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Gazette**

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# — PART 1 —

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## AGRICULTURE AND FOOD

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AG301\*

Western Australian Meat Industry Authority Act 1976

### **Western Australian Meat Industry Authority (Midland Saleyard Replacement) Notice 2010**

Made by the Minister under section 16(1)(d)(i) of the Act.

**1. Citation**

This is the *Western Australian Meat Industry Authority (Midland Saleyard Replacement) Notice 2010*.

**2. Commencement**

This notice comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this notice is published in the *Gazette*;
- (b) the rest of the notice — on 2 May 2010.

**3. Livestock Centre, Muchea to be replacement for Midland Saleyard**

The facility called the Livestock Centre, located at Muchea East Road, Muchea on Lot 5 on Deposited Plan 49665 held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5, is declared to be a replacement for Midland Saleyard.

TERRY REDMAN, Minister for Agriculture and Food.

AG302\*

Western Australian Meat Industry Authority Act 1976

## Western Australian Meat Industry Authority Amendment Regulations 2010

Made by the Lieutenant-Governor and Administrator in Executive Council after consultation with the Western Australian Meat Industry Authority.

### 1. Citation

These regulations are the *Western Australian Meat Industry Authority 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 2 May 2010.

### 3. Regulations amended

These regulations amend the *Western Australian Meat Industry Authority Regulations 1985*.

### 4. Regulation 3 amended

- (1) In regulation 3(1) insert in alphabetical order:

*Muchea Livestock Centre* or *Centre* means the facility called the Livestock Centre, Muchea, and declared under section 16(1)(d)(i) of the Act to be a replacement for Midland Saleyard;

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

- (2) In these regulations a reference to stock that is yarded for transhipment is a reference to stock that is yarded at the Muchea Livestock Centre for the purpose of being transported from the Centre to another place without being offered for sale at the Centre.

### 5. Various references to Midland Saleyard changed to Muchea Livestock Centre

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Pt. VI heading	<b>Midland Saleyard</b>	<b>Muchea Livestock Centre</b>
r. 25(1), 26(1) and (2), 27, 28(1) and (3), 29(1), 30, 32(1), 34(1), 35(1)	Midland Saleyard	the Muchea Livestock Centre
r. 28(1), 32(1)	saleyard (second occurrence)	Centre
r. 29(2)(a)	saleyard	Centre
r. 30A(1)	Midland Saleyard	Muchea Livestock Centre
r. 30A(1)(b)	Saleyard	Centre
Sch. 6 Pt. 2 and 3 headings	<b>Midland Saleyard</b>	<b>Muchea Livestock Centre</b>

## Notes:

1. The heading to amended regulation 26 is to read:  
**Delivery of stock to Muchea Livestock Centre**
2. The heading to amended regulation 27 is to read:  
**Care of stock in Muchea Livestock Centre**
3. The heading to amended regulation 34 is to read:  
**Muchea Livestock Centre fees**

**6. Regulation 25 amended**

After regulation 25(3) insert:

- (4) An approval to act as a stock agent in respect of the Midland Saleyard that was granted by the Authority under subregulation (2) and in force immediately before 2 May 2010 —
  - (a) continues in force on and after that date in respect of the Muchea Livestock Centre; but
  - (b) unless sooner withdrawn, expires at the close of 31 October 2010.
- (5) Nothing in subregulation (4) prevents the Authority from granting a new approval under subregulation (2) to replace an approval that expires under subregulation (4).

7. **Regulation 31 deleted**  
Delete regulation 31.
8. **Regulation 36 inserted**  
After regulation 35 insert:
  36. **Transitional provisions relating to move from Midland Saleyard to Muchea Livestock Centre**
    - (1) All fees payable under regulation 34 in respect of stock yarded in Midland Saleyard before 2 May 2010 and outstanding on that date remain payable to the Authority after that date.
    - (2) On and after 2 May 2010, regulation 35 continues to apply in respect of stock yarded in Midland Saleyard before that date as if the references in regulations 3(2) and 35(1) to the Muchea Livestock Centre were references to Midland Saleyard.

By Command of the Lieutenant-Governor and Administrator,

R. KENNEDY, Clerk of the Executive Council.

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## **CORRECTIVE SERVICES**

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CS301\*

Sentence Administration Act 2003

### **Sentence Administration (Community Corrections Centres) Amendment Notice 2010**

Made by the Minister for Corrective Services under the *Sentence Administration Act 2003* section 84.

#### **1. Citation**

This notice is the *Sentence Administration (Community Corrections Centres) Amendment Notice 2010*.



**Amendment**

3. The *City of Belmont Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* published in the *Government Gazette* on 13 September 2001 and as amended and published in the *Government Gazette* on 26 June 2007, is hereby amended in the following manner—

- a. Delete the existing definition of “acceptable material” in clause **2.6 Interpretation** and insert a new definition for “acceptable material” as follows—

“**acceptable material**” means any of the following—

- (a) Mulch—particle size not greater than 20mm; and
- (b) Impervious materials but specifically—
  - (i) compacted limestone with particle size not greater than 10mm;
  - (ii) compacted gravel with particle size not greater than 10mm;
  - (iii) compacted aggregate/roadbase with particle size not greater than 10mm;
  - (vi) coloured concrete (earthy tones, not grey) to a minimum thickness of 75mm and maximum thickness of 100mm;
  - (v) brick paving, installed to the manufacturer’s specifications; and
 the impervious materials set out in (i) to (iii) shall be compacted to such a degree that there are no loose stones on the verge surface.

- b. In clause **2.6 Interpretation** insert after the definition of “acceptable material” a definition for “50% Rule” as follows—

“**50% Rule**” means the installation of a verge treatment in accordance with Schedule 2 in a proportion of 50% of those permissible verge treatments included in clause 2.7(2)(b),(c) or (d) and 50% of an acceptable material.

- c. Delete the existing clause **2.7 Permissible Verge Treatments** and replace with a new clause 2.7 as follows—

**2.7 Permissible verge treatments**

(1) An owner or occupier of land which abuts a verge may on that part of the verge directly in front of her or his land install a permissible verge treatment.

(2) The permissible verge treatments are—

- (a) reticulation pipes and sprinklers;
- (b) the planting and maintenance of a lawn;
- (c) the installation of a permeable artificial grass onto compacted aggregate or roadbase which has a particle size not greater than 10mm and the artificial grass must be pegged down in such a manner that there are no protrusions or trip hazards;
- (d) the planting and maintenance of a garden provided that—
  - (i) it complies with the provisions of Clause 2.1 subclause (a); and
  - (ii) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare; and
  - (iii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
- (e) the installation over no more than one half of the area of the verge (excluding any vehicle crossing or footpath) of an acceptable material under the 50% Rule;
- (f) the installation to a verge of an acceptable material where permitted under Schedule 2.

- d. Amend clause 2.11(2) by inserting the word ‘permissible’ before the word ‘verge’.

- e. Amend clause 3.1 by deleting in the definition of an advertising sign the words “but does not include an “election sign”.”

- f. Delete the definition of an “election sign” in clause 3.1.

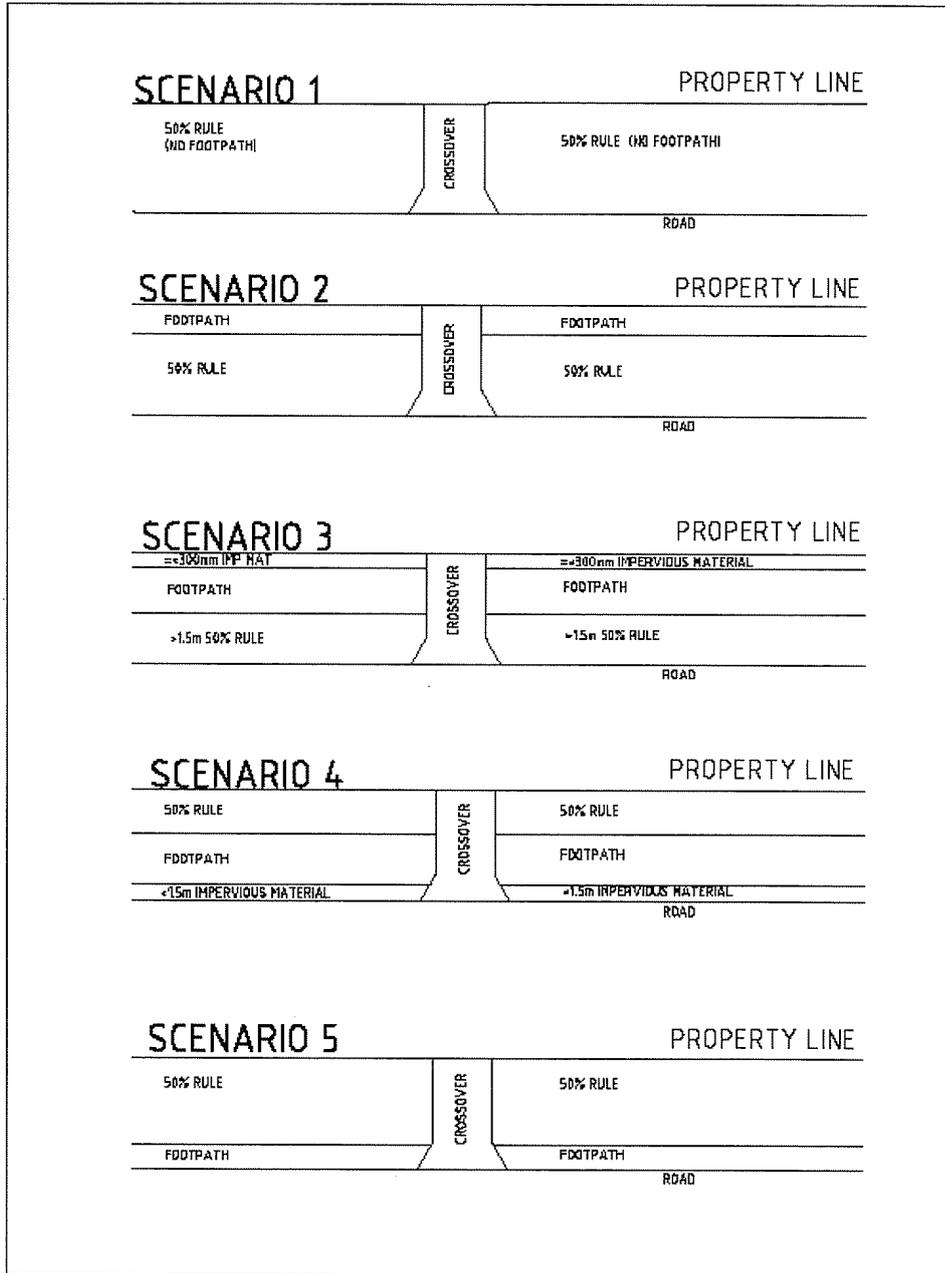
- g. Delete clause 3.5 from the local law.

- h. Amend schedule 1—Prescribed offences by deleting the following—

“3.5(1) Erecting or placing an election sign on a thoroughfare without a permit \$100”

i. Insert a new schedule 2 as follows—

**Schedule 2**  
Verge Treatment Scenarios



Dated this 16th day of April 2010.

The Common Seal of the City of Belmont was hereunto affixed by authority of part 15 of the City of Belmont Standing Orders Local Law 2006, on this 16th day of April 2010.

STUART COLE, Chief Executive Officer.

LG302\*

Local Government Act 1995

## Local Government (Busselton - Councillor Numbers) Order 2010

Made by the Lieutenant-Governor and Administrator in Executive Council on the recommendation of the Minister for Local Government.

### 1. Citation

This order is the *Local Government (Busselton - Councillor Numbers) 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 —

*commencement day* means the day on which the rest of the order comes into operation under clause 2(b);

*next election day* means the day fixed for the holding of the poll for the next election.

### 4. Change in number of councillors for next election (s. 2.18(3)(a) of the Act)

On and from the next election day, the number of offices of councillor on the council of the Shire of Busselton is 12.

### 5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

- (a) Part 4 of the Act applies to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day; and
- (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

By Command of the Lieutenant-Governor and Administrator,

R. KENNEDY, Clerk of the Executive Council.

LG303\*

Local Government Act 1995

## City of Armadale Signs Repeal Local Law 2010

Made by the Lieutenant-Governor and Administrator in Executive Council under section 3.17(1).

### 1. Citation

This local law is the *City of Armadale Signs Repeal Local Law 2010*.

### 2. Commencement

This local law comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this local law is published in the *Gazette*;
- (b) clause 3 — on the day after that day.

### 3. *City of Armadale Signs Local Law 2007 repealed*

The *City of Armadale Signs Local Law 2007* published in the *Gazette* on 19 June 2007 at p. 2817 to 2822 is repealed.

By Command of the Lieutenant-Governor and Administrator,

R. KENNEDY, Clerk of the Executive Council.

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## — PART 2 —

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### CONSUMER PROTECTION

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CE401\*

**ASSOCIATIONS INCORPORATION ACT 1987**

REINSTATEMENT OF ASSOCIATION

Cambridge Musicians Incorporated

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

Dated: 22 April 2010.

SUSAN NULSEN, Director, Business Services.  
for Commissioner of Consumer Protection.

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CE402\*

**ASSOCIATIONS INCORPORATION ACT 1987**

REINSTATEMENT OF ASSOCIATION

Swan's Businessmen's Association

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

Dated: 22 April 2010.

SUSAN NULSEN, Director, Business Services.  
for Commissioner of Consumer Protection.

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### HEALTH

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HE401\*

**HOSPITALS AND HEALTH SERVICES ACT 1927**

HOSPITALS AND HEALTH SERVICES (NURSING HOMES) EXEMPTION ORDER 2010

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

**Citation**

1. This order may be cited as the *Hospitals and Health Services (Nursing Homes) Exemption Order 2010*.

**Commencement**

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

**Revocation**

3. The *Hospitals and Health Services Exemption Order 2009\**, is revoked. [\*Published in the *Gazette*, 1 May 2009, pp. 1450.]

**Exemption**

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

SCHEDULE

ASCOT AGED CARE, 29 Neville Street, Bayswater

BALMORAL AGED CARE FACILITY, 29 Gardner Street, Como

BRIGHTWATER BIRRALEE CARE FACILITY, 155 Odin Road, Innaloo

BRIGHTWATER KINGSLEY FACILITY, 41 Renegade Way, Kingsley  
CARINYA ON BRISTOL, 41 Bristol Avenue, Bicton  
LAKESIDE NURSING HOME, 68 Lyall Street, Redcliffe  
ORELIA HOSTEL, 14 Burke Place, Orelia  
STIRLING AGED CARE FACILITY, 32 Spencer Avenue, Yokine  
Dated this 10th day of April 2010.

KIM HAMES MLA, Deputy Premier,  
Minister for Health.

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## LOCAL GOVERNMENT

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LG501\*

### BUSH FIRES ACT 1954

*Shire of Broome*

#### FIRE BREAK NOTICE

Notice to all Owners and Occupiers of land in the Shire of Broome

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required to complete on or before 15 May 2010 and maintain up to and including 31 December 2010 all fire hazard reduction works as required in accordance with the following—

**(1) Rural and Pastoral lands; (Refers to all land outside the townsite)**

Trafficable firebreaks are required to be clear of all inflammable material.

- (a) Not less than three (3) metres wide inside, along and within ten (10) metres of all external boundaries and around all haystacks.
- (b) A twenty-metre "*parkland cleared*" low fuel buffer zone around all buildings, which shall be clear of all inflammable material.

**(2) Townsite Land; (Refers to all land within the townsite of Broome)**

- (a) Where the area of land is 2,000 square metres or less, remove all inflammable materials from the whole of the land.
- (b) Where the area of the land is greater than 2,000 square metres, trafficable firebreaks not less than three (3) metres wide inside and within two metres of the external boundaries of the land and a twenty-metre "*parkland cleared*" low fuel buffer zone around all buildings, which shall be clear of all inflammable material

**(3) Rubbish Sites; (Being all rubbish sites for pastoral stations, townsite and community use)**

Trafficable firebreaks to be installed not less than two metres wide and within three metres of the perimeter of the rubbish site.

**(4) Fuel Dumps and Depots**

Remove all inflammable material from within five (5) metres of all fuel drums and ramps, whether the drums contain fuel or not.

The works referred to in paragraphs 1, 2, 3, and 4 herein must be performed to the satisfaction of the duly authorised Fire Control Officer of the Shire of Broome.

These conditions are considered the minimum standard of fire protection required. The Shire of Broome reserves the right to place further conditions upon individual land as may be necessary to reduce fire risk.

If it is considered impracticable for any reason to clear firebreaks or to remove inflammable material from the land as required by this Notice, you may apply to the Shire of Broome Manager Emergency, Ranger and Beach Services not later than 10th May 2010 for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

#### Definitions

- "**Inflammable material**" is defined for the purpose of this notice to include long dry grass, leaves, bark, timber, boxes, cartons, paper and like inflammable materials, rubbish and also any combustible matter, but does not include living trees, shrubs, growing bushes and plants under cultivation.
- "**Parkland cleared**" is defined for the purpose of this notice as land that is maintained in a low fuel state. It may contain regularly maintained gardens, trees, shrubs and short grass. It shall be kept in such a state that fire cannot be sustained readily upon the land. For further information as to what would constitute "parkland cleared" please contact the Shire rangers on (08) 9191 3456

**Garden Refuse & Rubbish**

Burning of bush, grass or garden refuse throughout the Shire is not permitted unless a written permit has firstly been obtained from an appointed Bush Fire Control Officer.

**'Burning off is NOT permitted within the townsite of Broome without approval'**

The penalty for failing to comply with this Notice is a fine of **\$5,000** or a modified penalty of **\$250**. Any person failing to comply with this Notice may also be liable whether prosecuted or not, to pay the cost of the Shire of Broome obtaining contractors to perform any fire hazard reduction works on your property.

K. R. DONOHOE, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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**MP101\****CORRECTION***PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****GRANT OF PRODUCTION LICENCE NO. 15**

The notice at page 1530 of the *Government Gazette* dated 23 April 2010 for the grant of Production Licence No. L 15 is corrected as follows—

Grant of the Production Licence L 15 to have effect for a period of twenty one (21) years from and including 1 April 2010.

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

**MP401\*****MINING ACT 1978****FORFEITURE**

Department of Mines and Petroleum,  
Perth WA 6000.

I hereby declare in accordance with the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant, being non payment of rent.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

<b>Number</b>	<b>Holder</b>	<b>Mineral Field</b>
<b>EXPLORATION LICENCE</b>		
69/2413	Gold Finance And Exploration Pty Ltd	Warburton
69/2414	Gold Finance And Exploration Pty Ltd	Warburton
69/2416	Gold Finance And Exploration Pty Ltd	Warburton
<b>MINING LEASE</b>		
45/643	Hart, Graham Hughes Hart, Susan Maxine	Pilbara

**MP402\*****MINING ACT 1978****INTENDED HEARING OF APPLICATION  
FOR FORFEITURE OF MINING TENEMENTS**

In accordance with Regulation 49(2) of the *Mining Regulations 1981*, notice is hereby given that following mining tenements are liable to forfeiture pursuant to the provisions of section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the reporting provisions and/or failure to comply with the prescribed expenditure condition.

G. CALDER SM, Warden.

The application for forfeiture is to be heard before the Warden in Open Court, Court Room 83, Level 8, Central Law Courts, 501 Hay Street, Perth at 9.30am on 8 July 2010

PHILLIPS RIVER MINERAL FIELD

Prospecting Licences

74/231	Graham; Robert John Pinnegar; Glen Ian
74/307	Vistarise Ltd
74/308	Vistarise Ltd

**MP403\***

**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Meekatharra WA 6642.

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

SUSAN RICHARDSON, Warden.

To be heard by the Warden at Meekatharra on 16 June 2010.

MURCHISON MINERAL FIELD

Prospecting Licences

51/2572	ERIKSSON, Arne Olavi
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PEAK HILL MINERAL FIELD

Prospecting Licences

52/1299	Brosnan, Allan Neville Coumbe, John Edward
52/1300	Brosnan, Allan Neville Coumbe, John Edward

**MP404\***

**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Meekatharra WA 6642.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following prospecting licence is liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being non-compliance with the reporting provisions.

SUSAN RICHARDSON, Warden.

To be heard by the Warden at Meekatharra on 16 June 2010.

MURCHISON MINERAL FIELD

Prospecting Licences

51/2572	Eriksson, Arne Olavi
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## PLANNING

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PI401\*

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

*City of Swan*

Local Planning Scheme No. 17—Amendment No. 12

Ref: TPS/0050

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 Swan Local Planning Scheme Amendment on 13 April 2010 for the purpose of—

Rezoning Lot 438 Chittering Road, Bullsbrook from “Landscape” zone to “Rural Residential” zone, and amending the Scheme Map accordingly.

C. ZANNINO, Mayor.  
M. J. FOLEY, Chief Executive Officer.

PI402\*

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

*Shire of Waroona*

Town Planning Scheme No. 7—Amendment No. 12

Ref: 853/6/10/10 Pt 12

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 Waroona Local Planning Scheme Amendment on 13 April 2010 for the purpose of—

1. Introducing the following definition of Home Office into Schedule 1—Interpretations—  
home office—means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not—
  - (a) entail clients or customers travelling to and from the dwelling;
  - (b) involve any advertising signs on the premises; or
  - (c) require any external change to the appearance of the dwelling.
2. Under the list of developments which are excluded from requiring planning approval under the section titled “Development of Land in the Scheme”, introducing a new clause—  
6.12 (m) a Home Office
3. Introducing Home Business into Table 1—Zoning Table and list as an “AA” use where a single residence is either a “P” or “AA” use and as ‘use not permitted’ in all other zones.
4. Introducing the following definition of Home Business into the Schedule 1—Interpretations—  
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 that normally required in the zone.
5. Under Schedule 1—Interpretations under the definition ‘Rural—Intensive Agriculture’ deleting the uses and definitions of ‘Equestrian Activity’ and ‘Horse Stables’
6. Introducing the following definitions into Schedule 1—Interpretations—  
equestrian centre—means premises used for the showing, competition or training of horses and includes a riding school.  
horse keeping—hobby—the keeping of horses purely for private recreation or hobby pursuit in accordance with the stocking rates recommended by the Department of Agriculture and Food.  
horse keeping—commercial—the keeping, breeding, training and agistment of horses for commercial gain (ie, Deriving income from horses from competition riding, trotting and racing) in accordance with the stocking rates recommended by the Department of Agriculture and Food.  
stable—means a structure for the housing of horses.

7. Introducing into the Zoning Table—
  - Equestrian Centre as ‘AA’ in Rural 1 and 2 and as ‘SA’ in Rural 3A, 3B, 5 and 7 and as ‘use not permitted’ in all other zones;
  - Horse Keeping—Commercial as ‘AA’ in Rural 1 and 2 and as ‘SA’ in Rural 3A, 3B, 5 and 7 and as ‘use not permitted’ in all other zones;
  - Horse Keeping—Hobby as ‘P’ in Rural 1 and ‘AA’ in Rural 2, 3A, 3B, 5, 6 and 7 and in Urban 6 and as ‘use not permitted’ in all other zones.
  - Stable as ‘P’ in Rural 1 and ‘AA’ in Rural 2, 3A, 3B, 5, 6, and 7 and in Urban 6 and as ‘use not permitted’ in all other zones.
8. Replacing the definition of Fuel Depot in Schedule 1—Interpretations with the following—
  - fuel depot—means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises.
9. Deleting the Use Class of “Depot” from the Zone Table.
10. In the Zoning Table list—
  - Fuel Depot as a “AA” use in the Industrial zone and as ‘use not permitted’ in all other zones;
  - Transport Depot as a “AA” use in the Industrial and Service Commercial zones and as ‘use not permitted’ in all other zones; and
  - Milk Depot as a “AA” use in the Industrial, Service Commercial and all Rural zones except the Rural Residential zone and as ‘use not permitted’ in all other zones.
11. Inserting Ancillary Accommodation as a use in the Zoning Table and list as a “P” use in the Residential, Preston Beach and Hamel zones and as a “AA” use in all other zones where a Single House is listed as a “P” use and as ‘use not permitted’ in all other zones.
12. Introducing the following definition of Ancillary Accommodation, (taken from the Residential Design Codes), into Schedule 1—Interpretations—
  - ancillary accommodation—means self-contained living accommodation on the same lot as a Single House that may be attached or detached from the Single House occupied by members of the same family as the occupiers of the main dwelling.
13. Replacing all reference to “Residential Planning Codes” with “Residential Design Codes”
14. Modifying the Scheme boundary to reflect the Local Government Area Boundary and zone the parcels of land absorbed into the Scheme as ‘Rural 1—General Farming’.
15. In the Zoning Table modifying the Use Class of Rural Pursuit under Rural 6—Rural Residential zone by adding a footnote reference number “1” in addition to the “AA” classification and adding at the bottom of the Zoning Table the following footnote—
  - “1—Rural Pursuit will only be considered in Rural Residential precincts 1 & 2.”
16. Introducing the following definition of Winery (taken from the Model Scheme Text) into Schedule 1—Interpretations—
  - winery—means premises used for the production of viticultural produce and may include sale of the produce.
17. Introducing “Winery”: as a Use Class in the Zoning Table and list as a “SA” use in Rural 1, 2, 3A, 3B, 4 and 5 zones and as ‘use not permitted’ in all other zones.
18. Introducing “Restaurant” as an “IP” use in Rural 1, 2, 3A and 5 zones and retain the other ‘AA’ listings
19. Introducing Bed and Breakfast as a Use Class in the Zoning Table and list as ‘P’ in the Urban 1 zone, ‘AA’ in the Urban 4, 5, 6, 8, 9 zones and ‘AA’ in the Rural 1, 3A, 3B, 4, 5 and 6 zones and as ‘use not permitted’ in all other zones.
20. Introducing the following definition of Bed and Breakfast (taken from the Model Scheme Text) into Schedule 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;
21. Revising the definition of Caravan Park under Schedule 1—Interpretations to read—
  - Caravan Park—has the same meaning as in the *Caravan Parks and Camping Ground Act 1995*;
  - Park Home Park—has the same meaning as in the *Caravan Parks and Camping Ground Regulations 1997*;
22. Removing Caravan Park/Park Home Park as a Use Class from the Zoning Table and replace with—
  - Caravan Park and list as an ‘AA’ use in the Urban 9 and Rural 1, 3A, 3B and 5 zones and as ‘SA’ in the Urban 4 zone and ‘use not permitted’ in all other zones; and
  - Park Home Park and list as an ‘SA’ use in the Urban 4 and 9 and Rural 3A and 3B zones and as ‘use not permitted’ in all other zones.
23. Introducing Commercial Vehicle Parking into the Zoning Table and list as a ‘P’ use in Urban 7 and Rural 1 zones and as an ‘AA’ use in Urban 3, 4, 5, 6, 8 and 9 and Rural 2, 3A, 3B, 4, 5 and 6 zones and as a ‘use not permitted’ in the remaining zones.

24. Introducing the following definition of Commercial Vehicle into Schedule 1—Interpretations—  
commercial vehicle—means any vehicle, used or intended to be used in the course of a business or trade, which has a tare weight in excess of one tonne.
25. Modifying Table 1 (the Zoning Table) by reclassifying the Use Class of Kennels/Cattery from ‘AA’ to ‘SA’ in the Rural 1 General Farming zone, and from ‘SA’ to ‘a use not permitted’ in the Rural 6 Rural Residential zone and retaining the other current classifications.
26. Replacing all references to the ‘Town Planning and Development Act 1928’ with ‘Planning and Development Act 2005’.
27. Replacing the definition of ‘Commission’ in Schedule 1—Interpretations of the Scheme to read—  
Commission—means the Western Australian Planning Commission as provided for by the *Planning and Development Act 2005*.
28. From Schedule II under Rural Residential 3, delete cause “xii” and renumber the subsequent clauses accordingly.
29. Revising the definition of ‘Residential Design Codes’ under Schedule 1—Interpretations to read—  
residential planning codes—means the Residential Planning Codes in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No. 1, as amended from time to time;
- Note: The modifications to the Zoning Table as listed above, apart from complete deletions of a Use Class, are provided in the Zoning Table—Modifications as provided in Appendix 1 to the amending document.

M. WALMSLEY, Shire President.  
I. N. CURLEY, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Murray*  
Town Planning Scheme No. 4—Amendment No. 240

Ref: 853/6/16/7 Pt 240

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 Murray local planning scheme amendment on 8 April 2010 for the purpose of—

1. Rezoning portion of Lot 83 Fowler Road, Stakehill from Rural to Special Use—Home Based Business.
2. Adding to Schedule 5—Special Use zone of the Scheme Text under the headings the following—

(A) Specified Land	(B) Special Provisions relating to (A)
Lot 83 Fowler Road, Stakehill	<ol style="list-style-type: none"> <li>1. Subdivision shall be generally in accordance with the Subdivision Guide Plan associated with Amendment 240, or any subsequent modifications approved by the Western Australian Planning Commission.</li> <li>2. (a) The following uses are permitted (‘P’)—               <ol style="list-style-type: none"> <li>i. single house</li> <li>ii. outbuilding</li> <li>iii. home occupation</li> <li>iv. home business</li> <li>v. home office</li> <li>vi. home-based trade</li> <li>vii. cottage industry</li> <li>viii. commercial vehicle parking</li> </ol> </li> <li>(b) The following uses may be permitted at the discretion of the Council (‘AA’)—               <ol style="list-style-type: none"> <li>i. ancillary accommodation</li> </ol> </li> <li>(c) All other uses are not permitted (‘X’)</li> <li>3. No person shall—               <ol style="list-style-type: none"> <li>(a) Develop, or establish or allow to develop the land for uses other than residential purposes unless a dwelling is erected first;</li> </ol> </li> </ol>

(A) Specified Land	(B) Special Provisions relating to (A)
	<p>(b) Allow a dwelling to be occupied by any person other than the owner or manager of the property and their immediate family;</p> <p>4. The portion of land within a building envelope closest to the street frontage shall be used for residential purposes only.</p> <p>5. Development associated with uses other than residential—</p> <p>(a) Shall not be permitted within 40 metres of a street boundary;</p> <p>(b) Is not permitted closer to a street than any residential development;</p> <p>(c) Shall not be made with materials producing reflective impact;</p> <p>6. Commercial vehicle parking is limited to a maximum of 2 vehicles and shall only be permitted upon written notification to the Council and compliance with the following—</p> <p>(a) The vehicle is owned and or driven by the landowner or occupier as part of their occupation, only;</p> <p>(b) The vehicle is not a 'road train' or 'B double';</p> <p>(c) The vehicle is not loaded with hazardous or dangerous substances whilst on site;</p> <p>(d) The vehicle is parked within the building envelope;</p> <p>(e) No refueling or storage of fuel are to occur on site;</p> <p>(f) No major repairs are to occur on site;</p> <p>(g) No loading or unloading of the vehicle is to occur on site, or storage of commercial goods brought to the site by the vehicle is to occur other than those associated with the residence or other Council approved use on site;</p> <p>(h) No transfer of goods from one vehicle to another is to occur on site;</p> <p>(i) The vehicle is adequately screened from view from nearby land or public roads to the satisfaction of the Council;</p> <p>7. The maximum floor area of a shed or sheds on a lot shall be 200m<sup>2</sup>, unless otherwise approved by the Council. In considering applications for a shed or sheds with a total floor area greater than 200m<sup>2</sup> on a lot, Council may subject an application to advertising in accordance with clause 5.2.2 (c) and (d) of the Scheme Text.</p> <p>8. The exterior of any shed shall be of natural earth tone colours.</p> <p>9. The minimum lot area shall be 2 hectares unless connected to reticulated mains water in which case the minimum lot area may be 1 hectare subject to approval from the Western Australian Planning Commission.</p> <p>10. In order to conserve the landscape amenity, trees and other indigenous vegetation shall not be felled or cleared without the prior written approval of the Council except where required for erection of a single house, outbuildings, sheds, an effluent disposal system, access ways, fences and firebreaks.</p> <p>11. A dwelling shall be provided with a supply of potable water from either on underground bore or a rainwater storage system with a minimum capacity of 92,000 litres to the satisfaction of the Council.</p> <p>12. Council shall require a dwelling on any lot to be connected to an alternative domestic waste water treatment system with an adequate phosphorus removal capacity, as approved by the Health Department of Western Australia, which is installed in accordance with the Health Department approvals.</p> <p>13. All fencing shall be open post and rail or post and wire, but may include steel posts on boundaries. Fences shall be constructed and maintained to the satisfaction of the Council.</p> <p>14. No dwelling, outbuilding, shed or structure shall be located outside the building envelope specified for the lot on the Subdivision Guide Plan, such building envelope shall not be closer than 20 metres to any lot boundary.</p>

(A) Specified Land	(B) Special Provisions relating to (A)
	<p>15. The subdivider shall prepare and implement a Fire Management Plan as part of any application to subdivide the land, with the plan being to the satisfaction of the Council and the Fire and Emergency Services Authority. A notification is to be registered against the Certificates of Titles of any future subdivision, alerting purchasers of the land and successors in Title of their responsibilities in terms of fire management.</p> <p>16. With the intention of preventing overstocking or other practices detrimental to the amenity of the zone, the breeding or keeping of animals shall not be permitted without the approval in writing of Council. In considering any applications for the keeping or breeding of stock, the Council shall be guided by advice from the Department of Agriculture and Food. Notwithstanding the above, in cases where approval has been given but where environmental problems develop, Council, after consultation with the Department of Agriculture and Food, may take appropriate action to ban the stocking of animals.</p> <p>17. The subdivider shall make arrangements, to the satisfaction of Council, to ensure that prospective purchasers of the lots are advised of those scheme provisions which relate to the land use and management of the land.</p> <p>18. Signage associated with any business or home based trade to be a maximum of 1m<sup>2</sup> and designed to be sympathetic to the nature of the area.</p> <p>19. A ground water licence is required for use of irrigating an area greater than 0.2 hectares for the purposes other than domestic use.</p> <p>20. The subdivider shall prepare an aboriginal heritage study prior to subdivision of the land, to the specifications of the Department of Indigenous Affairs.</p>

3. Including the following definition of Commercial Vehicle in Appendix 1 of Town Planning Scheme No. 4—

Commercial Vehicle: means a vehicle whether licensed or not which is used or designed for use for business, trade or commercial purposes, or in conjunction with a business, trade or profession, and without limiting the generality of the foregoing includes any utility, van, truck, trailer, tractor and any wheeled attachment to any of them, or any wheeled article designed to be an attachment to any of them, and any bus or omnibus or any earthmoving machine whether self propelled or not. If a truck, prime mover or other vehicle is attached to a trailer, semi-trailer or any other attachment, each trailer, semi-trailer or any other attachment is to be regarded as a separate commercial vehicle. A loaded combination such as a bobcat, forklift or other vehicle, or attachment loaded on a truck, trailer or other attachment is to be regarded as a separate commercial vehicle. The term shall not include a vehicle designed for use as a passenger car or a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes.

4. Amending the Scheme Map accordingly.

N. H. NANCARROW, Shire President.  
D. UNSWORTH, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
AMENDMENT TO INSTRUMENT OF DELEGATION  
DEL 2009/05 POWERS OF COMMITTEES

Notice of amendment to the Instrument of Delegation to Committees of certain powers and functions of the Western Australian Planning Commission, as gazetted on 4 September 2009.

**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 s 16 of the Act (delegation)**

On 27 April 2010, 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 attached schedule, to the committees specified in column 1 of the attached schedule.
- B To amend the Instrument of Delegation DEL 2009/05 Powers of Committees published in the *Government Gazette* on 4 September 2009 (pages 3503-3507) to give effect to this delegation, as set out in the attached Schedule.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

*Planning and Development Act 2005*

INSTRUMENT OF DELEGATION

**Schedule**

Column 1 (Committee)	Column 2 (Powers and Functions)
5. Peel Region Planning Committee	5.7. Power under clause 1(2)(c) of Schedule 2 of the Act to appoint members to hearings committees established to hear submissions on amendments to the Peel Region Scheme.
	5.8. Power under clause 1(2)(d) of Schedule 2 of the Act to discharge, alter or reconstitute hearings committees established to hear submissions on amendments to the Peel Region Scheme.
6. South West Region Planning Committee	6.7. Power under clause 1(2)(c) of Schedule 2 of the Act to appoint members to hearings committees established to hear submissions on amendments to the Greater Bunbury Region Scheme.
	6.8. Power under clause 1(2)(d) of Schedule 2 of the Act to discharge, alter or reconstitute hearings committees established to hear submissions on amendments to the Greater Bunbury Region Scheme.

PI405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
AMENDMENT TO INSTRUMENT OF DELEGATION  
DEL 2009/06 POWERS OF OFFICERS

Notice of amendment to the Instrument of Delegation to Officers of certain powers and functions of the Western Australian Planning Commission, as gazetted on 10 November 2009.

**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 s 16 of the Act (delegation)**

On 27 April 2010, pursuant to section 16 of the Act, the WAPC resolved—

- A To delegate its powers and functions set out in Instrument of Delegation DEL 2009/06 Powers of Officers, as set out in column 1 of the attached schedule, to the person or persons from time to time holding or acting in the offices in the Department charged with the administration of the *Planning and Development Act*, as specified in column 2 of the attached schedule, subject to the conditions specified in column 3 of the schedule;
- B To amend the Instrument of Delegation DEL 2009/06 Powers of Officers published in the *Government Gazette* on 10 November 2009 (pages 4500-4518) to give effect to this delegation, as set out in the attached schedule.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

*Planning and Development Act 2005*

## INSTRUMENT OF DELEGATION

## Schedule

<b>Column 1 (Powers and Functions set out in DEL 2009/06)</b>	<b>Column 2 (Officers)</b>	<b>Column 3 (Conditions)</b>
Schedule 1— <ul style="list-style-type: none"> <li>• Clauses 1.1 to 1.5</li> <li>• Clauses 1.8 and 1.9</li> </ul> Schedule 2— <ul style="list-style-type: none"> <li>• Clauses 2.1 to 2.7</li> </ul> Schedule 3— <ul style="list-style-type: none"> <li>• Clauses 3.1 to 3.6</li> </ul> Schedule 4— <ul style="list-style-type: none"> <li>• Clauses 4.1 to 4.5</li> </ul> Schedule 5— <ul style="list-style-type: none"> <li>• Clauses 5.1 to 5.3</li> </ul> Schedule 7— <ul style="list-style-type: none"> <li>• Clauses 7.1 to 7.3</li> <li>• Clauses 7.5</li> </ul>	<ul style="list-style-type: none"> <li>• Director Metropolitan Planning South West 20100080</li> <li>• Director Metropolitan Planning South East 20100081</li> <li>• Director Metropolitan Planning Central 20100082</li> <li>• Director Metropolitan Planning North East 20100083</li> <li>• Director Metropolitan Planning North West 20100084</li> </ul>	Confined to matters related to land within the Perth Metropolitan Region.
Schedule 1— <ul style="list-style-type: none"> <li>• Clauses 1.1 to 1.5</li> <li>• Clauses 1.8 and 1.9</li> </ul> Schedule 2— <ul style="list-style-type: none"> <li>• Clauses 2.1 to 2.5</li> </ul> Schedule 3— <ul style="list-style-type: none"> <li>• Clauses 3.1 to 3.6</li> </ul> Schedule 4— <ul style="list-style-type: none"> <li>• Clauses 4.1 to 4.5</li> </ul> Schedule 5— <ul style="list-style-type: none"> <li>• Clauses 5.1 to 5.3</li> </ul> Schedule 8— <ul style="list-style-type: none"> <li>• Clauses 8.1 to 8.7</li> </ul>	<ul style="list-style-type: none"> <li>• Director Peel Planning 20100078</li> </ul>	Confined to matters related to land within the Peel Region of the State.
Schedule 1— <ul style="list-style-type: none"> <li>• Clauses 1.1 to 1.5</li> <li>• Clauses 1.8 and 1.9</li> </ul> Schedule 2— <ul style="list-style-type: none"> <li>• Clauses 2.1 to 2.5</li> </ul> Schedule 3— <ul style="list-style-type: none"> <li>• Clauses 3.1 to 3.6</li> </ul> Schedule 4— <ul style="list-style-type: none"> <li>• Clauses 4.1 to 4.5</li> </ul> Schedule 5— <ul style="list-style-type: none"> <li>• Clauses 5.1 to 5.3</li> </ul> Schedule 9— <ul style="list-style-type: none"> <li>• Clauses 9.1 to 9.7</li> </ul>	<ul style="list-style-type: none"> <li>• Director South West Planning 20100079</li> </ul>	Confined to matters related to land within the South West Region of the State.
Schedule 1— <ul style="list-style-type: none"> <li>• Clauses 1.4 and 1.5</li> <li>• Clause 1.8</li> </ul> Schedule 2— <ul style="list-style-type: none"> <li>• Clauses 2.1 to 2.5</li> </ul> Schedule 3— <ul style="list-style-type: none"> <li>• Clauses 3.1 to 3.6</li> </ul> Schedule 4— <ul style="list-style-type: none"> <li>• Clauses 4.1 to 4.5</li> </ul> Schedule 5— <ul style="list-style-type: none"> <li>• Clauses 5.1 to 5.3</li> </ul>	<ul style="list-style-type: none"> <li>• Director Planning Northern Regions 20100075</li> <li>• Director Planning Southern Regions 20100076</li> <li>• Director Planning Central Regions 20100077</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

Column 1 (Powers and Functions set out in DEL 2009/06)	Column 2 (Officers)	Column 3 (Conditions)
Schedule 10— • Clauses 10.1 to 10.5	• Director Planning Central Regions 20100077	—
Schedule 1— • Clauses 1.4 and 1.5 • Clause 1.8	• Project Planner 20080211	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
Schedule 2— • Clauses 2.1 to 2.5		
Schedule 3— • Clauses 3.1 to 3.6		
Schedule 4— • Clauses 4.1 to 4.5		
Schedule 5— • Clauses 5.1 to 5.3		

PI406\*

**PLANNING AND DEVELOPMENT ACT 2005**  
AMENDMENT TO INSTRUMENT OF DELEGATION 2009/06  
POWERS OF OFFICERS

Notice of amendment to the Instrument of Delegation to Officers of certain powers and functions of the Western Australian Planning Commission, as gazetted on 10 November 2009.

**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 s 16 of the Act (delegation)**

On 27 April 2010, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate its powers and functions set out in Instrument of Delegation DEL 2009/06, as set out in Column 2 of the attached Schedule 2, to a member or officer of the WAPC as specified in Column 1 of the attached Schedule 2.
- B. To delegate its powers and functions as set out in column 2 of the attached Schedule 3, to the person or persons from time to time holding or acting in the offices in the department charged with the administration of the Act, as specified in column 1 of the attached Schedule 3;
- C. To amend the Instrument of Delegation DEL 2009/06 Powers of Officers published in the *Government Gazette* on 10 November 2009 (pages 4500-4518) to give effect to this delegation, as set out in the attached Schedules.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

*Planning and Development Act 2005*

INSTRUMENT OF DELEGATION

**Schedule 1**

**1. Instrument of delegation amended**

The amendments within this Schedule are to Schedule 6 of the Instrument of Delegation DEL 2009/06 Powers of Officers.

**2. Clause 6.1 amended(p.4510)**

- (a) Column 2 of clause 6.1 is amended by deleting “Director, Land Asset Management 20020100” and inserting instead—  
“Manager, WAPC Property Management Services 20020100”.
- (b) Column 3 of clause 6.1 is amended by deleting “Subject to a limitation of \$100,000”.

**3. Clause 6.2 amended (p.4510)**

- (a) Column 2 of clause 6.2 is amended by deleting “Director, Land Asset Management 20020100” and inserting instead—  
“Manager, WAPC Property Management Services 20020100”.
- (b) Column 3 of clause 6.2 is amended by deleting “Subject to a limitation of \$100,000” and inserting instead—  
“Subject to a limitation of \$250,000”.

**4. Clause 6.3 amended (p.4511)**

- (a) Column 1 of clause 6.3 is amended by deleting “\$100,000 (one hundred thousand dollars)” and inserting instead—  
“\$250,000 (two hundred and fifty thousand dollars)”.
- (b) Column 2 of clause 6.3 is amended by deleting “Director, Land Asset Management 20020100” and inserting instead—  
“Manager, WAPC Property Management Services 20020100”.
- (c) Column 3 of clause 6.3 is amended by deleting “Subject to a limitation of \$100,000” and inserting instead—  
“Subject to a limitation of \$250,000”.

**5. Clause 6.4 amended (p.4511)**

- (a) Column 1 of clause 6.4 is amended by inserting before the words “the awarding of contracts”—  
“The calling of tenders”
- (b) Column 3 of clause 6.4 is amended by deleting “Subject to a limitation of \$100,000” and inserting instead—  
“Subject to a limitation of \$250,000”.

**Schedule 2—Delegation of Powers and Functions set out in DEL 2009/06**

<b>Column 1 (Powers and Functions set out in DEL 2009/06)</b>	<b>Column 2 (Officers)</b>
Clause 6.8(b)	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Secretary of the WAPC</li> </ul>

**Schedule 3—New delegation of Powers and Functions**

<b>Column 1 (New Powers and Functions)</b>	<b>Column 2 (Officers)</b>	<b>Column 3 (Conditions)</b>
6.10. Power to appoint Incurring Officers, Certifying Officers and Collectors of Public Moneys in accordance with the Treasurer’s Instruction 304 issued under section 78 of the <i>Financial Management Act 2006</i> .	<ul style="list-style-type: none"> <li>Secretary of the WAPC</li> </ul>	—
6.11. Power to write-off bad debts in accordance with the Treasurer’s Instruction 807 issued under section 78 of the <i>Financial Management Act 2006</i> .	<ul style="list-style-type: none"> <li>Secretary of the WAPC</li> </ul>	<ul style="list-style-type: none"> <li>For write-off of bad debts which have individual values up to \$10,000.</li> </ul>
6.12. Power to re-allocate budgeted funds.	<ul style="list-style-type: none"> <li>Secretary of the WAPC</li> </ul>	<ul style="list-style-type: none"> <li>That the budgeted surplus/deficit for the year is not revised.</li> </ul>

**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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
13401	Lima Lima Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Port Kennedy and known as PK Fresh IGA Plus Liquor.	03/06/2010
13426	Delhi Palace (Aust) Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Inglewood and known as Delhi Palace Indian Restaurant.	24/05/2010
<b>APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
330173	Victorial Hotel (Collie) Pty Ltd	Application to add, vary or cancel a condition of the Club Restricted licence in respect of premises situated in Collie and known as Victoria Hotel.	14/05/2010

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

Dated: 28 April 2010.

B. A. SARGEANT, Director of Liquor Licensing.

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## DECEASED ESTATES

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**ZX401\***

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Elma Maisie Peacock, late of Unit 29, Bethel Village, Bethel Way, Albany in the State of Western Australia, Home Duties, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Elma Maisie Peacock, deceased who died on the 12th day of November 2009 at Albany in the said State are required by the personal representative Ian Wayne Peacock of 1763 Swamp Road, Gairdner, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

**ZX402**

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

In the estate of Doreen Leigh Everitt, late of 360 Frenchman Bay Road, Albany, 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 7 November 2009 are required by the personal representatives Terrance Peter Lupton and Stephanie Alice Helen Lupton of care of HHG Legal Group, 49 Peels Place, Albany, Western Australia to send particulars of their claims to them by the 31st day of May 2010 after which date the personal representatives 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

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 30 May 2010 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bertram, Alec Trevor, late of 427/1 Adie Court, Bentley died 3 April 2010 (DE 19691662 EM13)

Farmer, Graham, late of Bentley Hospital Mills Street, Bentley WA died 26 March 2010 (DE 19980087 EM26)

House, Kyra, formerly of 4/168 Banksia Street, Tuart Hill WA late of 25 Anstey Street, South Perth died 1 April 2010 (DE 19953295 EM15)

Inkpen, Esme, late of 27 Ivermeyer Road, Hamilton Hill died 12 April 2010 (DE 30295547 EM16)

Lawford, May Belle, late of 186 Flamborough Street, Doubleview died 9 March 2010 (DE 20012321 EM110)

Mcpherson, Kenneth Ian, late of 495 Marmion Street, Booragoon died 30 March 2010 (DE 19980210 EM313)

Pleasant, Martin Robert, late of 5 Armstrong Drive, Karratha died 10 March 2010 (DE 19960078 EM24)

Smith, Douglas Newman, late of 9/47 Park Street, Como died 18 April 2010 (DE 19672023 EM23)

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 30th day of April 2010.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Pierre Noel Gontran DE 19821888 EM16	26 Locarno Close, Stirling	20 January 2010	20 April 2010

WESTERN AUSTRALIA

**FREEDOM OF INFORMATION ACT 1992****\*Price: \$21.40 plus postage**

\* Prices subject to change on addition of amendments.

## **REQUEST FOR SUPERSEDED REPRINTS (ACTS)**

The Parliamentary Counsel's Office in conjunction with State Law Publisher are undertaking a project to scan all versions of reprints of Acts (including superseded versions) that are currently in force to have the complete reprint history of each title available on our web site. The completion of this project will substantially add to the historical information already available to clients.

There are some superseded reprints we are not able to locate. Listed below are the titles and reprint versions that we would like to borrow to photocopy.

If you have any of these reprints in your archives and would be willing to lend them to the State Law Publisher we would like to hear from you, of course the reprints will be returned undamaged.

- Administration Act 1903**—Reprint No. 1 (including 28 of 1934);
- Builders' Registration Act 1939**—Reprint No. 3 (27 July 1961);
- Electoral Act 1907**—Reprint No. 3 (21 Oct. 1949);
- Electoral Act 1907**—Reprint No. 5 (26 Feb. 1962);
- Government Railways Act 1904**—Reprint No. 1 (21 Feb. 1949);
- Health Act 1911**—Reprint No. 4 (including 21 of 1944);
- Metropolitan Water Supply, Sewerage and Drainage Act 1909**—Reprint No. 1; (including 2 of 1941)
- Mining on Private Property Act 1898**—Reprint No. 3 (2 Sept. 1966);
- Motor Vehicle (Third Party) Act 1943**—Reprint No. 1;
- Motor Vehicle (Third Party) Act 1943**—Reprint No. 3 (23 Aug. 1954);
- Sale of Goods Act 1895**—Reprint No. 1 (8 May 1956);
- ~~**Sale of Goods Act 1895**—Reprint No. 2 (15 Apr 1965);~~
- Superannuation and Family Benefits Act 1938**—Reprint No. 1.

Please contact John Thompson if you need more information or if you can assist in this matter.

John Thompson  
Business Manager, Sales & Editorial,  
State Law Publisher,  
10 William St, Perth 6000

Phone 9426 0010  
Fax 9321 7536  
Email: john.thompson@dpc.wa.gov.au

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