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— PART 1 —

JUSTICE

JU301*

Supreme Court Act 1935

Supreme Court (Fees) Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Supreme Court (Fees) 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 *Supreme Court (Fees) Regulations 2002*.

4. Regulation 4 amended

Delete regulation 4(6).

5. Regulation 5 amended

Delete regulation 5(g).

6. Regulation 9 amended

- (1) In regulation 9(1) delete “item 6.” and insert:

item 5.

- (2) In regulation 9(5) delete “item 5” and insert:
- item 4
- 7. Regulation 9A amended**
In regulation 9A(1) delete “item 6.” and insert:
- item 5.
- 8. Regulation 10 amended**
In regulation 10 delete “Division 1 item 7” and insert:
- Division 2 item 6
- 9. Regulation 12 deleted**
Delete regulation 12.
- 10. Schedules 1, 2 and 3 replaced**
Delete Schedules 1, 2 and 3 and insert:

Schedule 1 — Fees

[r. 4]

Division 1 — General Division fees

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
1.	On filing — (a) any originating process by which a cause, matter or other proceeding in the Court is commenced, other than proceedings of the kind referred to in item 2, 3 or 7; or (b) a notice of appeal (whether in draft form or not)	768.00	1 153.00
2.	On filing — (a) a counterclaim	768.00	1 153.00
	(b) a third party notice or a notice under the Rules O.19 r. 8	768.00	1 153.00

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
	<p>(2) The fee is to be paid in respect of any number of hearing days greater than the number of hearing days for which a fee has been paid under item 5.</p> <p>(3) The fee is payable for each additional day or part of a day that the hearing proceeds beyond the date or dates allocated referred to in item 5.</p> <p>(4) If the Court allocates a half day or less for the continuation of the hearing, a fee equal to half the prescribed amount is payable for that period.</p> <p>(5) The daily fee becomes payable on a day-to-day basis and is payable before the daily reconvening of the hearing.</p>		
7.	<p>(a) On filing an —</p> <p>(i) interlocutory application or summons returnable; or</p> <p>(ii) application for assessment of damages; or</p> <p>(iii) application for summary judgment,</p> <p>before a judge, master or registrar in chambers; or</p> <p>(b) On an appointment before a judge, master or registrar —</p> <p>(i) on a reference for inquiry and report; or</p> <p>(ii) to pass accounts; or</p> <p>(iii) to settle the index of a transcript for use upon the hearing of an appeal; or</p> <p>(iv) for mediation; or</p> <p>(v) on a reference to a registrar in admiralty proceedings</p> <p>NOTES:</p> <p>(1) If the registrar is assisted by one or more assessors, the daily fee is payable for each assessor if the registrar considers that to be reasonable.</p> <p>(2) The fee payable to an assessor becomes payable on a day-to-day basis as the reference proceeds and is payable in the first instance by the claimant.</p>	180.50	270.00

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
	<p>(3) The fee includes the first day of the hearing of the application or summons and includes any adjournment of the hearing.</p> <p>(4) The fee is payable in respect of an application for liberty to apply to relist.</p>		
8.	<p>If the hearing of a matter to which item 7 applies is listed for more than one day and proceeds for more than the number of days listed, the fee prescribed in item 7 is payable for each additional day or part of a day of a hearing.</p> <p>NOTE: The daily fee becomes payable on a day-to-day basis and is payable before the daily reconvening of the hearing.</p>		
9.	<p>On an appointment to tax a bill of costs in a cause or matter or under the <i>Legal Profession Act 2008</i> or the <i>Commercial Arbitration Act 1985</i> —</p> <p>(a) lodgment fee</p> <p>(b) in addition to the lodgment fee, a taxing fee at the rate of</p> <p>NOTES:</p> <p>(1) The % rate is to be applied to the amount at which the bill is drawn.</p> <p>(2) The taxing officer must allow against the person chargeable with the costs as taxed, taxing fees at the rate prescribed in item 9(b) of the amount found due on taxation.</p> <p>(3) If the parties agree on the bill of costs in a cause or matter or under the <i>Legal Profession Act 2008</i> or the <i>Commercial Arbitration Act 1985</i> and the appointment is cancelled, the following percentage of the fee paid is to be refunded —</p> <p>(a) if the appointment is cancelled less than 3 days before the day of the appointment, nil;</p> <p>(b) if the appointment is cancelled 3 days or more and less than 10 days before the day of the appointment, 50%;</p>	<p>180.50</p> <p>2.5%</p>	<p>270.00</p> <p>2.5%</p>

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
	(c) if the appointment is cancelled 10 or more days before the day of the appointment, 80%.		
10.	For searching any proceeding or record other than a search made by or on behalf of a party to the proceeding NOTE: But if the search is made by a recognised service approved by the Attorney General: \$1.00.	26.00	26.00
11.	(a) On an application for the production of records or documents that are required to be produced to any court, tribunal, arbitrator or umpire (b) If an officer is required to attend at any court or place out of the Supreme Court building, the officer's reasonable expenses and, in addition, for each hour or part of an hour when the officer is necessarily absent from his or her office	38.00 64.00	38.00 64.00
12.	(a) For a copy of a document of any kind or an exhibit, including marking as an office copy if required, for each page or part of a page (b) For a copy of reasons for judgment — (i) for each copy consisting of not more than 10 pages issued to a person not a party to the proceedings and for each copy in excess of one copy issued to a party to the proceedings (ii) for each copy consisting of 10 or more pages an additional fee per page of (c) For certifying under seal that a document is a true copy, an additional fee of	1.50 9.00 1.15 12.50	1.50 9.00 1.15 12.50

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
	(d) For a certificate under the hand of a registrar	27.00	27.00
	(e) For sealing a warrant of arrest release, commission for the appraisal or sale of property or for the appraisal or sale in admiralty proceedings	51.50	51.50
13.	(a) For a copy of a transcript, for each page or part of a page	5.05	5.05
	(b) For each copy of a transcript in electronic format if a fee has been paid under par. (a) by the applicant for a copy of the transcript, for each day of transcript	12.50	12.50
	(c) For each copy of a transcript not in electronic format if a fee has been paid under par. (a) by the applicant for a copy of the transcript, for each page or part of a page	1.50	1.50
14.	On filing an application for admission as a practitioner	215.50	N/A

Division 2 — Court of Appeal fees

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
1.	On filing an appeal notice	128.00	256.00
2.	On filing — (a) Appellant's case; or (b) Respondent's answer	1 931.00	3 862.00
3.	On filing an application to transfer an appeal from the District Court to the Court of Appeal under of the <i>Magistrates Court (Civil Proceedings) Act 2004</i> s. 41	256.00	386.00

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
4.	<p>(a) On filing an application in an appeal for an interim order or to amend or cancel an interim order; or</p> <p>(b) On an appointment before —</p> <p>(i) a judge or registrar to settle the appeal book index; or</p> <p>(ii) a registrar for mediation</p> <p>NOTES:</p> <p>(1) The fee includes the first day of the hearing of the matter and any adjournment of the matter.</p> <p>(2) If the hearing of a matter is listed for more than one day and proceeds for more than the number of days listed, the fee prescribed by this item is payable for each additional day or part of a day of a hearing.</p> <p>(3) A fee payable in the circumstances referred to in Note 2 is payable on a day-to-day basis before the daily reconvening of the hearing.</p>	180.50	270.00
5.	<p>Setting down fee</p> <p>NOTES:</p> <p>(1) This fee is payable when the appeal book is filed.</p> <p>(2) This fee includes the fee for the first day of hearing.</p>	643.00	965.00
6.	<p>Allocation of hearing date, for each day estimated</p> <p>NOTE:</p> <p>This fee is payable on the number of days in excess of the first hearing day estimated for the hearing by the Court of Appeal Registrar.</p>	514.00	1 028.00
7.	<p>Daily hearing fee</p> <p>NOTES:</p> <p>(1) This fee is not payable in relation to an application for, or to amend or cancel an interim order.</p> <p>(2) This fee is payable for each additional day or part day that a hearing proceeds beyond the number of days for which a fee has been paid.</p>	514.00	1 028.00

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
	<p>(3) If the Court allocates a half day or less for the continuation of the hearing, a fee equal to half the prescribed amount is payable for that period.</p> <p>(4) The daily hearing fee is payable on a day-to-day basis and is payable before the daily reconvening of the hearing.</p>		
8.	<p>For searching any proceeding or record other than a search made by or on behalf of a party to an appeal</p> <p>NOTE: But if the search is made by a recognised service approved by Attorney General: \$1.00.</p>	26.00	26.00
9.	<p>(a) For a copy of a document of any kind or an exhibit, including marking as an office copy if required, for each page or part thereof</p> <p>(b) For a copy of reasons for judgment —</p> <p>(i) for each copy consisting of 10 pages or less issued to a person not a party to the appeal and for each copy in excess of one copy issued to a party to the appeal</p> <p>(ii) for each copy consisting of more than 10 pages an additional fee per page of</p> <p>(c) For certifying under seal that a document is a true copy, an additional fee of</p> <p>(d) For a certificate under the hand of a registrar</p>	<p>1.50</p> <p>9.00</p> <p>1.15</p> <p>12.50</p> <p>27.00</p>	<p>1.50</p> <p>9.00</p> <p>1.15</p> <p>12.50</p> <p>27.00</p>
10.	<p>(a) For a copy of a transcript, for each page or part of a page</p> <p>(b) For each copy of a transcript in electronic format if a fee has been paid under par. (a) by the applicant, for a copy of the transcript, for each day of transcript</p>	<p>5.05</p> <p>12.50</p>	<p>5.05</p> <p>12.50</p>

Item	Matter	Fee for individual \$	Fee for person other than an individual \$
	(c) For each copy of a transcript not in electronic format if a fee has been paid under par. (a) by the applicant for a copy of the transcript, for each page or part of a page	1.50	1.50

Schedule 2 — Sheriff's fees

[r. 4]

Item	Matter	Fee \$
1.	<p>On the execution of an arrest warrant of any kind —</p> <p>(a) for arresting the person</p> <p>(b) for conveying the person to a court or a custodial place and releasing the person from arrest or custody</p> <p>(c) for each 30 minutes after 2 hours and 30 minutes that an enforcement officer is required to keep the person in custody until he or she is conveyed to a court or a custodial place</p> <p>NOTE 1: The fee under par. (a) is payable whether or not the sheriff's functions under the warrant are performed and includes up to 3 attempts to perform the functions at the same address.</p> <p>NOTE 2: The fee under par. (a) includes —</p> <p>(a) receipt of the warrant; and</p> <p>(b) attendances and inquiries before attempting arrest; and</p> <p>(c) giving any notice; and</p> <p>(d) making any report.</p>	<p>81.50</p> <p>81.50</p> <p>21.50</p>
2.	<p>For the service of any writ, application, summons, originating process, notice or order of the Court or any other process requiring service</p> <p>NOTE: The fee is payable whether or not the service is successful and covers up to 3 attempts at service at the same address.</p>	44.50
3.	<p>If it is necessary to travel to execute a warrant or other process, or on service of a writ, summons, order of the Court, other process or document, or on making an arrest or for all attempts, attendances and</p>	

Item	Matter	Fee \$
	inspections, from the sheriff's office or nearest bailiff's office — (a) for each kilometre travelled (one way) in the metropolitan area (b) for each kilometre travelled (one way) outside the metropolitan area	1.15 1.25
	NOTE: If more than one process or document is executed or served by the sheriff or a bailiff at the same time on the same person or on different persons at the same address, only one allowance for kilometres is chargeable.	
4.	Fee to the sheriff for attending a view — per hour or part of an hour	43.00
5.	(a) For striking a jury and preparing jury panel (b) For attendance of sheriff's officer at hearing (per day or part of a day)	138.50 The sum actually and reasonably paid

Schedule 3 — Probate fees

[r. 4]

Item	Matter	Fee \$
	NOTE: In this Schedule, <i>grant</i> means a grant of probate or administration with or without the will, or an order to administer.	
1.	On filing an application for an original grant or, for a second subsequent grant in relation to the same deceased, or to reseal a foreign grant NOTES: This fee covers — (a) all documents filed in support of the application; and (b) preparation of the necessary photographic copies of documents including will (if any) required for the grant and Court files; and (c) the issue of the grant.	189.50
2.	For depositing a will of a deceased person in the Registry (including renunciation of executor)	51.50
3.	For depositing a will or instrument under the <i>Wills Act 1970</i> s. 44(1)	51.50

Item	Matter	Fee \$
4.	(a) For the supply of copies of a will or other document, including marking as an office copy if required — for each page (b) For certifying under seal that a copy of a document is a true copy — an additional fee of ...	1.50 12.50
5.	(a) For an exemplification of a grant (in addition to the fee payable under item 4(a)); (b) For settling and sealing a citation or a subpoena ..	64.00
6.	For a search for and inspection of a document or file of documents	26.00

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU302*

Magistrates Court Act 2004

Magistrates Court (Fees) Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Magistrates Court (Fees) 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 *Magistrates Court (Fees) Regulations 2005*.

4. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[r. 4]

Division 1 — General

Item	Matter	\$
1.	(a) for every order or conviction drawn up in the Court's criminal jurisdiction;	
	(b) issue of a duplicate document or order	14.50
2.	For the service of any application, summons, originating process, notice or order of the Court or any other process requiring service	44.50

NOTE

The fee is payable whether or not the service is successful and covers up to 3 attempts at service at the same address.

3. If it is necessary to travel to execute a warrant or other process, or on service of a summons, order of the Court, other process or document, or on making an arrest or for all attempts, attendances and inspections, from the enforcement officer's office or nearest Police Station —
- | | | |
|-----|---|------|
| (a) | for each kilometre travelled (one way) in the metropolitan area; | 1.15 |
| (b) | for each kilometre travelled (one way) outside the metropolitan area. | 1.25 |

NOTE

If more than one process or document is executed or served by an enforcement officer at the same time on the same person or on different persons at the same address, only one allowance for kilometres is chargeable.

- | | | | |
|----|-----|--|-------|
| 4. | (a) | for searching any record or proceeding other than a search by or on behalf of a party to the proceedings in the Court's civil jurisdiction | 26.00 |
| | (b) | listening to or viewing any electronic recording that requires supervision by an officer of the Court, a search fee of | 26.00 |
| | | And in addition to the search fee, for each hour of the officer's time | 64.00 |

Item	Matter	\$
NOTE		
Item 4(a) does not apply in relation to information provided under the <i>Magistrates Court (General) Rules 2005</i> rule 41A.		
5.	For provision of information under the <i>Magistrates Court (General) Rules 2005</i> rule 41A —	
	(a) fee per case specified in the information	1.15
	(b) annual fee for information provided by email to approved recipient	37 346.00
NOTE		
The fee under item 5(b) is payable on the date on which the recipient is approved by the Attorney General and on each anniversary of that date.		
6.	(a) on an application or summons for the production of records or documents that are required to be produced to any court, tribunal, arbitrator or umpire	38.00
	(b) if an officer is required to attend at any court or place out of the Court building where the officer is based, the officer's reasonable expenses and, in addition for each hour when the officer is necessarily absent from his or her office	64.00
7.	(a) copies of documents or exhibits for each page or part of a page	1.50
	(b) for a copy of reasons for judgment —	
	(i) for each copy consisting of not more than 10 pages issued to a person not a party to the proceedings and for each copy in excess of one copy issued to a party to the proceedings	9.00
	(ii) for each copy consisting of 10 or more pages an additional fee per page of	1.15
	(c) for certifying that a document is a true copy, an additional fee of	12.50
NOTE		
Fee under item 7(a) for a copy of an application is not payable where circumstances under regulation 6(4) exist.		
8.	(a) for a copy of a transcript or notes of evidence, for each page or part of a page	5.05
	(b) for each copy of a transcript or notes of evidence in electronic format if a fee has been paid under paragraph (a) by the applicant for a copy of the transcript, for each day of transcript	12.50

Item	Matter	\$
(c)	for each copy of a transcript or notes of evidence not in electronic format if a fee has been paid under paragraph (a) by the applicant for a copy of the transcript or notes, for each page or part of a page	1.50

NOTE 1

A minimum fee of \$17.95 is payable under item 8(a).

NOTE 2

Fees under this item are payable in the case of an indictable offence dealt with summarily.

Division 2 — Civil jurisdiction

Item	Matter	Claim not exceeding \$10 000		Claim exceeding \$10 000 but not exceeding \$50 000		Claim exceeding \$50 000	
		Individual \$	Person other than individual \$	Individual \$	Person other than individual \$	Individual \$	Person other than individual \$
1.	On filing any claim or any originating process to commence proceedings in the Court	74.50	112.50	190.50	287.00	304.00	456.00
2.	On filing —						
	(a) a counterclaim or a set-off;						
	(b) a third party claim;						
	(c) any other application for which no fee has been provided for in this Division	48.50	73.00	88.50	114.00	141.00	182.00
3.	On commencing an appeal	25.00	49.50	37.50	75.50	50.50	101.00
4.	Application for hearing	118.50	177.50	215.00	321.00	240.00	358.00

NOTE 1

No fee is payable for applications for hearing of matters dealt with under the minor cases procedure, residential tenancies proceedings, applications under item 10 or 11 or for relisting a hearing, or if the proceedings are of an interlocutory nature only.

NOTE 2

No fee is payable in respect of listing an appeal for hearing.

Item	Matter	Claim not exceeding \$10 000		Claim exceeding \$10 000 but not exceeding \$50 000		Claim exceeding \$50 000	
		Individual \$	Person other than individual \$	Individual \$	Person other than individual \$	Individual \$	Person other than individual \$
5.	For allocation of a date or dates of hearing of an application, appeal or proceedings, for each half day allocated	68.50	137.50	120.00	240.00	171.50	343.00

NOTE 3

No fee is payable by the defendant for applications for hearing of a set-off or counterclaim providing this fee has been paid previously by the applicant.

NOTE 4

Includes pre-trial conference, mediation conference, directions hearing and listing conference.

NOTE 1

This fee is not payable for matters dealt with under the minor cases procedure, residential tenancies proceedings or applications under item 10 or 11.

NOTE 2

No fee is payable if the proceedings are of an interlocutory nature only.

NOTE 3

The fee to be charged is to be determined on the basis that the days allocated for a hearing are the number of days determined by the Court at a listing conference.

NOTE 4

The fee is to be refunded or transferred to a new allocated date or dates if the Court or registrar is satisfied that an adjournment was due to circumstances beyond the control of the parties. Otherwise the fee is non-refundable in respect of any allocated dates that are not required.

NOTE 5

If written advice of settlement or written notice of intended adjournment is received by the Court not later than 35 days before the date allocated for the commencement of the hearing of the proceedings, an amount equal to 75% of the fee is refundable. If written advice of settlement or written notice of intended adjournment is received by the Court no later than 21 days before the date allocated for the commencement of the hearing of the proceedings, an amount equal to 50% of the fee is refundable.

6.	Half daily hearing fee before the Court constituted by a magistrate	68.50	137.50	120.00	240.00	171.50	343.00
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NOTE 1

This fee is not payable for matters dealt with under the minor cases procedure, residential tenancies proceedings, applications under item 10 or 11 or if the proceedings are of an interlocutory nature only.

NOTE 2

The fee to be charged is to be paid in respect of any number of hearing days or half days greater than the number of hearing days for which a fee has been paid under item 5.

Item	Matter	Claim not exceeding \$10 000		Claim exceeding \$10 000 but not exceeding \$50 000		Claim exceeding \$50 000	
		Individual \$	Person other than individual \$	Individual \$	Person other than individual \$	Individual \$	Person other than individual \$

NOTE 3

This fee is payable for each additional day or part day that a hearing proceeds beyond the date or dates allocated in item 5.

NOTE 4

The daily fee becomes payable on a day-to-day basis and is payable prior to the daily reconvening of the hearing.

7.	On filing of an interlocutory application or application for assessment of damages or summary judgment that requires hearing before a magistrate or registrar	62.50	93.50	75.50	113.00	101.50	153.50
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NOTE 1

This fee is not payable for matters dealt with under the minor cases procedure, residential tenancies proceedings or applications under item 10 or 11.

NOTE 2

This fee is inclusive of the hearing of the application and includes any adjournment of the hearing.

NOTE 3

This fee is not payable for matters dealt with in the absence of a party.

8.	On an appointment to assess a bill of costs —						
	(a) lodgment fee	62.50	93.50	75.50	113.00	101.50	153.50
	(b) in addition to the lodgment fee, an assessment fee at the rate per annum of	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

NOTE 1

This fee is not payable for matters dealt with under the minor cases procedure, residential tenancies proceedings or applications under item 10 or 11.

NOTE 2

The % rate is to be applied to the amount at which the bill is drawn.

Item	Matter	Claim not exceeding \$10 000		Claim exceeding \$10 000 but not exceeding \$50 000		Claim exceeding \$50 000	
		Individual \$	Person other than individual \$	Individual \$	Person other than individual \$	Individual \$	Person other than individual \$

NOTE 3

If the parties agree on the bill of costs and the appointment is cancelled, the following percentage of the fee paid is to be refunded —

- (a) if the appointment is cancelled less than 3 days before the day of the appointment, nil;
- (b) if the appointment is cancelled 3 days or more and less than 10 days before the day of the appointment, 50%;
- (c) if the appointment is cancelled 10 or more days before the day of the appointment, 80%.

Item	Matter	\$
9.	On the execution of an arrest warrant of any kind —	
	(a) for arresting the person	81.50
	(b) for conveying the person to a court or a custodial place and releasing the person from arrest or custody	81.50
	(c) for each 30 minutes after 2 hours and 30 minutes that an enforcement officer is required to keep the person in custody until he or she is conveyed to a court or a custodial place	21.50

NOTE 1

The fee under paragraph (a) is payable whether or not the Sheriff's functions under the warrant are performed and includes up to 3 attempts to perform the functions at the same address.

NOTE 2

The fee under paragraph (a) includes —

- (a) receipt of the warrant; and
 - (b) attendances and inquiries before attempting arrest; and
 - (c) giving any notice; and
 - (d) making any report.
- | | | |
|-----|---|--------|
| 10. | For an application for an extraordinary drivers licence under the <i>Road Traffic Act 1974</i> | 155.00 |
| 11. | On filing — | |
| | (a) an application for a misconduct restraining order under the <i>Restraining Orders Act 1997</i> ; | |
| | (b) an application under the <i>Disposal of Uncollected Goods Act 1970</i> ; | |
| | (c) an application under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> section 101 or 101A; | |
| | (d) an application under the <i>Dividing Fences Act 1961</i> ; | |
| | (e) an application under the <i>Pawnbrokers and Second-hand Dealers Act 1994</i> . | 74.50 |

Division 3 — Criminal jurisdiction

Item	Matter	\$
1.	On filing —	
	(a) a prosecution notice;	

Item	Matter	\$
	(b) an application under the <i>Criminal Procedure Act 2004</i> section 71	62.50
2.	For the issue of a summons or court hearing notice to an accused	12.00
3.	For a warrant of any kind —	
	(a) issue of it	62.50
	(b) execution of it	81.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU303*

State Administrative Tribunal Act 2004

State Administrative Tribunal Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *State Administrative Tribunal 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 *State Administrative Tribunal Regulations 2004*.

4. Regulation 9 amended

- (1) In regulation 9(1) in the Table:
- (a) delete “931.00” (each occurrence) and insert:
970.00
 - (b) delete “173.00” and insert:
180.50
 - (c) delete “259.00” and insert:
270.00
- (2) In regulation 9(2) in the Table:
- (a) delete “341.00” and insert:
355.00
 - (b) delete “620.00” and insert:
646.00
 - (c) delete “310.00” and insert:
323.00
 - (d) delete “403.00” and insert:
420.00
 - (e) delete “123.00” and insert:
128.00
 - (f) delete “185.00” and insert:
193.00
- (3) In regulation 9(3) in the Table:
- (a) delete “279.00” (each occurrence) and insert:
291.00

- (b) delete “97.50” and insert:
101.50
- (c) delete “147.50” and insert:
153.50
- (4) In regulation 9(4) in the Table:
 - (a) delete “62.00” and insert:
64.50
 - (b) delete “124.00” and insert:
129.00
 - (c) delete “60.00” and insert:
62.50
 - (d) delete “89.50” and insert:
93.50

5. Regulation 10 amended

- (1) In regulation 10(2) in the Table:
 - (a) delete “341.00” and insert:
355.00
 - (b) delete “310.00” and insert:
323.00
 - (c) delete “123.00” and insert:
128.00
- (2) In regulation 10(3) in the Table:
 - (a) delete “620.00” and insert:
646.00

- (b) delete “403.00” and insert:

420.00

- (c) delete “185.00” and insert:

193.00

6. Regulation 11 inserted

After regulation 10 insert:

11. Fees for the provision of transcripts to third parties

- (1) This regulation applies if —
- (a) a person who is not a party to a proceeding requests the Tribunal to provide a copy of the transcript of the proceeding or part of the proceeding; and
 - (b) at the time that the person makes the request, a transcript of the proceeding, or the relevant part of the proceeding, has not been prepared by the Tribunal.
- (2) Instead of the fee that would otherwise be charged under regulation 27 and Schedule 20 item 5, 6 or 7 (as the case requires), the fee to be charged for providing a copy of the transcript is the fee determined by the executive officer in accordance with subregulation (3).
- (3) The fee is to be the amount that, in the opinion of the executive officer, represents the costs of the Tribunal directly attributable to —
- (a) the preparation of the transcript; and
 - (b) the doing of any other thing reasonably necessary to be done in connection with providing a copy of the transcript to the person.

7. Schedule 20 amended

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

Table

Provision	Delete	Insert
Sch. 20 it. 1(a)	57.00	59.50
Sch. 20 it. 1(b)	113.50	118.50

Provision	Delete	Insert
Sch. 20 it. 1A	6.45	6.70
Sch. 20 it. 2	1.10	1.15
Sch. 20 it. 3(b)	1.10	1.15
Sch. 20 it. 3(c)	1.10	1.15
Sch. 20 it. 4	11.00	11.50
Sch. 20 it. 5	4.85	5.05
Sch. 20 it. 6	4.85	5.05
Sch. 20 it. 6	47.50	49.50
Sch. 20 it. 7	4.85	5.05
Sch. 20 it. 7	5.40	5.65
Sch. 20 it. 8	12.50	13.00
Sch. 20 it. 9	28.00	29.00
Sch. 20 it. 10	22.50	23.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU304*

Children's Court of Western Australia Act 1988

Children's Court (Fees) Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children's Court (Fees) 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 *Children's Court (Fees) Regulations 2005*.

4. Schedule 1 amended

- (1) In Schedule 1 Division 1 delete item 1 and insert:

- 1. (a) for every order or conviction drawn up in the Court's criminal jurisdiction 14.50
- (b) issue of a duplicate document or order 14.50

- (2) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Div. 1 it. 2	42.50	44.50
Sch. 1 Div. 1 it. 3(a)	1.10	1.15
Sch. 1 Div. 1 it. 3(b)	1.20	1.25
Sch. 1 Div. 1 it. 4(a)	25.00	26.00
Sch. 1 Div. 1 it. 4(b)	25.00	26.00
Sch. 1 Div. 1 it. 4	61.50	64.00
Sch. 1 Div. 1 it. 5(a)	36.50	38.00
Sch. 1 Div. 1 it. 5(b)	61.50	64.00
Sch. 1 Div. 1 it. 6(b)(i)	8.65	9.00
Sch. 1 Div. 1 it. 6(b)(ii)	1.10	1.15
Sch. 1 Div. 1 it. 6(c)	12.00	12.50
Sch. 1 Div. 1 it. 7(a)	4.85	5.05
Sch. 1 Div. 1 it. 7(b)	12.00	12.50
Sch. 1 Div. 2 it. 1	71.50	74.50

Provision	Delete	Insert
Sch. 1 Div. 2 it. 2(a)	78.00	81.50
Sch. 1 Div. 2 it. 2(b)	78.00	81.50
Sch. 1 Div. 2 it. 2(c)	20.50	21.50
Sch. 1 Div. 2 it. 3	149.00	155.00
Sch. 1 Div. 3 it. 1	60.00	62.50
Sch. 1 Div. 3 it. 2	11.50	12.00
Sch. 1 Div. 3 it. 3(a)	60.00	62.50
Sch. 1 Div. 3 it. 3(b)	78.00	81.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU305*

Civil Judgments Enforcement Act 2004

Civil Judgments Enforcement Amendment Regulations (No. 3) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Civil Judgments Enforcement 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 *Civil Judgments Enforcement Regulations 2005*.

4. Schedule 1 amended

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

Table

Provision	Delete	Insert
Sch. 1 it. 1	60.00	62.50
Sch. 1 it. 1	89.50	93.50
Sch. 1 it. 1	97.50	101.50
Sch. 1 it. 1	147.00	153.00
Sch. 1 it. 2	74.00 (each occurrence)	77.00
Sch. 1 it. 2	98.50 (each occurrence)	102.50

5. Schedule 2 amended

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

Table

Provision	Delete	Insert
Sch. 2 it. 1(a)	30.50	32.00
Sch. 2 it. 1(b)	42.50	44.50
Sch. 2 it. 1(c)	21.00	22.00
Sch. 2 it. 2	78.00	102.00
Sch. 2 it. 3	78.00	81.50
Sch. 2 it. 4	41.50	43.00
Sch. 2 it. 5	4.50	4.70
Sch. 2 it. 6(a)	1.10	1.15
Sch. 2 it. 6(b)	1.20	1.25
Sch. 2 it. 7	146.00	429.00
Sch. 2 it. 8	65.50	68.50

Provision	Delete	Insert
Sch. 2 it. 10 Note 1	215.00	224.00
Sch. 2 it. 11(a)	78.00	81.50
Sch. 2 it. 11(b)	78.00	81.50
Sch. 2 it. 11(c)	20.50	21.50
Sch. 2 it. 12(c)	20.50	21.50
Sch. 2 it. 19(b)	12.00	12.50

6. Schedule 3 amended

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

Table

Provision	Delete	Insert
Sch. 3 it. 1	69.50	72.50
Sch. 3 it. 2	28.00	29.00
Sch. 3 it. 3	65.50	68.50
Sch. 3 it. 4	163.00	170.00
Sch. 3 it. 5	198.00	206.00
Sch. 3 it. 6	65.50	68.50
Sch. 3 it. 7	41.50	43.00
Sch. 3 it. 8	41.50	43.00
Sch. 3 it. 9	140.00	146.00
Sch. 3 it. 10	65.50	68.50
Sch. 3 it. 12(b)	41.50	43.00

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU306*

District Court of Western Australia Act 1969

District Court (Fees) Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *District Court (Fees) 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 *District Court (Fees) Regulations 2002*.

4. Schedule 1 amended

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

Table

Provision	Delete	Insert
Sch. 1 it. 1	491.00	512.00
Sch. 1 it. 1	737.00	768.00
Sch. 1 it. 2(a)	491.00	512.00
Sch. 1 it. 2(a)	737.00	768.00
Sch. 1 it. 2(b)	491.00	512.00
Sch. 1 it. 2(b)	737.00	768.00
Sch. 1 it. 2(c)	185.00	193.00
Sch. 1 it. 2(c)	245.00	255.00

Provision	Delete	Insert
Sch. 1 it. 2(d)	185.00	193.00
Sch. 1 it. 2(d)	245.00	255.00
Sch. 1 it. 3	61.50	64.00
Sch. 1 it. 3	123.00	128.00
Sch. 1 it. 5	491.00	512.00
Sch. 1 it. 5	737.00	768.00
Sch. 1 it. 6	432.00	450.00
Sch. 1 it. 6	864.00	900.00
Sch. 1 it. 7	432.00	450.00
Sch. 1 it. 7	864.00	900.00
Sch. 1 it. 8	123.00	128.00
Sch. 1 it. 8	185.00	193.00
Sch. 1 it. 10(a)	123.00	128.00
Sch. 1 it. 10(a)	185.00	193.00
Sch. 1 it. 11	25.00 (each occurrence)	26.00
Sch. 1 it. 11A(a)	1.10 (each occurrence)	1.15
Sch. 1 it. 11A(b)	1 129.00 (each occurrence)	1 176.00
Sch. 1 it. 12(a)	36.50 (each occurrence)	38.00
Sch. 1 it. 12(b)	61.50 (each occurrence)	64.00
Sch. 1 it. 13(b)(i)	8.65 (each occurrence)	9.00
Sch. 1 it. 13(b)(ii)	1.10 (each occurrence)	1.15
Sch. 1 it. 13(c)	12.00 (each occurrence)	12.50

Provision	Delete	Insert
Sch. 1 it. 13(d)	26.00 (each occurrence)	27.00
Sch. 1 it. 14(a)	4.85 (each occurrence)	5.05
Sch. 1 it. 14(b)	12.00 (each occurrence)	12.50

5. Schedule 2 amended

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

Table

Provision	Delete	Insert
Sch. 2 it. 1(a)	78.00	81.50
Sch. 2 it. 1(b)	78.00	81.50
Sch. 2 it. 1(c)	20.50	21.50
Sch. 2 it. 2	42.50	44.50
Sch. 2 it. 3(a)	1.10	1.15
Sch. 2 it. 3(b)	1.20	1.25
Sch. 2 it. 4	41.50	43.00
Sch. 2 it. 5(a)	133.00	138.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU307*

Coroners Act 1996

Coroners Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Coroners 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 *Coroners Regulations 1997*.

4. Regulation 3A inserted

After regulation 2 insert:

3A. Terms used

In these regulations —

approved form means a form approved by the State Coroner;

fee, except in regulation 21, means a fee set out in Schedule 3.

5. Regulation 21 amended

In regulation 21(1) delete “fees” and insert:

fee

Note: The heading to amended regulation 21 is to read:

Fees for post mortem services

6. Regulations 22 to 25 inserted

After regulation 21 insert:

22. Other fees

The fees set out in Schedule 3 are to be charged in respect of the matters referred to in that Schedule.

23. Coroner's registrar may remit fees

- (1) A coroner's registrar may on an application in an approved form, in a particular case, on the ground of financial hardship or if it is in the interests of justice to do so, direct —
 - (a) that payment of a fee be waived; or
 - (b) that a fee be reduced or that the whole or a part of a fee be refunded; or
 - (c) that the payment of the whole or a part of a fee be postponed until such time, and upon such conditions, if any, as the registrar thinks fit.
- (2) Before determining an application under subregulation (1), a coroner's registrar may require the applicant to provide the registrar with such further information as the registrar requires either in writing or orally.

24. Resolution of disputes as to fees

- (1) If a question arises as to the fee payable or applicable in a particular case, the question is to be determined by the State Coroner.
- (2) An application for a determination under subregulation (1) is to be in an approved form.

25. Recovery of unpaid fees

Any unpaid fee is a debt due to the State and may be recovered by action in a court of competent jurisdiction.

7. Schedule 2 heading replaced

In Schedule 2 delete:

Schedule 2 — Fees

and insert:

Schedule 2 — Fees for post mortem services

[r. 21]

8. Schedule 3 inserted

After Schedule 2 insert:

Schedule 3 — Other fees

[r. 22]

Item	Matter	\$
1.	Copy of document or exhibit, for each page or part of a page	1.50
2.	Copy of record of investigation into a death —	
	(a) for one copy on the request of a person who is an interested person under regulation 17(a) or (b)	Nil
	(b) for each additional copy on the request of a person who is an interested person under regulation 17(a) or (b), for each page or part of a page	1.15
	(c) for each copy on the request of any other person, for each page or part of a page	1.15
3.	Certifying under seal that a document is a true copy	12.50
4.	Copy of transcript or notes of evidence, for each page or part of a page (minimum fee — \$17.95)	5.05
5.	Copy of transcript or notes of evidence in electronic format if a fee has been paid under item 4 by the applicant for a copy of the transcript or notes of evidence, for each day of transcript or notes of evidence	12.50
6.	Copy of transcript or notes of evidence not in electronic format if a fee has been paid under item 4 by the applicant for a copy of the transcript or notes of evidence, for each page or part of a page	1.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

JU308*

Evidence Act 1906

Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Evidence (Video and Audio Links Fees and Expenses) 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 *Evidence (Video and Audio Links Fees and Expenses) Regulations 1999*.

4. Schedule 1 amended

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

Table

Provision	Delete	Insert
Sch. 1 it. 1(1)	\$66.00	\$69.00
Sch. 1 it. 1(2)	\$98.50	\$102.50
Sch. 1 it. 2	\$52.50	\$54.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995*Shire of Dardanup***ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING
AMENDMENT LOCAL LAW 2009**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on 26 August 2009 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2009*

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal Local Law

In this local law, the *Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007* as published in the *Government Gazette* on 7 December 2007 is referred to as the principal local law. The principal local law is amended as follows—

4. Clause 2 amended

Delete subclause 2.1(a) and insert—

“(a) plant any plant on a thoroughfare—

- (i) except grass or a similar plant within 6 metres of an intersection; and
- (ii) which exceeds or which may exceed 75 centimetres in height so that the plant is within 6 metres to 10 metres of an intersection;”.

Dated this 26 August 2009.

The Common Seal of the Shire of Dardanup was affixed by authority of a resolution of the Council in the presence of—

Cr B. G. DAY, Shire President.
M. L. Chester, Chief Executive Officer.

— PART 2 —

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990**CONSENT CONSERVATION ORDER**

Old Perth Boys School
139 St Georges Terrace, Perth

Whereas in my opinion it is necessary and desirable to provide special protection in respect of that parcel of land comprising Lot 906 on Deposited Plan 14388 being part of Reserve 38366 and the whole of the land contained in Crown Land Title Volume 3093 Folio 664 and Lot 946 on Deposited Plan 185583 being part of Reserve 38366 and the whole of the land contained in Crown Land Title Volume 3093 Folio 665, situated at 139 St Georges Terrace, Perth together with the buildings and structures thereon ("the place") and by reason of the likelihood of imminent damage to the place a specific prohibition is urgently necessary,

now pursuant to section 59(2)(a) of the *Heritage of Western Australia Act 1990*, I, The Hon. G M (John) Castrilli, MLA, Minister for Local Government; Heritage; Citizenship and Multicultural Interests, administering the *Heritage of Western Australia Act 1990*, hereby prohibit, except with my authority—

- (a) the intentional or negligent demolition, damage or alteration of the place or any portion of the place, or any building or structure on the place; and
- (b) the intentional or negligent carrying out of any activity that may detrimentally affect the cultural heritage characteristics of the place.

This order shall expire five years from the date below.

Dated the 12 day of August 2009.

G. M. (JOHN) CASTRILLI, MLA, Minister for Local Government;
Heritage; Citizenship and Multicultural Interests.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004**APPOINTMENTS**

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

Peter Howard Bird of 52 Green Island Crescent, Albany
Johan Jacob Gerritsen of 44a Fifth Avenue, Mount Lawley
Coralie May Harvey of 5 Littlemore Road, Orelia
Catherine Joy Howie of Lot 117 Djarindjin Community, Dampier Peninsula
Susan Fiona Jackson of 2170 Riley Road, Parkerville
Wayne Allen Major of 15 Glover Street, Withers
Louise Jayne Middleton of 5 Yoorn Way, Bertram
John Digby Nicholas of Lot 91 Grimwade Road, Greenbushes
Amanda Jane O'Brien of 7 Farnborough Parkway, The Vines
Fiona Margaret Sassenfeld of 7 Woodpine Court, Ballajura
Azeem Ur Rahman Shah of 2 Ballidu Court, Dianella
Glen Darryl Tunbridge of 27 Vancouver Street, Albany

RAY WARNES, Executive Director,
Court and Tribunal Services.

JU402*

JUSTICES OF THE PEACE ACT 2004
RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of:—
John Stanley Hutchinson of 12 Kennedy Heights Port Denison
from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,
Court and Tribunal Services.

JU403*

SUPREME COURT ACT 1935
CIRCUIT SITTINGS FOR 2010

Pursuant to section 46 of the Supreme Court Act 1935, I hereby appoint the following sittings of the Supreme Court at circuit towns for the year 2010.

Circuit Town	Date of Commencement
Albany	1 February 3 May 2 August 15 November
Bunbury	15 February 19 April 19 July 1 November
Busselton	8 February 10 May 9 August 29 November
Esperance	8 February 24 May 16 August 22 November
Fremantle	8 February 17 May 23 August 15 November
Kalgoorlie	22 February 17 May 26 July 6 September 8 November
Rockingham	15 February 10 May 9 August 15 November
Carnarvon) Geraldton) Karratha) South Hedland) Broome) Derby) Kununurra)	15 February 3 May 19 July 4 October 29 November

Dated the 26th day of August 2009.

WAYNE MARTIN, Chief Justice of Western Australia.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976

Shire of Beverley

AUTHORISED AND REGISTRATION OFFICERS

It is hereby notified for public information that the following persons have been appointed under the provisions of the *Dog Act 1976* as Authorised/Registration Officers for the Municipality of the Shire of Beverley.

Authorised Officers

Ms Angela Plichota
Mr Stuart Hopwood
Mr Shane Fewster
Mr Stephen Gollan
Mr Malcolm Kehlet
Mr Malcolm Turner
Mr Chris Pepper
Mrs Phyllis Facey
Mr Stephen Vincent

Registration Officers

Ms Angela Plichota
Mr Stuart Hopwood
Mr Shane Fewster
Mr Stephen Gollan
Mrs Gail Moulton
Mrs Valery Seeber
Mrs Alison Lewis
Miss Gaye Mather
Mrs Miriam Wright
Ms Clare Moulton

KEITH BYERS, Chief Executive Officer.

LG402*

BUSH FIRES ACT 1954

Shire of Beverley

FIRE CONTROL OFFICER

Appointment of Authorised Persons

In accordance with the *Bush Fires Act 1976* as amended, Angela Plichota, Stuart Hopwood and Shane Fewster are hereby appointed as authorised Fire Control Officers as described for the Shire of Beverley.

Dated 2/09/09.

KEITH BYERS, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

City of Rockingham

FIRE CONTROL NOTICE 2009-10

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954* (as amended) you are hereby required on or before the 30th day of November 2009, to remove from land owned or occupied by you all flammable material or to clear firebreaks in accordance with the following and thereafter to maintain the land or the firebreaks clear of all flammable material up to and including the 31st day of May 2010, in such positions and to such dimensions as required by this Notice.

1. Rural Land

On or before the 30th day of November 2009 and thereafter up until and including the 31st day of May 2010.

1.1. Have firebreaks not less than three metres wide immediately inside and along all boundaries of land and including that land abutting road, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs etc to be trimmed back clear of the firebreak area, to a height of four metres.

1.2. Have firebreaks not less than three metres wide so far as to surround all buildings, sheds and haystacks, with all overhanging branches, trees, limbs, etc to be trimmed back clear of the firebreak area, to a height of four metres.

2. Urban Areas (Vacant Land)

On or before the 30th day of November 2009 and maintained until and including the 31st May 2010.

2.1. Have firebreaks not less than two metres wide immediately inside and along all boundaries of land less than 2,000m². All material from firebreaks is to be removed from the land, or have the **entire** vacant land clear of all flammable material where the area of land is less than 2,000 m² by slashing, mowing or other means to a height no greater than 50mm.

2.2. Burning of garden refuse on the ground or incinerators is prohibited by Local Council Health Laws.

3. Alternative Situations

If, for any reason, it is considered impractical to clear firebreaks or to remove the flammable material from the land as required by this Notice, application must be made in writing to Council's Fire & Emergency Administration Officer on or before the 16th day of October 2009, for approval to provide firebreaks in alternative positions or take alternative action to abate a fire hazard; eg slashing and mowing. If permission is not granted by the Council's Fire and Emergency Administration Officer you shall comply with the requirements of this Notice in its entirety.

An Application to Vary Location and Type of Firebreaks can be downloaded from the City's website or is available from the Fire and Emergency Administration Officer on 9528 0364.

Please note that all variations to firebreaks previously and currently approved by Council are automatically cancelled from 1 August 2009.

4. Fire Management Plans

All properties within subdivisions/developments within the City of Rockingham shall comply with the Fire Management Plans for their estates to the satisfaction of Council or its duly authorised officer.

5. Penalty

The owner or occupier of land to whom a notice has been given under Section 33 subsection 1 of the Bush Fires Act and who fails or neglects in any respect duly to comply with the requisitions of the notice is guilty of an offence.

Penalty: \$1000

NOTE:

1. If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Act 1954* (as amended) and Council's Health Local Law and Council shall be notified in the form of an alternative firebreak request.
2. Owners and/or occupiers of land are hereby requested by Council for further improvement in fire control in the district to provide firebreaks of three metres minimum width around all farm boundaries.
3. Drains do not constitute a firebreak.

BURNING OFF AND PERMITS

Burning is prohibited within urban residential areas.

In rural areas Permits to Burn are required during the Restricted Burning periods. No burning is permitted on days of Very High or Extreme Fire Danger—this includes solid fuel barbecues, spit roasts, hangis, "webber" barbecues, outdoor pizza ovens and the like. Many recreation sites have gas or electric barbecues installed which may be used at these times. Gas or electric barbecues at home are also permitted.

RESTRICTED BURNING PERIODS 1 October to 30 November and 1 April to 31 May

PROHIBITED BURNING PERIOD 1 December to 31 March

NOTE: These dates can be varied at the discretion of Council or its duly authorised officer and permit holders are responsible to verify the current dates.

Permits to Burn are required to be obtained from the Bushfire Control Officer—City of Rockingham Council Administration Offices prior to burning off during RESTRICTED BURNING PERIODS.

Firebreak Contractors

To assist ratepayers to install firebreaks, a list of contractors is available on the City of Rockingham website, or by contacting the Fire and Emergency Administration Officer on 9528 0364 or City Safe Administration Officer on 9528 0415 from 1 September, 2009.

NOTE: Pursuant to Council's Health Local Laws, burning of any refuse on the ground or incinerators is prohibited in urban areas. It is also an offence under the *Health Act 1911* to create nuisance smoke. When planning your burn please be mindful of other properties that may be affected (includes: residential, special rural, commercial and industrial areas).

A. HAMMOND, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

Section 30(1)

DISCRETE AREA RELEASE

Invitation for Applications for the Grant of Petroleum Exploration Permits

Release Date: Friday, 4 September 2009

Closing Date: Thursday, 4 March 2010

Areas Available

Applications are invited for the grant of exploration permits over the following discrete areas **within Western Australia's Canning and Officer Basins** as identified on the attached plans.

Applications will be received up until **4.00 pm on Thursday, 4 March 2010. Applicants need to observe the closing time and date. Any applications received after the closing time and date will not be considered.**

Onshore Areas

AREA L09-3 contains 143 blocks

1 000 000 Map Sheet (SE51) Broome—blocks specified on the attached plan.

AREA L09-4 contains 156 blocks

1 000 000 Map Sheet (SE51) Broome—blocks specified on the attached plan.

AREA L08-8 contains 62 blocks

1 000 000 Map Sheets (SE51) Broome and Oakover River—blocks specified on the attached plan.

AREA L08-9 contains 114 blocks

1 000 000 Map Sheet (SF51) Oakover River- blocks specified on the attached plan.

AREA L08-10 contains 138 blocks

1 000 000 Map Sheet (SF51) Oakover River- blocks specified on the attached plan.

Application Details

Central to any application made is the program of work proposed for each year of the six year term. Applications are to be made in accordance with Section 31 of the *Petroleum and Geothermal Energy Resources Act 1967*. Consideration of an application for the grant of a Permit shall take into account work programs relative to the whole of the area applied for, the adequacy of the work program, and the applicant's technical and financial ability to undertake the work. Permits are awarded on the understanding that the first two years work commitment will be fulfilled without variation.

Applicants should note that it is mandatory that the minimum work program proposed in each year of the exploration permit is stated precisely to avoid any ambiguity. The proposed work program should not include contingent work. Specific details are available from—

1. Criteria for assessment of applications for the award of petroleum exploration permits
2. Permit conditions and permit administration
3. Land Access Introduction for petroleum titles
4. Administration of petroleum titles

Where there is more than one applicant to the application, the percentage participating interest of each party to the application is to be supplied. This is to include evidence that a satisfactory settlement has been, or can be; reached on a Joint Operating Agreement (copy of Heads of Agreement dealing will generally suffice).

Applicants should also make themselves aware of the existence of any areas which have the potential to restrict exploration activities, e.g., National Parks, Nature Reserves, Marine Parks, World Heritage Areas, Conservation Reserves, Defence Areas and Mining Titles.

Insofar as Reserved Land is concerned, entry for exploration purposes is subject to approval by the Minister. In this regard, it should be noted that Government policy, at least, is such that petroleum extraction from within National Parks, Nature Reserves and access to Conservation Estates should not be presumed.

Any applications over the above onshore areas may be subject to the provisions of the Commonwealth *Native Title Act 1993* and applicants should be prepared to negotiate with Native Title parties pursuant to the right to negotiate provisions of the NTA.

Applicants should also be aware that onshore areas available for petroleum application are subject (at least in part) to Native Title claims. Plans showing these claim boundaries are available as part of the release package.

Release Area L08-9—Special Access Consideration

It should be noted that the Waukarlycarly Land System contains a density of Aboriginal cultural heritage sites and site complexes. The Martu People maintain and protect these sites through traditional law and custom. In recognition of the significance of this area the DMP will be prohibiting access to graticular blocks 6101, 6102, 6103, 6173, 6174 and 6175 on Oakover River 1:1000 000 Mapsheet and pursuant to Section 91B of the *Petroleum and Geothermal Energy Resources Act 1967* (WA) (Refer to map in the release package).

Details of known heritage sites are available on website: <http://www.dia.gov.au>

An information package on the release areas detailing the criteria for assessment of applications and the conditions to apply following the award of a permit, and including a plan of the release areas and an application proforma, is available on CD-ROM. Copies of the CD-ROM can be obtained from the **Petroleum and Environment Division, Department of Mines and Petroleum** by contacting the Petroleum Applications Receiving Officer on (08) 9222 3106.

Lodgement of Applications

Applications, together with supporting data, should be submitted in the following manner and accompanied by fee of **\$4,064.00** (non-refundable) payable to the Department of Mines and Petroleum through an Australian Bank or by Australian bank cheque.

The following special instructions should be observed—

- The application should be sealed and clearly marked “**Application for Petroleum Exploration Permit—Commercial-in-Confidence**”.
- Unless delivered by hand to the Petroleum Applications Receiving Officer, the sealed application (as described above) should be enclosed in a plain covering envelope or package and forwarded to the following address—

Executive Director, Petroleum and Environment Division
 Department of Mines and Petroleum
 Mineral House
 100 Plain Street
 EAST PERTH WA 6004

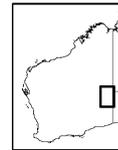
Attention: Petroleum Applications Receiving Officer

Confirmation of receipt of applications (delivered and received by hand) will be issued by the Petroleum Applications Receiving Officer.

This application needs to observe the closing time and date as published in the release package. Applications received after the closing time and date will not be considered.

**2009 Petroleum Release Areas
 Officer Basin
 Western Australia**

Coordinates hereon are in accordance with
 Section 8 of the Petroleum & Geothermal Energy Resources Act 1967
 The displayed grid defining the 5'x5' blocks is AGD86 and coordinates shown are GDA94



L09-3_gazette.mxd

L09-3 MAP SHEET **L09-4**
 SG52 Petermann Ranges
(143) **(156)**

26°24'54.98"S
 127°05'04.84"E

26°24'54.97"S
 128°00'04.81"E

26°24'54.92"S
 129°00'04.78"E

7102	7103	7104	7105	7106	7107	7108	7109	7110	7111	7112	7113	7114	7115	7116	7117	7118	7119	7120	7121	7122	7123	7124
7174	7175	7176	7177	7178	7179	7180	7181	7182	7183	7184	7185	7186	7187	7188	7189	7190	7191	7192	7193	7194	7195	7196
7246	7247	7248	7249	7250	7251	7252	7253	7254	7255	7256	7257	7258	7259	7260	7261	7262	7263	7264	7265	7266	7267	7268
7318	7319	7320	7321	7322	7323	7324	7325	7326	7327	7328	7329	7330	7331	7332	7333	7334	7335	7336	7337	7338	7339	7340
7390	7391	7392	7393	7394	7395	7396	7397	7398	7399	7400	7401	7402	7403	7404	7405	7406	7407	7408	7409	7410	7411	7412
7462	7463	7464	7465	7466	7467	7468	7469	7470	7471	7472	7473	7474	7475	7476	7477	7478	7479	7480	7481	7482	7483	7484
7534	7535	7536	7537	7538	7539	7540	7541	7542	7543	7544	7545	7546	7547	7548	7549	7550	7551	7552	7553	7554	7555	7556
7606	7607	7608	7609	7610	7611	7612	7613	7614	7615	7616	7617	7618	7619	7620	7621	7622	7623	7624	7625	7626	7627	7628
7678	7679	7680	7681	7682	7683	7684	7685	7686	7687	7688	7689	7690	7691	7692	7693	7694	7695	7696	7697	7698	7699	7700
7750	7751	7752	7753	7754	7755	7756	7757	7758	7759	7760	7761	7762	7763	7764	7765	7766	7767	7768	7769	7770	7771	7772
7822	7823	7824	7825	7826	7827	7828	7829	7830	7831	7832	7833	7834	7835	7836	7837	7838	7839	7840	7841	7842	7843	7844
7894	7895	7896	7897	7898	7899	7900	7901	7902	7903	7904	7905	7906	7907	7908	7909	7910	7911	7912	7913	7914	7915	7916
7966	7967	7968	7969	7970	7971	7972	7973	7974	7975	7976	7977	7978	7979	7980	7981	7982	7983	7984	7985	7986	7987	7988

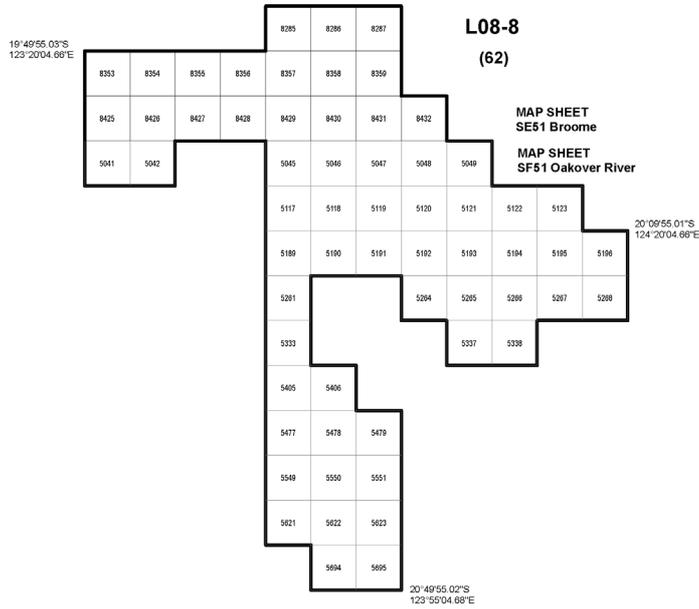
27°29'55.02"S
 127°05'04.89"E

27°29'55.01"S
 128°05'04.86"E

27°29'54.93"S
 129°00'04.84"E

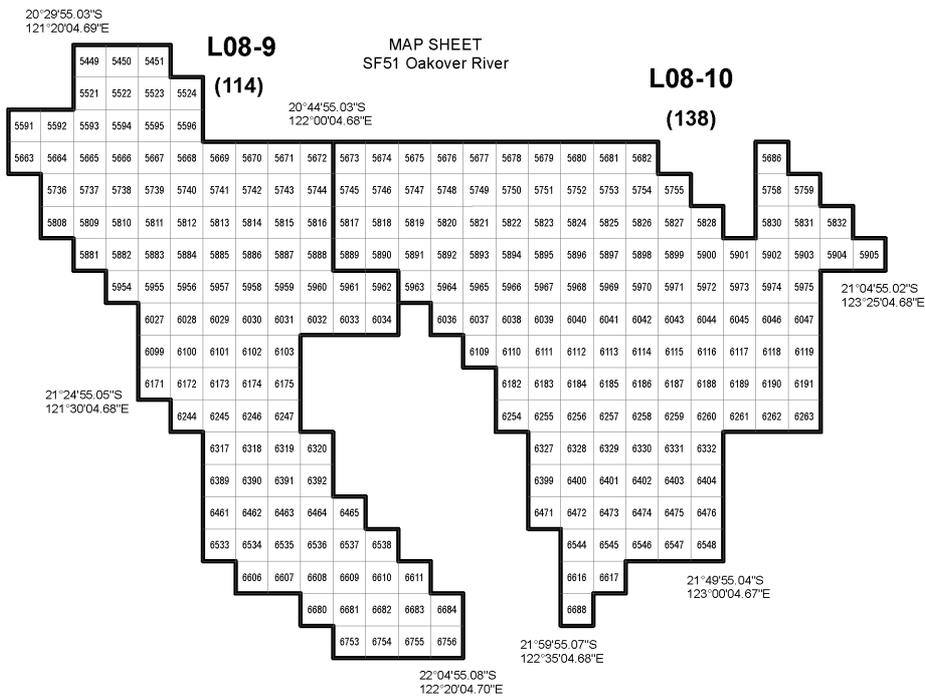
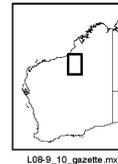
2009 Petroleum Release Areas
Canning Basin
Western Australia

Coordinates hereon are in accordance with
Section 8 of the Petroleum & Geothermal Energy Resources Act 1967
The displayed grid defining the 5x5' blocks is AGD66 and coordinates shown are GDA94



2009 Petroleum Release Areas
Canning Basin
Western Australia

Coordinates hereon are in accordance with
Section 8 of the Petroleum & Geothermal Energy Resources Act 1967
The displayed grid defining the 5x5' blocks is AGD66 and coordinates shown are GDA94



PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2009/05 Powers of Committees

Notice of delegation to committees of certain powers and functions of the Western Australian Planning Commission

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 25 August 2009, pursuant to section 16 of the Act, the WAPC resolved—

- A to delegate its powers and functions as set out in column 2 of the schedule, to the committees specified in column 1 of the schedule.
- B to revoke its delegation of powers and functions to committees as detailed in the instrument of delegation 'DEL 2008/02 Powers of committees' published in the *Government Gazette* on 19 December 2008 (pages 5415-5419).

TONY EVANS, Secretary,
Western Australian Planning Commission.

Schedule

Column 1 (Committee)	Column 2 (Powers and Functions)
1. Executive, Finance and Property Committee	1.1. All functions of the WAPC as set out in— (i) Sections 14(j), 121, 182 (2)(a), 185, 186, 189, 195, 196, 199, 205 and 206 of the Act.
2. Statutory Planning Committee	2.1. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of a region scheme.
	2.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of a region scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of a region scheme have been complied with.
	2.3. Power to determine whether or not proposals and the ongoing implementation of a region scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the <i>Environmental Protection Act 1986</i> .
	2.4. Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under a region scheme requiring such determination.
	2.5. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the <i>Swan and Canning Rivers Management Act 2006</i> where the determining authority is the WAPC.
	2.6. All functions of the WAPC as set out in— (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 134, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216 of the Act; (ii) Town Planning Regulations 1967;

Column 1 (Committee)	Column 2 (Powers and Functions)
	<p>(iii) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009;</p> <p>(iv) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey-strata scheme;</p> <p>(v) Strata Titles General Regulations 1996;</p> <p>(vi) Section 52 and section 85 of the <i>Land Administration Act 1997</i>;</p> <p>(vii) Section 40 of the <i>Liquor Control Act 1988</i>;</p> <p>(viii) <i>Perry Lakes Redevelopment Act 2005</i>.</p> <p>2.7. Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.</p> <p>2.8. Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme.</p> <p>2.9. Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.</p> <p>2.10. Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.</p> <p>2.11. Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.</p> <p>2.12. Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the <i>Environmental Protection Act 1986</i> and to refer such proposal to the Environmental Protection Authority.</p> <p>2.13. Power to waive or clear conditions affixed as conditions of approval.</p> <p>2.14. Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the <i>Land Administration Act 1997</i></p> <p>2.15. Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>2.16. Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.</p> <p>2.17. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p> <p>2.18. Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.</p>
3. Infrastructure Coordinating Committee	<p>3.1. Such powers and functions under the Act as are necessary to—</p> <p>(i) co-ordinate the preparation of the Metropolitan Development Program; and</p> <p>(ii) plan for the coordinated provision of transport and infrastructure for land development.</p>

Column 1 (Committee)	Column 2 (Powers and Functions)
4. Central Perth Planning Committee (only where the matters under consideration by the Committee are within the area of the City of Perth)	<p>4.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) subsections (f)(i)(j)(l) of section 14 of the Act; (ii) Part 4 of the Act; (iii) the Metropolitan Region Scheme. <p>4.2. Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under clause 32 of the Metropolitan Region Scheme requiring such determination.</p> <p>4.3. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 214, 215, 216 of the Act; (ii) Town Planning Regulations 1967; (iii) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009; (iv) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey-strata scheme; (v) Strata Titles General Regulations 1996; (vi) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (vii) Section 40 of the <i>Liquor Control Act 1988</i>. <p>(subject to the exercise of these functions having due regard in each case to published WAPC policy).</p> <p>4.4. Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act (subject to the exercise of the functions under this clause having due regard in each case to published WAPC policy).</p> <p>4.5. Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law (subject to the exercise of these functions having due regard in each case to published WAPC policy).</p> <p>4.6. Power to defend, respond, appeal and otherwise deal with legal proceedings (subject to the exercise of these functions having due regard in each case to published WAPC policy).</p> <p>4.7. Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act (subject to the exercise of these functions having due regard in each case to published WAPC policy).</p>
5. Peel Region Planning Committee (only where the matters under consideration by the Committee are within the Peel Region of the State)	<p>5.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 14(f), 14(i), 14(j), 14(l), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 126, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216, 217 of the Act; (ii) the Peel Region Scheme but not including clauses 19(f), 43 and 44(1); (iii) Town Planning Regulations 1967; (iv) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009; (v) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey-strata scheme; (vi) Strata Titles General Regulations 1996; (vii) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (viii) Section 40 of the <i>Liquor Control Act 1988</i>. <p>5.2. Power to do all things that are necessary for the purpose of carrying out Parts 4, 6, 7 and 8 of the Act.</p> <p>5.3. Power to advise the Minister for Planning on any application for review or matter arising therefrom pursuant to Part 14 of the Act.</p>

Column 1 (Committee)	Column 2 (Powers and Functions)
	<p>5.4. Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.</p> <p>5.5. Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.</p> <p>5.6. In relation to an instrument of delegation to local governments, the power to prescribe the form and manner (if any) in which local governments are to report delegated decisions to the WAPC.</p>
<p>6. South West Region Planning Committee (only where the matters under consideration by the Committee are within the South West Region of the State)</p>	<p>6.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 14(f), 14(i), 14(j), 14(l), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 126, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216, 217 of the Act; (ii) the Greater Bunbury Region Scheme but not including clauses 25(g), 49 and 50(1); (iii) Town Planning Regulations 1967; (iv) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009; (v) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey-strata scheme; (vi) Strata Titles General Regulations 1996; (vii) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (viii) Section 40 of the <i>Liquor Control Act 1988</i>. <p>6.2. Power to do all things that are necessary for the purpose of carrying out Part 4 and Part 6 of the Act.</p> <p>6.3. Power to advise the Minister for Planning on any application for review or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>6.4. Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.</p> <p>6.5. Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.</p> <p>6.6. In relation to an instrument of delegation to local governments, the power to prescribe the form and manner (if any) in which local governments are to report delegated decisions to the WAPC.</p>
<p>7. Ningaloo Sustainable Development Committee (only where the matters under consideration by the Committee are within the Ningaloo Coast Interim Development Order Area)</p>	<p>7.1. All functions of the WAPC as set out in—</p> <ul style="list-style-type: none"> (i) Sections 14(a), 14(c), 14(f), 14(i), 14(j), 14(l), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 126, 135, 136, 138, 139, 140, 142, 143, 144, 147, 151, 153, 154, 169, 185, 214, 215, 216, 217 of the Act; (ii) the Ningaloo Coast Regional Interim Development Order 2007; (iii) Town Planning Regulations 1967; (iv) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009; (v) <i>Strata Titles Act 1985</i> or the provisions of a strata or survey-strata scheme; (vi) Strata Titles General Regulations 1996; (vii) Section 52 and section 85 of the <i>Land Administration Act 1997</i>; (viii) Section 40 of the <i>Liquor Control Act 1988</i>. <p>7.2. Power to do all things that are necessary for the purpose of carrying out Part 4 and Part 6 of the Act.</p> <p>7.3. Power to advise the Minister for Planning on any application for review or matter arising therefrom pursuant to Part 14 of the Act.</p>

Column 1 (Committee)	Column 2 (Powers and Functions)
	7.4. Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.
	7.5. Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.
	7.6. In relation to an instrument of delegation to local governments, the power to prescribe the form and manner (if any) in which local governments are to report delegated decisions to the WAPC.

PI402*

ARMADALE REDEVELOPMENT ACT 2001

ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT NO. 4

In accordance with section 35(3)(d) of the Act, it is hereby notified for public information that Amendment No. 4 to the Armadale Redevelopment Scheme 2004 has been approved by the Minister for Planning, Culture and the Arts under section 35(3)(a) of the Act.

The Armadale Redevelopment Authority advises that as a result of the Minister's approval, the amendment to the Redevelopment Scheme comes into operation on 4 September, 2009.

The Amendment incorporates important improvements to the method of establishing scheme costs, cost distribution between owners and arrangements for payments.

A copy of Amendment No. 4 is available for inspection at the offices of the Armadale Redevelopment Authority at Unit 5, 210-220 Jull Street, Armadale, between the hours of 8.30 am and 5.00 pm Monday to Friday. The document can also be viewed at the Authority's website at <http://www.ara.wa.gov.au/>

STUART DEVENISH, Acting Executive Director,
Armadale Redevelopment Authority.

PI403*

PLANNING AND DEVELOPMENT ACT 2005

PEEL REGION SCHEME—RESOLUTION

Shire of Murray

*Lot 104 and portions of Lots 105, 106 & 1783 South Western Highway
and road reserve, Pinjarra*

Change of zone by resolution (018/13)

File No. 812-6-16-5

Notice is hereby given that, in accordance with Clause 13 of the Peel Region Scheme, the Peel Region Planning Committee for and on behalf of the Western Australian Planning Commission (WAPC) and acting under delegated powers, resolved on 20 August 2009 to transfer land from the Urban Deferred zone to the Urban zone, as shown on WAPC Plan 3.2328.

This is effective from the date of publication of this notice in the *Government Gazette*.

The plan may be viewed at the offices of—

- Department of Planning (Peel Region Office), Pinjarra Road, Mandurah
- Department for Planning and Infrastructure, Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal office of the Shire of Murray.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PI404*

PLANNING AND DEVELOPMENT ACT 2005

REPEAL OF A LOCAL PLANNING SCHEME

City of Mandurah

Town Planning Scheme No. 4

Port Bouvard Waterways Management Scheme

Notice of hereby given that the Council of the City of Mandurah of its powers under the *Planning and Development Act 2005* resolved at the ordinary meeting of Council held on 15 April 2008 to repeal Town Planning Scheme No. 4—Port Bouvard Waterways Management Scheme and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

P. CREEVEY, Mayor.
M. R. NEWMAN, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of South Perth

Town Planning Scheme No. 6—Amendment No. 16

Ref: 853/2/11/8 Pt 16

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 South Perth local planning scheme amendment on 25 August 2009 for the purpose of—

1. Deleting the definition of ‘pergola’ from Schedule 1—Definitions.
2. Inserting the following definition of ‘patio’ immediately after the definition of ‘owner’ in Schedule 1—Definitions—

“ ‘patio’ : means a water-impermeable roofed open-sided area which may or may not be attached to a dwelling, and may—

 - (a) be in the form of a shade sail with a sail area of 20 square metres or more and where any part of the structure is 3.5 metres or more in height;
 - (b) incorporate fixed or adjustable louvres as roofing; and
 - (c) incorporate retractable awnings or retractable blinds attached to the sides of the structure.”
3. Inserting the following definition of ‘shade sail’ immediately after the definition of ‘Service Station’ in Schedule 1—Definitions—

“ ‘shade sail’ : means a flexible membrane usually stretched horizontally and attached only by the corners to vertical or near-vertical poles or other structure, without supporting framework, and used for providing shade, other weather protection or visual screening.”
4. Adding the following new paragraph (l) to clause 4.3(1)—

“(l) The definition of ‘patio’ shall be as set out in Schedule 1—Definitions.”
5. Deleting paragraph (f) of clause 7.1 (2) and inserting the following in its place—

“(f) The construction of—

 - (i) a pergola less than 3.5 metres in height and having an area of less than 30 square metres;
 - (ii) a swimming pool where no part of the pool is more than 600mm above the surrounding ground level;
 - (iii) a cubby house not more than 2.0 metres to the highest point of the roof and situated behind the front setback line;
 - (iv) a dog kennel situated behind the front setback line;
 - (v) a barbecue situated behind the front setback line;
 - (vi) play fixtures; or
 - (vii) a shade sail less than 3.5 metres in height and having a sail area of less than 20 square metres, provided that, in the case of a shade sail appurtenant to a Single House or Grouped Dwelling, not more than two-thirds of the outdoor living area of that dwelling is roofed.”

J. BEST, Mayor.
A. C. FREWING, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
 Town Planning Scheme No. 11—Amendment No. 182

Ref: 853/6/3/8 Pt 182

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River local planning scheme amendment on 25 August 2009 for the purpose of—

1. Rezoning Lot 1 of Sussex Location 201 Caves Road, Margaret River from “Rural” to “Special Rural” and “Rural—River Foreshore Protection”.
2. Inserting in Schedule 1: “Special Rural Zones Provisions Relating to Specified Areas” the following property description and special provisions—

SR41	Lot 1 of Sussex Location 201 Caves Road, Margaret River	<ol style="list-style-type: none"> 1. Subdivision shall be generally in accordance with the Subdivision Guide Plan for the land as endorsed by the Shire and WAPC as attached to the Scheme Amendment Report (Amendment No. 182). 2. Clearing of flora shall only take place within those areas designated as building envelopes on the subdivision guide plan, with the following exceptions— <ol style="list-style-type: none"> (a) Clearing to gain vehicular access to the lots. In any event Council on the plan of subdivision may specify the approximate location of the crossovers to the respective lots, and (b) Clearing to comply with the Bush Fires Act, 1954. 3. All development of Dwelling houses and all ancillary buildings shall comply with the following development guidelines— <ol style="list-style-type: none"> (a) Buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour (s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Council and shall be compatible with the rural character of the locality. (b) Buildings on land steeper than gradients of 1:10 shall be split level or pier construction to minimise the amount of cut and fill. (c) All services within the lot boundaries shall be underground. (d) A minimum of 150mm topsoil shall be stripped from earthwork areas and replaced immediately after construction onto disturbed areas. (e) Landscaping should be with materials that are sympathetic with the surrounding natural landscape. (f) All dwellings within the zone shall comply with AS3959-1991—Construction of Houses in Bushfire Prone Areas. 4. The carrying of any stock on any lot in the zone is not permitted. 5. All lots are to be serviced by Alternative Treatment Units (ATU's) to the satisfaction of the Shire and the Department of Water. This will include retrofitting and decommissioning of the existing effluent disposal systems for the existing dwellings on proposed Lots 5 and 6, prior to the issue of title for these lots. 6. Each lot shall be supplied with reticulated water at the time of subdivision. 7. Prior to the subdivision of the land, the subdivider shall prepare a detailed Fire Management Plan to the satisfaction of the Council and the Bushfires Board. The land the subject of this scheme amendment, shall not be developed or used unless in conformity with the abovementioned approved Fire Management Plan. 8. A copy of the Fire Management Plan shall be kept at the office of the Council and available for public inspection during normal office hours.
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		<p>9. Each lot purchaser is to be provided with a copy of the approved Fire Management Plan.</p> <p>10. The Fire Management Plan may be varied from time to time by the Council provided that the owner/s of any land affected by the variation is notified in writing of the terms of the variation.</p> <p>11. Fencing shall be permitted only within the building envelopes as identified by the Subdivision Guide Plan.</p> <p>12. No dams shall be permitted on any lot unless otherwise approved by Council and the Water and Rivers Commission.</p> <p>13. The location of future dwellings on proposed Lots 1, 2, 3 and 4 are to be fixed as shown on the Subdivision Guide Plan. This is to minimise the quantity of remnant vegetation to be cleared for building envelopes, access and fire management.</p> <p>14. There shall be a height limit on buildings of 8 metres.</p> <p>15. Buildings, water tanks and other structures should be located away from ridge-tops so as not to be silhouetted against the skyline.</p> <p>16. Outbuildings should form a unified group with the main building and should be of similar form, colour and materials.</p> <p>17. Prior to the issue of titles for Lots 5 and 6, the foreshore reserve is to be transferred to the Crown free of cost, as depicted in the endorsed Subdivision Guide Plan.</p> <p>18. Prior to the issue of titles for Lots 5 and 6, a Foreshore Management Plan is to be prepared and implemented to the satisfaction of the Department of Water and the Local Government. The Foreshore Management Plan shall include provision for—</p> <ul style="list-style-type: none"> • Emergency vehicle access; • Public footpaths; • Weed and erosion control; • Re-vegetation; • Fencing; and • Management of the heritage garden. <p>19. Prior to the issue of title for proposed Lot 5, a restrictive covenant is to be lodged which restricts the construction of any infrastructure between the existing dwelling and the river.</p>
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S. HARRISON, Shire President.
G. EVERSHED, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
Town Planning Scheme No. 11—Amendment No. 189

Ref: 853/6/3/8 Pt 189

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 Augusta-Margaret River local planning scheme amendment on 25 August 2009 for the purpose of—

1. Rezoning Lot 54 Caves Road from “Rural” to “Special Use” as depicted on the amending map adopted by Council.
2. Amending the Scheme Text by inserting in “Schedule III—Special Use Sites” the following—

Lot and Location	Permitted Uses
Lot 54 Caves Road, Burnside	<p>Objective</p> <p>1. The Purpose and intent of this Special Use zone is to provide for a conservation based development that acknowledges an existing 495m² Art and Craft Studio (fine furniture and artisan studio workshop) in accordance with a Development Guide Plan endorsed by the Local Government and the WAPC. This facility is to be exclusively a private development and is not to contain a tourist function or a gallery of any kind.</p>

Lot and Location	Permitted Uses
	<p>2. Development of the land shall generally be in accordance with the endorsed Development Guide Plan. However, minor variations to development may be approved by the Council if deemed necessary and if in accordance with the objectives of the Scheme and the State Planning Policy 6.1 Leeuwin-Naturaliste Ridge.</p> <p>3. Development of the site must maintain, protect and enhance the landscape and conservation values in accordance with the Ridge Landscape Amenity Area designation of the land within the State Planning Policy 6.1 Leeuwin-Naturaliste Ridge.</p> <p>Subdivision and Development</p> <p>4. No further subdivision will be supported by Council.</p> <p>5. Permissible Uses Lot 540</p> <ul style="list-style-type: none"> • Dwelling (including associated outbuildings) 'P' <p>6. Permissible Uses Lot 541</p> <ul style="list-style-type: none"> • Dwelling (including associated outbuildings) 'P' • Ancillary Accommodation 'SA' • Home Occupation 'SA' • Bed and Breakfast 'SA' • Art and Craft Studio/Workshop 'SA' (maximum 500m² gross floor area) • Individual/combined Art and Craft Studio 'SA' (maximum 5 studios of 70m² each gross floor area) <p>7. The following use is not permitted within this Special Use Zone 'X'</p> <ul style="list-style-type: none"> • Retail sales of any product manufactured on or imported to the site. <p>8. Uses are to be located within the building envelope as identified on the endorsed DGP. The ancillary accommodation, home occupation and bed and breakfast uses are to be located within the dwelling on Lot 541.</p> <p>9. The following requirements are to be addressed and implemented as part of any subdivision and development approval, to the satisfaction of the Local Government—</p> <ol style="list-style-type: none"> (a) Prior to subdivision and development approval, a Conservation Covenant with the Department of Environment and Conservation, pursuant to section 129A of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot advising of the existence of a restriction on the use of the land to protect areas identified for conservation. (b) Prior to subdivision and development approval, a dieback survey of the site by a suitably qualified consultant is required. A dieback management plan that addresses dieback management procedures for any site works should be developed and implemented. (c) Prior to subdivision and development approval, a spring flora and vegetation survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 51 (June 2004)—Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia. (d) Prior to subdivision and development approval, a fauna survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 56 (June 2004)—Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. (e) A condition of subdivision and development approval will require the implementation of the FESA endorsed Fire Management Plan to the satisfaction of FESA and the Local Government. (f) Notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising prospective purchasers that— <ol style="list-style-type: none"> i. No further subdivision of the lots will be supported; ii. Residential development is restricted to one single dwelling and ancillary outbuildings, in accordance with the provisions of the Scheme and the objectives and policies of the State Planning Policy 6.1 Leeuwin-Naturaliste Ridge; iii. A Fire Management Plan is applicable to the land, which requires the landowner to undertake ongoing fire protection measures as described; and

Lot and Location	Permitted Uses
	<p>iv. Advising that the property adjoins National Park, which is an extreme fire hazard and that the following activities may occur in it from time to time—</p> <p>(i) prescribed burning; and</p> <p>(ii) Native fauna predator poison baiting.</p> <p>(g) Prior to subdivision and development approval, an ethnographic and archaeological survey of the application area should be conducted by a qualified consultant to the specifications of the Department of Indigenous Affairs.</p> <p>(h) Prior to commencement of site works, a management plan demonstrating that site works will not interfere, alter or pollute any wetland, watercourse, surface water expression or groundwater in the area, or alter the water quality of such waters is to be submitted and approved by the Local Government and the Department of Water, and all development activity on the land is to comply with that plan.</p> <p>(i) Access to the lot shall be constructed and maintained to the satisfaction of Main Roads WA and the Shire.</p> <p>(j) As part of subdivision approval and prior to commencement of site works, the applicant executing an agreement with the Commissioner of Main Roads for the acquisition of a uniform 10 meter road widening along the lots boundary with Caves Road as required under the Caves Road Management Strategy (2000). The land required is shown as 'Road Widening' on the Development Guide Plan.</p> <p>(k) In considering any proposal for development the following shall be addressed, where relevant, to the satisfaction of Council—</p> <ul style="list-style-type: none"> • Built form (including building height, materials and colours to complement the natural environment) and visual impact from the surrounding environment and Caves Road. • The location of built development to retain remnant vegetation within the building envelopes. • Stormwater management. • On site water supply requirements. • Effluent disposal if required for internal facilities to the satisfaction of Council and the Department of Health. • Noise attenuation. • The storage of timber. • Waste disposal. • Height of buildings will be restricted to 8 metres. <p>(l) In considering any development application, Council shall seek comments from the Department of Environment and Conservation and the Commissioner of Soil and Land Conservation regarding potential visual, landscape and environmental impacts of the proposal.</p> <p>(m) The harvesting of timber from the site for commercial purposes is prohibited.</p> <p>(n) Approval for any clearing must be obtained from Council to ensure that no flora or fauna habitats are destroyed.</p> <p>(o) Boundary fences evident in the landscape from important tourist routes are not to detract from the landscape and conservation values of the land. No additional fences shall be erected on the proposed lot except to define a yard area, within the Building Envelope. Written approval from Council will be required for any fencing.</p> <p>(p) All buildings shall comply with AS3959 (1991 as amended)—'Construction of Buildings in Bush Fire Prone Areas' or subsequent revisions applicable at the time of building.</p> <p>(q) Any revegetation or landscape works shall consist of local indigenous species, which compliment the landscape or environmental values of the land.</p> <p>(r) Disposal of on-site effluent is to be to the specifications and satisfaction of Council and Department of Health. Onsite effluent disposal system shall have a minimum 2.0 metre vertical separation from highest known level of groundwater and shall not be constructed closer than 50 metres from any stream, river, water course (including non-perennial streams) and any natural wetland.</p>

Lot and Location	Permitted Uses
	<p>(s) The residential dwelling shall be connected to an on-site potable water supply, to be in the form of a water storage tank with a minimum capacity of 140 kilolitres.</p> <p>(t) Only non-reflective building and roofing materials will be permitted and shall be of a colour consistent with the vegetation and/or predominant colours of individual building sites.</p> <p>(u) Not stock shall be permitted on the lots.</p>

S. HARRISON, Shire President.
G. EVERSLED, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
Town Planning Scheme No. 11—Amendment No. 197

Ref: 853/6/3/8 Pt 197

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 Augusta-Margaret River local planning scheme amendment on 25 August 2009 for the purpose of—

1. Amending Town Planning Scheme No. 11 scheme maps by changing the zoning of Lot 20 Sussex Location 2261 Corner Van Sittart Road & Twenty Four Road, Karridale from 'Rural' to 'Special Use'.
2. Inserting in 'Schedule III: Special Use Sites' the following additional scheme provisions—

Lot 20 Sussex Location 2261 Van Sittart and Twenty Four Road, Karridale	1. Subdivision and development of the land shall be generally in accordance with the Subdivision and Development Guide Plan endorsed by the Local Government and the Western Australian Planning Commission. <ol style="list-style-type: none"> a. The Local Government may support any proposed subdivision or development considered to be a minor variation to the approved Subdivision and Development Guide Plan by way of resolution of Council where the modifications are consistent with the purpose and objectives of the zone. b. Where significant modifications to the Subdivision and Development Guide Plan are proposed, the Local Government shall require the modifications to be advertised for public comment for a period of 21 days prior to considering the proposed modifications. c. The Local Government shall forward a copy of any modified plan referred to in Part 1b) above to the Western Australian Planning Commission for its consideration. The plan shall not come into operation until the modifications are endorsed by the Western Australian Planning Commission.
Proposed Lot 101 of Sussex Location 2261 (as indicated on the Subdivision Development Guide Plan)	2. Permitted uses are— <ul style="list-style-type: none"> • Single Dwelling and associated outbuildings • Holiday Cabins and Chalets (four) • Art and Craft Studio and Sales • Rural Pursuit
Proposed Lot 102 of Sussex Location 2261 (as indicated on the Subdivision Development Guide Plan)	3. Permitted uses are— <ul style="list-style-type: none"> • Single Dwelling and associated outbuildings • Rural Industry (Cider Brewery) • Shop (for sale of goods produced onsite and merchandise related to the uses of the site) • Intensive Agriculture • Licensed Restaurant • Rural Pursuit

4. In considering an proposed for development the following shall be addressed to the satisfaction of Council—

Environment

- A flora and vegetation survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 51 (June 2004)—Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia.
- An Environmental Management Plan for areas of remnant vegetation should be prepared by a qualified consultant in accordance with EPA Guidance Statement No. 33 (June 2005)—Environmental Guidance for Planning and Development.
- A Landscaping and Rehabilitation Plan shall be prepared and implemented which incorporates the retention of native vegetation and revegetation with appropriate native plant species, known to naturally occur in the subject area (local provenance). Revegetation should include species of varying heights and appearance to soften the built form and scale of the development. This plan is to be submitted and approved by the Shire at the Development Application stage and implemented prior to use of the development.

Effluent

- The disposal of liquid and solid waste should be carried out by the installation of a sewerage treatment and disposal system, to the satisfaction of the Local Government and the Western Australian Department of Health.
- A minimum separation of 50 metres is to be retained between a waste water effluent disposal site and any perennial water course, natural wetland or soak, subsoil drainage system or open drainage channel to the satisfaction of the Shire.
- Grey water disposal and reuse systems are to be installed to the satisfaction of the Local Government and the Western Australian Department of Health.

Water Supply

- A potable water supply of sufficient volume and quality shall be provided to service the development, to the satisfaction of the Local Government.

Conflicting land use management

- The impacts of agricultural practises on any future development shall be investigated to determine the appropriate control measures including separation distance, building design, vegetation planting to screen and buffer the residential component and to protect water supply.
- Council shall request amongst other matters, as conditions of subdivision approval, that a Section 70A notification under the Transfer of Land Act be imposed to advise prospective purchasers that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity.

Access

- At the time of subdivision, the developer shall upgrade Van Sittart Road and Twenty Four Road to the access to proposed Lot 102. The works shall be constructed in accordance with Council standards and specifications, to the satisfaction of the Shire.
- Crossovers shall be located so as to minimise the clearing of remnant native vegetation in the road reserve.

Fire Management

- A Fire Management Plan (FMP) shall be prepared and approved by the Council in accordance with the Council's Bushfire Risk Management strategy and other conditions that may be set by FESA or the Council prior to subdivision or commencement of site works. FESA may set conditions and requirements for the inclusion of hydrants, booster pumps and auxiliaries, hose and reels, and fire extinguishers.
- Prior to consideration of an application for development a Fire Hazard Assessment Type 3 shall be provided to the Shire, accompanied by a contour map of the property or area to be developed.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon D. T. Redman MLA to act temporarily in the office of Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health in the absence of the Hon T. K. Waldron MLA for the period 28 September to 2 October 2009 (both dates inclusive).

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

RACING, GAMING AND LIQUOR

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 and 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
APPLICATIONS FOR THE GRANT OF A LICENCE			
12949	Manjimup Wine Enterprises Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Manjimup and known as Chestnut Grove Wholesaler's	17.09.2009
12961	Grant McClintock	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Ferguson and known as Moody Cow Brewery	06.10.2009
13007	Paul Nelson	Application for the grant of a Producer's licence in respect of premises situated in Mount Barker and known as Paul Nelson Wines	21.09.2009
13013	Chistopher Glynn	Application for the grant of a Producer's licence in respect of premises situated in Boyup Brook and known as Marakeb Wines	15.09.2009
13015	Shire of Ravensthorpe	Application for the grant of a Tavern licence in respect of premises situated in Ravensthorpe and known as Ravensthorpe Entertainment Centre	08.10.2009
13005	AD & JM Nominees Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in Fremantle and known as Gates to India—Fremantle	21.09.2009
13017	Ellenbrook Rangers Cricket Club Inc	Application for the grant of Club Restricted licence in respect of premises situated in Ellenbrook East and known as Ellenbrook Rangers Cricket Club Inc	20.09.2009
13023	Ardath Tennis Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Ardath and known as Ardath Tennis Club Inc	22.09.2009

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
13024	The Naked Fig Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Swanbourne and known as The Naked Fig	29.09.2009
13029	City of Subiaco	Application for the grant of a Small Bar licence in respect of premises situated in Subiaco and known as Lords	02.10.2009

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

Dated: 2nd September 2009.

B. A. SARGEANT, Director of Liquor Licensing.

SALARIES AND ALLOWANCES TRIBUNAL

SX401*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

The Salaries and Allowances Tribunal has been requested to make determinations in respect of the remuneration of positions in the Western Australian Police Service following a restructure of the senior executive of the agency.

The determination of the Salaries and Allowances Tribunal made on the 3rd of April 2009 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination, set out below.

Amend and include in Part 1 of the First Schedule the following—

Agency	Office	Remuneration
WA Police Service	Commissioner	Group 4 Max
WA Police Service	Deputy Commissioner Operations	Group 3 Min
WA Police Service	Executive Director Corporate Services	Group 2 Max
WA Police Service	Assistant Commissioner Traffic and Operations	Group 1 Max
WA Police Service	Assistant Commissioner North Metropolitan Region	Group 1 Max
WA Police Service	Assistant Commissioner South Metropolitan Region	Group 1 Max
WA Police Service	Assistant Commissioner Counter Terrorism and State Protection	Group 1 Max
WA Police Service	Assistant Commissioner Specialist Crime	Group 1 Max
WA Police Service	Assistant Commissioner Professional Development	Group 1 Max
WA Police Service	Assistant Commissioner Judicial Services	Group 1 Max

Dated at Perth this 11th day of August 2009.

W. S. COLEMAN AM, Chairman.
B. J. MOORE, Member.
Salaries and Allowances Tribunal.

WATER/SEWERAGE

WA401*

WATER SERVICES LICENSING ACT 1995**NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE**

Notice is given that the following Operating Licences have been amended—

Licensee: Aqwest—Bunbury Water Board
Issue Date: 17 January 1997
Address of Licensee: 5 MacKinnon Way
Bunbury WA 6230

Classification: Operating Licence, Potable Water Supply Service
Term of Licence: Up to and including 17 January 2022
Amendment: Remove the requirement to seek the approval of the Authority for an extension of time, if Aqwest—Bunbury Water Board fails to put in place a Memorandum of Understanding with the Department of Health, within 3 months from the commencement date of the licence.

Licensee: Busselton Water Board trading as Busselton Water
Issue Date: 01 October 1996
Address of Licensee: 1 Fairbairn Road
Busselton WA 6280

Classification: Operating Licence, Potable Water Supply Service
Term of Licence: Up to and including 01 October 2021.
Amendment: Remove the requirement to seek the approval of the Authority for an extension of time, if Busselton Water Board trading as Busselton Water fails to put in place a Memorandum of Understanding with the Department of Health, within 3 months from the commencement date of the licence.

Licensee: Hamersley Iron Pty Ltd
Issue Date: 29 June 2001
Address of Licensee: Parker Point Road
Dampier WA 6713

Classification: Operating Licence, Potable Water Supply and Sewerage Services
Term of Licence: Up to and including 01 June 2026
Amendment: Remove the requirement to seek the approval of the Authority for an extension of time, if Hamersley Iron Pty Ltd fails to put in place a Memorandum of Understanding with the Department of Health, within 3 months from the commencement date of the licence.

Licensee: Rottnest Island Authority
Issue Date: 14 December 1996
Address of Licensee: Level 1, E Shed, Victoria Quay
Fremantle WA 6530

Classification: Operating Licence, Potable Water Supply, Sewerage and Drainage Services
Term of Licence: Up to and including 14 December 2023
Amendment: Remove the requirement to seek the approval of the Authority for an extension of time, if Rottnest Island Authority fails to put in place a Memorandum of Understanding with the Department of Health, within 3 months from the commencement date of the licence.

Licensee:	Water Corporation
Issue Date:	28 June 1996
Address of Licensee:	PO Box 100 Leederville WA 6902
Classification:	Operating Licence, Potable and Non-Potable Water Supply, Sewerage, Irrigation and Drainage Services
Term of Licence:	Up to and including 28 June 2021
Amendment:	Remove the requirement to seek the approval of the Authority for an extension of time, if the Water Corporation fails to put in place a Memorandum of Understanding with the Department of Health, within 3 months from the commencement date of the licence.
Inspection of Licence:	Economic Regulation Authority 6th Floor 197 St Georges Terrace Perth WA 6000 http://www.era.wa.gov.au

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Susan Elizabeth Smith, late of 20 Gull Street, Wungong in the State of Western Australia, deceased. Creditors and other persons having claims in respect of the Estate of Susan Elizabeth Smith (deceased), who died on 23 June 2009 are required by the Administrator, Edward Duncan Smith of 20 Gull Street, Wungong in the State of Western Australia to send particulars of their claims to him within one month and one day from the date of publication of this notice after which date the said Administrator may convey or distribute the assets having regard only to the claims of which he has had notice, and the said Administrator shall not be liable to any person of whose claim he has had no notice at the time of administration or distribution.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Gregory Michael Lisiewich, late of 70 Wilson Street, Bassendean, Western Australia, died 5 March 2009.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the said deceased person's estate, are required by the Administrator of the said estate being Anna Maria Quinn of 38 Parker Street, Bassendean, Western Australia to send particulars of their claims to her by 5 October 2009 after which date the Administrator may convey or distribute the assets having regard only to the claims of which she then has notice.

ZX403*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 4 October 2009, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Ahrens, Robert John, late of 70 Felspar Street, Narrogin, died 30.05.2005 (DE33044819EM38)

Burnett, Gwendolyn Margaret, late of 119 Cresswell Road, Dianella, formerly of 14 Elesmore Street, Mount Lawley, died 18.07.2009 (DE19922003EM16)

Craggs, Gweneth Irene, late of Bethanie Wearne Hostel, 1 Gibney Street, Cottesloe, died 19.07.2009 (DE19961698EM37)
 Hepburn, Gladys Lillian, late of 29 Neville Street, Bayswater, formerly of St George's Home, 12 Essex Street, Bayswater, died 18.07.2009 (DE19820393EM36)
 Horton, Leslie William, late of 5 Rupert Street, Armadale, died 2.04.2009 (DE33073782EM113)
 Hunter, Haydon, late of Unit 1/ 295 Lefroy Street, Exmouth, died 30.04.2009 (DE33072506EM22)
 Jackson, Myrtle Jane, late of Shoalwater Nursing Home, Fourth Avenue, Shoalwater, formerly of 18 Martell Street, Warnbro, died 19.07.2009 (DE20012319EM37)
 Jay, Walter Lewis, late of 8 Thompson Place, Kewdale, died 1.08.2009 (DE19752610EM27)
 Kitchin, Sidney, also known as Sid Kitchin, late of Lathlain Nursing Home, 63 Archer Street, Carlisle, died 26.07.2009 (DE19870692EM13)
 Mallis, Joseph Frederick, late of 1/110 Birdwood Street, Innaloo, died 28.06.2009 (DE19931566EM15)
 Nix, Iris Ivy, late of Italian Aged Care, 33 Kent Road, Marangaroo, formerly of 8B Quelea Place, Ballajura, died 4.08.2009 (DE19942235EM17)
 Noble, Edith, late of 6a Judges Gardens, Leda, died 21.07.2009 (DE20001318EM110)
 Pawlik, Wladyslaw, late of 101 Anzac Road, Mount Hawthorn, died 23.07.2009 (DE33056690EM35)
 Spalding, Kenneth Jack, late of 62 Gwentyfred Road, South Perth, died 25.07.2009 (DE33065698EM27)

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

ZX404*

PUBLIC TRUSTEE ACT 1941
 ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 4th day of September 2009.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Horace Gerald Cotter DE19730139EM24	Lot 1 Vineyard Road, Wundowie	21 October 2008	27 August 2009
Daryl John Herman DE20001531EM32	86 Bridgewater Drive, Kallaroo	17 March 2007	25 August 2009

PUBLIC NOTICES

ZZ401*

DISPOSAL OF UNCOLLECTED GOODS ACT 1970
 DISPOSAL OF UNCOLLECTED GOODS

Bryan McGinn of Seadoo West, Unit 1/10 Uppill Place, Wangara, WA 6065 hereby gives notice to Clint Todd Nesbitt, registered owner of Personal Water Craft Seadoo RXP Green 2004 Model 5599 Expired Registration Number DB719 that is overdue for collection at the above address. Payment of \$7146.00 is required for services rendered to the Personal Water Craft as at 1 September 2009. Failure to collect the said PWC within four weeks will result in Seadoo West disposing and/or selling of the PWC under the *Disposal of Uncollected Goods Act 1970*.

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www.commerce.wa.gov.au

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