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— PART 1 —

CONSUMER PROTECTION

CE301*

Retail Trading Hours Act 1987

Retail Trading Hours (City of Albany) Order 2010

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (City of Albany) Order 2010*.

2. Commencement

This order comes into operation as follows —

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

3. Variation of retail trading hours: February and March 2010

General retail shops within the City of Albany are authorised to be open at times when the shops would otherwise be required to be closed —

- (a) on a day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Saturday 27 February 2010	from 5.00 p.m. until 9.00 p.m.
Sunday 28 February 2010	from 8.00 a.m. until 9.00 p.m.
Monday 1 March 2010	from 8.00 a.m. until 9.00 p.m.
Tuesday 2 March 2010	from 6.00 p.m. until 9.00 p.m.

Day	Hours
Wednesday 3 March 2010	from 6.00 p.m. until 9.00 p.m.
Friday 5 March 2010	from 6.00 p.m. until 9.00 p.m.
Saturday 6 March 2010	from 5.00 p.m. until 9.00 p.m.
Sunday 7 March 2010	from 8.00 a.m. until 9.00 p.m.
Monday 8 March 2010	from 6.00 p.m. until 9.00 p.m.
Tuesday 9 March 2010	from 6.00 p.m. until 9.00 p.m.
Wednesday 10 March 2010	from 6.00 p.m. until 9.00 p.m.
Friday 12 March 2010	from 6.00 p.m. until 9.00 p.m.
Saturday 13 March 2010	from 5.00 p.m. until 9.00 p.m.
Sunday 14 March 2010	from 8.00 a.m. until 9.00 p.m.
Monday 15 March 2010	from 6.00 p.m. until 9.00 p.m.
Tuesday 16 March 2010	from 6.00 p.m. until 9.00 p.m.
Wednesday 17 March 2010	from 6.00 p.m. until 9.00 p.m.
Friday 19 March 2010	from 6.00 p.m. until 9.00 p.m.
Saturday 20 March 2010	from 5.00 p.m. until 9.00 p.m.
Sunday 21 March 2010	from 8.00 a.m. until 9.00 p.m.

Date: 18 January 2010.

T. BUSWELL, Minister for Commerce.

CE302*

Consumer Affairs Act 1971

Consumer Affairs Revocation Order (No. 2) 2009

Made by the Commissioner for Consumer Protection under section 23R(6) of the Act.

1. Citation

This order is the *Consumer Affairs Revocation Order (No. 2) 2009*.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) clause 3 — on the day on which the *Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2009* regulation 4 comes into operation;
- (c) clause 4 — on the day on which the *Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2009* regulation 5 comes into operation.

3. Revocation of order restricting supply of goods

The order restricting the supply of treadmills (made under section 23R(3) of the Act by Anne Driscoll, Commissioner for Consumer Protection, and published in the *Gazette* on 28 July 2009 at p. 2989) is revoked.

4. Revocation of order prohibiting supply of goods

The order prohibiting the supply of children's toys having accessible materials with a lead migration level greater than 90mg/kg of lead (made under section 23R(2) of the Act by Anne Driscoll, Commissioner for Consumer Protection, and published in the *Gazette* on 24 April 2009 at p. 1389) is revoked.

ANNE DRISCOLL, Commissioner for Consumer Protection.

CE303*

Fair Trading Act 1987

**Fair Trading (Product Safety Standard)
Amendment Regulations (No. 2) 2009**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Fair Trading (Product Safety Standard) 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* (**gazettal day**);
- (b) regulations 3 and 4 — on the day after gazettal day;
- (c) regulations 5 and 6 —
 - (i) if gazettal day is before 1 January 2010 — on 1 January 2010; or
 - (ii) if gazettal day is, or is after, 1 January 2010 — on the day after gazettal day.

3. Regulations amended

These regulations amend the *Fair Trading (Product Safety Standard) Regulations 2001*.

4. Part 35 inserted

Before Schedule 1 insert:

Part 35 — Treadmills**90. Term used: treadmill**

In this Part —

treadmill means an exercise device that consists of an endless conveyor belt that is either rotated manually or by a motor and on which a person can walk or jog in one place.

91. Product safety standard for treadmills

- (1) The product safety standard for a treadmill consists of the requirements set out in subregulations (2), (3), (4) and (5).
- (2) A treadmill must display a permanent warning label that is conspicuous and visible to a user of the treadmill when the treadmill is being used.
- (3) The warning label must bear the following statement —

“**WARNING:** Keep young children away from this machine at all times. Contact with the moving surface may result in severe friction burns.”
- (4) For the statement mentioned in subregulation (3) —
 - (a) the word “WARNING” must appear in bold upper case letters and be not less than 5 millimetres in height; and
 - (b) the remaining words must be in lower case letters and be not less than 2.5 millimetres in height.
- (5) The warning label must be separate from any other warning or label on the treadmill.

5. Part 36 inserted

Before Schedule 1 insert:

Part 36 — Lead and certain elements in children’s toys**92. Term used: children’s toys**

children’s toys means goods supplied new that are designed or clearly intended for use in play by children, but does not include any of the following —

- (a) sporting goods;
- (b) camping goods;
- (c) bicycles;
- (d) playground equipment for public and domestic use;
- (e) trampolines;
- (f) electronic game units;
- (g) models powered by combustion or steam engines;
- (h) fashion jewellery for children.

93. Product safety standard for lead and certain elements in children's toys

- (1) The product safety standard for lead and certain elements in children's toys, other than finger paints for children, consists of the standard set out in Schedule 24 Division 1, as varied by Schedule 24 Division 2.
- (2) The product safety standard for lead and certain elements in finger paints for children consists of the standard set out in Schedule 24 Division 3.

6. Schedule 24 inserted

After the last Schedule insert:

Schedule 24 — Standards for lead and certain elements in children's toys

[r. 93]

Division 1 — Standards for children's toys other than finger paints for children

1. AS/NZS ISO 8124.3:2003

Australian/New Zealand Standard AS/NZS ISO 8124.3:2003, *Safety of toys Part 3 - Migration of certain elements*, published by Standards Australia on 23 May 2003.

Division 2 — Variations to AS/NZS ISO 8124.3:2003

2. Clause 7

In clause 7 delete "When appropriate, the toy shall be subjected to the relevant tests in accordance with ISO 8124-1, before the accessibility is considered."

Division 3 — Standards for finger paints for children

3. AS 8124.7-2003

Clause 4.4 of Australian Standard AS 8124.7-2003, *Safety of toys Part 7 - Finger paints-Requirements and test methods*, published by Standards Australia on 26 June 2003.

By Command of the Lieutenant-Governor and deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HEALTH

HE301*

Health Act 1911

**Health Laboratory Service (Fees) Repeal
Regulations 2010**

Made by the Governor in Executive Council, under section 341 of the Act.

1. Citation

These regulations are the *Health Laboratory Service (Fees) Repeal Regulations 2010*.

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. *Health Laboratory Service (Fees) Regulations* repealed

The *Health Laboratory Service (Fees) Regulations* are repealed.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

CORRECTIVE SERVICES

CS401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

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

Surname	First Name(s)		Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Ford	Dawn	Nicole	CS10-544	14/01/2010	21/01/2010	30/07/2011
Hawaikirangi	Leslie	Paikea	CS10-548	22/01/2010	22/01/2010	30/07/2011
McLean	Gena	Margaret	CS10-549	22/01/2010	22/01/2010	30/07/2011
Murphy	Suzanna	Dawn	CS10-550	22/01/2010	22/01/2010	30/07/2011

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

BRIAN LAWRENCE, CSCS Contract Manager.

HEALTH

HE401*

HEALTH ACT 1911

ANAESTHETIC MORTALITY COMMITTEE (APPOINTMENT OF MEMBERS) INSTRUMENT 2009

Made by the Minister for Health under sections 340BB and 340BC of the Act.

1. Citation

This instrument may be cited as the *Anaesthetic Mortality Committee (Appointment of Members) Instrument 2009*.

2. Appointment of Members

The following appointments are approved for a period for a period of three years commencing on the date of appointment—

1. Dr Jennifer Bruce as a Permanent Member of the Anaesthetic Mortality Committee pursuant to section 340BB(3)(b) of the *Health Act 1911*;
2. Dr Kenneth Williams as a Permanent Member of the Anaesthetic Mortality Committee pursuant to section 340BB(3)(e) of the *Health Act 1911*;
3. Dr Robyn Leake as a Provisional Member of the Anaesthetic Mortality Committee pursuant to section 340BB(4)(a) of the *Health Act 1911*;
4. Dr Bryant Stokes as a Provisional Member of the Anaesthetic Mortality Committee pursuant to section 340BB(4)(c) of the *Health Act 1911*;
5. Ms Karen Roan as a Provisional Member of the Anaesthetic Mortality Committee pursuant to section 340BB(4)(d) of the *Health Act 1911*; and
6. Associate Professor Michael Paech as a Provisional Member of the Anaesthetic Mortality Committee pursuant to section 340BB(4)(f) of the *Health Act 1911*.

Date: 21 December 2009.

Dr KIM HAMES MLA, Deputy Premier; Minister for Health.

LOCAL GOVERNMENT

LG401*

CITY OF BAYSWATER
APPOINTMENT OF RANGERS

It is hereby notified for public information that, Shaun Nancarrow, Elan Tzabary, James Burke, Geoff Copley, Steven Chua, Ray McArthur, Robert Butler and Aaron Watson have been appointed as authorized officers to exercise powers pursuant to the following legislations—

1. Local Government Act 1995;
2. Council's Local Laws;
3. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
4. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;
5. Dog Act 1976 and Regulations;
6. Litter Act 1979 and Regulations;
7. Local Government "Parking for Disabled Persons" Regulations 1996;
8. Control of Vehicles (Off-road areas) Act 1978;
9. Bush Fires Act.

It is hereby notified for public information that, Clint Bridgeman, Reuben Fryer, Karen Myles, Arek Mazurkiewicz, Jeanetta Burke, Christian Aguire, Marcello Di Illaco, Kim Stockley, Nick Towill and Ashley Smith have been appointed as authorized officers to exercise powers pursuant to the following legislations—

1. Local Government Act 1995;
2. Council's Local Laws excluding Dogs Local Laws;
3. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
4. Litter Act 1979 and Regulations;
5. Local Government "Parking for Disabled Persons" Regulations 1996;
6. Control of Vehicles (Off-road areas) Act 1978;
7. Bush Fires Act.

All previous appointments are hereby cancelled.

FRANCESCA LEFANTE, Chief Executive Officer.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

EQUIVALENCE NOTICE FOR CERTAIN PERSONAL FLOTATION DEVICES

(NWR—2010/00650)

I, David Harrod, General Manager, Marine Safety, Department of Transport, acting pursuant to the powers contained in section 115A(3) of the *Western Australian Marine Act 1982*, hereby notify that the following Personal Flotation Devices (PFDs) meeting the requirements of the Australian Standard 4758 (AS4758) are equivalent to PFDs Type 1, 2 or 3 for the purposes of regulations 49M, 50B(3) and 52A of the *Navigable Waters Regulations 1958*—

- AS4758 Level 100, AS4758 Level 150, AS4758 Level 275 and SOLAS PFD are equivalent to PFD Type 1, as defined in the Navigable Waters Regulations 1958.
- AS4758 Level 50 is equivalent to PFD Type 2, as defined in the Navigable Waters Regulations 1958.
- AS4758 Level 50S (Special) is equivalent to PFD Type 3, as defined in the Navigable Waters Regulations 1958.

This notice is valid for 12 months from the date of gazettal.

This instrument is called NWR—2010/00650

DAVID HARROD, General Manager, Marine Safety.

Dated: 29 January 2010.

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

City of Joondalup
WATER SKI AREA
Whitfords—Mullaloo

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the Department by this notice revokes Notice TR 401 as published in the *Government Gazette* on 4 August 2000 and defines and sets aside the following area of navigable waters for the purpose of water skiing—

Whitfords—Mullaloo—

All the waters of the Indian Ocean bounded by lines commencing at 31°48.191'S, 115°43.766'E (on the foreshore approximately 300 metres north of Pinnaroo Point); thence to 31°48.191'S, 115°43.466'E (approximately 475 metres west); thence to 31°47.027'S, 115°43.096'E (approximately 2.2 kilometres north-north-westerly); thence to the Southern Front Lead at Ocean Reef (approximately 31°45.774'S, 115°43.708'E, 2.5 kilometres north-north-easterly), but excluding—

- (i) waters offshore from Whitfords Beach and Mullaloo that lie east of a line through 31°47.682'S, 115°43.807'E and 31°46.539'S, 115°43.807'E (approximately 300 metres offshore at the Mullaloo Surf Life Saving Club);
- (ii) waters within 200 metres of the foreshore north of the marked water ski-take off area and south of Ocean Reef Boat Harbour.

The water ski-take off area is south of a line through 31°48.130'S, 115°43.805'E and 31°48.087'S, 115°43.667'E (approximately 430 metres north of Pinnaroo Point) and extends to the southern limits of the water ski area. This take off area is marked by signage and buoys and is only to be used for the purpose of towing a water skier from the shore or returning to the foreshore. All coordinates based on GDA 94.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MX403*

WESTERN AUSTRALIAN MARINE ACT 1982

City of Joondalup
RESTRICTED SPEED AREA - ALL VESSELS
Ocean Reef Boat Harbour

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the Department hereby revokes Notice MX 402 as published in the *Government Gazette* on 22 August 2006 and by this notice limits the speed of motor vessels to five (5) knots within the following area—

Ocean Reef Boat Harbour: All the waters of the Ocean Reef Boat Harbour and Indian Ocean bounded by lines commencing at the extremity of the western breakwater of the boat harbour (approximately 31°45.612'S, 115°43.548'E); thence to the Entrance Channel Port Marker (approximately 31°45.583'S, 115°43.573'E); thence to 31°45.566'S, 115°43.648'E (on the foreshore approximately 120 metres easterly). All coordinates based on GDA 94

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MX404*

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREA—ALL VESSELS
North Metropolitan Beaches

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the Department hereby revokes Notice TR 401 as published in the *Government Gazette* on 01 March 2002 and by this notice limits the speed of all motor vessels to eight (8) knots within the following areas—

Port Beach to Hillarys: within 200 metres of the foreshore commencing at the southern limit of Port Beach, Fremantle and extending northwards along the coast to a line between 31°49.604'S, 115°44.190'E and 31°49.671'S, 115°44.060'E (corresponding to the southern boundary of the Boyinaboat Reef dive area);

Hillarys Boat Harbour entrance: within waters bounded by lines commencing at 31°49.390'S, 115°43.889'E, (the north-western extremity of the Southern Breakwater), thence to the Boyinaboat Starboard Beacon (approximately 31°49.526'S, 115°43.806'E), thence to the Inner Safe Water Beacon (approximately 31°49.376'S, 115°43.782'E), thence to 31°49.097'S, 115°44.219'E (on the foreshore approximately 850 metres north-easterly);

Hillarys to Burns Beach: within 200 metres of the foreshore commencing at the Hillarys Boat Harbour and extending northerly to a line west from 31°43.381'S, 115°42.850'E (corresponding to the northern boundary of the Marmion Marine Park) as well as the waters offshore from Whitfords Beach and Mullaloo that lie east of a line through 31°47.682'S, 115°43.807'E to 31°46.539'S, 115°43.807'E;

Mindarie to Jindalee: within 200 metres of the foreshore commencing at a line running due west from 31°41.814'S, 115°42.220'E (approximately 200 metres south of Mindarie Keys ocean breakwater) and extending northward to a line due west from 31°38.936'S, 115°41.005'E (approximately 800 metres west-south-west of Eglinton Hill);

Excepting the following—

- (1) all gazetted water ski areas and water ski take-off areas,
- (2) all those waters gazetted as a five (5) knot and six (6) knot speed restriction areas,
- (3) all those waters gazetted as boating prohibited areas,
- (4) all those waters gazetted as closed waters (all vessels) and closed waters (sailboards). All coordinates based on GDA 94.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MX405*

WESTERN AUSTRALIAN MARINE ACT 1982

City of Joondalup

RESTRICTED SPEED AREA—ALL VESSELS

Hillarys Boat Harbour

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the Department hereby revokes Notice TR 403 as published in the *Government Gazette* on 14 December 2001 and by this notice limits the speed of all motor vessels to six (6) knots within the following area—

Hillarys Boat Harbour: All the waters of the Hillarys Boat Harbour bounded by the breakwaters and by a line from 31°49.390'S, 115°43.889'E (the north-western extremity of the Southern Breakwater) to 31°49.420'S, 115°44.015'E (at the end of the Northern Breakwater) but excluding the boating prohibited area. All coordinates based on GDA 94.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MX406*

WESTERN AUSTRALIAN MARINE ACT 1982

NAVIGABLE WATERS REGULATIONS 1958

City of Wanneroo

WATER SKI AREA

Quinns Rock

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the Department of Transport by this notice hereby declares the following area a water ski area—

Quinns Rock: All those waters of the Indian Ocean bounded by lines commencing at 31°40.539'S, 115°41.532'E (on the foreshore approximately 500 metres north from the Quinns Mindarie Surf Life Saving Club buildings); thence to 31°40.539'S, 115°40.980'E (approximately 870 metres west); thence to 31°38.936'S, 115°40.175'E approximately 3.2 kilometres north-west); thence to 31°38.936'S, 115°41.005'E (approximately 1.3 kilometres east on the foreshore); but excluding all waters within 200 metres of the foreshore. All coordinates based on GDA 94.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MX407

NAVIGABLE WATERS REGULATIONS 1958*City of Joondalup*

PARASAILING AREA

Whitfords—Mullaloo

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the Department by this notice hereby revokes Notice TR 401 as published in the *Government Gazette* on 1 December 2000.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MX408*

NAVIGABLE WATERS REGULATIONS 1958

PROHIBITION OF FREESTYLE DRIVING—PERSONAL WATERCRAFT

Metropolitan Beaches

Department of Transport,
Fremantle WA, 2 February 2010.

Acting pursuant to the powers conferred by Regulation 50A of the *Navigable Waters Regulations 1958*, the Department by this notice hereby revokes Notice TR 401 as published in the *Government Gazette* on 15 October 1999 and replaces it with the following—

The Department of Transport by this notice prohibits the practices of personal watercraft freestyle driving, wave jumping and surfing in all the ocean waters from Port Beach, Fremantle to Jindalee that are gazetted as speed restriction areas.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

SURRENDER OF EXPLORATION PERMIT WA-352-P

The surrender of Exploration Permit WA-352-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

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

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Dardanup

Town Planning Scheme No. 3—Amendment No. 159

Ref: 853/6/9/6 Pt159

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* (as amended) that the Minister for Planning approved the Shire of Dardanup local planning scheme amendment No. 159 on 20 January 2010 for the purpose of—

1. Rezoning portion of Lot 1004 Edith Cowan Avenue, Eaton from 'Residential R15' to 'Other Community Uses' and 'Recreation' as depicted on the Scheme Amendment Map.

2. Rezoning the eastern end of Recreation Drive road reserve and portion of Lot 52 (Australind Bypass Road Reserve) from no zone and 'Important Regional Road' to 'Recreation' as depicted on the Scheme Amendment Map.
3. Designating the whole of Lot 1004 Edith Cowan Avenue, Eaton to 'Additional Use' and affixing the symbol 'A18'.
4. Rezoning portion of Lot 1004 Edith Cowan Avenue, Eaton, from 'Recreation' to 'Residential—R30' and 'Other Community Uses'.
5. Recoding 'Residential R15' on Lot 1004 Edith Cowan Avenue, Eaton to 'R30'.
6. Including provisions in 'Appendix iv—Additional Use Zones'.

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

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Halls Creek
Town Planning Scheme No. 1—Amendment No. 16

Ref: 853/7/3/2 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 Shire of Halls Creek local planning scheme amendment on 3 December 2009 for the purpose of—

1. Adding a Residential Development Zone and amending the Scheme Text by adding Clause 5.12—

5.12 RESIDENTIAL DEVELOPMENT ZONE

5.12.1 Objectives

- (a) To identify opportunities for future subdivision and development of land for the purposes of single and group residential purposes together with, if determined necessary by Council, associated community and recreational facilities.
- (b) To ensure that subdivision and development of land within the zone is consistent with a structure plan adopted by Council and endorsed by the Western Australian Planning Commission prepared in accordance with Clause 5.13 of this Scheme.

5.13 STRUCTURE PLAN PREPARATION AND ADOPTION

- 5.13.1 It is a requirement of this Scheme that the subdivision and development of land within a Residential Development zone as shown on the Scheme Map takes place only after comprehensive planning in accordance with the objectives for a residential zone in Clause 5.6.
- 5.13.2 The Council, before supporting or approving any proposal for subdivision or development of any land within the Residential Development zone, shall require the preparation of a Structure Plan for the whole of the area or for any particular part or parts as considered appropriate by the Council.
- 5.13.2 The Structure Plan shall address—
 - (a) the topography of the area;
 - (b) existing road system;
 - (c) location and standards of any future roads and overall access patterns, including pedestrian and cycle networks;
 - (d) location of shopping, community amenities and recreation areas consistent with the projected needs of the locality;
 - (e) proposed population where appropriate;
 - (f) residential densities (R codes);
 - (g) existing and proposed services;
 - (h) staging of the development;
 - (i) geo-technical suitability of the land;
 - (j) availability of ground water where appropriate (ie. for rural residential);
 - (k) drainage issues;
 - (l) aboriginal heritage issues;
 - (m) environmental considerations including flora and fauna impacts, pollution, groundwater quality and any other environmental issues identified by the council; and
 - (n) any other information as shall be requested by the Council;

5.13.3 Upon submission of a structure plan Council shall thereafter follow the advertising procedures outlined in Clause 9.2.3 except that the submission period shall be extended to 60 days.

5.13.4 Upon the close of the submission period referred to in Clause 5.13.3 the Council shall consider any submissions made, resolve to modify the plan as it sees fit, adopt the plan as the basis for future subdivisional development of the area and refer the structure plan to the WA Planning Commission within 60 days with a request that the Commission endorse the plan as the basis for the future subdivision and development of the subject area.

5.13.5 Upon receipt of the Commission's endorsement, Council shall adopt the plan including any modifications determined necessary by the Commission as the basis for future subdivision and development of the locality to which the structure plan applies.

5.13.6 Any decisions or conditions made or imposed by Council and/or WA Planning commission constitutes an exercise of discretion and therefore enables an appeal to be exercised as outlined in Clause 10.5 of this scheme.

2. Amending Table 1—Zoning Table by including a Residential Development zone as follows—

Use Classes	Residential Development Zone
COMMERCIAL	
Bed and Breakfast	SA
Car Park	AA
Convenience Store	SA
Health Studio	SA
Home Business	SA
Home Occupation	P
Lunch Bar	SA
Restaurant	SA
Shop	SA
RESIDENTIAL	
Single House	P
Attached House	AA
Group Dwelling	AA
Multiple Dwelling	AA
Aged and Dependent Persons Dwelling	AA
Residential Building	AA
COMMUNITY	
Civic Building	SA
Consulting Rooms	SA
Day Care Centre	SA
Education Establishment	SA
Hospital	AA
Kindergarten	SA
Medical Centre	SA
Public Utility	P
Public Worship	AA
Radio & TV Installation	SA
INDUSTRIAL	
Industry—cottage	AA
RECREATION	
Public Recreation	P

3. Introducing the following use classes into Table 1—Zoning Table—

Uses Classes	Town Centre	Residential	Industrial	Rural/Pastoral	Special Rural
COMMERCIAL					
Bed and Breakfast	AA	SA		SA	SA
Convenience Store	P	SA			
Home Business	AA	SA		SA	SA
Lunch bar	P	SA	AA		

4. Adding the following definitions to Appendix 1—Interpretations—

“bed and breakfast” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast;

“**convenience store**” means premises—

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagent, or the retail sale of petrol and those convenience goods;
- (b) operated during hours which include, but may extend beyond, normal trading hours;
- (c) which provide associated parking; and
- (d) the floor area of which does not exceed 300 square metres net lettable area;

“**home business**” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ more than 2 people not members of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

“**lunch bar**” means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas—

- 5. Rezoning Lot 455 Roberta Avenue from Rural/Pastoral to Residential Development Zone.
- 6. Amending the Scheme maps accordingly.

P. TIERNEY, Shire President.
W. OLSEN, Chief Executive Officer.

POLICE

PO401

MISUSE OF DRUGS ACT 1981
MISUSE OF DRUGS REGULATIONS 1982
APPROVED ANALYSTS

I, Karl Joseph O’Callaghan, Commissioner of Police in the State of Western Australia, under section 3A of the *Misuse of Drugs Act 1981* approve the following person, employed by ChemCentre, as an Approved Analyst for the purpose of the Act.

Title	Given Names	Family Name	D.O.B.	Qualifications
Mrs	Hayley Patricia	Vickers	17/11/1984	BSc(Forensic Science)(Hons)

Dated: 19th January 2010.

KARL J. O’CALLAGHAN APM, Commissioner of Police.

PREMIER AND CABINET

PC401*

PREMIER AND CABINET
RETENTION OF TITLE ‘HONOURABLE’

It is hereby notified for public information that the Governor, on behalf of Her Majesty the Queen, has approved the retention of the title “Honourable” by the Hon Justice Christine Wheeler, who will retire as a Judge of the Supreme Court of Western Australia on 2 March 2010.

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

WATER/SEWERAGE

WA401*

WATER AGENCIES (POWERS) ACT 1984**HESTER DAM REMEDIAL WORKS**

Authorisation for Water Corporation to undertake remedial works for Hester Dam

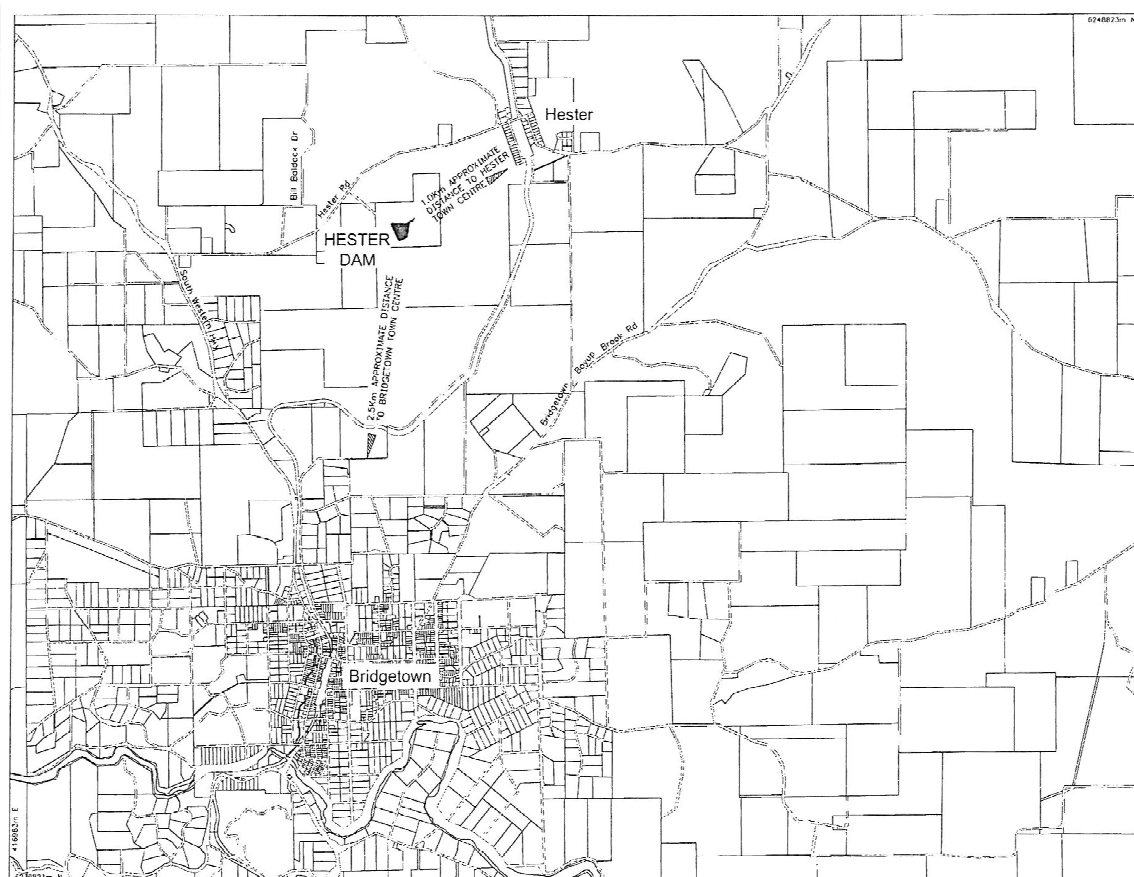
In accordance with the provisions of the *Water Agencies (Powers) Act 1984*, the Minister for Water has authorised the Water Corporation to undertake remedial works to the existing Hester Dam.

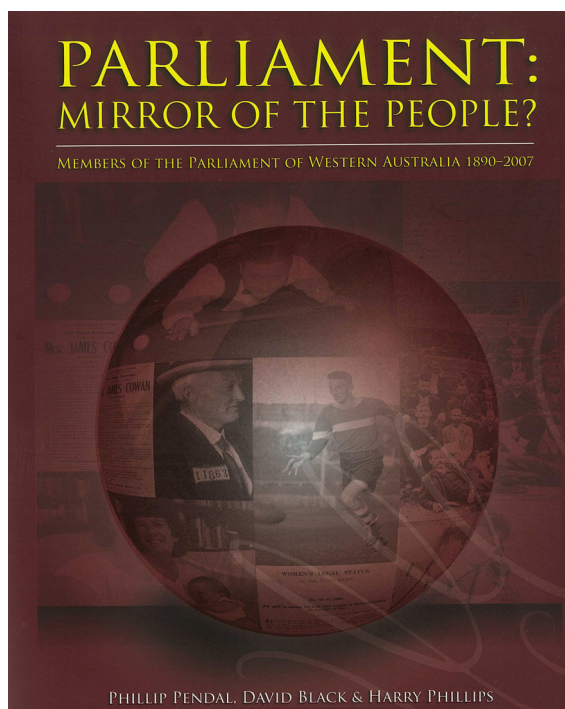
The proposed works are necessary for the asset to comply with the current Dam Safety Standards and comprise of—

- strengthening/stabilising the Dam by widening the downstream embankment;
- decommissioning the existing outlet and scour pipe;
- installing a new off-take and a new outlet pipe;
- modifying the existing spillway, and
- installing valves, flow-meters and piezometers.

The location of the proposed works is at Hester Dam, situated at Moulton's Gully near Hester, within the Shire of Bridgetown-Greenbushes.

The proposed works are scheduled to commence in February 2010 and complete in May 2011.



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