or
  - (b) has liquor in his or her possession in the Jigalong Aboriginal Community,

commits an offence.

# Penalty:

- (a) if subregulation (2) applies a fine of \$5 000;
- (b) in any other case a fine of \$2 000.
- (2) This subregulation applies to an offence under subregulation (1) committed by a licensee, a manager of licensed premises or a director of a body corporate that holds a licence.

# 8. Seizure and disposal of containers of liquor

Despite section 155(4) and (5) of the Act, a member of the Police Force may seize and, as soon as is practicable, dispose of any opened or unopened container of liquor suspected on reasonable grounds to be the subject of an offence under regulation 7.

# 9. Period during which these regulations have effect

Unless sooner repealed, these regulations have effect for the period that ends on the day 2 years after the day referred to in regulation 2(b).

Note: Under the *Liquor Control Act 1988* section 175(1d), these regulations expire at the end of the period referred to in regulation 9.

Recommended by the Minister,

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

# WATER/SEWERAGE

WA301\*

Country Areas Water Supply Act 1947

# **Bunbury Water Reserve Order 2009**

Made by the Governor in Executive Council under section 9(1) of the Act.

# 1. Citation

This order is the Bunbury Water Reserve Order 2009.

# 2. Commencement

This order comes into operation as follows —

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

# 3. Bunbury Water Reserve constituted and boundaries defined

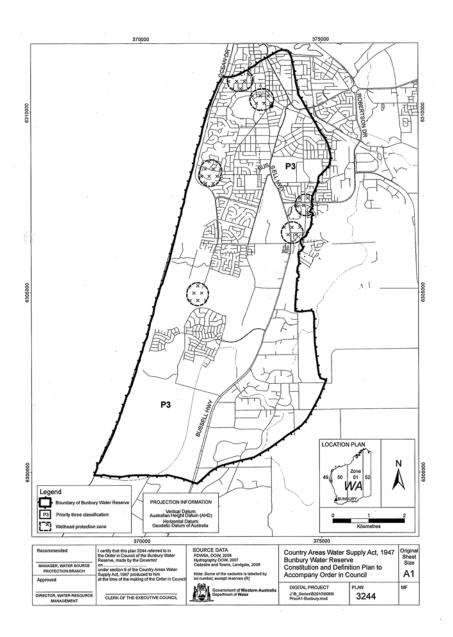
- (1) There is constituted a water reserve called the Bunbury Water Reserve.
- (2) The boundaries of the Bunbury Water Reserve are defined as those
  - (a) shown in bold on the Department of Water plan 3244; and
  - (b) outlined by means of coordinates annexed to that plan.

# 4. Information plan of the Bunbury Water Reserve

The boundary of the Bunbury Water Reserve is shown, for information purposes, in the plan in Schedule 1.

# Schedule 1 — Bunbury Water Reserve

[cl. 4]



By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA302\*

Country Areas Water Supply Act 1947

# **Fitzroy Crossing Water Reserve Order 2009**

Made by the Governor in Executive Council under section 9(1) of the Act.

# 1. Citation

This order is the Fitzroy Crossing Water Reserve Order 2009.

# 2. Commencement

This order comes into operation as follows —

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

# 3. Fitzroy Crossing Water Reserve boundary altered

The boundaries of the water reserve called the Fitzroy Crossing Water Reserve are altered from those —

- (a) shown bordered on the Department of Water plan 4573; and
- (b) constituted and defined by Order in Council published in the *Gazette* 27 March 1975,

to those —

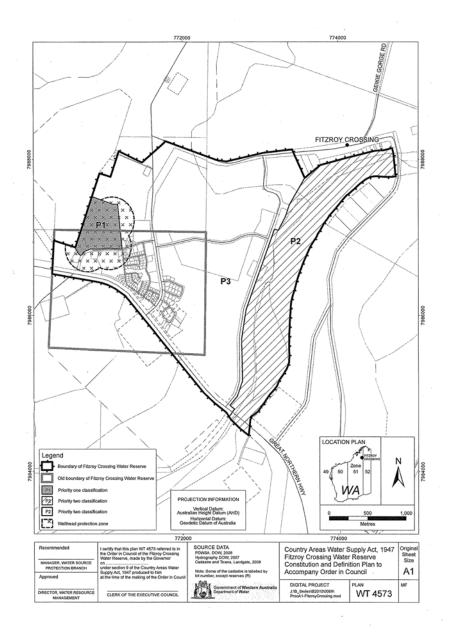
- (c) shown bordered in bold, enclosing a variety of shaded areas, on the Department of Water plan 4573; and
- (d) outlined by means of coordinates annexed to that plan.

# 4. Information plan of the Fitzroy Crossing Water Reserve

The boundary of the Fitzroy Crossing Water Reserve is shown, for information purposes, in the plan in Schedule 1.

# Schedule 1 — Fitzroy Crossing Water Reserve

[cl. 4]



By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA303\*

Country Areas Water Supply Act 1947

# Nabawa Water Reserve Order 2009

Made by the Governor in Executive Council under section 9(1) of the Act.

# 1. Citation

This order is the *Nabawa Water Reserve Order 2009*.

# 2. Commencement

This order comes into operation as follows —

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

# 3. Nabawa Water Reserve boundaries altered

The boundaries of the water reserve called the Nabawa Water Reserve are altered from those —

- (a) shown bordered on the Department of Water plan 4570; and
- (b) constituted and defined by Order in Council published in the *Gazette* 12 January 1990,

to those —

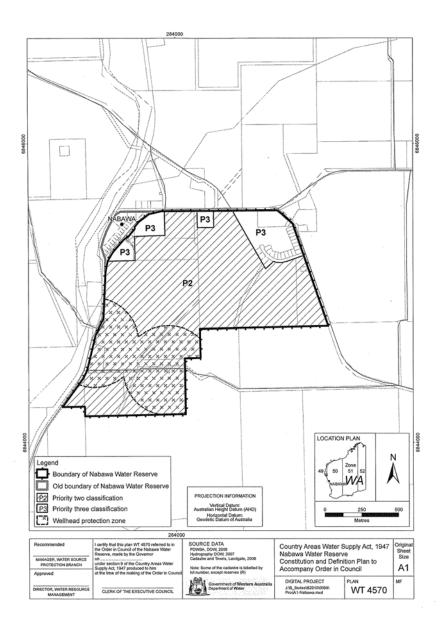
- (c) shown bordered in bold on the Department of Water plan 4570; and
- (d) outlined by means of coordinates annexed to that plan.

# 4. Information plan of the Nabawa Water Reserve

The boundary of the Nabawa Water Reserve is shown, for information purposes, in the plan in Schedule 1.

# Schedule 1 — Nabawa Water Reserve

[cl. 4]



By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA304\*

Country Areas Water Supply Act 1947

# **Eneabba Water Reserve Order 2009**

Made by the Governor in Executive Council under section 9(1) of the Act.

# 1. Citation

This order is the *Eneabba Water Reserve Order 2009*.

# 2. Commencement

This order comes into operation as follows —

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

# 3. Eneabba Water Reserve boundaries altered

The boundaries of the water reserve called the Eneabba Water Reserve are altered from those —

- (a) shown bordered on the Department of Water plan 4571; and
- (b) constituted and defined by Order in Council published in the *Gazette* 26 June 1992,

to those —

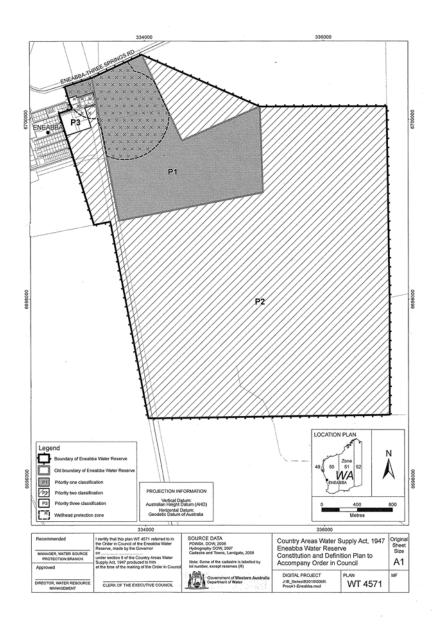
- (c) shown bordered in bold, enclosing a variety of shaded areas, on the Department of Water plan 4571; and
- (d) outlined by means of coordinates annexed to that plan.

# 4. Information plan of the Eneabba Water Reserve

The boundary of the Eneabba Water Reserve is shown, for information purposes, in the plan in Schedule 1.

# Schedule 1 — Eneabba Water Reserve

[cl. 4]



By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

# — PART 2 —

# **CEMETERIES**

#### CC401\*

## **CEMETERIES ACT 1986**

CEMETERIES (EAST ROCKINGHAM PIONEER CEMETERY CLOSURE) ORDER 2009 Made by the Governor in Executive Council.

# 1. Citation

This Order is the Cemeteries (East Rockingham Pioneer Cemetery Closure) Order 2009.

#### 2. Commencement

This Order comes into operation on the day on which it is published in the Gazette.

#### 3. Term used

In this Order-

cemetery means the East Rockingham Pioneer Cemetery (Reserve No. 841), also called East Rockingham Cemetery and the Rockingham Public Cemetery;

# 4. Closure of Cemetery

- (1) The cemetery is closed on 1 July 2009.
- (2) Burials in the cemetery are to be discontinued from 1 July 2009, except for right of burials under a right of burial which—
  - (a) was in force on 1 July 2009; and
  - (b) has not, at any time since 1 July 2009—
    - (i) expired; or
    - (ii) been renewed; or
    - (iii) been surrendered.

# 5. Vesting of Cemetery

The care, control and management of the cemetery is vested in the City of Rockingham under section 43(1) of the Act from 1 July 2009.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

# **FISHERIES**

# FI401\*

# FISH RESOURCES MANAGEMENT ACT 1994

WEST COAST ROCK LOBSTER MANAGEMENT PLAN AMENDMENT (No. 4) 2009

FD 1064/01 [909]

Made by the Minister under section 54.

# 1. Citation

This instrument is the West Coast Rock Lobster Management Plan Amendment (No. 4) 2009.

# 2. Management plan amended

The amendments in this instrument are to the West Coast Rock Lobster Management Plan 1993.

# 3. Clause 9A amended

Clause 9A is amended—

- (a) in subclause (1)(c) by deleting—
  - " or Monday"; and
- (b) by deleting subclause (1)(d); and
- (c) in subclause (2)(a) by deleting "Saturday, Sunday or Monday" and inserting instead—
  "Saturday or Sunday"; and
- (d) by deleting subclause (2)(b) and inserting instead—
  - "(b) baiting a pot or setting a baited pot in the waters of the Fishery after 0600 hours on any Sunday to which subclauses (1)(a) and (1)(b) applies."; and
- (e) by deleting subclause (2)(c).

# 4. Clause 9I amended

Clause 9I is amended in subclause (2) by deleting "Monday" and inserting instead—
"Sunday".

Dated this 23rd day of April 2009.

SIMON O'BRIEN, Acting Minister for Fisheries.

# **HEALTH**

HE401\*

# HOSPITALS AND HEALTH SERVICES ACT 1927 HOSPITALS AND HEALTH SERVICES DECLARATION 2009

Made by the Minister for Health pursuant to section 3(3) of the Hospitals and Health Services Act 1927.

# Citation

1. This declaration may be cited as the Hospitals and Health Services Exemption Order 2009.

# Commencement

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

## Exemption

3. The institutions specified in the Schedule are declared not to be a nursing home for the purposes of the Act.

# Schedule

AEGIS CARE AWAITING PLACEMENT—BENTLEY, Charles Jenkins House, Hayman Road, Bentley

ASCOT AGED CARE, 29 Neville Street, Bayswater

BRIGHTWATER BIRRALEE CARE FACILITY, 155 Odin Road, Innaloo

BRIGHTWATER KINGSLEY FACILITY, 41 Renegade Way, Kingsley

CARINYA ON BRISTOL, 41 Bristol Avenue, Bicton

LAKESIDE NURSING HOME, 68 Lyall Street, Redcliffe

MERTOME CARE AWAITING PLACEMENT, 30 Winifred Road, Bayswater

ORELIA HOSTEL, 14 Burke Place, Orelia

STIRLING AGED CARE FACILITY, 32 Spencer Avenue, Yokine

Dated this 3rd day of April 2009.

# **HERITAGE**

#### HR401\*

#### HERITAGE OF WESTERN AUSTRALIA ACT 1990

HERITAGE COUNCIL OF WESTERN AUSTRALIA

Delegation by Chairperson

I, Marion Fulker, Chairperson of the Heritage Council of Western Australia ("the Council)", on this 23rd day of April 2009, pursuant to subsections (2) and (3) of section 22 of the *Heritage of Western Australia Act 1990* ("the Act") do hereby delegate to Cr Anne Arnold all of the Chairperson's powers, functions and duties as prescribed by the Act, both in relation to meetings of the Council and otherwise, during the periods 1 May to 24 May and 7 September to 11 September 2009, inclusive, and at such other times that I am unavailable.

This delegation of powers shall remain in effect until the expiration of my current appointment as Chairperson.

Dated the 1st day of May 2009.

MARION FULKER, Chairperson, Heritage Council of Western Australia.

Hon G. M. (JOHN) CASTRILLI, Minister for Heritage.

# LANDS

## LA401\*

# LAND ADMINISTRATION ACT 1997

INSTRUMENT OF REVOCATION OF DELEGATION AND INSTRUMENT OF DELEGATION

## DPI 570/2000

- I, Brendon John Grylls, MLA, acting in my capacity as the Minister for Lands, a body corporate continued by section 7(1) of the Land Administration Act 1997 ("the Act")—
  - (a) Pursuant to section 59 of the Interpretation Act 1984 and with reference to section 9 of the Act, hereby revoke the delegation made under the Act in favour of the Executive Director Finance and Services, Main Roads Western Australia gazetted in the Government Gazette on 30 June 2000; and
  - (b) acting in accordance with section 9 of the Act and regulation 3B of the Land Administration Regulations 1998, hereby delegate to the officer of the Commissioner for the time being and from time to time who is, or who is acting as, the Executive Director Finance and Commercial Services and as that position may be redescribed from time to time, the powers and duties conferred or imposed on me by sections 57 and 91 of the Act subject to the following conditions—
    - (i) this delegation is limited to the power to grant leases and licences over Crown land comprising a main road, a highway or a secondary road under the *Main Roads Act 1930*; and
    - (ii) in the exercise of a power or duty delegated by this instrument the delegate must act in accordance with—
    - the requirements of the relevant section in respect of which the power or duty has been delegated; and
    - all policies from time to time of the department assisting me in the administration of the Act that are relevant to leases and licences of roads the subject of this instrument.

A reference in this instrument to the Commissioner means the Commissioner for Main Roads appointed under the *Main Roads Act 1930*.

This instrument of delegation shall come into operation on the day this instrument is published in the *Government Gazette*.

The common seal of the Minister for Lands is affixed on this 14th day of April 2009 in the presence of—

A. POLSKI, Witness.

# LOCAL GOVERNMENT

#### LG401

# **DOG ACT 1976**

Shire of Morawa
Appointments

It is hereby notified for public information that the following persons have been appointed under the provisions of the  $Dog\ Act\ 1976$  for the municipality of the Shire of Morawa—

# Registration Officers / Authorised Officers

- G. R. Treasure
- G. J. Whitmore
- W. Gledhill
- K. L. Ruwoldt
- D. G. Williams
- B. M. King
- P. W. Buist
- G. G. Speedy
- S. J. Varley
- J. C. Freebairn
- R. F. Reynolds
- R. L. Hall
- R. Connolly
- D. A. Hawkins
- P. Smith

All previous appointments are hereby cancelled.

G. TREASURE, Chief Executive Officer.

# LG402\*

# TOWN OF PORT HEDLAND

# APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that Kevin Allen and Kerry Robinson have been appointed as Rangers/Authorised Officers in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

Dog Act 1976 and Regulations

Control of Vehicles (Off Road Areas) Act 1978 and Regulations

Litter Act 1979 and Regulations

Local Government Act 1995 and Regulations

Local Government (Miscellaneous Provisions) Act 1960

Town of Port Hedland Local Laws

Bush Fires Act 1954 and Regulations

Caravan and Camping Grounds Act 1995.

Additionally the appointment of Pam Whiteford-Hey as a Dog Registration Officer is cancelled.

CHRIS ADAMS, Chief Executive Officer.

# MINERALS AND PETROLEUM

# MP401\*

# PETROLEUM AND GEOTHERMAL RESOURCES ACT 1967

Section 47(1)

# DECLARATION OF A LOCATION

I, William L. Tinapple, Executive Director Petroleum and Environment Division of the Department of Mines and Petroleum for the State of Western Australia, delegate of the Minister for Mines and

Petroleum by virtue of an instrument of delegation dated 27 February 2009, declare the following blocks to be a location for the purpose of Part III of the Act.

Hamersley Range Map Sheet

BlockFieldLocation No.6097Nasutus1/08-9

The block is the subject of Exploration Permit No. EP 409 held by—Apache Oil Australia Pty Ltd

OMV Barrow Pty Ltd

Dated at Perth on this 28th day of April 2009.

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

MP402\*

# PETROLEUM PIPELINES ACT 1969

VARIATION OF PIPELINE LICENCE

Pipeline Licence PL40 held by DBNGP (WA) Transmission Pty Limited has been varied by instrument of Variation 4P/08-9, to authorise the Licensee to design, construct, operate and maintain a gas metering station and a custody transfer point within the Dampier to Bunbury Natural Gas Pipeline corridor, for gas supply to the NewGen Neerabup Partnership Ltd power station, has been approved.

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

MP403\*

# MINING ACT 1978

INTENTION TO FORFEIT

Department of Mines and Petroleum, PERTH WA 6000

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned licences and leases is paid on or before 2 June 2009 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, being non-payment of rent.

STEDMAN ELLIS, Acting Director General.

Number	Holder	Minerald Field
	EXPLORATION LICENCES	
08/1563	Baracus Pty Ltd	Ashburton
09/1401	Yilgarn Mining (WA) Pty Ltd	Gascoyne
39/1107	GME Resources Ltd	Mt Margaret
40/213	Prugnoli; Peter Ben	North Coolgardie
59/1307	Morganti; Romano Natale	Yalgoo
63/1161	Ridley Resources Limited	Dundas
69/1629	Redstone Resources Ltd	Warburton
69/1663	Discovery Metals Ltd	Warburton
	MINING LEASES	
20/495	Kay Nominees Pty Ltd	Murchison
28/76	Shannon Resources Ltd	N/E Coolgardie
59/299	Fremantle Park Homes Pty Ltd	Yalgoo

MP404\*

#### MINING ACT 1978

# APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum, Leonora.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the *Mining Act 1978* for failure to lodge a report within the prescribed period.

E. K. LANGDON, Warden.

To be heard by the Warden at Leonora on 27 May 2009.

### EAST MURCHISON MINERAL FIELD

Lawlers District

Prospecting Licences

P36/1390—Alverna Resources Pty Ltd

P36/1526—Catoi, Peter Bryce

French, Shane Deon

P36/1589—Crucible Resources Pty Ltd

P36/1659—Enterprise Exploration Ltd

P36/1660—Enterprise Exploration Ltd

P36/1661—Enterprise Exploration Ltd

#### MOUNT MARGARET MINERAL FIELD

Mount Morgans District Prospecting Licences

P39/4376—Elivahu, Amit

Butlin, Brett

Harlap Nahum

P39/4378—Eliyahu, Amit

Butlin, Brett

Harlap Nahum

P39/4379—Eliyahu, Amit

Butlin, Brett

Harlap Nahum

P39/4387—Eliyahu, Amit Butlin, Brett

Harlap Nahum

MP405\*

# MINING ACT 1978

# APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum, Leonora.

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

E. K. LANGDON, Warden.

To be heard by the Warden in Leonora on 27 May 2009.

EAST MURCHISON MINERAL FIELD

Lawlers District

Prospecting Licences

P36/1526—Catoi, Peter Bryce

French, Shane Deon

P36/1566—Linger and Die Pty Ltd

P36/1567—Linger and Die Pty Ltd

P36/1568—Linger and Die Pty Ltd

P36/1589—Crucible Resources Pty Ltd

P36/1662—Linger and Die Pty Ltd

P36/1663—Linger and Die Pty Ltd P36/1667—Linger and Die Pty Ltd P36/1668—Linger and Die Pty Ltd P36/1669—Linger and Die Pty Ltd P36/1670—Linger and Die Pty Ltd

# MOUNT MARGARET MINERAL FIELD

Mount Malcolm District
Prospecting Licences

P37/5642—Brewer, Gerard Victor P37/6814—Cool Sand Supplies Pty Ltd P37/6815—Cool Sand Supplies Pty Ltd P37/6816—Cool Sand Supplies Pty Ltd P37/6817—Cool Sand Supplies Pty Ltd P37/6818—Cool Sand Supplies Pty Ltd P37/6819—Cool Sand Supplies Pty Ltd

P37/6820—Cool Sand Supplies Pty Ltd P37/6821—Cool Sand Supplies Pty Ltd

P37/6822—Cool Sand Supplies Pty Ltd

Mount Morgans District
Prospecting Licences

P39/4376—Eliyahu, Amit Butlin, Brett Harlap Nahum P39/4378—Eliyahu, Amit Butlin, Brett Harlap Nahum P39/4379—Eliyahu, Amit

39/4379—Eliyahu, Amit Butlin, Brett Harlap Nahum

P39/4387—Eliyahu, Amit Butlin, Brett Harlap Nahum

## NORTH COOLGARDIE MINERAL FIELD

Niagara District
Prospecting Licences

P40/1001—Enigma Mining Ltd
Kookynie Resources Pty Ltd
FMR Investments Pty Ltd
P40/1002—Enigma Mining Ltd
Kookynie Resources Pty Ltd

Kookynie Resources Pty Ltd FMR Investments Pty Ltd

**MP406\*** 

# MINING ACT 1978

# APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum, Leonora.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licence is liable to forfeiture under the provisions of Section 96(1)(a) of the *Mining Act 1978* for failure to comply with the prescribed expenditure conditions.

E. K. LANGDON, Warden.

To be heard by the Warden at Leonora on 27 May 2009.

MOUNT MARGARET MINERAL FIELD

Mount Malcolm District
Prospecting Licence

# PLANNING AND INFRASTRUCTURE

PI401\*

# PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 20—Amendment No. 23

Ref: 853/6/6/21 Pt23

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 Busselton local planning scheme amendment on 2 April 2009 for the purpose of—

- 1. Amending the Scheme Map to apply 'Additional use 66' provisions over Lot 61 Sussex Location 1049 Vidler Road, Naturaliste.
- 2. Amending Schedule 4 of the Scheme text by adding particulars to the Schedule as to refer to Lot 61 Sussex Location 1049 Vidler Road, Naturaliste as follows—

Particulars of Land	Land use permitted/specified	Conditions
Lot 61 Sussex Location 1049 Vidler Road, Naturaliste	Rural Holiday Resort (maximum of 16 accommodation units), Arts and Craft Gallery and a Restaurant.	<ol> <li>Additional uses specified shall be deemed an AA use for the purpose of Clause 21 of the Scheme.</li> <li>Development of the Additional Uses specified shall be undertaken consistent with a Development Guide Plan prepared and adopted pursuant to Clause 25 of the Scheme, which shall have regard to the landscape values of the site, the Leeuwin Naturaliste Ridge Statement of Planning Policy, the provisions of the Shire's Rural Tourist Accommodation Policy and any applicable State Tourist Accommodation Policy.</li> <li>Further subdivision of the land will be limited to strata subdivision of the tourist development.</li> <li>For the purpose of assessing any development application for tourist accommodation, 'Rural Holiday Resort' shall be defined as any form of Rural Tourist Accommodation, except Caravan Parks and Camping Grounds, comprising more that 10 accommodation units, whether they be rooms, suites or chalets but in any event the form of the accommodation shall be single storey and of a rural tourist accommodation character and scale. Guesthouse suites will be self-contained and the occupation of any unit would generally be reliant on centralised services provided by management.</li> <li>All access to the lot is to be taken from Vidler Road and the existing crossover to Caves Road is to be closed to the satisfaction and specification of MRWA at the proponent's cost.</li> <li>For the purposes of assessing any development application for a restaurant, the proposal shall be required to satisfy the objectives of the Agriculture zone namely objectives (iv) and (viii) in addition to all other applicable Scheme requirements.</li> </ol>

PI402\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Cockburn

Town Planning Scheme No. 3—Amendment No. 58

#### Ref:85312123120 Pt 58

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 Cockburn local planning scheme amendment on 25 March 2009 for the purpose of—

- 1. Amending clause 4.2.1 by inserting the following paragraph (n)—
  - (n) Conservation Zone

To provide for a range of uses which are consistent and compatible with areas of conservation value including wetland, lake and or bushland areas, whilst providing for the ongoing protection and maintenance of those areas.

- 2. Amending the Zoning Table as follows—
  - 2.1 Inserting a new column entitled "CONSERVATION".
  - 2.2 Designating the permissibility of uses within the Conservation zone as follows—

Dwelling Grouped Α Home Business Α Home Occupation A Home Office Α House Single P Tourist Accommodation Α **Industry Cottage** Α All other uses X

- 3. Adding a new clause 5.17 as follows—
  - 5.17 Conservation Zone
    - 5.17.1 For the purposes of this clause, "conservation area" means any area within the Conservation Zone identified by the Local Government in consultation with the Department for Planning and Infrastructure and the Department of Environment and Conservation to be of high conservation value and may include but is not limited to areas of bushland, wetlands and lakes and their associated buffers;
      - "conservation agreement" means the agreement required by sub-clause 5.17.8(iv) of this clause.
    - 5.17.2 The use and development of land within the Conservation Zone shall be limited to the building envelope and shall be compatible and consistent with the protection and preservation of conservation areas and comply with the requirements of relevant State government policy guidelines or statements pertaining to the conservation of bushland, wetlands and lakes.
    - 5.17.3 Every lot, strata or survey strata lot in the Conservation Zone shall have located on it a building envelope of not less than 600M2 in area located on compatible and suitable land outside the conservation area except as otherwise agreed to by the Local Government in writing having regard to advice from the Department for Planning and Infrastructure and the Department of Environment and Conservation, if any.
    - 5.17.4 Development shall be limited to the defined building envelope which shall be set back a minimum of 6 metres from any street boundary and 1.5 metres from side and rear boundaries.
    - 5.17.5 The Local Government shall consider and determine development applications having regard to advice provided by the Department for Planning and Infrastructure and the Department for Environment and Conservation, if any, in addition to the matters to which the Local Government is required to have regard by clause 10.2.1.
    - 5.17.6 Development applications shall be accompanied by the following information to the satisfaction of the Local Government in addition to the requirements of clause 9.2. 1—
      - (i) a plan showing the entirety of the land the subject of the development application, including the building envelope and conservation area(s) located on the land;
      - (ii) a plan showing access tracks, servicing corridors, fire breaks including any strategic fire breaks and the location and type of fences to be erected around any conservation area(s);
      - (iii) a weed management program;
      - (iv) a bushland, wetland and or lake rehabilitation program to restore or enhance the environmental qualities of degraded areas within the conservation area;

- (v) a fire management plan, which plan shall require the provision and maintenance of strategic fire breaks; and
- (vi) a nutrient management plan.
- 5.17.7 The following uses are not permitted within any conservation area—
  - (i) the keeping of livestock or other animals;
  - (ii) the clearing of vegetation except for the purpose of complying with relevant fire break, rehabilitation and/or management requirements;
  - (iii) filling or excavation including the construction of drainage facilities, artificial lakes, dams, swimming pools or waterholes;
  - (iv) the erection of any building or structure other than a board walk or viewing platform that in the opinion of the Local Government will be consistent and compatible with the protection and preservation of the conservation area(s);
  - (v) the storage or placement of any vehicles, materials or other items; and
  - (vi) and other uses that in the opinion of the Local Government are not consistent and compatible with the protection and preservation of the conservation area(s).
- 5.17.8 Where development is approved, the private land owner shall prior to the commencement of development or within such other period of time as is approved by the Local Government—
  - (i) implement the weed management program required by sub-clause 5.17.6(iii) to the satisfaction of the Local Government;
  - (ii) implement the approved bushland, wetland and or lake rehabilitation program required by sub-clause 5.17.6(iv) to the satisfaction of the Local Government;
  - (iii) implement the fire management plan required by subclause 5.17.6(v) to the satisfaction of the Local Government;
  - (iv) implement the nutrient management plan required by sub-clause 5.17.6(vi) to the satisfaction of the Local Government;
  - (v) ensure the boundaries of any conservation area on the land the subject of the development approval are made clearly visible by either the provision and maintenance of fencing or the appropriate marking of the boundaries;
  - (vi) enter into a conservation agreement, prepared at the private landowner(s)' expense by the Local Government's solicitors, to secure compliance with any of the requirements of clause 5.17 and authorising the Local Government to lodge a caveat on the certificate of title of the land the subject of the approval as further security for such compliance.
- 5.17.9 Without affecting the generality of clause 11.1.2, upon the provision of 7 days written notice to the private landowner(s) within the Conservation Zone, an authorised officer of the Local Government shall be permitted to enter upon such land for the purpose of inspecting the conservation area and to ensure compliance with the requirements of the Scheme and/or the conservation agreement.
- 5.17.10 Where a private landowner has failed to comply with the requirements of the Scheme and/or the conservation agreement, the Local Government may at the expiry of 1 calendar month after serving notice on the owner, undertake whatever action and works are necessary to achieve compliance with either the requirements of the Scheme and/or the conservation agreement and recover all associated costs from the owner.
- 4. Amending the Scheme Map by inserting in the Legend of the Scheme Map under the heading "Zones" a new zone named "Conservation" represented by a dark green boundary and light grey infill.

			L. HOWLETT, Mayor
S.	G.	CAIN,	Chief Executive Officer

PI403\*

# PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Kalamunda

Local Planning Scheme No. 3—Amendment No. 9

Ref: 853/2/24/20 Pt 9

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of

Kalamunda Local Planning Scheme Amendment on 17 February 2009 for the purpose of adding to the Scheme Text- Schedule 4- Special Use Zones- SU 19, 31 Sanderson Road, Lesmurdie, Lot 1; Aged Persons Dwellings; The following uses are not permitted unless specific approval is granted by Council 'A' Aged Persons Dwellings, The residential density of the Aged Persons Dwellings is R12.5. All development shall accord with the requirements of the Residential Design Codes for Special Purpose Dwellings; The effluent disposal system is to be provided to the satisfaction of the Health Department of WA.

D. McKECHNIE, Shire President. J. TRAIL, Chief Executive Officer.

PI404\*

## PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 6—Amendment No. 77

REF: 853/2/25/8 Pt 77

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 Gosnells local planning scheme amendment on 7 April 2009 for the purpose of—

- 1. in Schedule 4 deleting "Nil at the time of gazettal";
- 2. inserting the following text in Schedule 4—

# Schedule 4—Special Use Zones

No.	Description of Land	Special Use		Conditions
1	Part of Lot 4185 (Reserve 26902) Albany Highway, Beckenham	The uses listed below are not permitted unless the local government has exercised its discretion by granting planning approval. All other uses are not permitted.	1.	When determining applications for planning approval the local government will have regard to any traffic impact assessment in addition to the matters in Clause 11.2 of the Scheme.
		1. Civic use	2.	Development proposed on Lot
		2. Community Purpose		4185 shall be in accordance with a Detailed Area Plan
		3. Exhibition Centre		approved by Council.
		4. Home Office	3.	Residential development is to be a maximum density of R80.
		5. Multiple Dwelling		be a maximum density of 1000.
		6. Office		
		7. Restaurant		
		8. Showroom		

- 4. on the Scheme map—
  - (i) reclassifying Lot 4184 (Reserve 30235) and part of Lot 4185 (part of Reserve 26902) from 'No Zone' and Local Reserve for Local Open Space to Local Reserve for Public Purposes with the symbol "WC/T";
  - (ii) reclassifying part of Lot 4185 (part of Reserve 26902) from Local Reserve for Local Open Space to Special Use Zone with the symbol "SI"; and
  - (iii) on the Legend inserting "WC/T Water Corporation and Telstra" under the legend for Local Reserve for Public Purposes;

as depicted on the Scheme Amendment Map.

PI405\*

#### PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 6—Amendment No. 83

Ref: 853/2/25/8 Pt 83

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 Gosnells local planning scheme amendment on 9 March 2009 for the purpose of—

- 1. Rezoning Lots 101, 1117, 6, 5, 2, 1, 11, 12, 1121, 1122 and 1123 Homestead Road, Gosnells from Residential R17.5 to Residential Development and applying a Special Control Area to the area covered by those lots.
- 2. Adding a new subclause to clause 6.1.1 of the Scheme Text as follows—
  - (d) Homestead Road Precinct"
- 3. Adding a new clause 6.5 to the Scheme Text as follows—
  - 6.5 HOMESTEAD ROAD PRECINCT
  - 6.5.1 Subdivision and development undertaken within the Special Control Area will require the provision of infrastructure works and public open space.
  - 6.5.2 The cost of providing certain common infrastructure works, including a drainage pipe upgrade and construction of a roundabout and pathway, and the provision of public open space for local recreation purposes shall be equitably shared by all owners within the Special Control Area.
  - 6.5.3 Prior to subdivision being supported or development being approved within the Special Control Area, Council requires a Development Contribution Plan to be prepared to identify the estimated costs of provision of common infrastructure works, public open space and the associated administration of a Development Contribution Arrangement and the method for the equitable sharing of the costs by owners.
  - 6.5.4 The Developer Contribution Arrangement shall operate in accordance with Schedule 12 of the Scheme."
- 4. Amending the Scheme Map accordingly.

O. SEARLE, Mayor. I. COWIE, Chief Executive Officer.

# PREMIER AND CABINET

PC401\*

# DEPARTMENT OF THE PREMIER AND CABINET

Retention of Title "Honourable"

It is hereby notified for public information that the Governor, on behalf of Her Majesty the Queen, has approved of the retention of the title "Honourable" by the Hon Justice Anthony John Templeman, who will retire as a Judge of the Supreme Court of Western Australia on 5 June 2009.

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

# Public Service

PS401\*

# PUBLIC SECTOR MANAGEMENT ACT 1994

EXEMPTION

In accordance with s.25 (1) (a) of the *Public Sector Management Act 1994*, I partially exempt the Disability Services Commission from the Recruitment, Selection and Appointment Standard for the positions of Social Trainer.

This exemption applies to the "open and competitive" component of the Recruitment, Selection and Appointment Standard and is restricted to only 70% of new Level 3 Social Trainer positions.

During the period of the partial exemption, all other components of the Recruitment, Selection and Appointment Standard and associated procedures pursuant to the *Public Sector Management* (Breaches of Public Sector Standards) Regulations 2005 remain applicable.

The exemption is applicable to the abovementioned positions only and cannot be used for any other groups or positions in the department.

Dr RUTH SHEAN, Commissioner, Public Sector Standards.

Dated: 22 April 2009.

# RACING, GAMING AND LIQUOR

# **RG401**

# RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 23 April 2009 resolved that, the RWWA Rules of Thoroughbred Racing 2004 be amended as follows—

# Amendment to National Rules

Effective 19 March 2009

Amend AR1 by adding definition of "Overseas Racing Authority"

Delete and replace AR7

Amend AR 179 by deleting paragraph (b) and renumbering paragraph (c) as paragraph (b)

Add AR179A

Delete AR180

Effective 1 May 2009

Amend AR175

Add AR175 (w)

Effective 1 August 2009

Delete and replace AR137A

Delete AR137AA

A copy of the above rules may be obtained during office hours from the offices of the Western Australian Turf Club, 70 Grandstand Road, Ascot, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

# TREASURY AND FINANCE

TF401\*

## **TAXATION ADMINISTRATION ACT 2003**

COMMISSIONER'S PRACTICES

Under the provisions of section 127 of the *Taxation Administration Act 2003*, the following Commissioner's Practices are hereby published for public information—

TAA 22.0 VALUATION OF BUSINESS ASSETS FOR STAMP DUTY AND DUTIES PURPOSES

DA 21.0 DUTIES—REVOCATION OF DUTY EXEMPTIONS GRANTED FOR TRANSACTIONS BETWEEN CONNECTED ENTITIES

Full details of the Commissioner's Practice can be obtained from the Office of State Revenue website at www.osr.wa.gov.au.

# **DECEASED ESTATES**

ZX401

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Shirley Valmai Walton, late of 25 Barnes Street, Innaloo, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the abovenamed deceased who died on 7 July 2008 are required by the Trustees, Craig Ramon Walton and Edwin Albert Cooper of PO Box 547, West Perth 6872 to submit details of their claims to them before 2 June 2009 after which date the Trustees may convey or distribute the assets having regard only to the claims of which they have notice.

ZX402\*

# TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 1 June 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Atkinson, James Christopher, late of 5 Verrill Way, Armadale, died 27.03.2009 (DE33019891EM16)

Colfer, Kitty Lilla, late of Brightwater The Cove, 35 Hudson Drive, Mandurah, died 20.03.2009 (DE19983344EM27)

Gamble, Lily Blodwin, late of 5 Lane Street, Collie, died 16.01.2009 (DE19990942EM37)

Jacobs, Eileen Everett, late of c/ Parkview Aged Care, 6 Drummon Street, Redcliffe, died 25.03.2009 (DE19903417EM23)

Jones, Jean Elizabeth, late of Greenfields Nursing Facility, 95 Lakes Road, Greenfields, died 6.03.2009 (DE19916394EM13)

Larkin, Mary Theresa, late of 23/303 Harborne Street, Glendalough, died 9.04.2009 (DE19972135EM23)

Lindsey, Cecily Patricia, late of 9 Camfield Street, Albany, died 21.11.2008 (DE33070161EM113)

Marriott, Alma Gertrude, late of Trinity Lodge Rowethorpe, Hayman Road, Bentley, died 9.03.2009 (DE19772792EM17)

Newman, Garland Lee, late of 14 Kingsford Place, Bullsbrook, formerly of 294 Viveash Way, Karratha, died 5.04.2009 (DE19833002EM38)

Petch, David, late of Meath Care, 18 Hocking Road, Kingsley, formerly of Meath Care, 80-82 Henley Street, Como and Unit 82 Parkland Villas, 510 Marmion Street, Booragoon, died 15.04.2009 (DE19770074EM15)

Self, Mabel Laura, late of Grandview Hostel, 21 Aldwych Way, Joondalup, died 4.04.2009 (DE19951633EM110)

Tawhai, Mita, late of 83 Woodward Circle, Marangaroo, died 22.03.2009 (DE33069987EM37)

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

ZX403\*

# PUBLIC TRUSTEE ACT 1941

ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons. Dated at Perth the 1st day of May 2009.

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

Name of Deceased	Address	Date of Death	Date Election Filed
JOHN McWHANNELL BARR DE33063030EM16	111 Woodbridge Drive, Cooloongup	10 March 2009	21 April 2009
MADGE TAYLOR DE19801448EM28	16 Davis Road, Claremont	23 February 2009	21 April 2009
JOHN REGINALD WORLEY DE19991668EM37	7/8 Moore Street, Dianella	5 December 2008	21 April 2009

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