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### CHANGE TO PUBLICATION TIMES

Clients please note that the publication time for all General Government Gazettes will change from 3.30 pm to 12.00 noon.

This change will commence for the General Government Gazette published 6 January 2012.

All copy close-off times will remain the same, being 12.00 noon on Wednesday each week for the Friday Gazette and 12.00 noon Friday for the Tuesday Gazette.

JOHN STRIJK, Director and Government Printer,  
State Law Publisher,  
Department of the Premier and Cabinet.

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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2011 AND NEW YEAR HOLIDAY PERIOD 2012

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<b>Publishing Dates and times</b>	<b>Closing Dates and Times for copy</b>
Friday, 23 December 2011 at 3.30 pm	Wednesday, 21 December 2011 at 12 noon
Friday, 30 December 2011 at 2.30 pm	Wednesday, 28 December 2011 at 12 noon
Friday, 6 January 2012 at 12.00 noon	Wednesday, 4 January 2012 at 12 noon



# — PART 1 —

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## HEALTH

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HE301\*

Hospitals and Health Services Act 1927

### **Fremantle Hospital Amendment By-laws (No. 2) 2011**

Made under section 22 of the Act by the Minister in his capacity as the board of the Fremantle Hospital.

**1. Citation**

These by-laws are the *Fremantle Hospital Amendment By-laws (No. 2) 2011*.

**2. Commencement**

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 January 2012.

**3. By-laws amended**

These by-laws amend the *Fremantle Hospital By-laws 1992*.

**4. By-law 17 amended**

- (1) Delete by-law 17(2) and insert:
  - (2) An application under sub-by-law (1) must be in a form approved by the chief executive officer.
  - (3A) The fee payable for a parking permit is \$4.10 for each day on which the permit holder is permitted to park a vehicle on the site (up to a maximum of \$20.50 per week).
  - (3B) The chief executive officer or authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee to be paid in instalments.

- (2) In by-law 17(3) delete “under sub-by-law (2)(b)” and insert:

for a parking permit

- (3) In by-law 17(7) after “chief executive officer” insert:

or an authorised person

**5. By-law 18 amended**

- (1) In by-law 18(1) delete “in the manner set out in” and insert:

in accordance with

- (2) Delete by-law 18(2) and insert:

- (2) The refund is the amount of the fee paid for a day that occurs —

- (a) after the person ceases to use the permit or ceases employment; or
- (b) during the period of leave.

**6. By-law 20 amended**

- (1) In by-law 20(1) delete “21” and insert:

28

- (2) In by-law 20(3)(b) delete “the cashier of the Fremantle Hospital, within a period of 28 days after the giving of the notice.” and insert:

an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.

**7. By-law 25 amended**

- (1) In by-law 25(1) after “chief executive officer” insert:

or an authorised person

- (2) Delete by-law 25(4) and insert:
- (4) The Board may retain possession of a vehicle removed and stored under this by-law until —
- (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or
  - (b) if the vehicle was removed under sub-by-law (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-by-law (4)(a) may be made by one of the following methods —
- (a) in person to an authorised person at the site;
  - (b) in person at the Metropolitan Access and Parking Department at —  
100 Flinders Street  
Mt. Hawthorn WA
  - (c) at any Australia Post Office or agency;
  - (d) by telephone on 1800 753 191;
  - (e) by cheque or money order payable to “Metropolitan Access and Parking” and posted to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

**8. Schedule 1 deleted**

Delete Schedule 1.

**9. Schedule 2 amended**

In Schedule 2:

- (a) in the item relating to by-law 16(3) and 16(1)(b) delete “45” and insert:

40

- (b) in the second item relating to by-law 16(3) and 16(1)(e) delete “20” and insert:

40

- (c) in the item relating to by-law 16(4)(a) delete “20” and insert:

40

- (d) in the item relating to by-law 16(4)(b) delete “20” and insert:

40

- (e) in the item relating to by-law 17(9) delete “30” and insert:

40

**10. Schedule 3 amended**

Delete Schedule 3 Form 1 and insert:

FORM 1

[By-law 20(3)]

<b>Infringement Notice</b>		
<i>Fremantle Hospital By-laws 1992</i>		
<b>Notice No.</b>	<b>Issue date</b>	<b>Issue time</b>
<b>Location</b>		
<b>Vehicle</b>		
Plate no. & type	Make	Model/Style
<b>Alleged Offence</b>		
Date	Time	
By-law	Modified penalty	
<b>Issuing Officer</b>		
Name	Signature/Officer No.	

You have 28 days from when this Notice is given to you to pay the modified penalty or elect to go to court. If you don't, enforcement proceedings will be taken against you.

**Paying the modified penalty**

- By post: Send a cheque or money order payable to  
“Metropolitan Access and Parking” to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916
- In person: Pay at the Metropolitan Access and Parking  
Department at —  
100 Flinders Street  
Mt. Hawthorn WA  
OR  
Pay at any Australia Post Office or agency.
- By telephone: Call 1800 753 191

**Electing to go to court**

If you wish to elect to go to court, sign here:

..... Date: .....

then send this notice to —

The Chief Executive Officer  
Metropolitan Access and Parking Department  
100 Flinders Street  
Mt. Hawthorn WA 6016

Make sure you keep a copy. If you go to court and are convicted  
you may be fined \$50 and ordered to pay costs.

**If enforcement proceedings are taken against you, your  
driver’s licence and/or vehicle licence may be suspended** until  
you pay the modified penalty and expenses or you elect to go to  
court.

KIM HAMES,

The Minister in his capacity as  
the board of the Fremantle Hospital.

HE302\*

Hospitals and Health Services Act 1927

## **Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011**

Made under section 22 of the Act by the Minister in his capacity as the  
board of the Hospitals.

### **1. Citation**

These by-laws are the *Women’s and Children’s Hospitals  
Amendment By-laws (No. 2) 2011*.

**2. Commencement**

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 January 2012.

**3. By-laws amended**

These by-laws amend the *Women's and Children's Hospitals By-laws 2005*.

**4. By-law 17C replaced**

Delete by-law 17C and insert:

**17C. Fees for parking permits**

- (1) The fee payable for a parking permit is \$3.40 for each day on which the permit holder is permitted to park a vehicle on the site (up to a maximum of \$17.00 per week).
- (2) The authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee for the permit to be paid in instalments.

**5. By-law 17D amended**

Delete by-law 17D(1)(a) and insert:

- (a) in the case of a permit holder who pays the fee for the permit in instalments, the permit holder fails to make an instalment; or

**6. By-law 17E amended**

- (1) In by-law 17E(1) and (2) delete “any permit fees paid for any weeks” and insert:

the amount of the fee paid for a period

- (2) In by-law 17E(3) delete “fees” and insert:

fee

**7. By-law 18 amended**

- (1) In by-law 18(1) delete “21” and insert:

28

- (2) In by-law 18(3)(b) delete the passage that begins with “may be paid” and ends with “notice.” and insert:

may be paid to an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.

**8. By-law 23 amended**

Delete by-law 23(4) and insert:

- (4) The board may retain possession of a vehicle removed and stored under this by-law until —
- (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or
  - (b) if the vehicle was removed under sub-by-law (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-by-law (4)(a) may be made by one of the following methods —
- (a) in person to an authorised person at the site;
  - (b) in person at the Metropolitan Access and Parking Department at —  
100 Flinders Street  
Mt. Hawthorn WA
  - (c) at any Australia Post Office or agency;
  - (d) by telephone on 1800 753 191;
  - (e) by cheque or money order payable to “Metropolitan Access and Parking” and posted to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

**9. Schedule 2 amended**

In Schedule 2:

- (a) in the item relating to by-law 15(1)(b) and (3) delete “45” and insert:

40

- (b) in the second item relating to by-law 15(1)(e) and (3) delete “20” and insert:

40

- (c) in the item relating to by-law 16 delete “30” and insert:

40

**10. Schedule 3 amended**

- (1) Delete Schedule 3 Form 1 (the Infringement Notice) and insert:

**Form 1 — Infringement Notice (by-law 18)**

<b>Infringement Notice</b>		
<i>Women’s and Children’s Hospitals By-laws 2005</i>		
<b>Notice No.</b>	<b>Issue date</b>	<b>Issue time</b>
<b>Location</b>		
<b>Vehicle</b>		
Plate no. & type	Make	Model/Style
<b>Alleged Offence</b>		
Date	Time	
By-law	Modified penalty	
<b>Issuing Officer</b>		
Name	Signature/Officer No.	

You have 28 days from when this notice is given to you to pay the modified penalty or elect to go to court. If you don’t, enforcement proceedings will be taken against you.

**Paying the modified penalty**

- By post: Send a cheque or money order payable to  
“Metropolitan Access and Parking” to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916
- In person: Pay at the Metropolitan Access and Parking  
Department at —  
100 Flinders Street  
Mt. Hawthorn WA  
OR  
Pay at any Australia Post Office or agency.
- By telephone: Call 1800 753 191

**Electing to go to court**

If you wish to elect to go to court, sign here:

..... Date: .....

then send this notice to —

The Chief Executive Officer  
Metropolitan Access and Parking Department  
100 Flinders Street  
Mt. Hawthorn WA 6016

Make sure you keep a copy. If you go to court and are convicted you may be fined \$50 and ordered to pay costs.

**If enforcement proceedings are taken against you, your driver’s licence and/or vehicle licence may be suspended until you pay the modified penalty and expenses or you elect to go to court.**

- (2) In Schedule 3 delete “2. **Withdrawal of Infringement Notice (by-law 19)**” and insert:

**Form 2 — Withdrawal of Infringement Notice (by-law 19)**

KIM HAMES,  
The Minister in his capacity as  
the board of the Hospitals.

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HE303\*

Hospitals and Health Services Act 1927

## Royal Perth Hospital Amendment By-laws (No. 2) 2011

Made under section 22 of the Act by the Minister in his capacity as the board of the Royal Perth Hospital.

### 1. Citation

These by-laws are the *Royal Perth Hospital Amendment By-laws (No. 2) 2011*.

### 2. Commencement

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 January 2012.

### 3. By-laws amended

These by-laws amend the *Royal Perth Hospital By-laws 2009*.

### 4. By-law 17 amended

- (1) Delete by-law 17(3) and insert:
  - (3) An application under sub-by-law (2) must be in a form approved by the chief executive officer.
  - (4A) The fee payable for a parking permit is set out in Schedule 2A.
  - (4B) The chief executive officer or authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee for the permit to be paid in instalments.
- (2) In by-law 17(4) delete “under sub-by-law (3)(b)” and insert:

for a parking permit

**5. By-law 18 amended**

- (1) In by-law 18(1) delete “in the manner set out in” and insert:

in accordance with

- (2) Delete by-law 18(2) and insert:

- (2) The refund is the amount of the fee paid for a period that occurs —

- (a) after the person ceases to use the permit or ceases employment; or
- (b) during the period of leave.

**6. By-law 20 amended**

- (1) In by-law 20(1) delete “21” and insert:

28

- (2) In by-law 20(3)(b) delete the passage that begins with “may be paid” and ends with “notice.” and insert:

may be paid to an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.

**7. By-law 25 amended**

Delete by-law 25(4) and insert:

- (4) The board may retain possession of a vehicle removed and stored under this by-law until —
- (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or
  - (b) if the vehicle was removed under sub-by-law (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-by-law (4)(a) may be made by one of the following methods —
- (a) in person to an authorised person at the site;

- (b) in person at the Metropolitan Access and Parking Department at —  
100 Flinders Street  
Mt. Hawthorn WA
- (c) at any Australia Post Office or agency;
- (d) by telephone on 1800 753 191;
- (e) by cheque or money order payable to “Metropolitan Access and Parking” and posted to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

## 8. Schedule 2A amended

In Schedule 2A:

- (a) delete the reference after the heading and insert:

[bl. 17(4A)]

- (b) delete “(per week or part of a week)” (each occurrence);
- (c) delete “\$17.00” and insert:

\$4.10 (for each day on which the permit holder is permitted to park a vehicle on the site, up to a maximum of \$20.50 per week)

- (d) delete “\$2.00” and insert:

\$2.00 (for each day on which the permit holder is permitted to park a vehicle on the site, up to a maximum of \$10.00 per week)

## 9. Schedule 2 amended

In Schedule 2:

- (a) in the item relating to by-law 16(2)(b) and (3) delete “45” and insert:

40

- (b) in the item relating to by-law 17(9) delete “30” and insert:

40

**10. Schedule 3 amended**

Delete Schedule 3 Form 1 and insert:

**Form 1: Infringement Notice (by-law 20)**

<b>Infringement Notice</b>		
<i>Royal Perth Hospital By-laws 2009</i>		
<b>Notice No.</b>	<b>Issue date</b>	<b>Issue time</b>
<b>Location</b>		
<b>Vehicle</b>		
Plate no. & type	Make	Model/Style
<b>Alleged Offence</b>		
Date	Time	
By-law	Modified penalty	
<b>Issuing Officer</b>		
Name	Signature/Officer No.	

You have 28 days from when this Notice is given to you to pay the modified penalty or elect to go to court. If you don't, enforcement proceedings will be taken against you.

**Paying the modified penalty**

By post: Send a cheque or money order payable to "Metropolitan Access and Parking" to —

Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

In person: Pay at the Metropolitan Access and Parking Department at —

100 Flinders Street  
Mt. Hawthorn WA  
OR

Pay at any Australia Post Office or agency.

By telephone: Call 1800 753 191

**Electing to go to court**

If you wish to elect to go to court, sign here:

..... Date: .....

then send this notice to —

The Chief Executive Officer  
Metropolitan Access and Parking Department  
100 Flinders Street  
Mount Hawthorn WA 6016

Make sure you keep a copy. If you go to court and are convicted you may be fined \$50 and ordered to pay costs.

**If enforcement proceedings are taken against you, your driver's licence and/or vehicle licence may be suspended** until you pay the modified penalty and expenses or you elect to go to court.

KIM HAMES,  
The Minister in his capacity as  
the board of the Royal Perth Hospital.

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HE304\*

Hospitals and Health Services Act 1927

## **Osborne Park Hospital Amendment By-laws (No. 2) 2011**

Made under section 22 of the Act by the Minister in his capacity as the board of the Osborne Park Hospital.

### **1. Citation**

These by-laws are the *Osborne Park Hospital Amendment By-laws (No. 2) 2011*.

### **2. Commencement**

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 January 2012.

**3. By-laws amended**

These by-laws amend the *Osborne Park Hospital By-laws 2007*.

**4. By-law 16 amended**

Delete by-law 16(3) and insert:

- (3) An application under sub-by-law (2) must be in a form approved by the chief executive officer.
- (4A) The fee payable for a parking permit is \$2.00 for each day on which the permit holder is permitted to park a vehicle on the site (up to a maximum of \$10.00 per week).
- (4B) The chief executive officer or authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee for the permit to be paid in instalments.

**5. By-law 18 amended**

- (1) In by-law 18(1) delete “21” and insert:

28

- (2) In by-law 18(3)(b) delete “the cashier of the Osborne Park Hospital or an authorised person, within a period of 28 days after the giving of the notice.” and insert:

an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.

**6. By-law 23 amended**

Delete by-law 23(4) and insert:

- (4) The board may retain possession of a vehicle removed and stored under this by-law until —
  - (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or

- (b) if the vehicle was removed under sub-by-law (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-by-law (4)(a) may be made by one of the following methods —
  - (a) in person to an authorised person at the site;
  - (b) in person at the Metropolitan Access and Parking Department at —  
100 Flinders Street  
Mt. Hawthorn WA
  - (c) at any Australia Post Office or agency;
  - (d) by telephone on 1800 753 191;
  - (e) by cheque or money order payable to “Metropolitan Access and Parking” and posted to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

## **7. Schedule 1 amended**

In Schedule 1:

- (a) in the item relating to by-law 15(2)(b), (3) delete “45” and insert:  
  
40
- (b) in the second item relating to by-law 15(2)(e), (3) delete “20” and insert:  
  
40
- (c) in the item relating to by-law 16(8) delete “30” and insert:  
  
40

**8. Schedule 2 amended**

- (1) Delete Schedule 2 Form 1 and insert:

**Form 1: Infringement Notice (by-law 18)**

<b>Infringement Notice</b>		
<i>Osborne Park Hospital By-laws 2007</i>		
<b>Notice No.</b>	<b>Issue date</b>	<b>Issue time</b>
<b>Location</b>		
<b>Vehicle</b>		
Plate no. & type	Make	Model/Style
<b>Alleged Offence</b>		
Date	Time	
By-law	Modified penalty	
<b>Issuing Officer</b>		
Name	Signature/Officer No.	

You have 28 days from when this Notice is given to you to pay the modified penalty or elect to go to court. If you don't, enforcement proceedings will be taken against you.

**Paying the modified penalty**

By post: Send a cheque or money order payable to "Metropolitan Access and Parking" to —

Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

In person: Pay at the Metropolitan Access and Parking Department at —

100 Flinders Street  
Mt. Hawthorn WA

OR

Pay at any Australia Post Office or agency.

By telephone: Call 1800 753 191

**Electing to go to court**

If you wish to elect to go to court, sign here:

..... Date: .....

then send this notice to —

The Chief Executive Officer  
Metropolitan Access and Parking Department  
100 Flinders Street  
Mt. Hawthorn WA 6016

Make sure you keep a copy. If you go to court and are convicted you may be fined \$50 and ordered to pay costs.

**If enforcement proceedings are taken against you, your driver's licence and/or vehicle licence may be suspended** until you pay the modified penalty and expenses or you elect to go to court.

- (2) In Schedule 2 in the heading to Form 2 delete "2."

KIM HAMES,  
The Minister in his capacity as  
the board of the Osborne Park Hospital.

HE305\*

Hospitals and Health Services Act 1927

## **Metropolitan Health Service Amendment By-laws (No. 2) 2011**

Made under section 22 of the Act by the Minister in his capacity as the board of the Metropolitan Health Service.

### **1. Citation**

These by-laws are the *Metropolitan Health Service Amendment By-laws (No. 2) 2011*.

### **2. Commencement**

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 January 2012.

**3. By-laws amended**

These by-laws amend the *Metropolitan Health Service By-laws 2008*.

**4. By-law 9 amended**

(1) Delete by-law 9(3) and insert:

(3) An application under sub-by-law (2) must be in a form approved by the chief executive officer.

(4A) The fee payable for a parking permit is set out in Schedule 2.

(4B) The chief executive officer or authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee for the permit to be paid in instalments.

(2) In by-law 9(4) delete “under sub-by-law (3)(b)” and insert:

for a parking permit

(3) In by-law 9(8) after “chief executive officer” insert:

or an authorised person

**5. By-law 10 amended**

(1) In by-law 10(1) delete “in the manner set out in” and insert:

in accordance with

(2) Delete by-law 10(2) and insert:

(2) The refund is the amount of the fee paid for a week that occurs —

(a) after the person ceases to use the permit or ceases employment; or

(b) during the period of leave.

**6. By-law 12 amended**

(1) In by-law 12(1) delete “21” and insert:

- (2) In by-law 12(3)(b) delete “the cashier of the Metropolitan Health Service, within a period of 28 days after the giving of the notice.” and insert:

an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.

**7. Schedule 2 amended**

In Schedule 2:

- (a) delete the reference after the heading to and insert:

[bl. 9(4A)]

- (b) delete “(per week or part of a week)” (each occurrence);

- (c) delete “\$2.00” (each occurrence) and insert:

No fee

**8. Schedule 4 amended**

Delete Schedule 4 Form 1 and insert:

**Form 1 — Infringement Notice**

<b>Infringement Notice</b>		
<i>Metropolitan Health Service By-laws 2008</i>		
Notice No.	Issue date	Issue time
<b>Location</b>		
<b>Vehicle</b>		
Plate no. & type	Make	Model/Style
<b>Alleged Offence</b>		
Date	Time	
By-law	Modified penalty	
<b>Issuing Officer</b>		
Name	Signature/Officer No.	

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You have 28 days from when this Notice is given to you to pay the modified penalty or elect to go to court. If you don't, enforcement proceedings will be taken against you.

**Paying the modified penalty**

By post: Send a cheque or money order payable to "Metropolitan Access and Parking" to —  
Metropolitan Access and Parking  
PO Box 1135  
Osborne Park WA 6916

In person: Pay at the Metropolitan Access and Parking Department at —  
100 Flinders Street  
Mt. Hawthorn WA

OR

Pay at any Australia Post Office or agency.

By telephone: Call 1800 753 191

**Electing to go to court**

If you wish to elect to go to court, sign here:

..... Date: .....

then send this notice to —

The Chief Executive Officer  
Metropolitan Access and Parking Department  
100 Flinders Street  
Mt. Hawthorn WA 6016

Make sure you keep a copy. If you go to court and are convicted you may be fined \$50 and ordered to pay costs.

**If enforcement proceedings are taken against you, your driver's licence and/or vehicle licence may be suspended until you pay the modified penalty and expenses or you elect to go to court.**

KIM HAMES,  
The Minister in his capacity as  
the board of the Metropolitan Health Service.

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## LOCAL GOVERNMENT

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LG301\*

**LOCAL GOVERNMENT ACT 1995***City of Melville*

## LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Melville resolved on 20th December 2011 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Melville Local Government Property Amendment Local Law 2011*.

**2. Commencement**

This local law will come into operation 14 days after the day it is published in the *Government Gazette*.

**3. Principal Local Law**

In this local law the *City of Melville Local Government Property Local Law 2010* as published in the *Government Gazette* on 28 March 2011 is referred to as the principal local law. The principal local law is amended.

**4. Clause 1.6 amended**

In clause 1.6 delete the definition for *surf riding equipment*.

**5. Clause 3.13 amended**

Clause 3.13 is amended as follows—

- (a) delete subclause (1)(s);
- (b) delete subclause (1)(t);
- (c) in subclause 1(u) insert “operate” before “circuses”; and
- (d) renumber subclause 1(u) to 1(s).

**6. Clause 3.14 is amended**

In clause 3.14(3) delete “a determination or”.

**7. Schedule 1 amended**

Schedule 1 is amended by inserting the following in numerical order—

7.8	Mooring when not ready to load or discharge cargo, at times not permitted or for longer than permitted	125
7.9	Unlawful storing of goods on jetty	125
7.10	Removing goods from jetty during other than permitted hours	125
7.11	Failure to remove cargo on jetty on direction of authorised person	125
7.12	Unauthorised deposit of bulk cargo on jetty	125

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Dated 21st December 2011.

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

RUSSELL AUBREY, Mayor.  
CHRISTINE YOUNG, Acting Chief Executive Officer.

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**WORKSAFE**

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WS301\*

Occupational Safety and Health Act 1984

**Commission for Occupational Safety and Health  
(Appointment of Members) Instrument 2011**

Made by the Governor in Executive Council.

**1. Citation**

This instrument is the *Commission for Occupational Safety and Health (Appointment of Members) Instrument 2011*.

**2. Appointment of member and chairperson under the  
Occupational Safety and Health Act 1984 section 6(2)(a)**

George Allingame, having been nominated by the Minister for Commerce for appointment under the *Occupational Safety and Health Act 1984* section 6(2)(a) as a member and chairperson of the Commission for Occupational Safety and Health, is appointed to hold office under that provision for the term that commences on the day on which this instrument is made and ends on, and includes, 3 April 2014.

**3. Appointment of member under the Occupational Safety and  
Health Act 1984 section 6(2)(d)(iv)**

Nicole Roocke, having been nominated by the Chamber of Minerals and Energy of Western Australia Inc. for appointment under the *Occupational Safety and Health Act 1984* section 6(2)(d)(iv) as a member of the Commission for Occupational Safety and Health, is appointed to hold office under that provision for the term that commences on the day on which this instrument is made and ends on, and includes, 3 April 2014.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.  

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## — PART 2 —

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### CEMETERIES

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CE401\*

#### CEMETERIES ACT 1986

#### METROPOLITAN CEMETERIES BOARD

#### Amendment to Renewal of Grant of Right of Burial Fee

In pursuance of the powers conferred by section 53 of the Cemeteries Act 1986, the Metropolitan Cemeteries Board hereby records having resolved on 15 December, to set the following fees for Renewal of Grant of Right of Burial, **effective from 6 January 2012**.

The fees shall be payable upon application for services at Pinnaroo Valley Memorial Park, Rockingham Regional Memorial Park, and Karrakatta, Fremantle, Midland, and Guildford Cemeteries detailed hereunder.

#### Fees and charges include 10% GST

#### AMENDED FEES FOR RENEWAL OF GRANT OF RIGHT OF BURIAL FEE

CRS Code	Description	Karrakatta	Fremantle	Pinnaroo	Midland	Guildford	RRMP
	<b>BURIAL</b>						
122	Renewal of current Grant: Lawn	1,956.90	1,956.90	1,956.90			1,956.90
122M	Renewal of current Grant: Monumental Area	1,881.00	1,881.00		1,881.00	1,881.00	1,881.00
128	Renewal of current Grant: Children's Memorial Garden	1,034.00					

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### CONSUMER PROTECTION

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CP401\*

#### ASSOCIATIONS INCORPORATION ACT 1987

#### REINSTATED ASSOCIATION

#### Canning Learning & Community Centre Incorporated—A1004057h

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: 15 December 2011.

DAVID HILLYARD, Director, Retail and Services,  
for Commissioner of Consumer Protection.

**CP402\***

**ASSOCIATIONS INCORPORATION ACT 1987**  
**REINSTATED ASSOCIATION**

Moora Historical Society Incorporated—A1000973Z

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: 15 December 2011.

DAVID HILLYARD, Director, Retail and Services,  
for Commissioner of Consumer Protection.

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**CP403\***

**CO-OPERATIVES ACT 2009**

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 14 December 2011, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

GERALDTON FISHERMEN'S CO-OPERATIVE LTD

WILL MORGAN, Deputy Registrar of Co-operatives.

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**CP404\***

**LAND VALUERS LICENSING ACT 1978**

LICENSED VALUERS CODE OF CONDUCT

The Licensed Valuers Code of Conduct (“the Code”) has been made by the Commissioner for Consumer Protection with the approval of the Minister for Commerce pursuant to section 26 of the *Land Valuers Licensing Act 1978* (“the Act”). A licensed valuer failing to comply with the Code will be liable for disciplinary action pursuant to section 28(2)(c) of the Act.

**Citation**

This notice may be cited as the Licensed Valuers Code of Conduct.

**Commencement**

The Code shall commence upon the date of publication of this notice in the *Government Gazette* and will replace the Code of Conduct published in the *Government Gazette* on 23 February 2007 which shall be repealed upon the date of publication of this notice in the *Government Gazette*.

**Interpretation**

In this Code—

“**as if complete**” valuation means a valuation that assumes the proposed development to be in a completed state as at the date of valuation and reflects current market conditions at the date of valuation;

“**as is**” valuation means a valuation that provides the current market value of the property as it currently exists rather than the value of the proposed development;

“**proposed development**” means any planned development or redevelopment of a property, including building improvements or modifications, which are proposed, approved or under construction on the property (but does not include a planned development or redevelopment of a single dwelling residential property for residential use) where the value of the proposed or planned development is estimated to be \$50 000 or more when complete;

“**the Act**” means the *Land Valuers Licensing Act 1978*;

“**licensed valuer**” means a person who is licensed under the *Land Valuers Licensing Act 1978*;  
and

“**valuation statement**” as referred to in rule 2.1(a) in this Code, means the statement usually found at the end of a valuation report stating the valuation amount, the date of the valuation and reference to qualifications and disclaimers, if any.

1. A licensed valuer shall—

- 1.1 ensure that the duties and obligations imposed by the Act, Regulations and this Code are complied with in the performance of valuation work by the licensed valuer or by any person assisting the licensed valuer. A licensed valuer shall not be excused from non-compliance with these provisions by reason of claimed ignorance of their existence or content;
- 1.2 maintain a risk management program;
- 1.3 (a) carry out valuation work with diligence and competence in accordance with the accepted principles and practices of valuation;

- (b) act at all times with honesty and integrity; and
    - (c) where it is their duty to do so, act with impartiality and independence;
  - 1.4 take all reasonable steps to—
    - (a) gather sufficient relevant data in forming an opinion of value or, in the absence or deficiency of such data, explain in the valuation report the basis on which the opinion of value was formed; and
    - (b) ascertain and verify such relevant facts and information as a prudent licensed valuer would have ascertained or verified in order to provide a professional valuation of a property. Where all such facts or information have not been ascertained or verified, make written disclosure of this to the client in the valuation report together with a statement of the extent, if any, to which the failure to ascertain or verify the facts or information in question qualifies or affects the valuation provided;
  - 1.5 except with the written agreement of the client, personally inspect the property to be valued in accordance with accepted valuation practice. If the property is not inspected or is only partially inspected, the licensed valuer must disclose this in the valuation report and state the effect that the failure to conduct an inspection or complete inspection has on the valuation provided;
  - 1.6 include in the valuation report—
    - (a) in the case of a mortgage valuation, other than a valuation of a single dwelling residential property for residential use, as a covering page, a valuation Executive Summary in the form of Schedule 1 to this Code;
    - (b) the date of any inspection(s) made of the property, the interest to be valued (e.g. freehold, leasehold etc.), the valuation date and the date on which the report was issued. The licensed valuer must also sign the report and state their licence number;
    - (c) a statement, under the heading of “Assumptions, Conditions and Limitations”, of all assumptions made in arriving at an opinion of value and all conditions, requirements or limitations arising from the client’s instructions or arising due to any other circumstances;
    - (d) where the licensed valuer has an interest of any kind, whether direct or indirect in a property to be valued or a development proposed for that property, a statement describing the nature and extent of the interest in the property or development as the case may be; and
    - (e) particulars of any conflict of interest that are provided to a client or prospective client under sub-rule 2.6(a);
  - 1.7 hold any valuation as confidential unless the client otherwise agrees in writing or unless required by law to disclose the valuation;
  - 1.8 retain in a place of safe keeping for a minimum of 6 years a copy of the valuation report, all instructions from the client or the client’s representative, and all other records and information upon which the valuation opinion was based;
  - 1.9 obtain or confirm in writing all instructions of the client or the client’s representative;
  - 1.10 attach as an annexure to all valuation reports all instructions received from the client or the client’s representative and also any written consent obtained from a client or prospective client under sub-rule 2.6(b);
  - 1.11 where a valuation is to be undertaken on a proposed development, include in the valuation report the definitions of “as if complete” valuation and “as is” valuation that are provided in the Interpretation section of this Code;
  - 1.12 where a valuation is to be undertaken of a proposed development, include an “as is” valuation immediately following the “as if complete” valuation in the body of the valuation report and also in any certificate of valuation or other valuation summary in the report or attached to it;
  - 1.13 properly supervise and control the work of unlicensed persons engaged in assisting in the valuation work and be responsible for any work performed by unlicensed persons on behalf of the valuer; and
  - 1.14 where instructions are accepted to perform valuation work, for either a single task or multiple tasks, carry out all the valuations in accordance with the requirements of this Code regardless of the fee which has been agreed with the client.
2. A licensed valuer shall not—
- 2.1 produce a valuation statement that purports to predict future value or future values (see Rule 3);
  - 2.2 advertise the licensed valuer’s services, skills or experience in a manner that is false or misleading;
  - 2.3 accept instructions to undertake valuation work which is contingent upon obtaining a predetermined result or finding;
  - 2.4 except with the written consent of the client, accept an engagement to perform a valuation or continue an engagement to provide a valuation where a conflict of interest exists, or arises prior to the completion of a valuation;
  - 2.5 use confidential information obtained in the course of making a valuation to the benefit of the licensed valuer or any person other than the licensed valuer’s client;

- 2.6 accept or continue an engagement to perform a valuation where a conflict of interest would or does arise, unless;
- (a) written particulars of the conflict or potential conflict are given to the client or proposed client as the case may be; and
  - (b) the client or proposed client has consented in writing to the licensed valuer performing or continuing to perform the valuation as the case may be;
- 2.7 accept instructions to perform a valuation beyond their competency and if after accepting instructions to perform a valuation, a licensed valuer becomes aware of any circumstance or matter which places the performance of the valuation beyond their competency the licensed valuer shall not continue to act on the valuation (see Rule 4);
- 2.8 adopt the role of advocate in a matter where—
- (a) their duty is to exercise independence and impartiality; or
  - (b) it is the duty of another member of the same firm to exercise independence and impartiality in the same matter; or
- 2.9 accept an engagement, or continue to be engaged, to exercise independence and impartiality in a matter where another member of the same firm has adopted the role of advocate in the same matter.
3. Sub-rule 2.1 does not prevent a licensed valuer from—
- (i) forecasting income or outgoings using economic price prediction modelling, including discounted cash flows, to determine a present value; or
  - (ii) making properly qualified forecasts.
4. Sub-rule 2.7 does not prevent a licensed valuer from accepting an engagement beyond their competency or continuing to perform a valuation after becoming aware of a circumstance or matter putting the assignment beyond their competency, if with the prior written consent of the client the licensed valuer engages another licensed valuer with the necessary competency to assist in the valuation.

ANNE DRISCOLL, Commissioner for Consumer Protection.

Approved by the Minister—

SIMON O'BRIEN MLC, Minister for Commerce.

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### Schedule 1

(Sub-rule 1.6 (a))

#### EXECUTIVE SUMMARY

#### MORTGAGE FINANCE VALUATION

PROPERTY ADDRESS:

CERTIFICATE OF TITLE:

REGISTERED OWNERS:

ENCUMBRANCES: (Limited to those that affect the use or value of the subject property.)

LAST SALE: (Report any transaction(s) within the last three years including date of sale, consideration and other relevant details. Facts relating to a current contract for sale of the subject property must also be included.)

ZONING:

DESCRIPTION OF THE PROPERTY "AS IS":

DESCRIPTION OF PROPOSED IMPROVEMENTS:

COMMENTS:

INTEREST VALUED:

VALUATION DATE:

CURRENT MARKET VALUE "AS IS" :

CURRENT MARKET VALUE "AS IF COMPLETE" :

VALUER: (name, signature, valuer's licence number and date)

IMPORTANT: All data provided in this summary is wholly reliant on and must be read in conjunction with the information provided in the attached report. It is a synopsis only designed to provide a brief overview and must not be acted on in isolation.

CP405\*

**ASSOCIATIONS INCORPORATION ACT 1987**

## CANCELLED ASSOCIATION

WESTERN AUSTRALIAN NASHI FRUIT ASSOCIATION INC—A1003806A

Notice is hereby given that pursuant to Section 35(2) of the *Associations Incorporation Act 1987*, the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated: 15 December 2011.

DAVID HILLYARD, Director, Retail and Services,  
for Commissioner for Consumer Protection.

CP406\*

**ASSOCIATIONS INCORPORATION ACT 1987**

## REINSTATED ASSOCIATION

LYNWOOD SPORTS AND SOCIAL CLUB—A0810102K

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: 15 December 2011.

DAVID HILLYARD, Director, Retail and Services,  
for Commissioner for Consumer Protection.

CP407\*

**CHARITABLE COLLECTIONS ACT 1946**

## REVOCATION OF LICENCES

I, Anne Driscoll, being the officer delegated by the Minister administering the *Charitable Collections Act 1946*, and acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisations listed below—

- Aussie Aid 4 Africa Incorporated

Dated this 15th day of December 2011.

ANNE DRISCOLL, Commissioner for Consumer Protection.

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## CORRECTIVE SERVICES

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CS401\*

**PRISONS ACT 1981**

## PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Biddle	Denise	AP 0015	15/12/2011
Clothier	Luke	AP 0675	15/12/2011

This notice is published under section 15P of the *Prisons Act 1981*.

TILLIE PROWSE, Manager, Acacia Prison Contract.

## CS402\*

## COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

## PERMIT DETAILS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Bin Bakar	Jason Arnold	11-0018	19/12/2011
Cugini	Patricia Majella	11-0053	19/12/2011
Davidson	Dean Raymond	11-0058	19/12/2011
Fitzgerald	Oonagh Clare	11-0293	19/12/2011
Fynn	Lenette Barbara	11-0085	19/12/2011
Kemp	James Sidney	11-0139	19/12/2011
McBride	Joanne Lee	11-0171	19/12/2011
Mills	Beverley Francis	11-0189	19/12/2011
Pascoe	Neal James	11-0211	19/12/2011
Ramsay	Michelle	11-0223	19/12/2011
Tilley	Kenneth Warwick	11-0258	19/12/2011
Wheadon	Patsy Anne	11-0273	19/12/2011
Windram	Jason Matthew	11-0277	19/12/2011

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

COLIN BRANDIS, Manager Court Security and Custodial Services Contract.

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## FIRE AND EMERGENCY SERVICES

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## FE401\*

## EMERGENCY MANAGEMENT ACT 2005

## EMERGENCY SITUATION DECLARATION

The Fire and Emergency Services Authority of Western Australia is the prescribed hazard management agency for the emergency management aspect of response for the whole of the State for the hazard of fire.

I, Lloyd Bailey, Director of Operations, Fire and Emergency Services Authority of Western Australia, do hereby declare an emergency situation in respect of the fire burning in the Shire of Nannup and extending into the Shire of Augusta/Margaret River.

The area of the State to which the emergency situation declaration applies is the whole of the Local Government district of the Shire of Nannup and the whole of the Local Government district of the Shire of Augusta- Margaret River.

Time when the declaration made: 1200hrs.

Date on which declaration made: 02/12/2011.

This emergency situation declaration has effect from 02/12/2011 and remains in force until—

- (a) expiry; or
- (b) it is revoked under section 53 of the *Emergency Management Act 2005*; or
- (c) the expiry of any extension of the emergency situation declaration made by the State Emergency Coordinator under section 52 of the *Emergency Management Act 2005*.

This emergency situation declaration is made under section 50 of the *Emergency Management Act 2005*.

LLOYD BAILEY, Director of Operations of the Fire and  
Emergency Services Authority of Western Australia,  
as a delegate of the Authority under section 5 of  
the *Emergency Management Act 2005*.

## FE402\*

## EMERGENCY MANAGEMENT ACT 2005

## REVOCATION OF EMERGENCY SITUATION DECLARATION

I, Lloyd Bailey the Director of Operations for the Fire and Emergency Services Authority of Western Australia, a hazard management agency for the purposes of the *Emergency Management Act 2005*,

hereby declare that the emergency situation declaration made on 2nd December 2011 at 1200hrs is revoked.

Time when revocation declaration made: 1800hrs.

Date on which revocation declaration made: 3rd December 2011.

LLOYD BAILEY, Director of Operations of the Fire and  
Emergency Services Authority of Western Australia,  
as a delegate of the Authority under section 5 of  
the *Emergency Management Act 2005*.

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**FE403\***

**EMERGENCY MANAGEMENT ACT 2005**

**REVOCATION OF EMERGENCY SITUATION DECLARATION**

I, Lloyd Bailey the Director of Operations for the Fire and Emergency Services Authority of Western Australia, a hazard management agency for the purposes of the *Emergency Management Act 2005*, hereby declare that the emergency situation declaration made on 23 November 2011 at 2105hrs is revoked.

Time when revocation declaration made: 2100hrs.

Date on which revocation declaration made: 24 November 2011.

LLOYD BAILEY, Director of Operations of the Fire and  
Emergency Services Authority of Western Australia,  
as a delegate of the Authority under section 5 of  
the *Emergency Management Act 2005*.

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**FE404\***

**EMERGENCY MANAGEMENT ACT 2005**

**EMERGENCY SITUATION DECLARATION**

The Fire and Emergency Services Authority of Western Australia is the prescribed hazard management agency for the emergency management aspect of response for the whole of the State for the hazard of fire.

I, Wayne Gregson, Chief Executive Officer, Fire and Emergency Services Authority of Western Australia, do hereby declare an emergency situation in respect of the fire burning in the Shire of Augusta/Margaret River.

The area of the State to which the emergency situation declaration applies is the area bounded by and including the Cowaramup Bay Road, Bussell Highway, Redgate Road and the high water mark of the coast in the locality of the Shire of Augusta/Margaret River.

Time when the declaration made: 2105hrs.

Date on which declaration made: 23/11/2011.

This emergency situation declaration has effect from 23/11/2011 and remains in force until—

- (a) expiry; or
- (b) it is revoked under section 53 of the *Emergency Management Act 2005*; or
- (c) the expiry of any extension of the emergency situation declaration made by the State Emergency Coordinator under section 52 of the *Emergency Management Act 2005*.

This emergency situation declaration is made under section 50 of the *Emergency Management Act 2005*.

WAYNE GREGSON, Chief Executive Officer,  
Fire and Emergency Services Authority of WA.

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**FE405\***

**EMERGENCY MANAGEMENT ACT 2005**

**EMERGENCY SITUATION DECLARATION**

The Fire and Emergency Services Authority of Western Australia is the prescribed hazard management agency for the emergency management aspect of response for the whole of the State for the hazard of fire.

I, Lloyd Bailey, Director of Operations, Fire and Emergency Services Authority of Western Australia, do hereby declare an emergency situation in respect of the fire burning in the Shire of Augusta/Margaret River.

The area of the State to which the emergency situation declaration applies is the whole of the Local Government district of the Shire of Augusta- Margaret River.

Time when the declaration made: 2100hrs.

Date on which declaration made: 24/11/2011.

This emergency situation declaration has effect from 2100hrs on 24/11/2011 and remains in force until—

- (a) expiry; or
- (b) it is revoked under section 53 of the *Emergency Management Act 2005*; or
- (c) the expiry of any extension of the emergency situation declaration made by the State Emergency Coordinator under section 52 of the *Emergency Management Act 2005*.

This emergency situation declaration is made under section 50 of the *Emergency Management Act 2005*.

LLOYD BAILEY, Director of Operations of the Fire and  
Emergency Services Authority of Western Australia,  
as a delegate of the Authority under section 5 of  
the *Emergency Management Act 2005*.

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## HEALTH

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HE401\*

### HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010

#### MEDICAL (AREA OF NEED) DETERMINATION (NO. 29) 2011

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

#### Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 29) 2011*.

#### Commencement

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

#### Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

#### Expiry of determination

4. This determination expires five years after its commencement.

### SCHEDULE

GERIATRIC SERVICES IN THE SUBURB OF ROCKINGHAM IN THE CITY OF ROCKINGHAM

Dated this 18th day of December 2011.

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

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## HOUSING

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HW401\*

### COUNTRY HOUSING ACT 1998

#### STANDARD RATE OF INTEREST

Notice is hereby given, in accordance with Section 40 of the *Country Housing Act 1998* that the standard rate of interest to apply for assistance provided under this Act is now 6.50%pa for existing loans prior to the 20th of December 2009 and 7.28% pa for loans after the 20th of December 2009. This change in rates follows a decrease in the official cash rate of 0.25% by the Reserve Bank of Australia on 6th December 2011. The increase is effective from the 22nd of December 2011 with changes to repayments commencing on or after the 22nd January 2012.

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## JUSTICE

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JU401\*

**JUSTICES OF THE PEACE ACT 2004**  
APPOINTMENT

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

Mrs Lina Look of 40 Look Road, Waroona

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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 JU402\*

**JUSTICES OF THE PEACE ACT 2004**  
RESIGNATION

It is hereby notified for public information that the Minister has accepted the resignation of—

Mr John Charles Warburton of Bull Creek  
from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401\*

**BUSH FIRES ACT 1954**  
*Shire of Dandaragan*  
APPOINTMENTS

Notice is hereby given that Mr Matthew Troy Dadd has been appointed to the position of Fire Control Officer with the Shire of Dandaragan and that Mr Richard William Allen has been appointed as Chief Bush Fire Control Officer. The appointment of Mr William Edward Hobden and Mr Phillip Edward Hay as Fire Control Officers have been cancelled effective immediately.

TONY NOTTLE, Chief Executive Officer.

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 LG402

*CITY OF NEDLANDS*  
APPOINTMENT

It is hereby noted for public information that Daniel Sharples has been appointed by Council as an Authorised Person of the City of Nedlands pursuant to the following—

1. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
2. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960, as Pound Keeper and Ranger;
3. Part 9 Division 2 of the Local Government Act 1995;
4. Section 9.12, 9.15 of the Local Government Act as an Authorised Person;
5. Part 3 subdivision 4 of the Local Government Act 1995;
6. Section 3.39 of the Local Government Act 1995, as an Authorised Person and as an Authorised Person pursuant to the following—
  - Dog Act 1976,
  - Control of Vehicles (Off Road Areas) Act 1978.
  - Litter Act 1979,
  - Bush Fires Act 1954,
  - Caravan Parks and Camping Grounds Act 1995,
  - City of Nedlands Local Laws—Authorised Officer, and for
  - effecting general Ranger duties as directed within the gazettal area of the City of Nedlands.

GRAHAM FOSTER, Chief Executive Officer.

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**MARINE/MARITIME**

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MA401\*

**WESTERN AUSTRALIAN MARINE ACT 1982  
NAVIGABLE WATERS REGULATIONS 1958***City of Bunbury***CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS  
Back Beach Bunbury**Department of Transport,  
Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke Section (a) (7) (i) of Notice TR 402 as published in the *Government Gazette* on 27 January 1995 and hereby close the following area of water to motorised vessels until further notice—

**BACK BEACH:** All the area of water contained within lines extending for 300 metres north and south of the Bunbury Surf Life Saving Club building situated on the Back Beach, Bunbury and extending out to 200 metres to seaward from the foreshore.

RAY BUCHHOLZ, A/Marine Safety Operations Director,  
Department of Transport.

MA402\*

**WESTERN AUSTRALIAN MARINE ACT 1982  
NAVIGABLE WATERS REGULATIONS 1958***Dunsborough***CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS  
Shire of Busselton**Department of Transport,  
Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke Section (a) (8) (ii) of Notice TR 402 as published in the *Government Gazette* on 27 January 1995 and hereby close the following area of water to motorised vessels until further notice—

**DUNSBOROUGH:** All the area of water 60 metres to seaward of the foreshore at Dunsborough between the lines extending from Finlayson Street to Beach Road where they intersect with North Road,

RAY BUCHHOLZ, A/Marine Safety Operations Director,  
Department of Transport.

MA403\*

**WESTERN AUSTRALIAN MARINE ACT 1982  
NAVIGABLE WATERS REGULATIONS 1958***Shire of Busselton***CLOSURE OF NAVIGABLE WATERS—ALL VESSELS  
Busselton Snorkel Trail**Department of Transport,  
Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke Notice MX 401 as published in the *Government Gazette* on 22 August 2006 and hereby close the following area of water to all vessels until further notice—

**BUSSELTON SNORKEL TRAIL:** All the waters of Geographe Bay bounded by lines commencing at a point 33° 39.156' S, 115° 18.921' E (the northern extremity of the groyne located on the shore between Bower Road and Craig Street); thence north for a distance of 50m to 33° 39.129' S, 115° 18.921' E; thence east for a distance of 100m to 33° 39.129' S, 115° 18.986' E; thence south to the foreshore; thence generally westwards along the foreshore to the starting point. All coordinates based on GDA 94.

RAY BUCHHOLZ, A/Marine Safety Operations Director,  
Department of Transport.

MA404\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
*City of Bunbury*  
CLOSURE OF NAVIGABLE WATERS—ALL VESSELS  
Koombana Bay

Department of Transport,  
Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke Notice TR 403 as published in the *Government Gazette* on 12 February 1999 and hereby close the following area of water to all vessels until further notice—

**KOOMBANA BAY:** All the area of water contained within lines commencing at a point on the Koombana Bay beach foreshore bearing 200 degrees true from the Bunbury Port No. 9 Starboard Beacon, thence north for 50 metres to seaward of that point, thence west for 100 metres parallel to the foreshore, thence south to the beach high water mark and along the high water mark back to the point of commencement.

RAY BUCHHOLZ, A/Marine Safety Operations Director,  
Department of Transport.

MA405\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
*City of Bunbury*  
CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS  
Koombana Bay

Department of Transport,  
Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke Section (a) (7) (ii) of Notice TR 402 as published in the *Government Gazette* on 27 January 1995 and hereby close the following area of water to motorised vessels until further notice—

**KOOMBANA BAY:** All the area of water contained within lines commencing at the eastern base of the Koombana Bay Yacht Club Groyne and extending east along the beach high water mark for 300 metres, thence to seaward for 45 metres, thence west parallel to the foreshore back to the Yacht Club Groyne and south to the point of commencement.

RAY BUCHHOLZ, A/Marine Safety Operations Director,  
Department of Transport.

MA406\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
PROHIBITED SWIMMING AREA  
Prisoner Point Shelley Canning River

Department of Transport,  
Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming, between 7.45pm and 8.45pm on Sunday 1 January 2012.

**Prisoner Point Shelley, Canning River:** All the waters within a 100 metre radius around firing point; located at the Shelley Sailing Club approximately 320 01' 31.89S 1150 52'55.69E, on the Shelley Beach Foreshore.

This area is set aside for safety measures during the set up and display of pyrotechnics.

RAY BUCHHOLZ, A/Marine Safety Operations Director,  
Department of Transport.

MA407\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
 PROHIBITED SWIMMING AREA  
 Val Street Jetty, Rockingham

Department of Transport,  
 Fremantle WA, 23 December 2011.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming, between 11:45pm on Saturday 31st December 2011 and 12:30am on Sunday 1st January 2012.

**Val Street Jetty, Rockingham:** All the waters within a 100 metre radius around the firing point; located at the end of the Val Street jetty, Rockingham.

This area is set aside for safety measures during the set up and display of pyrotechnics.

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

## MINERALS AND PETROLEUM

MP401\*

**PETROLEUM ACT 1936**  
**PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967**  
**BARROW ISLAND ACT 2003**  
 PARTIAL SURRENDER

On 18 October 2011 the Governor of the State of Western Australia consented to the partial surrender of the said part (as to area and depth) of Barrow Island Petroleum Lease 1H (as renewed) as described below.

**Description of Surrendered Parts**

Plan ID	Description	Area (square metres)	Depth (metres)	Block Number (part)
1	Gas Treatment Plant and Associated Facilities Infrastructure <i>(Land Administration Act 1997 Lease No. L77431)</i>	130,637	200m below natural surface	5666(A)

Endorsed in the register on 15 December 2011.

MP402\*

**MINING ACT 1978**  
 INTENTION TO FORFEIT

Department of Mines and Petroleum,  
 Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 23 January 2012 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
EXPLORATION LICENCE		
E 52/2606	Brimstone Resources Ltd	Peak Hill
E 63/1402	Ilmenite Resources Pty Ltd	Dundas
E 80/4379	GHL Resource Investments Pty Ltd	Kimberley
MINING LEASE		
M 15/1454	Chitty, Charles George	Coolgardie
M 80/90	Ynema, Marten Hendrick	Kimberley

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## PARLIAMENT

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PA401\*

**PARLIAMENT OF WESTERN AUSTRALIA**  
ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

Title of Act	Date of Assent	Act No.
Commercial Tenancy (Retail Shops) Agreements Amendment Act 2011	14 December 2011	59 of 2011
Residential Tenancies Amendment Act 2011	14 December 2011	60 of 2011
Iron Ore Agreements Legislation Amendment Act 2011	14 December 2011	61 of 2011
Iron Ore Agreements Legislation (Amendment, Termination and Repeals) Act 2011	14 December 2011	62 of 2011

Malcolm Peacock, Clerk of the Parliaments.

Date 19 December 2011.

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## PLANNING

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PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Chapman Valley*  
Town Planning Scheme No. 1—Amendment No. 50

Ref: TPS/0494

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 Chapman Valley local planning scheme amendment on 22 November 2011 for the purpose of—

1. Rezoning Lot 167 Cooper Street, Waggrakine from 'General Farming' to 'Rural Residential—RR1'.
2. Including Lot 167 Cooper Street, Waggrakine in Area No 1 (RR1) in Appendix 10.
3. Deleting Point 1 of Appendix No. 10—Area No. 1 (RR1) and replacing with the following—  
Subdivision, development and land use shall generally be in accordance with the Subdivision Guide Plan as adopted by the Local Government and endorsed by the Western Australian Planning Commission (WAPC).
4. Amending the Scheme Maps accordingly.

J. P. COLLINGWOOD, Shire President.  
D. SELLENGER, Chief Executive Officer.

PL402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Kalamunda*  
Local Planning Scheme No. 3—Amendment No. 22

Ref: TPS/0142

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 Kalamunda local planning scheme amendment on 24 November 2011 for the purpose of—

1. Rezoning a portion of Lot 23 Milner Road and Lot 551 Milner/Dundas Roads, High Wycombe from Mixed Use to Light Industry.
2. Amending the Scheme Map accordingly.

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

PL403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Kalamunda*

Local Planning Scheme No. 3—Amendment No. 34

Ref: TPS/0431

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 Kalamunda local planning scheme amendment on DATE for the purpose of—

1. Rezoning all lots bound by Berkshire Road, Roe Highway, Sultana Road West and Milner Road, with the exception of Lots 497, 498, 499 Sultana Road West and a portion of Lots 1 and 2 Sultana Road West, Forrestfield from Special Rural to Industrial Development.
2. Inserting an additional provision in the Local Planning Scheme No. 3 as follows—
  - 4.2.4 Industrial Zones
    - Industrial Development
      - To provide for orderly and proper planning through the preparation and adoption of a Structure Plan establishing the overall design principles for the area.
      - To permit the development of the land for industrial purposes and for commercial and other uses normally associated with industrial development.
3. Modifying the Local Planning Scheme No. 3 map to include the annotation DA 1 on the subject site.
4. Deleting from Local Planning Scheme Clause 5.4—Special applications for the subdivision of land.
5. Modifying Schedule 11—Development Area to include the following—
  - Part 3—Forrestfield / High Wycombe Industrial Area DA1.

In respect of the Industrial Development zone generally bounded by Berkshire Road, Roe Highway, Sultana Road West and Milner Road, identified as Development Area 1, the structure plan for this area is to ensure that general and heavy industrial uses are not permitted.

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

PL404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Kalamunda*

Local Planning Scheme No. 3—Amendment No. 38

Ref: TPS/0444

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 Kalamunda local planning scheme amendment on 24 November 2011 for the purpose of—

1. Rezoning Lots 724 (2) to 734 (38) Sultana Road West and Lots 753 (110) to 756 (122) Milner Road, High Wycombe from Special Use (Business) to Light Industry, in accordance with the Scheme Amendment Map.
2. Deleting item 7 of the Scheme's Schedule 4 (Special Uses) and renumbering the remaining items accordingly.

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

PL405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**INSTRUMENT OF DELEGATION DEL 2011/04**  
 Perth Waterfront Project—Swan River Trust

Notice of delegation to the Swan River Trust of certain powers and functions of the Western Australian Planning Commission relating to the Perth Waterfront project and the *Planning and Development Act 2005*.

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (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 to 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 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 on the WAPC by the Act or any other written law as the case requires.

**Resolution under section 16 of the Act (delegation)**

On 22 November 2011, pursuant to section 16 of the Act, the WAPC resolved to delegate the powers and functions set out in column 2 of the Schedule to this instrument to the person specified in column 1 of that Schedule within the Perth Waterfront precinct.

NEIL THOMSON, A/Secretary,  
Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

**Instrument of Delegation**

*Schedule*

<b>Column 1 (Officers)</b>	<b>Column 2 (Powers and Functions)</b>
General Manager of the Swan River Trust	1. Power to issue written directions under section 214 of the <i>Planning and Development Act 2005</i> . 2. Power under section 215 of the <i>Planning and Development Act 2005</i> to defend and otherwise deal with reviews, and to remove, pull down, take up or alter any unlawful development, and recover the costs incurred in so doing.

PL406\*

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

DEL 2011/02 POWERS OF LOCAL GOVERNMENTS (MRS)

Notice of delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme

**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 local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

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

**Resolution under section 16 of the Act (delegation)**

On 22/11/2011, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A TO DELEGATE to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme (MRS), of applications for approval to commence and carry out development specified in clauses 1 and 2, within their respective districts, subject to the exceptions and conditions set out in clauses 1 to 5 and Schedule 1;
- B TO REVOKE its delegation of powers and functions to local governments as detailed in the notice entitled “DEL 2010/01 Powers of local governments (MRS)” published in the *Government Gazette* of 13 August 2010 (pages 3989—3993) to give effect to this delegation, as set out in the attached Schedule A.

NEIL THOMSON, A/Secretary,  
Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

**Instrument of Delegation**

**1. Development on zoned land**

Applications for development on land zoned under the MRS except—

- (i) where the land is subject to a resolution under Clause 32 of the MRS; or
- (ii) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or

- (iii) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area; or
- (iv) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest, or
- (v) in respect of public works undertaken by public authorities.

## 2. Development on regional road reservations

Applications for development on land reserved under the MRS for the purpose of a regional road.

## 3. Referral Requirements for development on land on or abutting a Primary Regional Roads and Other Regional Roads reservation

Development applications that are on land that abut or that are fully or partly reserved as Primary Regional Roads (PRR) or Other Regional Roads (ORR) in the MRS shall be referred to the relevant Public Authority, where required, for comment and recommendation, before being determined by the local government as outlined in Tables 1 and 2. The road categories 1, 2 and 3 are as shown on plans SP 693 (PRR) and SP 694 (ORR).

**Table 1—Referrals for Primary Regional Roads (Red)**

<b>PRIMARY REGIONAL ROADS (PRR)—Red</b>		
<b>Column 1 Primary Regional Road (PRR-Red)</b>	<b>Column 2 Referral of development application to Public Authority required for Category 1 and 2</b>	<b>Column 3 Referral of development application to Public Authority not required for Category 1 and 2.</b>
<b>Category 1</b> <i>No vehicle access permitted.</i> <b>Public Authority</b> Main Roads WA	1. A development application which has one or more of the following characteristics— <ul style="list-style-type: none"> <li>(a) includes any earthworks, change in design levels and drainage that encroaches or impacts upon the regional road reservation;</li> <li>(b) has the potential for a significant increase in traffic using any access, either directly or indirectly, onto the regional road reservation; or</li> <li>(c) involves direct access between the subject land and the regional road reservation.</li> </ul> 2. All other applications except those listed as non referral for Category 1 in Column 3.	1. In the case of a Category 1 or 2 road, a development application which the local government resolves to refuse under the MRS for reasons relating to the regional road reservation. 2. In the case of a Category 2 road, a development application of four or fewer dwellings, where the application proposes (or a condition is imposed to require) all of the following outcomes— <ul style="list-style-type: none"> <li>(a) No development, including car parking, earthworks or drainage, encroaching or impacting upon the regional road reservation excepting an existing crossover or temporary landscaping and where the level of the reserved portion is constructed at the existing or planned road kerb level;</li> <li>(b) The access arrangements are consistent with the agreed access strategy (Refer to Note 3).</li> <li>(c) The rationalisation of the existing crossovers to reduce the number of crossovers to one;</li> <li>(d) No additional, relocated or new access between the development site and the regional road reservation;</li> <li>(e) The development being designed so that all vehicles can enter and exit in a forward gear; and</li> <li>(f) Development being designed to comply with all appropriate policy and standards related to noise.</li> </ul>
<b>Category 2</b> <i>Limited vehicle access permissible</i> <b>Public Authority</b> Main Roads WA	3. A development application which has one or more of the following characteristics— <ul style="list-style-type: none"> <li>(a) proposes earthworks, change in design levels, drainage or car parking, that would encroach or impact upon the regional road reservation;</li> <li>(b) has the potential for a significant increase in traffic using any access, either directly or indirectly, onto the regional road reservation;</li> <li>(c) involves additional, relocated or new access between the subject land and the regional road reservation;</li> <li>(d) proposes retention of an existing access between the subject land and the regional road reservation, where there is an alternative access to a local road or laneway; or</li> </ul>	

	<p>(e) involves the construction of entrance ramps.</p> <p>4. All other applications except those listed as non referral for Category 2 in Column 3.</p>	<p>3. A development application which has one or more of the following characteristics—</p> <p>(a) proposes the erection of a boundary fence that does not encroach into the road reservation, provided that the fence has adequate sight truncations to any access to the regional road;</p> <p>(b) proposes temporary or replacement signage (of no greater dimensions) relating to the use of the development attached to the existing building or structure and which is outside the reservation area; or</p> <p>(c) proposes a change of use with no structural modifications or additions to an authorised development and the new use does not require any additional car parking bays under the local planning scheme, provided that all of the existing development, including carparking, is situated outside of the reservation area.</p>
<p><b>Category 3</b> <b>Public Authority</b> Main Roads WA</p>	<p>5. All development applications except those listed as non referral for Category 3 in Column 3.</p>	<p>4. In the case of a Category 3 road, a development application that the local government resolves to refuse under the MRS for reasons relating to the regional road reservation.</p> <p>5. A development application which has one or more of the following characteristics—</p> <p>(a) proposes temporary or replacement signage (of no greater dimensions) relating to the use of the existing development, provided it is attached to the existing building or structure and it is outside the reservation area or any road reservation requirement plan formally adopted by the WAPC; or</p> <p>(b) proposes a change of use with no structural modifications or additions to an authorised development, and the new use does not require any additional car parking bays under the local planning scheme, provided that all of the existing development, including car parking, is situated outside the reservation area or any road reservation requirement plan formally adopted by the WAPC.</p>

Table 2—Referrals for Other Regional Roads (Blue)

<b>OTHER REGIONAL ROADS (ORR)—Blue</b>		
<b>Column 1</b> <b>Other Regional Road (ORR-Dark Blue)</b>	<b>Column 2</b> <b>Referral of development application to Public Authority required for Category 1 and 2</b>	<b>Column 3</b> <b>Referral of development application to Public Authority not required for Category 1 and 2.</b>
<p><b>Category 1</b> <i>No vehicle access permitted.</i> <b>Public Authority</b> Department of Planning</p>	<p>1. A development application that has the potential to increase traffic flows by more than 100 veh/hr in peak period requiring Transport Assessment (refer to the Transport Assessment Guidelines Volume 1, Table 1—see note 6).</p>	<p>1. All other applications except those listed as referral on Column 2, Category 1 and 2.</p>
<p><b>Category 2</b> <i>Limited vehicle access permissible</i> <b>Public Authority</b> Department of Planning</p>	<p>2. A development application which has all of the following characteristics—</p> <ul style="list-style-type: none"> <li>(a) the lot is affected by a regional road reservation</li> <li>(b) all or part of the proposed development is within the regional road reservation.</li> <li>(c) has a construction value greater than \$10,000</li> </ul> <p>3. A development application which has all of the following characteristics—</p> <ul style="list-style-type: none"> <li>(a) the lot is affected by a regional road reservation</li> <li>(b) none of the proposed development is within the regional road reservation.</li> <li>(c) has a construction value greater than \$100,000</li> </ul>	
<p><b>Category 3</b> <b>Public Authority</b> Department of Planning</p>	<p>4. All development applications except those listed as non referral for Category 3 in Column 3.</p>	<p>2. In the case of a Category 3 road, a development application that the local government resolves to refuse under the MRS for reasons relating to the regional road reservation.</p> <p>3. A development application which has one or more of the following characteristics—</p> <ul style="list-style-type: none"> <li>(a) proposes temporary or replacement signage (of no greater dimensions) relating to the use of the existing development, provided it is attached to the existing building or structure and it is outside the reservation area or any road reservation requirement plan formally adopted by the WAPC; or</li> <li>(b) proposes a change of use with no structural modifications or additions to an authorised development, and the new use does not require any additional car parking bays under the local planning scheme, provided that all of the existing development, including car parking, is situated outside the reservation area or any road reservation requirement plan formally adopted by the WAPC.</li> </ul>

## Notes—

1. PRR are shown coloured 'Red' and ORR shown coloured 'Dark Blue' in the MRS.
2. Plans SP 693 (PRR) and SP 694 (ORR) show regional road categories in the MRS and are amended from time to time. The latest versions are available on the Planning WA website at <http://www.planning.wa.gov.au/1212.asp>
3. Plan SP 693 also shows additional roads under the control of Main Roads WA that are not currently reserved in the MRS and sections of road where access strategies have been agreed.
4. In determining applications under this delegation, local governments shall have regard to WAPC Policy DC 5.1. Regional Roads (Vehicular Access), SPP 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning and any other relevant policies/advice of the relevant public authority.
5. For enquiries and assistance regarding;
  - (a) PRR Category 1, 2 and 3 call Main Roads WA on 138 138.
  - (b) ORR Category 1, 2 and 3, call Department of Planning—Infrastructure Planning and Coordination on (08) 6551 9000.
  - (c) the categories referred to in Tables 1 and 2, see the section headed "Interpretations"
6. Local Governments shall ensure that transport information is provided in accordance with the WAPC Transport Assessment Guidelines for Developments, (available at: <http://www.planning.wa.gov.au/publications/1197.asp> )
7. Tables 1 and 2 indicate the relevant public authority for referrals by local authorities. The relevant public authority will liaise with other authorities as required, eg. DoP, DoT, MRWA or PTA, prior to responding to local government to ensure that integrated transport planning outcomes are not adversely affected by development proposals

#### 4. Referral requirements for development on land abutting the Swan River Trust Development Control Area

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

#### 5. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 4 of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning before being determined by the local government.

#### Schedule 1

For the purpose of this Instrument of Delegation—

- (a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- (b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- (c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

#### Interpretations

In this Instrument of Delegation, unless the context otherwise requires—

- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005*.
- "local government" means a local government within the area covered by the MRS.
- "local road" means a road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public authority to which the local government was required to consult under this Notice of Delegation.

“regional road” means any road designated under the Scheme as follows—

- (a) land coloured red in the Scheme Map—Primary Regional Roads; and
- (b) land coloured dark blue in the Scheme Map—Other Regional Roads.

“reserved land” means land reserved under Part II of the MRS.

“road reservation” means land reserved for the purposes of a regional road.

“category 1 road” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. a primary or district distributor road with widely-spaced signalised intersections or roundabouts, and few, if any, direct access points to individual sites or local streets).

“category 2 road” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“category 3 road” applies where regional road reservation is not accurately defined or is under review.

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## PREMIER AND CABINET

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PR401\*

### APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent* relating to the Office of Governor of the State of Western Australia, dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable Wayne Stewart Martin, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the period 8 to 15 January 2012, both dates inclusive.

N. HAGLEY, Clerk of the Executive Council.

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## ROTTNEST ISLAND

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RX401\*

### ROTTNEST ISLAND REGULATIONS 1988

#### CLOSURE OF WATERS TO BOATING

*Thomson Bay, Rottnest Island*

New Year's Eve 2011

Acting pursuant to the powers conferred by Regulation 38B of the Rottnest Island Authority Regulations 1988, the Rottnest Island Authority hereby closes the following waters to all vessels, excluding bona fide emergency vessels, between 6:00am on Saturday 31 December 2011 and 12:00pm on Sunday 1 January 2012.

#### Thomson Bay

All the waters within 40 metres of the shoreline, from a point on the foreshore 400 metres south-east of the Hotel Jetty and extending in a north-westerly direction to the Rottnest Main Jetty, and the waters from a point on the foreshore 260 metres north-west of the Rottnest Main Jetty and extending in a north-easterly direction to the end of Thomson Bay at Bathurst Point.

This has been introduced to assist in achieving public safety and appropriate signage will be placed on site.

Mariners are advised to navigate with caution and maintain a safe clearance when transiting this area.

GREG ELLSON, A/Chief Executive Officer,  
Rottnest Island Authority.

## SALARIES AND ALLOWANCES TRIBUNAL

SA401\*

### SALARIES AND ALLOWANCES ACT 1975

#### DETERMINATION VARIATION

Department of State Development

#### PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Director General, Department of State Development.

#### DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 31 March 2011 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

The variation is effective from 29 November 2011.

Remove from Part 1 of the First Schedule the following—

Office	Department or Agency	Salary	Office Holder
Director General	State Development	\$368,972	A Nolan

Include in Part 1 of the First Schedule the following—

Office	Department or Agency	Salary	Office Holder
Director General	State Development	\$368,972	S Wood

Dated at Perth this 14th day of December 2011.

W. S. COLEMAN AM,  
Chairman.

C. A. BROADBENT,  
Member.

B. J. MOORE,  
Member.

Salaries and Allowances Tribunal.

SA402\*

### SALARIES AND ALLOWANCES ACT 1975

#### DETERMINATION VARIATION

Fire and Emergency Services Authority

#### PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Chief Operations Officer, Operations and Chief Operations Officer, Operations Support and Capability of the Fire and Emergency Services Authority.

#### DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 31 March 2011 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

Remove from Part 1 of the First Schedule the following—

Office	Department or Agency	Office Holder	Classification
Chief Operations Officer	Fire and Emergency Services	C Hynes	Group 1 Maximum

Include in Part 1 of the First Schedule the following—

Office	Department or Agency	Office Holder	Classification
Chief Operations Officer, Operations	Fire and Emergency Services	Vacant	Group 1 Maximum
Chief Operations Officer, Operations Support and Capability	Fire and Emergency Services	Vacant	Group 1 Maximum

Dated at Perth this 14th day of December 2011.

W. S. COLEMAN AM,  
Chairman.

C. A. BROADBENT,  
Member.

B. J. MOORE,  
Member.

Salaries and Allowances Tribunal.

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**DECEASED ESTATES**

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**ZX401\*****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* and amendments thereto, relate) in respect of the estates of the undermentioned deceased persons are required by the personal representatives care of Messrs Jackson McDonald, 25th Floor, 140 St Georges Terrace, Perth, Western Australia 6000 (GPO Box M971 Perth Western Australia 6843) to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they have then had notice—

Victoria Mary Constance Lee, deceased late of RAAFA Estate, Gordon Lodge, 2 Bull Creek Drive, Bull Creek, Western Australia, who died on 9 October 2011.

Dated this 14th day of December 2011.

JACKSON McDONALD.

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**ZX402****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Gary Earle Ahrens, late of 9 Calliance Way, Dawesville in the State of 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 deceased who died on 3 September 2011 are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 27 January 2012 after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & Co as solicitors for the personal representative.

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**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Jeffrey Francis McKenzie, late of 45 Porter Street, Kalgoorlie in the State of Western Australia, Retired Locomotive Engine Driver, deceased

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Jeffrey Francis McKenzie deceased, who died on the 2nd day of June 2008 at Kalgoorlie, in the said State are required by the personal representative Mervyn McKenzie of 39 Bedford Street, Cunderdin, 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.

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**ZX404****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Lila Dawn Rice, formerly of Unit 46, 23a Redgum Way, Morley, late of Carramar Lodge, 23a Redgum Way, Morley in the State of Western Australia, Shop Retailer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the deceased who died on 5 August 2011 are required by the executor, Brian James Rice, to send particulars of their claim to him, care of Avon Legal of Suite 7, 9 The Avenue Midland WA 6056 (Ref: 110512) within ONE (1) month of the date of publication hereof after which date the executor may convey or distribute the assets having regard to the claims of which they then have notice.

**ZX405****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

In the Estate of Hazel Alfreda Elliott, late of Berringa Frail Aged Lodge, 84 Haig Road, Merredin, 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 above named deceased who died on 19 December 2009 are required by the personal representative David Arthur Elliott of care of HHG Legal Group, 49 Peels Place, Albany, Western Australia to send particulars of their claims to him by 31 January 2012, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

**ZX406\*****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Mabel Laura Thomson, late of Bunbury Gardens Nursing Centre, Bunbury 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 deceased, who died on 8 June 2007 at Bunbury Gardens Nursing Centre, Bunbury Western Australia, are required by the trustees, Kenneth Edwin Beckford Eastman of 94 Forest Crescent Forest Lakes, Thornlie, Western Australia and Charles Arthur Mitchell of Unit 54, 14 Albert Street Claremont, Western Australia, to send particulars of their claims by him by post to the trustees care of Havilah Legal, PO Box 6382, East Perth WA 6892, by the 1st day of February 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated: 15 December 2011.

HAVILAH LEGAL (Solicitors for the Trustees).

**ZX407****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Elsie May Frost, late of 30 Bavin Street, Denmark, 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 deceased, who died on 8 October 2011, are required by the trustee of the late Elsie May Frost of c/- Denmark Legal, 37 Strickland Street, Denmark, Western Australia 6333, to send particulars of their claims to it within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 23rd day of December 2011.

DENMARK LEGAL.

**ZX408\*****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 23 January 2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Blackburn, Mabel late of 80-82 Henley Street, Como 6152 died 21 November 2011 (DE 33027718 EM26)

Clayton, Joan Margaret formerly of 1A Portwood Cross, Joondalup WA 6027, late of Moonya Nursing Home, 59 Ipsen Street, Manjimup WA 6258 died 30 October 2011 (DE 19954452 EM37)

- Connelly, Thomas Henry late of Armadale Nursing Centre, 21 Angelo Street, Armadale 6112 died 23 November 2011 (DE 30223995 EM36)
- Donovan, Nellie Mona formerly of 1 Barker Street, Bedford WA 6052 late of Armadale Nursing Centre, 21 Angelo Street, Armadale 6112 died 6 October 2011 (DE 19930214 EM24)
- Duce, Sarah Maree late of 20 Taylor Street, Tambellup 6320 died 10 November 2011 (DE 33075127 EM16)
- Dickinson, Jacqueline Mary also known as Jacqueline Mary Dickinson late of 3 Westside Villa, 29 Drabble Road, Scarborough 6019 died 23 September 2011 (DE 19822607 EM23)
- Franin, Juliana Ruby late of 88 Matlock Street, Mount Hawthorn 6016 died 25 October 2011 (DE 19791651 EM214)
- Herbert, Clem also known as Clem Hubert late of 20 Milford Street, Geraldton WA 6530 died 27 November 2011 (DE 30311048 EM22)
- Kreeger, Leonard Albert late of Room 41 Ritcher Lodge, 480-482 Guildford Road, Bayswater 6053 died 31 October 2011 (DE 19911595 EM110)
- Luplau, John Roy late of 17 Bondi Street, Mount Hawthorn 6016 died 10 November 2011 (DE 19850634 EM35)
- Mansfield, Jean Elizabeth late of Howard Solomon Nursing Home, 91 Hybanthus Road, Ferndale WA 6148 died 22 October 2011 (DE 19904258 EM37)
- Moncrieff, Dorothy Lucy late of Balmoral Aged Care, 29 Gardner Street, Como 6152 died 27 October 2011 (DE 19852319 EM35)
- O'Callaghan, Dorothy May late of Gracewood Nursing Home, Roebuck Drive, Salter Point 6152 died 25 November 2011 (DE 19734307 EM16)
- Parsons, Raymond Allen late of Unit 5/58 Railway Parade, Midland 6056 died 21 February 2011 (DE 33088834 EM26)
- Ryan, Mary late of 6 Trinity Court, Safety Bay 6169 died 25 November 2011 (DE 199319274 EM15)
- Rundell, Kathleen Amy late of 37 Latimer Way, Langford 6147 died 14 November 2011 (DE 19771055 EM23)
- SMITH George Leslie late of Rowenthorpe 149 The Boulevard, Bentley 6102 died 25 November 2011 (DE 19661223 EM26)
- Wallace, Doreen Alice late of Frank Prendergast Nursing Home, 27 Pearson Drive, Success 6164 died 14 October 2011 (DE 19911487 EM32)
- Woods, Shirley Joan late of 8 Oleander Crescent, Rangeway 6530 died 28 September 2010 (DE 33084990 EM17)

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

**ZX409\***

**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 23rd day of December 2011.

BRIAN ROCHE, Public Trustee,  
565 Hay Street, PERTH WA 6000.

<b>Name of Deceased</b>	<b>Address</b>	<b>Date of Death</b>	<b>Date Election Filed</b>
Natale Lorenzo Della-Marianna (also known as Laurie Della-Marianna) (DE19931150 EM36)	137 Gregory Street, Geraldton	17 October 2011	16 December 2011
Alexander Paylovic (DE 33070825 EM13)	78 Brown Street, East Perth	1 December 2010	9 December 2011
Elvie Isabel Smith (DE 19960207 EM13)	1 Fenton Road, Mundaring	18 November 2011	15 December 2011
Michael Robert Widdows (DE 33085351 EM36)	Unit 44/1 Herdsman Parade, Wembley	11 October 2010	9 December 2011

WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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WESTERN AUSTRALIA

**YOUNG OFFENDERS ACT 1994**

**\*Price: \$28.30 plus postage**

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## **CHANGE TO PUBLICATION TIMES**

Clients please note that the publication time for all General Government Gazettes will change from 3.30 pm to 12.00 noon.

This change will commence for the General Government Gazette published 6 January 2012.

All copy close-off times will remain the same, being 12.00 noon on Wednesday each week for the Friday Gazette and 12.00 noon Friday for the Tuesday Gazette.

JOHN STRIJK, Director and Government Printer,  
State Law Publisher,  
Department of the Premier and Cabinet.