



WESTERN
AUSTRALIAN
GOVERNMENT
Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

975



PERTH, TUESDAY, 16 MARCH 2010 No. 38

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Animal Welfare Act 2002—Animal Welfare (General) Amendment Regulations 2010	977
Proclamations—Marine and Harbours Act 1981	977
Rights in Water and Irrigation Act 1914—	
Rights in Water and Irrigation Amendment Regulations 2010	985
Rights in Water and Irrigation Exemption (Section 26C) Order 2010	986
Water Agencies (Powers) Act 1984—Water Agencies (Infringements) Amendment Regulations 2010	980
Water Services Licensing Act 1995—Water Services Licensing (Lake Argyle Pty Ltd) Exemption Order 2010	979

PART 2

Agriculture and Food	988
Deceased Estates	997
Local Government	990
Minerals and Petroleum	991
Planning	991

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9426 0000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2010

**Gazettes will not be published on Friday, 2 April or
Tuesday, 6 April 2010.**

—
A Gazette will be published on Thursday, 1 April at 3.30 pm.
Copy closes at noon on Tuesday, 30 March.

—
The next Gazette published will be on Friday, 9 April at 3.30 pm.
Copy closes at noon on Wednesday, 7 April.

— PART 1 —

PROCLAMATIONS

AA101*

MARINE AND HARBOURS ACT 1981

No. 21 of 1981

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

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

- (a) cancel the proclamation published in the *Gazette* on 11 May 1993 p. 2385; and
- (b) withdraw from The Minister for Transport and vest in the Crown Lot 507 on Deposited Plan 57802 Version 2 held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*; and
- (c) vest in The Minister for Transport constituted under section 8(1) of the *Marine and Harbours Act 1981* Lot 508 on Deposited Plan 57802 Version 2 held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*.

Given under my hand and the Public Seal of the State on 9 March 2010.

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

LOCAL GOVERNMENT

LG301*

Animal Welfare Act 2002

Animal Welfare (General) Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Animal Welfare (General) Amendment 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. Regulations amended

These regulations amend the *Animal Welfare (General) Regulations 2003*.

4. Regulation 14 amended

- (1) Delete regulation 14(1) and insert:

- (1) In this regulation ***tail docking*** means the removal of one or more of the coccygeal vertebrae, whether by cutting, ablation, elastration or any other means.

- (2) In regulation 14(3) delete “unless he or she believes that there are sufficient reasons for the tail docking to proceed for therapeutic or prophylactic purposes.” and insert:

except where the tail docking is clinically indicated for the purpose of curing or alleviating a disease or injury from which the dog suffers.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Water Services Licensing Act 1995

**Water Services Licensing (Lake Argyle Pty Ltd)
Exemption Order 2010**

Made by the Governor in Executive Council under section 19 of the Act.

1. Citation

This order is the *Water Services Licensing (Lake Argyle Pty Ltd) Exemption 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. Terms used

In this order —

Lake Argyle Pty Ltd means Lake Argyle Pty Ltd (ABN 42 106 003 310);

Lake Argyle Village Controlled Area means the Lake Argyle Village Controlled Area (Water Supply and Sewerage Services) constituted by the *Lake Argyle Village Controlled Area (Water Supply and Sewerage Services) Order 1996*.

4. Exemption

Lake Argyle Pty Ltd is exempt from the requirement under section 18 of the Act to hold an operating licence (water supply services and sewerage services) in respect of the provision of water supply services and sewerage services in the Lake Argyle Village Controlled Area.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA302*

Water Agencies (Powers) Act 1984

**Water Agencies (Infringements) Amendment
Regulations 2010**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Water Agencies (Infringements) Amendment 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 1 April 2010.

3. Regulations amended

These regulations amend the *Water Agencies (Infringements) Regulations 1994*.

4. Regulation 3 amended

In regulation 3 delete “by-law 4 of the *Water Agencies (Water Use) By-laws 2007*” and insert:

the *Water Agencies (Water Use) By-laws 2010*
by-law 4

5. Regulation 5 amended

- (1) Delete regulation 5(1) and insert:

- (1) For the purposes of section 103 of the Act and this regulation, a *prescribed person* —
- (a) in relation to water supplied by the Corporation, is a person holding or acting in any of the following offices of the Corporation —
 - (i) General Manager, Customer Services Division;
 - (ii) Regional Business Manager, Perth Region;

- (iii) Regional Business Manager, North West Region;
 - (iv) Regional Business Manager, Mid West Region;
 - (v) Regional Business Manager, Goldfields Region;
 - (vi) Regional Business Manager, South West Region;
 - (vii) Regional Business Manager, Great Southern Region;
 - (viii) Regional Business Manager, Agricultural Region;
 - (ix) Manager, Customer Centre;
 - (x) Manager, Metering Services;
- and
- (b) in relation to water supplied by the Bunbury Water Board or the Busselton Water Board, is a person holding or acting in the office of the chief executive officer of the Board; and
 - (c) in relation to any other water, is a person holding or acting in any of the following offices in the Department —
 - (i) the chief executive officer;
 - (ii) the Director Water Resource Use;
 - (iii) the Manager Water Licensing.

(2) Delete regulation 5(3) and insert:

- (3) For the purposes of section 103 of the Act, a ***designated person*** —
- (a) in relation to water supplied by the Corporation, is the person holding or acting in the office of Manager, Receivables and Business Support for the Corporation; and
 - (b) in relation to any other water, is a person holding or acting in the office of chief finance officer (as defined in the *Financial Management Act 2006* section 57) for the Department.

6. Regulation 6 amended

In regulation 6 delete “the Schedule” and insert:

Schedule 1

7. Schedule replaced

Delete the Schedule and insert:

Schedule 1 — Forms

[r. 6]

Form 1*Water Agencies (Powers) Act 1984 s. 103(2)***Infringement notice**

No.

Surname (Block letters)

Other names (in full)

Address

Town or suburb and postcode

It is alleged that you committed an offence:

Where and when	At on the day of 20.....
Details of offence	Using water in contravention of the stage of restrictions applicable under the <i>Water Agencies (Water Use) By-laws 2010</i> , contrary to by-law 4.
Modified penalty	\$100
Information about this notice	Date: Issued at: By: Signature of authorised person:

WHAT YOU MUST DO:

1. You may dispose of this matter by paying the modified penalty within a period of 21 days after this notice is given.

PAY THE MODIFIED PENALTY TO:

* The Chief Finance Officer
Department of Water
PO Box K822
PERTH WA 6842

or

* Manager, Receivables and Business Support
Water Corporation
PO Box 1600
Osborne Park DC WA 6916

[*Delete the inapplicable]

If you wish to do so but are unable to make payment within 21 days you may apply to the Department of Water* / Water Corporation* for an extension of time within which the modified penalty may be paid.

*[/*Delete the inapplicable/]*

OR IF YOU DO NOT PAY THE MODIFIED PENALTY

2. A prosecution notice may be issued against you for the alleged offence, in which case the matter will be dealt with by a COURT.

OR

The modified penalty may be recovered by the Fines Enforcement Registry, in which case —

- (a) additional administrative charges may be incurred; and
- (b) action may be taken to suspend your Motor Driver’s Licence or Vehicle Licence until you have paid in full the modified penalty and any additional charge; and
- (c) you will be given an opportunity to elect to have a prosecution notice for the alleged offence dealt with by a COURT.

PAYMENTS AFTER THE DUE DATE CAN ONLY BE MADE WITH A FINAL DEMAND LETTER WHICH INCURS AN ADDITIONAL ENFORCEMENT FEE.

Form 2

Water Agencies (Powers) Act 1984 s. 103(6)

Notice of withdrawal of infringement notice

No.
 Surname (Block letters)
 Other names (in full)
 Address
 Town or suburb and postcode
 Infringement Notice No. Date / /

AN INFRINGEMENT NOTICE GIVEN TO YOU HAS BEEN WITHDRAWN AND NO FURTHER ACTION WILL BE TAKEN*/A SUMMONS WILL BE ISSUED*

*** Delete where not applicable.**

Information about the withdrawn notice	Date of issue:
	Alleged offence:
	Notice number:

Information about this notice	Date:
	Issued at:
	By:
	Signature of prescribed person:
	Title of the office held by the prescribed person:

Form 3

Water Agencies (Powers) Act 1984 s. 103(11)

Certificate that person is an authorised person

No.

Photograph of authorised person

.....
(Name)

.....
(Signature)

.....
(Title of the office held by the authorised person)

.....
(Date of issue)

.....
(Date of expiry)

This is to certify that the person identified on this certificate is authorised, in accordance with the *Water Agencies (Powers) Act 1984* section 103, to give infringement notices in respect of alleged offences under the *Water Agencies (Water Use) By-laws 2010* by-law 4.

Signed:

Chief executive officer of the Department of Water* or chief executive officer of the Water Corporation on behalf of the Water Corporation*.

[Delete the inapplicable]*

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA303*

Rights in Water and Irrigation Act 1914

Rights in Water and Irrigation Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Rights in Water and Irrigation Amendment 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 1 April 2010.

3. Regulations amended

These regulations amend the *Rights in Water and Irrigation Regulations 2000*.

4. Regulation 52A replaced

Delete regulation 52A and insert:

52A. Persons authorised to give infringement notices

For the purposes of the *Water Agencies (Powers) Act 1984* section 103, any person employed in the Department who is authorised in writing by the chief executive officer is authorised to give an infringement notice in respect of an offence prescribed by regulation 50.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA304*

Rights in Water and Irrigation Act 1914

**Rights in Water and Irrigation Exemption
(Section 26C) Order 2010**

Made by the Governor in Executive Council under section 26C of the Act.

1. Citation

This order is the *Rights in Water and Irrigation Exemption (Section 26C) 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 1 April 2010.

3. Term used: proclaimed area

In this order —

proclaimed area means an area proclaimed under section 26B of the Act.

4. Exemptions from sections 5C and 26B(3) to (6)

Sections 5C and 26B(3) to (6) of the Act do not apply in relation to a non-artesian well situated, or to be situated, in a proclaimed area, or part of a proclaimed area, specified in Schedule 1 if —

- (a) the only water that can be taken from the well is from the water table aquifer; and
- (b) water taken from the well is used only for any, or all, of the following —
 - (i) fire fighting;
 - (ii) watering cattle or other stock, other than those being raised under intensive conditions as defined in section 21(4) of the Act;
 - (iii) watering an area of lawn or garden that does not exceed 0.2 hectare;
 - (iv) other ordinary domestic uses.

**5. *The Rights in Water and Irrigation Exemption (Section 26C)*
*Order 2007 cancelled***

The Rights in Water and Irrigation Exemption (Section 26C)
Order 2007 is cancelled.

Schedule 1 — Proclaimed areas — clause 4

[cl. 4]

All proclaimed areas, or parts of proclaimed areas, other than —

- (a) the Albany Groundwater Area; and
- (b) that part of the Gascoyne Groundwater Area in the North-West Cape north of south latitude 22.5 degrees.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

AGRICULTURE AND RELATED RESOURCES PROTECTION (EUROPEAN HOUSE BORER) REGULATIONS 2006

REGULATION 18A NOTICE

Restricted Movement Zones

Each of the areas described below is a Restricted Movement Zone (RMZ) under the *Agriculture and Related Resources Protection (European House Borer) Regulations 2006*. Because of proximity to infested pinewood the movement of pinewood in these areas is restricted.

Details of the restrictions are as follows—

Bringing untreated pinewood into RMZ

Movement is not generally restricted. However, a person may be issued a written notice prohibiting pinewood movement into the RMZ if an authorised person believes that the presence of the pinewood in the RMZ will increase the risk of EHB spread.

Removing pinewood from RMZ

Untreated **seasoned pinewood** that has been in an RMZ for 72 hours or more must not be removed from that RMZ unless—

- The pinewood is pinewood pieces of less than 100 cm³; or
- The pinewood has been stored in a suitable building or enclosure or has been fully enclosed in plastic wrapping or other authorised material to prevent exposure to EHB; or
- The pinewood has been treated with a preservative in accordance with the relevant standards; or
- The pinewood has been chemically fumigated or heat treated in accordance with the regulations; or
- Written authorisation has been given by an authorised person.

Note: “seasoned pinewood” is pinewood that has a moisture content of 20% or less when tested in accordance with the Australian Standard.

Unseasoned pinewood must not be removed from a RMZ during the control period (from 1 September until 30 April) unless the movement is authorised by an authorised person.

Visit the EHB website at www.ehb.wa.gov.au or call 1800 084 881 for more information on the restrictions or for detailed maps of RMZs.

RESTRICTED MOVEMENT ZONES

RMZ Murdoch—The area of the state bordered by corner Leach Hwy and Karel Av, south to Roe Hwy, west to Kwinana Fwy, south to Shared path that goes west to Hope Rd, west along Hope Rd, south at Bibra Dr, west at Hope Rd, north along Progress Dr, follow parcel to connect to Gilbertson Rd, north to Kirk Rd, north-west to Somerville Bvd, south-west to North Lake Rd, north to Marmion St, east to Marr St, north to Charleson St, west to Welby Pl, north to Kitchener Rd, east to Gundil St, north to Tilney St, west to Horrocks Rd, north to Davy St, east to Barnard St, north to Canning Hwy, north-east to Cunningham St, south-east to Hickey St, south to Shapcott St, east to McCallum Cr, south to Alexander Rd, east to Links Rd, north to Drumfern St, east to Ardessie St, south to Calgary St, east to Riseley St, south to Glencoe Rd, east to Bedford Rd, south to Queens Rd, east to St Michael Tce, south to Gunbower Rd, east to The Esplanade, south to Pulo Rd, south to Leach Hwy, east/north-east to Karel Av.

RMZ Karnup—The area of the state bordered by corner Mandurah Rd / Sixty Eight Rd east to Eighty Rd, north to top of FPC Peel A pine plantation, west along top edge of plantation and south along eastern edge back to Sixty Eight Rd, east along Sixty Eight Rd to Baldivis Rd, north to Serpentine Rd, east and then south to Karnup Rd, east to Jarrah Rd, south-east to Yangedi Rd, south to Keysbrook Suburb Boundary, west then north to City of Rockingham Shire Boundary, west / south / west to Karnup Suburb Boundary, north to Vine Rd west to Amarillo Dr, west along Amarillo Dr / Paganoni Rd to Mandurah Rd, north to Sixty Eight Rd.

RMZ Southern River—The area of the state bordered by corner Warton Rd / Corfield St, south-east to Tonkin Hwy, south-west to Ranford Rd, north-west to Warton Rd, north-east to Corfield St

RMZ Oldbury—The area of the state bordered by corner of Thomas Rd and Johnson Rd, east to Modong Nature Reserve parcel boundary, north along south-west edge of Jandakot Regional Park, north along Serpentine—Jarrahdale Shire Boundary to Rowley Rd, north along City of Armadale Shire Boundary, south-east at Keane Rd to Armadale Rd, east to Tonkin Hwy, south to

Rowley Rd, west to Kargotich Rd, south to Thomas Rd, east to Briggs Rd, south to Abernethy Rd, east to Soldiers Rd, south to Karbro Dr, west to Hopkinson Rd, north to Gossage Rd, west to Boomerang Rd, south west to King Rd, north to Coyle Rd, west to Casuarina Rd, south along Lydon Rd to Banksia Rd, south to Duckpond Rd, south-east to Mundijong Rd, west to Baldivis Rd, north to Millar Rd West, south-west to the Wellard Suburb Boundary, north to Railway Line, then north east along railway line to Wellard Rd / Homestead Dr intersection, north-east to Bertram Rd, north-east along Bertram Rd to Johnson Rd, north to Thomas Rd.

RMZ Roleystone—The area of the state bordered by Buchanan Rd / Canning Mills Rd intersection north/north east to Douglas Rd, north to Feldts Rd, east along Feldts Rd to eastern parcel boundary, north along parcel boundary to City of Gosnells Shire Boundary, east then south to Canning Mills Rd, north east to Springdale Rd, south to end of road then east along parcel boundary to Canning Rd, south to Brookton Hwy, east to Gardiner Rd, south to Croyden Rd, west to McNess Dr, east to parcel boundary, south, west then north-west along parcel boundaries (Araluen Golf Course) to Heritage Dr, south then west to Old Albany La, north-west to parcel that connects to Wymond Rd, west along this road to Soldiers Rd, north to Brookton Hwy, west to Roleystone Suburb Boundary, north, north-west, west, north-east to corner Buchanan Rd / Canning Mills Rd.

RMZ Gnangara—Area of the state bordered by Great Northern Highway / Sounness Dr, south to Upper Swan Suburb boundary, east to Brigadoon Suburb boundary follow east/south/west/south/west to Baskerville Suburb boundary, follow boundary west to Campersic Rd, south to Stock Rd, west to Scrivner Rd, south to Lennard St, west to Guger Rd, south to Oakover Rd, west to Great Northern Hwy, south to Muriel St, west/south/west along Midland Suburb boundary, west along Woodbridge Suburb boundary north along Viveash Suburb boundary, west along Caversham Av to West Swan Rd, south to Harper St, east to eastern edge of Whiteman Park boundary and follow north/west/north to Benara Rd, west to Lord St, north / north-west to Reid Hwy, west to West Swan Suburb boundary, north to Marshall Rd, west to Beechboro Rd North, north to walking track gates (north of Baal St), west to Park St, west along Kingsway to 'City of Wanneroo Structure Plan 7 Boundary', north to Gnangara Rd, west to Madeley St, south to Furniss Rd, west to MacDermott Pde, south to Tyrone Dr which turns into Tullamore Dr, west to Portroe Wy, south to Belvoir Pwy, east-south to Goldsmith Wy, south to Westport Pde, west to Carripan Rd, south to Kingsway Bvd, west to Regency Ave, north to Russell Rd, west to Martindale Ave, north to Lockeport App, west to Susan Rd, north-west to Gnangara Rd, west to Wanneroo Rd, north to Ocean Reef Rd, west to City of Wanneroo Shire Boundary, follow north to Joondalup Dr, east to Wanneroo Rd, north to Yanchep Beach Rd, north-west to proposed Mitchell Fwy, north to Yanchep Suburb boundary, follow boundary north to Caraban Rd, north-west to Wabling Rd, east to Military Rd, south to Redwood Rd, east to Nuytsia Rd, south-west then south-east to Casuarina Rd, south to Airforce Rd, east to Rosella Rd, south then east to Clover Rd, east to High Hill Rd, south to RAAF Boundary Rd, west to Rosella Rd, south then south-west to Perry Rd, south to 'Unnamed Roads', east to City of Swan Shire Boundary, east along boundary to Muchea South Rd, south to Morley Rd, go east along parcel boundaries (200m south of this road) to Great Northern Hwy, south to Sounness Dr

RMZ Darling Scarp—The area of the state bordered by Tonkin Hwy / Welshpool Rd East intersection, north along Tonkin Hwy to just south of Stanton Rd overpass, east along Perth Airport Suburb Boundary to Great Eastern Hwy Bypass / Kalamunda Rd intersection, north-west to Highman St, north-east to Queens Rd, north-west to Great Eastern Hwy, north to South Guildford Suburb boundary follow north-east to Hazelmere Suburb Boundary, south/east/south/east to Whiteman Rd, north-east to Helena River, follow river east to Military Rd, south to Hazelmere Suburb Boundary, east to Helena Valley Suburb boundary, follow to Mundaring Shire Boundary, east to Scott St, north along Scott St to Great Eastern Hwy, east to Innamincka Rd, north to Woolloomooloo Rd/Amherst Rd, north to Morrison Rd, east to Viveash Rd, north to Mundaring Shire Boundary. follow shire boundary north to Toodyay Rd, north—east to ESL Boundary, north/north-east along Boundary to O'Brien Rd, follow parcel boundaries north for approx 1km then east for approx 2km, then south to Toodyay Rd, north-east to Stoneville Rd, south to Cameron Rd, east to Joseph Rd, north to Trimble Rd, east to Bunning Rd, south to Quail St, east along Mundaring Shire boundary to Lilydale Rd, north to Breeze Rd, east to Mayo Rd, north to Dinsdale Rd, east to Woorlooloo Suburb Boundary, east to Mcnamara Rd, south then east to Chedaring Rd, south-east to Great Eastern Hwy, south-west to Shire of Mundaring Boundary, south along boundary to Cobb Rd, west to Flynn Rd, south along Flynn Rd, south-west following along Wariin Brook, south-west to Helena River, south following around 2km EHB Buffer survey arc to Nockine Rd, south to Grass Tree Rd, west to Taylor Rd, north to Fifteen Rd, west to 2km EHB Buffer survey arc, follow to Hairpin Bend Rd, west along various "unnamed" forest access roads to bottom of 2km EHB Buffer survey arc, west to Pickering Brook Rd, south to Canning Rd, west following various parcel boundaries to Kalamunda Shire boundary, follow boundary north-west to Kelvin Rd, north to Crystal Brook Rd, west to Welshpool Rd East, west to Tonkin Hwy intersection.

RMZ Serpentine—Area of the state bordered by Norman Rd / South Western Hwy intersection, south to Arnold Rd, west to Lefroy St, south/south-west to Hall Rd, south to Wattle Rd, west to Rapids Rd, north to Karnup Rd, west to Hopelands Rd, north to Rowe Rd/Shire boundary, follows Shire boundary west then north to just south of the Serpentine River, follows various parcel boundaries north/north east then east to Kargotich Rd, north to Gossage Rd, East to Hopkinson Rd, south to Karbro Dr, east to Soldiers Rd, south to Norman Rd, east to Norman Rd / South Western Hwy Intersection.

RMZ Albany—The area of the state bordered by Chester Pass Rd / Millbrook Rd intersection, south to Willyung Rd, west to Rocky Crossing Rd, south to Albany Hwy, north-west to Willyung

Suburb Boundary, north to Hazzard Rd, west to Albany Hwy, north to King River, follow river east to Millbrook Suburb Boundary, north to Millbrook Rd, east then south to Millbrook Suburb Boundary, follow north-east, east, south, west, south, east, south until intersection with Chester Pass Rd, follow to Millbrook rd

Dated: 11 March 2010.

GREG PICKLES, Chief Agriculture Protection Officer.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

City of Gosnells
(BASIS OF RATES)

Department of Local Government.

DLG: GS5-4#04

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedules hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

Schedule

ADDITIONS TO GROSS RENTAL VALUE AREA
CITY OF GOSNELLS

All those portions of land comprised in the schedules below—

SCHEDULE "A"

All those portions of land being Lot 1797 and Lot 1798 as shown on Plan 3315.

SCHEDULE "B"

All those portions of Land being Lot 11 as shown on Diagram 69832 and Lot 22 as shown on Diagram 78358.

SCHEDULE "C"

All those portions of land being Lot 802 as shown on Deposited Plan 35221; Lots 125 to 130 inclusive and Lots 143 to 146 inclusive as shown on Deposited Plan 48889; Lot 1001 and Lot 1002 as shown on Deposited Plan 54575; Lots 700 to 725 inclusive as shown on Deposited Plan 62596; Lots 400 to 406 inclusive as shown on Deposited Plan 63232 and Lots 500 to 509 inclusive as shown on Deposited Plan 63233.

LG402*

LOCAL GOVERNMENT ACT 1995

Shire of Waroona
(BASIS OF RATES)

Department of Local Government.

DLG: WR5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government under delegation from the Hon John Castrilli MLA, Minister for Local Government being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

Schedule
ADDITIONS TO GROSS RENTAL VALUE AREA
SHIRE OF WAROONA

All those portions of land being Lot 24 as shown on Plan 21705; Lots 101 to 112 inclusive as shown on Deposited Plan 39459; Lots 101 to 139 inclusive and Lot 231 as shown on Deposited Plan 53347 and Lots 101 to 112 inclusive as shown on Deposited Plan 54975.

LG403*

LOCAL GOVERNMENT ACT 1995
City of Swan
(BASIS OF RATES)

Department of Local Government

DLG: SW5-4#04

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 22 February 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

Schedule
ADDITIONS TO GROSS RENTAL VALUE AREA
CITY OF SWAN

All those portions of land being Lot 5 as shown on Plan 3952; Lot 26 as shown on Plan 4473; Lot 125 as shown on Deposited Plan 25497 and Lot 32 as shown on Deposited Plan 51297.

MINERALS AND PETROLEUM

MP401*

PETROLEUM PIPELINES ACT 1969
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL 40 held by, DBNGP (WA) Nominees Pty Limited has been varied by instrument of Variation 7P/09-0, to authorise the Licensee for the installation of a metering station and custody transfer point from the DBNGP to the new Mandurah Lateral Pipeline has been approved.

WILLIAM L. TINAPPLE, Executive Director Petroleum Division.

PLANNING

PI401*

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

Town Planning Scheme No. 4—Amendment No. 52

Ref: TPS/0052

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Armadale local planning scheme amendment on 11 February 2010 for the purpose of—

1. Including Lot 1967 Owtram Road, Lot 46 Rogers Lane and Lots 45 and 11 Albany Highway, Armadale within a Special Use zone.

2. Inserting a new entry into Schedule 4 of Town Planning Scheme No. 4—Special Use Zones, including a new Condition 2.10, as follows—

No.	Description of land	Land use	Conditions
2	Lot 1967 Owtram Road, Lot 46 Rogers Lane and Lots 45 and 11 Albany Highway, Armadale.	As outlined in the Zoning Table for the Residential zone, except as specified in Condition 2.1.	<p>2.1 All permissible use classes listed for the Residential zone shall be D (discretionary) notwithstanding that they are P (permitted) in the Zoning Table.</p> <p>2.2 In respect of Grouped Dwelling development, a minimum lot size of 160m² and an average lot size of 180m² may be applied, with a minimum outdoor living area requirement of 16m².</p> <p>2.3 In approving development based on the provisions of 2.2 above, or exercising its discretion under the Scheme, the City shall have regard to the requirements of Policy 'PLN 3.1—Residential Density Development' adopted as a Local Planning Policy under Part 2 of the Scheme.</p> <p>2.4 Development based on the provisions of Condition 2.2 above shall generally be in accordance with an Outline Development Concept Plan (ODCP), which shall be prepared to the requirements described in Clause 4.7 of Policy 'PLN 3.1—Residential Density Development', and adopted by the City.</p> <p>2.5 The ODCP shall establish the standard of development, including a common set of design principles including roof pitch, building materials, masonry walling abutting any adjoining residential lot, fencing, window heights, landscaping, front setback arrangements, the circumstances where zero lot line development may be allowed, and siting requirements to take account of privacy, energy conservation and climate control.</p> <p>2.6 A minimum of 60% of the development based on the provisions of Condition 2.2 above being two-storey. Loft development shall not be considered two-storey.</p> <p>2.7 The land required for a minimum 16m road reserve for Rogers Lane is to be ceded to the Crown free of cost as part of a strata, subdivision and/or development application.</p> <p>2.8 No vehicular access shall be provided to Albany Highway.</p> <p>2.9 Conditions will be applied relating to landscaping, design, vehicle access and parking being to the satisfaction of the City.</p> <p>2.10 Reciprocal Rights of Vehicular Access with adjacent landholdings shall be provided where those landholdings require a secondary vehicular access point to facilitate development in terms of Policy 'PLN 5.1—Highway Development' as part of a strata, subdivision and/or development application.</p>

3. Amending the Scheme Maps and Text accordingly.

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

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Perth

City Planning Scheme No. 2—Amendment No. 19

Ref: 853/2/10/26 Pt 19

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 Perth City local planning scheme amendment on 25 January 2010 for the purpose of—

1. After Clause 57A (1) (l) insert—
 (m) 339-341, and 347 Hay Street Special Control Area.”
2. Insert the following in Schedule 9 Special Control Areas—
 - 13.0 339-341, and 347 Hay Street Special Control Area
 - 13.1 Special Control Area
 The following provisions apply to the land marked as Figure 13—339-341, and 347 Hay Street Special Control Area.
 - 13.2 Objectives
 The objective of the 339-341, and 347 Hay Street Special Control Area is to facilitate the development of the Special Control Area as a whole in a coordinated manner.
 - 13.3 Plot Ratio
 For the purpose of determining the plot ratio the 339-341, and 347 Hay Street Special Control Area shall be treated as one lot.
 - 13.4 Car Parking
 For the purpose of determining the maximum tenant parking allowance the 339-341, and 347 Hay Street Special Control Area shall be treated as one lot.
 The tenant car parking facilities may be leased or used by the tenants of any building within the Special Control Area and in accordance with any planning approval for the land.
3. Amending the Adelaide Precinct Plan accordingly.
4. Insert Figure (13)—339-341 and 347 Hay Street Special Control Area into Schedule 9—Special Control Areas of the Scheme.

L. M. SCAFFIDI, Lord Mayor.
 F. R. EDWARDS, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Busselton

Town Planning Scheme No. 20—Amendment No. 137

Ref: 853/6/6/21 Pt137

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Busselton local planning scheme amendment on 19 February 2010 for the purpose of—

1. Rezoning Lot 41 Bussell Highway, Busselton from ‘Residential R15’ to ‘Residential R40/R60’ and Lots 11 and 35 Bussell Highway, Busselton from ‘Tourist’ to Residential R40/R60’.
2. Including Lots 11, 35 and 41 Bussell Highway, Busselton in Schedule 7—Special Provision Areas pursuant to the Scheme to which the following special provisions will apply—

Particulars of Land	Zone	Special Provisions
Lots 11, 35 and 41 Bussell Highway, Busselton	Residential R40/R60	1. Prior to submission of an application for planning approval, a single Development Guide Plan for the whole site shall be prepared and adopted consistent with clause 25 of the Scheme, except that it will not require endorsement by the Western Australian Planning Commission. 2. The Development Guide Plan shall ensure that for all residential development above R40— (i) not less than 60% of units are single bedroom;

Particulars of Land	Zone	Special Provisions
		(ii) the average and minimum site area may be varied by a maximum of 5% less than that minimum area specified in table 1 of the Residential Design Codes of WA in addition to the density bonus applicable to single bedroom dwellings; (iii) development is orientated towards and provides for public surveillance of Bussell Highway; and (iv) development demonstrates outstanding environmental and sustainability features.

3. Amending the scheme maps accordingly.

I. STUBBS, Shire President.
A. MacNISH, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Dardanup
 Town Planning Scheme No. 3—Amendment No. 145

Ref: 853/6/9/6 Pt 145

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 Dardanup local planning scheme amendment on 25 February 2010 for the purpose of—

1. Rezoning Lot 1 Railway Road and Lots 3 and 4 Waterloo Road, Waterloo from “General Industry” to “Restricted Use”.
2. Rezoning portion of Lot 25 Railway Road and portion of Lot 26 Waterloo Road from “General Farming” to “Restricted Use”.
3. Amending the Scheme Maps accordingly.
4. Inserting the following into “Appendix V—Restricted Use Zones” of the Scheme—

No.	STREET	PARTICULARS OF LAND	ONLY USE PERMITTED
R15	Railway Road & Waterloo Road	Lot 1 Railway Road, portion of Lot 25 Railway Road, Lots 3 and 4 Waterloo Road and portion of Lot 26 Waterloo Road	1. Brick Manufacturing Plant. 2. Development shall generally be in accordance with the Development Guide Plan (Drawing No. 13215-02B) forming part of Scheme Amendment No. 145. 3. In the determination of any development application Council’s primary consideration will be to provide for development without adversely impacting on the amenity of the nearby properties. Applications for Planning Consent will be required to address the following:— <ul style="list-style-type: none"> • That there will be no adverse impacts in terms of dust, noise or odour in the immediate locality in accordance with the limits established by current Environmental Legislation. In order to achieve this all development applications should address dust suppression, noise emissions, odour emission and stormwater management.

	No.	STREET	PARTICULARS OF LAND	ONLY USE PERMITTED
				<ul style="list-style-type: none"> • A fire management plan is to be prepared and implemented to the satisfaction of the Shire of Dardanup at the Development Application and Building Licence stage. <p>4. At the subdivision and/or development stages, the Council shall require the upgrading of the section of Waterloo-Dardanup Road between the southern boundary of the proposed brickworks and South Western Highway to include the widening of the existing pavement and improvements to the road pavement and surface which reasonably relates to the anticipated additional volume of traffic generated by the brickworks to the satisfaction of the Shire of Dardanup.</p> <p>5. Further to item 4, at the subdivision and/or development stages, the Council shall require that the intersection of Waterloo-Dardanup Road and South Western Highway be upgraded to the satisfaction of Main Roads WA.</p> <p>6. All land contained within the boundary of the Restricted Use site is to be amalgamated into one lot prior to the issuance of a Building Licence.</p> <p>7. Those portions of Lot 25 Railway Road and Lot 26 Waterloo Road that are not included within the boundary of the Restricted Use site are to be amalgamated onto the one Title prior to issuance of a Building Licence.</p> <p>8. As a condition of subdivision and/or development approval, the Council request that a 'Revegetation and Landscape Management Plan' be prepared and implemented by the developer. The Plan is to address—</p> <ul style="list-style-type: none"> (i) the provision and ongoing maintenance of the proposed 20 metre wide landscape buffer (as shown on the DGP), and/or (ii) any other vegetative measures required by government authorities. <p>9. The Council shall request that a Traffic Management Plan be prepared and approved, for the proposed development. The Plan is to be submitted to the Council at the development application stage.</p> <p>10. A Water Management Plan is to be prepared and implemented at the subdivision and/or development stage, to the satisfaction of the Shire of Dardanup and the Department of Water.</p>

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

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Dardanup
 Town Planning Scheme No. 3—Amendment No. 166

Ref: 853/6/9/6 Pt 166

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 Dardanup local planning scheme amendment on 25 February 2010 for the purpose of—

1. Rezoning Lots 5384, 5385, 5386 Yabberup Road, Wellington Forest from “Forestry” to “General Farming”, as shown on the Scheme Amendment Map.
2. Rezoning Lots 1904, 3611, 3687, 4664, 4944, 5144 and 5666 Wellington Mill Road, Wellington Mill from “Forestry” to “General Farming”, as shown on the Scheme Amendment Map.
3. Rezoning Lot 4 South Western Highway, Eaton from “Primary Regional Roads” to “General Farming”, as shown on the Scheme Amendment Map.
4. Rezoning Lot 21 South Western Highway, Waterloo from “Primary Regional Roads” to “Small Holding”, as shown on the Scheme Amendment Map.
5. Rezoning Lot 20 Hakea Road, Waterloo from “Small Holding / Primary Regional Road” to “Small Holding”, as shown on the Scheme Amendment Map.
6. Rezoning Lots 2, 5, 6, 8, 11, 12 and portion of Lot 11 South Western Highway, Picton East from “General Farming / Special Development Area” to “General Industry”, as shown on the Scheme Amendment Map.
7. Rezoning Lots 9 and 10 South Western Highway, Picton East from “Short Stay Residential / Special Development Area” to “General Industry”, as shown on the Scheme Amendment Map.
8. Rezoning Lot 4577 Depiazzi Road, Dardanup from “General Farming / Additional Use No. 3” to “General Farming / Additional Use No. 4”, as shown on the Scheme Amendment Map.
9. Rezoning Lots 1 and 521 Boyanup Picton Road, Picton East from “General Farming / Industrial Development Area” and “Public Utilities” to “General Industry”, as shown on the Scheme Amendment Map.
10. Rezoning portion of Eaton Drive intersecting with the Australind Bypass Road, Eaton from “Primary Regional Roads” and applying the “No Zone” designation, as shown on the Scheme Amendment Map.
11. Rezoning portion of Australind Bypass Road, Eaton (adjoining Lot 1 Recreation Drive, Eaton) from “General Farming” and applying the “No Zone” designation, as shown on the Scheme Amendment Map.
12. Rezoning the intersection of Hamilton Road and Eaton Drive, Eaton from “General Farming” and “Other Community” and applying the “No Zone” designation, as shown on the Scheme Amendment Map.
13. Amending the Scheme Map accordingly.
14. Deleting Additional Use No. 1 and 3 from Appendix IV—Additional Use Zones.
15. Deleting Restricted Use No. 2 from Appendix V—Restricted Use Zones.

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

PI501*

PLANNING AND DEVELOPMENT ACT 2005
GREATER BUNBURY REGION SCHEME AMENDMENTS
BUNBURY WATERFRONT PROJECT

00010/41—Marlston North

0011/41—Koombana North

0012/41—Koombana South

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Greater Bunbury Region Scheme (GBRS) for land in the local government of Bunbury and is seeking public comment.

The total land area proposed for rezoning is approximately 33,800 m².

00010/41—Marlston North

The area proposed to be rezoned is just over 1.3 hectares, and includes approximately 0.7 hectares of land and 0.6 hectares of waterway.

The subject land at Marlston North is currently reserved for Regional Open Space and Waterways. The proposed amendment will see a portion of Koombana Bay reclaimed to extend the land area eastward into the bay.

The majority of the site will be rezoned to Regional Centre with a boundary of Regional Open Space to enable public access along the foreshore.

00011/41—Koombana North

The area proposed to be rezoned is just over 1.4 hectares.

The subject land at Koombana North is currently reserved for Regional Open Space, Railways, Waterways and Other Regional Roads.

The majority of the site will be rezoned to Regional Centre. Some portions of the land will be reserved for Regional Open Space and Waterways to better reflect both current and/or proposed land uses.

00012/41—Koombana South

The area proposed to be rezoned is just under 0.6 hectares.

The subject land at Koombana South is currently reserved for Regional Open Space and Other Regional Roads.

The majority of the site will be rezoned to Regional Centre, with a small portion of excess road reservation being reserved for Regional Open Space.

Display locations

The plans showing the proposed changes and the WAPC's amendment reports which explain the proposals, will be available for public inspection from Tuesday 16 February 2010 to Monday 17 May 2010 at each of the following places—

- | | |
|--|---|
| <ul style="list-style-type: none"> • Western Australian Planning Commission
469 Wellington Street, Perth • Department of Planning, 61 Victoria Street,
Bunbury • J S Battye Library
Level 3, Alexander Library Building
Perth Cultural Centre • Bunbury City Library
Parkfield Street, Bunbury | Municipal offices of the— <ul style="list-style-type: none"> • City of Bunbury • Shire of Dardanup • Shire of Harvey • Shire of Capel |
|--|---|

Documents are also available from the WAPC's website www.planning.wa.gov.au (Public Comment page).

Submissions

Any person who desires to make a submission to support, object or provide comment on any of the proposed amendments should do so on a Form 41 provided for each of the proposed amendments. These submission forms are available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 61 Victoria Street, Bunbury WA 6230; on or before 5.00pm **Monday, 17 May 2010**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Anthony Harvey, late of 1 Sulman Road, Wembley Downs, Western Australia, Real Estate Agent, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the deceased who died on the 19 September 2009 are required by the Executor Joyce Harvey of 1 Sulman Road, Wembley Downs, Western Australia to send particulars of their claims to her by no later than 30 April 2010 after which date the Executor may distribute the assets having regard only to the claims on hand.

ZX402**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Graeme Stanley Bradury, late of 20 Cheviot Street, Dianella in Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 5 March 2009, are required by the applicants for a grant of Probate, Sharon Annette Fairfull and Colin Glenn Bradbury, to send particulars of their claims to them by the 11th Day of April 2010 care of D'Angelo Legal, Unit 1/246-250 Railway Parade, West Leederville, Western Australia 6007, after which date the applicants may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZX403**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

In the Estate of Patrick Arthur Spurgeon, late of Lot 5 Millinup Road, Porongurups, Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the abovenamed deceased who died on 21 August 2009 are required by the personal representative Murray Noel Thornhill of care of HHG Legal Group—Hudson Henning & Goodman, 49 Peels Place, Albany, Western Australia to send particulars of their claims to him by the 23rd day of April 2010 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX404**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Shirley Elizabeth Smith, late of 57 Duke Street, East Fremantle in the State of Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* and amendments thereto relate) in respect of the estate of the undermentioned deceased person are required by Executor Damien Bowen of Bowen Buchbinder and Vilensky Lawyers of Level 14, 251 Adelaide Terrace, Perth in the State of Western Australia to send particulars of their claims within one month from the date of publication of this notice at the expiration of which time the personal representative may convey or distribute the assets having regard only to the claims of which they have then had notice.

Dated this 16th day of March 2010.

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992**Price: \$18.60 plus postage****RETIREMENT VILLAGES REGULATIONS 1992*****Price: \$5.95 plus postage**

* Prices subject to change on addition of amendments.