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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2012 AND NEW YEAR HOLIDAY PERIOD 2013

| Publishing Dates and times | Closing Dates and Times for copy |
|---------------------------------------|---|
| Friday, 21 December 2012 at 12 noon | Wednesday, 19 December 2012 at 12 noon |
| Friday, 28 December 2012 at 12 noon | Monday, 24 December 2012 at 12 noon |
| Friday, 4 January 2013 at 12 noon | Wednesday, 2 January 2013 at 12 noon |



— PART 1 —

PROCLAMATIONS

AA101*

ELECTORAL AMENDMENT ACT 2012

No. 35 of 2012

PROCLAMATION

Western Australia
By His Excellency
Malcolm James McCusker,
Companion of the Order of Australia,
Commander of the Royal Victorian Order,
Queen's Counsel,
Governor of the State of Western Australia

[L.S.]

M. J. McCUSKER
Governor

I, the Governor, acting under the *Electoral Amendment Act 2012* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 27 November 2012.

By Command of the Governor,

NORMAN MOORE, Minister for Electoral Affairs.

Note: Under the *Electoral Amendment Regulations 2012* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Electoral Amendment Act 2012* section 3 comes into operation.

CONSUMER PROTECTION

CP301*

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (CITY OF KALGOORLIE-BOULDER) CHRISTMAS
VARIATION ORDER 2012

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

1. Citation

This order is the *Retail Trading Hours (City of Kalgoorlie-Boulder) Christmas Variation Order 2012*.

2. Commencement

This order comes into operation as follows —

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

3. Variation of retail trading hours: December 2012

General retail shops, other than motor vehicle shops, within the City of Kalgoorlie-Boulder, are authorised to be open at times when the shops would otherwise be required to be closed—

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

Table

| Day | Hours |
|----------------------------|---------------------------|
| Sunday 9 December 2012 | From 10.00am until 4.00pm |
| Sunday 16 December 2012 | From 10.00am until 4.00pm |
| Monday 17 December 2012 | From 6.00pm until 9.00pm |
| Tuesday 18 December 2012 | From 6.00pm until 9.00pm |
| Wednesday 19 December 2012 | From 6.00pm until 9.00pm |
| Friday 21 December 2012 | From 6.00pm until 9.00pm |
| Sunday 23 December 2012 | From 10.00am until 4.00pm |
| Monday 24 December 2012 | From 6.00pm until 9.00pm |

4. Part disapplication

This order does not affect the operations of the *Retail Trading Hours (Burt Street Precinct, Boulder) Exemption Order 2001*.

SIMON O'BRIEN, Minister for Commerce.

CP302*

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (CITY OF MANDURAH) CHRISTMAS VARIATION ORDER 2012

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

1. Citation

This order is the *Retail Trading Hours (City of Mandurah) Christmas Variation Order 2012*.

2. Commencement

This order comes into operation as follows—

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

3. Variation of retail trading hours: December 2012

General retail shops, other than motor vehicle shops, within the City of Mandurah, are authorised to be open at times when the shops would otherwise be required to be closed—

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

Table

| Day | Hours |
|----------------------------|--------------------------|
| Monday 17 December 2012 | From 6.00pm until 9.00pm |
| Tuesday 18 December 2012 | From 6.00pm until 9.00pm |
| Wednesday 19 December 2012 | From 6.00pm until 9.00pm |
| Friday 21 December 2012 | From 6.00pm until 9.00pm |

4. Part disapplication

This order does not effect the operations of the *Retail Trading Hours (City of Mandurah) Variation Order 2012*.

SIMON O'BRIEN, Minister for Commerce.

EDUCATION

ED301*

School Education Act 1999

**School Education Amendment Regulations
(No. 4) 2012**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *School Education Amendment Regulations (No. 4) 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 January 2013.

3. Regulations amended

These regulations amend the *School Education Regulations 2000*.

4. Regulation 63 amended

In regulation 63(1) delete “\$17 000” and insert:

\$25 000

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

ELECTORAL

EL301*

Electoral Act 1907

Electoral Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electoral Amendment Regulations 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Electoral Amendment Act 2012* section 3 comes into operation.

3. Regulations amended

These regulations amend the *Electoral Regulations 1996*.

4. Regulation 16 amended

In regulation 16(1) delete “form” and insert:

format

5. Regulation 18 amended

In regulation 18(a) delete “form” and insert:

format

6. Regulation 19 amended

Delete regulation 19(1)(b)(ii) and insert:

- (ii) open the ballot paper envelope, remove the ballot paper contained in it and place

the ballot paper, without inspection, in a ballot box or packet for the relevant district or region to await counting in accordance with the relevant provisions of the Act; and

- (iii) keep the ballot box or packet secure;

7. Regulation 20 amended

Delete regulation 20(1)(c)(ii) and insert:

- (ii) detach the declaration from the ballot paper envelope, remove the ballot paper contained in it and place the ballot paper, without inspection, in a ballot box or packet for the relevant district or region to await counting in accordance with the relevant provisions of the Act; and
- (iii) keep the ballot box or packet secure;

8. Regulation 23 amended

- (1) In regulation 23 delete “A notice” and insert:

- (1) A notice

- (2) At the end of regulation 23 insert:

- (2) For the purposes of section 156(6)(c)(iii) and (13A)(b) of the Act, the modified penalty is —
 - (a) if the elector has previously paid a modified penalty, or been convicted of an offence, under section 156 of the Act — \$50; or
 - (b) otherwise — \$20.

9. Regulation 29 amended

In regulation 29(1) delete “Clerk of the Council or the Clerk of the Assembly” and insert:

Electoral Commissioner

10. Schedule 3 Form 2 replaced

Delete Schedule 3 Form 2 and insert:

Form 2

Western Australia

*Electoral Act 1907 (s. 42)***CLAIM FOR ENROLMENT**

| | | | |
|-----------|--|---|---|
| 1 | Surname or family name All Christian or given names | <input type="text"/> | |
| | | <input type="text"/> | |
| 2 | Address | <input type="text"/> | |
| | | <input type="text"/> | |
| | | Postcode | |
| 3 | Phone numbers | Mobile <input type="text"/> | Daytime <input type="text" value="(08)"/> |
| | Email address | <input type="text"/> | |
| 4 | Postal address | <input type="text"/> | |
| | | <input type="text"/> | |
| | | Postcode | |
| 5 | Occupation | <input type="text"/> | 6 Male <input type="checkbox"/> |
| | | | Female <input type="checkbox"/> |
| 7 | Date of birth | Day <input type="text"/> Month <input type="text"/> Year <input type="text"/> | 8 Town of birth <input type="text"/> |
| 9 | Place of birth | <input type="text"/> | |
| 10 | Citizenship status | <input type="checkbox"/> Australian citizen by birth | |
| | | <i>or</i> | |
| | | <input type="checkbox"/> I have become an Australian citizen | Citizenship certificate number <input type="text"/> |
| | | Name on citizenship certificate | <input type="text"/> |
| | | <i>or</i> | |
| | | <input type="checkbox"/> British subject who was enrolled at any time between 26 October 1983 and 25 January 1984 inclusive | |
| | | Name on 25 January 1984 | <input type="text"/> |
| 11 | Former surname or family name Former Christian or given names | <input type="text"/> | |
| | | <input type="text"/> | |

12 Former address

| |
|----------|
| |
| Postcode |

13 Evidence of your identity Australian driver's licence Number

| |
|--|
| |
|--|

 State or Territory

| |
|--|
| |
|--|

Confirm your identity using one of these 3 options or Australian passport Number

| |
|--|
| |
|--|

or Have a person who is on the Commonwealth electoral roll confirm your identity below ▼

14 YOUR DECLARATION

- I am eligible to enrol for Western Australian elections.
- I declare that all the information I have given on this form is true and complete.

15 DECLARATION

- I am on the Commonwealth electoral roll.
- I confirm the identity of the applicant.
- I saw the applicant mark this form.*

** Only applies if the applicant has made a mark because he or she is unable to sign his or her name.*

Signature or mark of applicant

| |
|-----|
| / / |
|-----|

*The declaration at question 15 **must** be completed if the applicant has made a mark because he or she is unable to sign his or her name.*

Signature of person confirming your identity

| |
|-----|
| / / |
|-----|

Name and address of person confirming your identity

| |
|--|
| |
| |
| |

11. Schedule 3 Form 16 amended

In Schedule 3 Form 16 delete “64(1)” and insert:

64(1) and (2)

12. Schedule 3 Form 17 amended

In Schedule 3 Form 17 delete “64(2)” and insert:

64(3)

13. Schedule 3 Form 28 amended

In Schedule 3 Form 28 delete the passage that begins with “*I declare*” and ends with “*at this election.*” and insert:

I declare that:

- *I am the elector who applied for and was issued the enclosed ballot paper(s) for the election on Saturday/...../.....; and*
- *I have not already voted at this election.*

14. Schedule 3 Form 31 amended

- (1) In Schedule 3 Form 31 delete “[r. 14(b)(i), 15(a)(i)]” and insert:

[r. 14(1)(b)(i), 15(a)]

- (2) In Schedule 3 Form 31 delete the passage that begins with “*I declare*” and ends with “*at this election.*” and insert:

I declare that:

- *I enrolled to vote before the close of the roll for this election; and*
- *I have not already voted at this election.*

15. Schedule 3 Forms 33 and 34 replaced

Delete Schedule 3 Forms 33 and 34 and insert:

Form 33

Western Australia

Electoral Act 1907 (s. 156(6))

APPARENT FAILURE TO VOTE — PENALTY NOTICE

[insert name and address of elector]

Dear elector

It appears from the Western Australian Electoral Commission’s records that you did not vote at the State election held on *[insert election date]*.

The *Electoral Act 1907* section 156 makes it an offence for an elector to fail to vote at a State election unless the elector has a valid and sufficient reason for not voting.

If you do not want this apparent failure to vote dealt with by a court, you may take the action set out in A, B or C.

- A. If you **did vote** at the State election, please tell us where or how you voted. Do this by completing Part A of Section 1 on the reverse of this notice and returning it on or before the response date.
- B. If you **did not vote** at the State election and you believe you have a valid and sufficient reason for not voting, please tell us your reason. Do this by completing Part B of Section 1 on the reverse of this notice and returning it on or before the response date.
- C. If you **did not vote** at the State election and you do not have a valid and sufficient reason for not voting, please pay the penalty of *[insert amount of penalty]*. Do this in one of the ways described in Section 2 on the reverse of this notice on or before the response date.

Response date: *[insert date]*

If you do not pay the penalty and I am not satisfied that you did vote or that you had a valid and sufficient reason for not voting, you may be issued with an infringement notice or this matter may be dealt with by a court.

If you are unable to respond to this notice because you are away from home or physically incapacitated, you may direct another person who has personal knowledge of the facts to either complete and return this notice on your behalf or pay the penalty on your behalf.

This matter cannot be settled by telephone. However, if you have any questions about how to deal with this notice, please contact the Western Australian Electoral Commission by telephoning *[insert telephone numbers]*.

Thank you for your cooperation.

Electoral Commissioner

Date: *[insert date]*

[Back of Form 33]

The address for which you are enrolled is: *[insert address]*

Please provide your current residential address if different from the above address:

SECTION 1

- Unless you choose to pay the penalty amount in one of the ways described in Section 2, complete this section and return this notice to the Western Australian Electoral Commission by posting it in the reply paid envelope provided or by delivering it to *[insert address]*.
- Complete either Part A or Part B but not both.
- Making a false or misleading statement on this notice is an offence.

| | |
|--|---|
| Part A | If you did vote , complete this Part by ticking the appropriate box and completing the required details. |
| | <p>I voted:</p> <p><input type="checkbox"/> by ordinary vote</p> <p><input type="checkbox"/> by absent vote</p> <p><input type="checkbox"/> by provisional vote</p> <p>at the following polling place</p> <p><i>or</i></p> <p><input type="checkbox"/> by early vote (obtained by oral application)</p> <p>at the following location</p> <p><i>or</i></p> <p><input type="checkbox"/> by early vote (obtained by written application)</p> |
| Part B | If you did not vote and you believe you have a valid and sufficient reason, complete this Part. |
| | <p>I did not vote because:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> |
| <p>The person completing Section 1 is to provide the following information about himself or herself:</p> <p>Name: Daytime contact phone number:</p> <p>Signature of person completing this form</p> | |
| SECTION 2 | |
| <p>Penalty: <i>[insert penalty amount]</i> Response date: <i>[insert date]</i></p> <p>If you did not vote and you wish to finalise this matter, please pay the penalty in one of the following ways by the response date.</p> | |
| Payment with Australia Post | <i>[insert information about payment]</i> |
| Payment by BPAY | <i>[insert information about payment]</i> |

| | |
|--|--|
| Payment by mail | Using the reply paid envelope provided, return this notice with a cheque or money order made payable to the Western Australian Electoral Commission. Do not send cash in the mail. |
| Payment in person | Cash or cheque payments can be made at the Western Australian Electoral Commission <i>[insert address]</i> . |
| Payment of the penalty will end this matter. However, if you pay by cheque or credit card and that payment is dishonoured, you will be treated as if you had not paid the penalty. | |

Form 34

Western Australia

*Electoral Act 1907 (s. 156(13A))***FAILURE TO VOTE — INFRINGEMENT NOTICE***[insert name and address of elector]*

Dear elector

On *[insert date]*, you were sent a notice regarding your apparent failure to vote at the State election held on *[insert date]*.

[insert the wording from whichever of sections A and B applies]

- A. You did not respond to that notice on or before the response date stated in the notice.
- B. Thank you for returning the notice we sent you regarding your apparent failure to vote at the State election referred to above. In that notice you told us that —

[insert whichever paragraph applies]

- you voted at a polling place by ordinary vote, absent vote or provisional vote. The Western Australian Electoral Commission has used that information to re-check its records but remains unable to find any record of you having voted.
- you voted by early vote. The Western Australian Electoral Commission has used that information to re-check its records but remains unable to find any record of you having voted.
- you did not vote and your reason for not doing so. I have considered that reason but am unable to accept it as a valid and sufficient reason for not voting.

I am not satisfied with your response.

I therefore allege that you have committed an offence by failing to vote without a valid and sufficient reason.

If you do not want to be prosecuted in court for this offence, pay the modified penalty of *[insert amount]* on or before the response date.

Response date: *[insert date]*

If you do not pay the modified penalty on or before the response date, you may be prosecuted or enforcement action may be taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

You may pay the modified penalty in one of the following ways —

| | |
|-----------------------------|--|
| Payment with Australia Post | <i>[insert information about payment]</i> |
| Payment by BPAY | <i>[insert information about payment]</i> |
| Payment by mail | Using the reply paid envelope provided, return this notice with a cheque or money order made payable to the Western Australian Electoral Commission. Do not send cash in the mail. |
| Payment in person | Cash or cheque payments can be made at the Western Australian Electoral Commission <i>[insert address]</i> . |

Payment of the modified penalty will end this matter. However, if you pay by cheque or credit card and that payment is dishonoured, you will be treated as if you had not paid the modified penalty.

If you are unable to respond to this notice because you are away from home or physically incapacitated, you may direct another person who has personal knowledge of the facts to respond to this notice on your behalf.

Thank you for your cooperation.

Electoral Commissioner
[insert date]

Date:

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

FISHERIES

FI301*

Fish Resources Management Act 1994

**Fish Resources Management Amendment
Regulations (No. 6) 2012**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 6) 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Fish Resources Management Regulations 1995*.

4. Regulation 128HA inserted

After regulation 128G insert:

128HA. Shark tourism activities prohibited on aquatic eco-tour

- (1) A participant in an aquatic eco-tourism trip must not —
 - (a) use a safety cage the purpose of which is to protect swimmers or divers from sharks; or
 - (b) engage in the tagging or marking of sharks; or
 - (c) use blood, berley or any vibrating, visual, sonic, electronic, electromagnetic or other equipment for the purpose of attracting sharks.

Penalty: \$2 000.

- (2) The person in charge of an aquatic eco-tourism trip must not —
 - (a) provide or use, or allow participants in the trip to use, a safety cage the purpose of which is to protect swimmers or divers from sharks; or

- (b) engage, or allow participants in the trip to engage, in the tagging or marking of sharks; or
- (c) provide or use, or allow participants in the trip to use, blood, berley or any vibrating, visual, sonic, electronic, electromagnetic or other equipment for the purpose of attracting sharks.

Penalty: \$10 000.

5. Regulation 128OA inserted

After regulation 128M insert:

128OA. Shark tourism activities prohibited on fishing tour

- (1) A participant in a fishing tour trip must not —
 - (a) use a safety cage the purpose of which is to protect swimmers or divers from sharks; or
 - (b) engage in the tagging or marking of sharks; or
 - (c) use blood, berley or any vibrating, visual, sonic, electronic, electromagnetic or other equipment for the purpose of attracting sharks.

Penalty: \$2 000.

- (2) The person in charge of a fishing tour trip must not —
 - (a) provide or use, or allow participants in the trip to use, a safety cage the purpose of which is to protect swimmers or divers from sharks; or
 - (b) engage, or allow participants in the trip to engage, in the tagging or marking of sharks; or
 - (c) provide or use, or allow participants in the trip to use, blood, berley or any vibrating, visual, sonic, electronic, electromagnetic or other equipment for the purpose of attracting sharks.

Penalty: \$10 000.

6. Regulation 158 amended

In regulation 158 in the Table under the heading “**Provisions of these regulations**” after “128G(2),” insert

128HA(2), 128OA(2),

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RA301**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003****RWWA RULES OF GREYHOUND RACING 2008**

In accordance with Section 45(1)(c) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 26th November 2012 resolved to amend the RWWA Rules of Greyhound Racing 2008 with effect from 1st January 2013 as follows—

Amendments to National Rules

Amend definitions of “Official” and “Veterinary Surgeon” in AR1.

Amend rules AR 18(2)(c), 18(3)(c), 78(2), 79A(3)(b), 80(1)(2) & (3), 81(1), 83(5)(a), 32, 63(3), 127(3)(B), 138(1) & (2) and 129A(2).

Amend AR 99(3)(e) and (f) to allow for addition of AR99(3)(g).

Add AR83(6) and 99(3)(g).

Amendment to Local Rules

Delete Local Rule 99C (f).

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

RA302**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003****RWWA RULES OF THOROUGHBRED RACING 2004**

In accordance with Section 45(1)(a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 26th November 2012 resolved that, the RWWA Rules of Thoroughbred Racing 2004 be amended as follows—

Amendment to Australian Racing Rules (National Rules)

Amend AR177B(2)

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

— PART 2 —

JUSTICE

JU401*

PUBLIC TRUSTEE ACT 1941
COMMON FUND INTEREST RATES

Notice is hereby given that the rates of interest payable to the respective estates and trusts, the moneys of which are held in the Common Account, as from 1 December 2012 have been fixed as follows—

Deceased Estates and Uncared for Property matters (in the course of administration or whilst under investigation) at the rate of 2.00% where the balance is up to \$45,400; 2.00% where the balance is \$45,401 and over but under \$500,000; 2.00% where the balance is \$500,001 and over.

Court Awards at the rate of 2.50% where the balance is up to \$45,400; 3.25% where the balance is \$45,401 and over but under \$500,000; 3.75% where the balance is \$500,001 and over but under \$20 million; 4.0044% where the balance is over \$20 million.

Dated at Perth the 1st day of December 2012.

B. E. ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

Shire of Capel
(BASIS OF RATES)

Department of Local Government.

DLG: CP5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 2 November 2012.

BRAD JOLLY, Executive Director,
Governance and Legislation.

TECHNICAL DESCRIPTION
ADDITION TO GROSS RENTAL VALUE AREA
SHIRE OF CAPEL

All that portion of land being Lots 561 to 580 inclusive as shown on Deposited Plan 69271.

LG402*

LOCAL GOVERNMENT ACT 1995*Shire of Gingin*
(BASIS OF RATES)

Department of Local Government.

DLG: GG5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be unimproved value for the purposes of rating with effect from 2 November 2012.

BRAD JOLLY, Executive Director,
Governance and Legislation.

TECHNICAL DESCRIPTION
ADDITION TO UNIMPROVED VALUE AREA
SHIRE OF GINGIN

All that portion of land being Lot 2335 as shown on Deposited Plan 130668.

LG403*

LOCAL GOVERNMENT ACT 1995*City of Albany*
(BASIS OF RATES)

Department of Local Government.

DLG: AL5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 7 November 2012.

BRAD JOLLY, Executive Director,
Governance and Legislation.

TECHNICAL DESCRIPTION
ADDITION TO GROSS RENTAL VALUE AREA
CITY OF ALBANY

All that portion of land being Lots 801 to 828 inclusive and Lot 9100 as shown on Deposited Plan 73986.

LG404*

LOCAL GOVERNMENT ACT 1995*Shire of Manjimup*
(BASIS OF RATES)

Department of Local Government.

DLG: MJ5-4#04

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be unimproved value for the purposes of rating with effect from 3 August 2012

BRAD JOLLY, Executive Director,
Governance and Legislation.

TECHNICAL DESCRIPTION
ADDITION TO GROSS RENTAL VALUE AREA
SHIRE OF MANJIMUP

All those portions of land being Lots 20 to 49 inclusive as shown on Deposited Plan 55575 and Lots 13 to 19 inclusive as shown on Deposited Plan 63891.

LG405*

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

Department of Local Government.

DLG: SW5-4#05

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 7 November 2012.

BRAD JOLLY, Executive Director,
Governance and Legislation.

TECHNICAL DESCRIPTION
ADDITION TO GROSS RENTAL VALUE AREA
CITY OF SWAN

SCHEDULE "A"

All those portions of land being Lots 801 to 808 inclusive and Lot 9000 as shown on Deposited Plan 41339 and Lot 1117 as shown on Deposited Plan 48171.

SCHEDULE "B"

Lot 24 as shown on Plan 2746; Lot 286 as shown on Plan 3598 and Lot 100 as shown on Diagram 56954.

LG406*

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

Department of Local Government.

DLG: RK5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 3 October 2012.

BRAD JOLLY, Executive Director,
Governance and Legislation.

TECHNICAL DESCRIPTION
ADDITION TO GROSS RENTAL VALUE AREA
CITY OF ROCKINGHAM

All those portions of land being Lots 393 to 417 inclusive, Lots 420 to 429 inclusive, Lots 590 to 597 inclusive and Lots 606 to 611 inclusive as shown on Deposited Plan 73723.

PARLIAMENT

PA401*

LOCAL GOVERNMENT ACT 1995*Shire of Broomehill-Tambellup*

REMOVAL OF REFUSE, RUBBISH AND DISUSED MATERIALS LOCAL LAW 2012

Disallowance of Local Law

It is hereby notified for public information that the Legislative Council has disallowed the following Local Law made under the *Local Government Act 1995*—

The *Shire of Broomehill-Tambellup Removal of Refuse, Rubbish and Disused Materials Local Law 2012* published in the Gazette on 6 July 2012 and tabled in the Legislative Council on 14 August 2012.

Disallowance is effective on and from Tuesday, 27 November 2012.

Dated: 28 November 2012.

MALCOLM PEACOCK, Clerk of the Parliaments.

PA402*

PARLIAMENT OF WESTERN AUSTRALIA

ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Lieutenant Governor and deputy of the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts 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. |
|--|-----------------------|----------------|
| School Education Amendment Act 2012 | 29 November 2012 | 46 of 2012 |
| Wills Amendment (International Wills) Act 2012 | 29 November 2012 | 47 of 2012 |
| Fines, Penalties and Infringement Notices Enforcement Amendment Act 2012 | 29 November 2012 | 48 of 2012 |
| Criminal Organisations Control Act 2012 | 29 November 2012 | 49 of 2012 |
| Western Australian Future Fund Act 2012 | 29 November 2012 | 50 of 2012 |
| Mining Amendment Act 2012 | 29 November 2012 | 51 of 2012 |
| Mental Health Amendment (Psychiatrists) Act 2012 | 29 November 2012 | 52 of 2012 |
| Classification (Publications, Films and Computer Games) Enforcement Amendment Act 2012 | 29 November 2012 | 53 of 2012 |

MALCOLM PEACOCK, Clerk of the Parliaments.

Date: 29 November 2012.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Rockingham

Town Planning Scheme No. 2—Amendment No. 112

Ref: TPS/0866

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Rockingham local planning scheme amendment on 20 November 2012 for the purpose of replacing Special Condition 2 of Additional Use No. 22 in Schedule No. 2 with the following Special Condition—

2. The Additional Use shall cease by 30 June 2015.

B. W. SAMMELS, Mayor.
A. HAMMOND, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet

Town Planning Scheme No. 3—Amendment No. 55

Ref: TPS/0539

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 Plantagenet local planning scheme amendment on 15 November 2012 for the purpose of—

1. Rezoning Lot 1330 Warburton Road, Mount Barker from the 'Rural' zone to the 'Rural Residential' zone.
2. Rezoning the eastern portion of Lot 505 Mitchell Street, Mount Barker from the 'Rural' zone to the 'Rural Residential' zone.
3. Deleting Rural Residential Area No. 7 from Schedule 5 of the Scheme Text.
4. Including Lot 504 Marmion Street, Lot 505 Mitchell Street and Lot 1330 Warburton Road, Mount Barker within Schedule 5 of the Scheme Text as Rural Residential Area No. 6.
5. Replacing the provisions and Subdivision Guide Plan relating to Rural Residential Area No. 6 within Schedule 5 of the Scheme with the following—

| (a) SPECIFIED AREA OF LOCALITY | (b) | SPECIAL PROVISIONS TO REFER TO (a) |
|---|------------|---|
| | 1.0 | Subdivision Guide Plan |
| <i>RRes6</i> 6. Lot 504 Marmion Street Lot 505 Mitchell Street Lot 1330 Warburton Road | 1.1 | Subdivision shall generally be in accordance with the Subdivision Guide Plan endorsed by the Chief Executive Officer. |
| | 1.2 | The Council will not recommend lot sizes less than 4000m ² . The Council may recommend that the Western Australian Planning Commission approve minor variations to the Subdivision Guide Plan. |
| | 1.3 | Any subdivision proposal within the Site Investigation Area identified on the Subdivision Guide Plan will be subject to further detailed site investigation, including late winter site testing and site specific engineering investigations. Subdivision applications are to be supported by site specific management plan(s) providing detailed engineered solutions that ensure effective onsite effluent disposal, drainage management, and suitable long term amenity on the lots created. |
| | 2.0 | Objective |
| | | To provide a range of retreat lots responsive to land capability, view opportunities and proximity to the town centre. |
| | 3.0 | Land Use |
| | 3.1 | The following uses are permitted— <ul style="list-style-type: none"> • Single House and Associated Outbuildings. |
| | 3.2 | The following uses may be permitted subject to planning consent of Council. <ul style="list-style-type: none"> • Livestock grazing—subject to provision 4.0; • Home Occupation; • Home Business; • Cottage Industry; • Public Recreation; • Other incidental or non defined activities considered appropriate by Council which are consistent with the objectives of the zone. |
| | 4.0 | Keeping of Livestock/Animals |
| | 4.1 | Intensive agricultural pursuits such as piggeries, feed lotting, poultry farms are not permitted. The keeping of livestock shall be restricted to fenced pastured areas of the lot. The owner shall be responsible for the maintenance of stock proof fencing to protect remnant vegetation and revegetation areas. Animal numbers shall not exceed the stocking rates recommended by the Department of Agriculture and Food. |

| (a) SPECIFIED AREA OF LOCALITY | (b) SPECIAL PROVISIONS TO REFER TO (a) |
|--------------------------------|--|
| | The keeping of animals shall not result in the removal or damage of vegetation and trees or result in soil degradation and dust nuisance. |
| 4.2 | Where in the opinion of Council the continued presence of animals on any portion of land is likely to contribute, or is contributing to the dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice. |
| 4.3 | Where notice has been served on a landowner in accordance with this Clause, the Council may also require the land to be rehabilitated to its satisfaction within (3) months of serving the notice. |
| 4.4 | In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner. |
| 5.0 | Location of Buildings and Structures |
| 5.1 | Buildings and structures shall be setback a minimum of— <ul style="list-style-type: none"> • 15 metres from road frontages. • 5 metres from other boundaries. |
| 5.2 | Notwithstanding 5.1 above, in the instance where a lot is shown with a building envelope, all buildings and effluent disposal systems shall be restricted to that envelope. |
| 5.3 | All dams require the approval of Council prior to construction. |
| 5.4 | No development will be permitted within the Creekline and Optic Fibre Protection Areas designated on the Subdivision Guide Plan |
| 6.0 | Building Design, Materials and Colour |
| 6.1 | Houses and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council will be supportive of walls and roofs with natural tonings in keeping with the amenity of the area, however Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted Zinalume and off-white colours. |
| 6.2 | Houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of Council in order to lessen the visual impacts of such buildings when viewed from surrounding roads. |
| 6.3 | No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. Where boundary fencing is utilised, it shall be of rural construction such as post and strand to the satisfaction of Council. |
| 6.4 | Any water tanks shall be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council. |
| 7.0 | Vegetation and Revegetation |
| 7.1 | No clearing of vegetation shall occur except for— <ol style="list-style-type: none"> (a) Clearing to comply with the requirements of the <i>Bush Fires Act 1954</i> (as amended); (b) Clearing which may reasonably be required to construct an approved building and curtilage; (c) Trees that are dead, diseased or dangerous; (d) Clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council; |

| (a) SPECIFIED AREA OF LOCALITY | (b) | SPECIAL PROVISIONS TO REFER TO (a) |
|--------------------------------|-------------|---|
| | | (e) Clearing required to establish a building protection zone. |
| | 7.2 | Council may request the Commission to impose a condition at the time of subdivision for the preparation and implementation of a landscaping plan which provides for street trees and low density selective landscape planting of local native trees and shrubs and their maintenance for a minimum of 3 years from planting. |
| | 7.3 | Council may request the Commission to impose a condition at the time of subdivision for the preparation and implementation of a creekline replanting plan which provides for the continuation of creekline replanting and Foreshore Management on Lot 1330 with similar species, density and area to that already established on Lot 505. Such a plan will incorporate appropriate fencing to the specifications of the Department of Water. |
| | 7.4 | Additional tree planting may be required as a condition of development approval. |
| | 8.0 | Water Supply Where lots are not serviced by a reticulated water supply, each dwelling house shall be provided with a potable water supply with a minimum capacity of 92,000 litres. This may be supplied from licensed underground water supplies or rainwater storage systems to the satisfaction of Council. A secondary supply with a minimum capacity of 50, 000 litres shall also be provided for stock, garden and fire purposes. |
| | 9.0 | Effluent Disposal |
| | 9.1 | On-site effluent disposal shall be the responsibility of the individual landowner. |
| | 9.2 | The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council and the Health Department of WA. Systems shall be designed and located to minimise nutrient export and/or release into any waterway or groundwater. |
| | 9.3 | Council shall require the use of aerobic treatment units or suitable approved alternative effluent disposal systems on all lots. |
| | 9.4 | Variations to the design or location of effluent disposal areas will require a suitably qualified practitioner demonstrating that effluent disposal will not cause environmental or health impacts to the satisfaction of Council and the Department of Health. Conventional septic tank systems will not be permitted. |
| | 9.5 | No more than one effluent disposal system will be permitted per lot. |
| | 10.0 | Bushfire Management Control |
| | 10.1 | Subdivision and Development shall comply with the Fire Management Plan. |
| | 10.2 | Building protection zones, at least 20m wide, together with the Hazard Separation zones where identified on the Fire Management Plan, shall be established and maintained around all buildings. |
| | 10.3 | All buildings shall be built in accordance with AS 3959 (Construction of Buildings in Bush Fire Prone Areas) and will comply in all aspects to the outcomes of the Building Attack Level (BAL) assessment prepared and submitted to the satisfaction of the Council by individual lot owners at the Building Application stage. |
| | 10.4 | The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers are aware of the fire management |

| (a) SPECIFIED AREA OF LOCALITY | (b) SPECIAL PROVISIONS TO REFER TO (a) |
|--------------------------------|---|
| | guidelines of the Homeowners Bushfire Survival Manual and the Australian Standard 3959 'Construction of Buildings in Bushfire Prone Areas'. |
| 10.5 | Landowners shall be responsible for maintaining individual lots in a low fuel condition as a Hazard Separation Zone. |
| 10.6 | Landowners shall be responsible for complying with Council's annual Firebreak Notice. |
| 10.7 | The Council may request the Commission to impose a condition at the time of subdivision requiring the installation of strategic fire breaks and the implementation of relevant responsibilities identified in the Fire Management Plan. |
| 10.8 | The subdivider shall construct Strategic Firebreaks and access ways to gravel standard. |
| 10.9 | Where a lot is traversed by a strategic fire break as shown on the Subdivision Guide Plan, the owner of the lot shall maintain such firebreak to the satisfaction of Council. Fencing and/or unlocked gates across the strategic firebreak shall only be permitted at the discretion of and to the satisfaction of Council and F.E.S.A. |
| 10.10 | The Council may request the Commission to impose a condition at the time of subdivision requiring that— <ol style="list-style-type: none"> 1. The portion of the road reserve near Lot 18 is to be provided as the location of the standpipe and 50,000 litre water tank for fire fighting purposes. 2. The 50,000 litre tank, hardstand and standpipe be provided at the first stage of subdivision. |
| 11.0 | Roads |
| 11.1 | The Council may request the Commission impose a condition at the time of subdivision for a per lot contribution to the recent resealing of Braidwood Road (formerly Marmion Street). |
| 12.0 | Stormwater Management |
| 12.1 | Any application for subdivision is to be supported by a revised Local Water Management Strategy approved by the Department of Water. |
| 12.2 | The Council may request the Commission to implement recommendations of the strategy as condition(s) of subdivision approval. |
| 13.0 | Notification of Prospective Owners |
| 13.1 | Provision shall be made to Council's satisfaction to ensure prospective purchasers— <ul style="list-style-type: none"> • Are given a copy of these Special Provisions and endorsed Subdivision Guide Plan prior to entering into an agreement to acquire any property; and • Acknowledge that agricultural uses (including horticulture/viticulture) exist and may be permitted in the surrounding area and that these uses may have some impact on rural residential amenity. • Are given a copy of the Fire Management Plan. |
| 13.2 | The Council may request the Commission to impose a condition requiring a notification regarding protection of optic fibre cables to be placed on the Certificates of Title of lots through which the cables are located. |

6. Amending the Scheme maps accordingly.

K. A. CLEMENTS, Shire President.
R. J. STEWART, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet
Town Planning Scheme No. 3—Amendment No. 57

Ref: TPS/0372

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 Plantagenet local planning scheme amendment on 15 November 2012 for the purpose of—

1. Rezoning portion of Lot 4815 O'Neill Road, Mount Barker Albany from Rural to Rural Residential.
2. Incorporating into Schedule 5 of the Scheme Text, "Rural Residential zones—Provisions Relating to Specified Area", the following identification and special provisions—

Schedule No. 5 Rural Residential Zones—Provisions Relating to Specified Areas

(a) Specified Area of Locality

11—Portion of Lot 4815 O'Neill Road, Mount Barker

(b) Special Provisions to refer to (a)

1.0 Plan of Subdivision

- 1.1 Subdivision shall be generally in accordance with the endorsed Subdivision Guide Plan (11401-4-001 Rev E).
- 1.2 Further subdivision that creates additional lots other than those shown on the Subdivision Guide Plan will not be permitted.

2.0 Objectives

The objectives are to—

- 2.1 Allow for a range of lot sizes for small scale rural retreats in proximity of the townsite and existing community facilities.
- 2.2 Provide for the conservation of landscape and biodiversity values and the protection of remnant vegetation.
- 2.3 Integrate development within the landscape while providing for bushfire protection and management.
- 2.4 Utilise water sensitive and passive solar design principles to ensure effective and efficient use of resources (water and energy).

3.0 Land Use

3.1 The following uses are permitted—

- Single House
- Home Occupation

3.2 The following uses may be permitted subject to the consent of the Council—

- Cottage Industry;
- Bed and Breakfast accommodation;
- Other incidental or non-defined activities considered appropriate by the Council which are consistent with the objectives of the zone.

4.0 Keeping of Livestock/Animals

- 4.1 Intensive agricultural pursuits and the keeping of livestock are not permitted. Given the conservation values of the site and the adjoining golf course, the keeping of dogs and cats is not encouraged.
- 4.2 The owners of pets shall be responsible for ensuring the keeping of such animals does not result in the removal or damage of native flora or fauna or result in nuisance to neighbours and *I* or adjacent agricultural activities. A 1.8 metre high dog *I* stock proof fence is to be erected along the total eastern boundary including adjacent to the first southern 100 metres of fairway 17 at the time of subdivision.

5.0 Building Design, Colour and Location

- 5.1 Houses and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. The Council will be supportive of walls and roofs with natural tonings in keeping with the amenity of the area, however, the Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted Zincolume and off-white colours.
- 5.2 Houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of the Council in order to

- minimise the visual impacts of such buildings when viewed from surrounding roads.
- 5.3 All buildings shall be setback a minimum of 15m from road boundaries and 5m from all other lot boundaries.
 - 5.4 Buildings and driveways shall be sensitively located to minimise the need for earthworks and removal of vegetation. All structures shall be confined to the Building Envelopes.
 - 5.5 Notwithstanding 5.4, the Council may approve a minor variation to the siting requirements where it can be justified on the basis of topography, vegetation, visual amenity and/or fire safety, provided such variation is consistent with the objectives of the zone.
 - 5.6 The Council shall be supportive of developments which incorporate water sensitive and passive solar design elements. If water tanks are to be located on site then these are to be coloured an appropriate natural shade of brown or green.
 - 5.7 All buildings shall be built in accordance with AS 3959 (Construction of Buildings in Bush Fire Prone Areas).
 - 5.8 All buildings shall be built in accordance with AS 3959 (Construction of Buildings in Bush Fire Prone Areas) and will comply in all aspects to a minimum Building Attack Level 9 standard of construction unless the outcomes of the Building Attach Level (BAL) assessment prepared and submitted to Council by individual lot owners at the Building Application stage requires a higher standard to be applied.

6.0 Vegetation and Revegetation

- 6.1 No clearing of vegetation shall occur except for—
 - a. clearing to comply with the requirements of the *Bush Fires Act 1954 (as amended)* and/or the Shire of Plantagenet Annual Fire Break Notice;
 - b. clearing required to establish a Building Protection Zone;
 - c. clearing that may reasonably be required to construct an approved building and curtilage;
 - d. clearing to gain vehicular access to a house approved by the Council;
 - e. removal of trees that are dead, diseased or dangerous; and
 - f. removal of woody weeds.
- 6.2 The Council may request the Commission impose a condition at the time of subdivision for the removal of weeds as part of subdivisional works.
- 6.3 The Council may request the Commission impose a condition at the time of subdivision for infill planting in selected areas. Such tree planting shall be for the purpose of providing a visual buffer/landscape screen from the Highway and shall take account of existing overhead powerlines. Preference should be given to local species.
- 6.4 Additional tree planting may be required as a condition of development approval.
- 6.5 The area designated on the Subdivision Guide Plan as 'Bushland Protection' is an area of high quality vegetation as determined through environmental assessment. At the subdivision stage, the Council may request the Commission to impose a condition requiring a Restrictive Covenant to be placed over the Bush Land Protection Area to ensure the environmental quality of the area is maintained. Such covenant is to acknowledge that occasional fuel reduction burns will be necessary with the Bush Land Protection Area.

7.0 Effluent Disposal

- 7.1 On-site effluent disposal shall be the responsibility of the individual landowner.
- 7.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by the Council and the Department of Health. Systems shall be designed and located to minimise nutrient export and/or release into any waterway or groundwater.
- 7.3 The Council shall require the use of alternative type effluent disposal systems, such as Aerobic Treatment Unit (ATU) Systems on all lots. Conventional systems including septic tanks and leach drains will not be permitted.
- 7.4 Variations to the type or location of effluent disposal areas will require a suitably qualified practitioner demonstrating that effluent

disposal will not cause environmental or health impacts to the satisfaction of the Council and the Department of Health.

- 7.5 No more than one effluent disposal system will be permitted on one lot.

8.0 Water Supply

- 8.1 At subdivision stage, consideration shall be given to the practicality and reasonableness of provision of a reticulated water supply to the lots.
- 8.2 Where provision of a reticulated water supply is found to be impractical or unreasonable, each single house shall be provided with a water supply with a minimum capacity of 92,000 litres. This may be supplied from licensed underground water supplies or rainwater storage systems to the satisfaction of the Council and the Health Department of Western Australia. The 92,000 litre water supply is to be made available for fire fighting purposes and tanks are to have appropriate couplings to Council and FESA standards to access the water.
- 8.3 Where other uses such as domestic gardens are to be included, the Council may require an alternative water source of a 50,000 litre rainwater tank to be connected to the house and outbuildings roof areas to provide water for the other uses.
- 8.4 Sufficient roof area will be required to fill these tanks bearing in mind recent advice on declining rainfall.

9.0 Bushfire Management

- 9.1 Subdivision and Development shall comply with the Fire Management Plan.
- 9.2 The Council may request the Commission to impose a condition at the subdivision stage requiring the installation of strategic firebreaks (to gravel standard), fire hydrants and any other requirements of the Fire Management Plan.
- 9.3 The Council may request the Commission to impose a condition at the subdivision stage requiring a Section 70A Notification to be lodged on each Certificate of Title proposed by this subdivision in respect of AS 3959 Construction of Buildings in Bush Fire Prone Areas) which will be applied to all dwellings and associated buildings. The S70A Notification is to also advise that such buildings are required to comply in all aspects to a minimum Building Attack Level 19 standard of construction unless the outcomes of the Building Attack Level (BAL) assessment prepared and submitted to Council by individual lot owners at the Building Application stage requires a higher standard to be applied.
- 9.4 The Council may request the Commission to impose a condition at the subdivision stage requiring the implementation of a hazard reduction program, to ensure fuel loads do not exceed 8 tonnes per ha and the hazard separation zone is established.
- 9.5 Provision shall be made to Council's satisfaction to ensure prospective purchasers of land are made aware of the Fire Management Plan, FESA's Homeowners Bushfire Survival Manual (or equivalent) and the Shire of Plantagenet Annual Fire Break Notice.
- 9.6 Individual landowners are responsible for the maintenance of hazard reduction areas around approved buildings and any strategic firebreak where it crosses the landowner's lot.
- 9.7 Unlocked fire gates are to be installed where fences are erected across strategic fire accesses shown on the Subdivision Guide Plan.

10.0 Stormwater Management

- 10.1 The Council may request the Commission impose a condition at the time of subdivision for the preparation of a nutrient stripping/sediment retention drainage management plan prepared to the standards of the Department of Water.

11.0 Roads

- 11.1 No direct vehicular access will be permitted to Albany Highway from lots 2, 3, 5 and 6 as shown on the Subdivision Guide Plan.
- 11.2 The Council may request the Commission impose a condition at the subdivision stage for the upgrading of O'Neill Road where it abuts the subject land.

12.0 Notification of Prospective Owners

- 12.1 Provision shall be made to Council's satisfaction to ensure prospective purchasers of land are given a copy of these Special

Provisions, the Fire Management Plan and the Homeowners Bushfire Survival Manual (or similar publication) prior to entering into an agreement to acquire any property.

- 12.2 The Council may request the Commission impose a condition at the time of subdivision for preparation and distribution to prospective purchasers of an information sheet regarding weed management, continuing agricultural activities on adjacent land and responsible pet ownership particularly the control of cats and dogs to protect the Quenda population.
 - 12.3 Council may request the Commission impose a condition at the time of subdivision requiring notification on the titles of all lots advising the amenity of the lots may be affected by legitimate ongoing agricultural uses on the adjoining land to the east.
 - 12.4 Council may request the Commission impose a condition at the time of subdivision requiring notification to be placed on the titles of all lots stating that the *property is situated in proximity to Albany Highway and may be affected by transport noise. Further information regarding transport noise and noise attenuation measures are available from the local government.*
3. Amending the Scheme Maps accordingly.

K. A. CLEMENTS, Shire President.
R. J. STEWART, Chief Executive Officer.

PREMIER AND CABINET

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 following to be the deputy of the Governor, and in that capacity to perform and exercise all the powers and functions of the Governor—

- The Lieutenant-Governor, the Honourable Wayne Stewart Martin, for the periods 29 November 2012 to 9 December 2012 (both dates inclusive) and 14 to 29 December 2012 (both dates inclusive); and
- The Honourable Justice John Roderick McKechnie, for the period 30 December 2012 to 13 January 2013 (both dates inclusive).

N. HAGLEY, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RA401*

GAMING AND WAGERING COMMISSION ACT 1987

APPOINTMENT

Under section 12(1) of the *Gaming and Wagering Commission Act 1987*, the Minister for Racing and Gaming appointed—

Mr Kevin Harrison of 18a Collier Street, Ardross as a member of the Gaming and Wagering Commission of Western Australia for a term beginning on 1 January 2013 and expiring on 31 December 2015.

BARRY A. SARGEANT, Director General,
Department of Racing, Gaming and Liquor.

Dated this 28th day of November 2012.

RA402*

LIQUOR CONTROL ACT 1988**LIQUOR APPLICATIONS**

The following applications received under the *Liquor Control Act 1988 (the Act)* are required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

| App. No. | Applicant | Nature of Application | Last Date for Objections |
|--|---|--|--------------------------|
| APPLICATIONS FOR THE GRANT OF A LICENCE | | | |
| 14593 | Willetton District Cricket Club Inc | Application for the grant of a club restricted licence situated in Willetton and known as Willetton District Cricket Club Inc | 17/12/2012 |
| 14583 | Angelo Christou | Application for the grant of a restaurant licence situated in Mount Lawley and known as Circa | 01/01/2013 |
| 14581 | Grill'd Pty Ltd | Application for the grant of a restaurant licence situated in Perth and known as Grill'd Brookfield Place | 02/01/2013 |
| APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE | | | |
| 379487 | Garrett Hotels Pty Ltd and Primary Securities Ltd | Application for the variation of the trading hours of a Hotel licence in respect of a premises situated in Cottesloe and known as Cottesloe Beach Hotel. | 12/12/2012 |

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

B. A. SARGEANT, Director of Liquor Licensing.

30 November 2012.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975**DETERMINATION VARIATION****PREAMBLE**

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Chief Executive Officer, School Curriculum and Standards Authority.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 22 February 2012 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.

This variation is effective from the date of appointment.

Remove from Part 1 of the First Schedule the following—

| <i>Office</i> | <i>Department or Agency</i> | <i>Band</i> | <i>Office Holder</i> | <i>Annual Salary</i> |
|-------------------------|---|-------------|----------------------|----------------------|
| Chief Executive Officer | Curriculum Council of Western Australia | 3 | Vacant | \$- |

Include in Part 1 of the First Schedule the following—

| <i>Office</i> | <i>Department or Agency</i> | <i>Band</i> | <i>Office Holder</i> | <i>Annual Salary</i> |
|-------------------------|---|-------------|----------------------|----------------------|
| Chief Executive Officer | School Curriculum and Standards Authority | 3 | A Blagaich | \$238,641 |

Dated at Perth this 28th day of November 2012.

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

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Public Trustee, Department of the Attorney General.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 22 February 2012 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 5 November 2012

Include in Part 1 of the First Schedule the following—

| <i>Office</i> | <i>Department or Agency</i> | <i>Band</i> | <i>Salary</i> | <i>Office Holder</i> |
|----------------|-----------------------------|-------------|---------------|----------------------|
| Public Trustee | Attorney General | 4 | \$206,711 | Vacant |

Dated at Perth this 28th day of November 2012.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Kevin Alan Shaw of 8 White Road, Quinns Rocks, Western Australia, who died on 4 September 2012.

Creditors and other persons having claim (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased are required by the Executor's of the deceased's estate being Derrek Benjamin Shaw and Brenda Joyce Turner, care of 90 Flora Terrace, North Beach WA 6020 to send particulars of their claim to them by 28 February 2013, after which date the Executor's may convey or distribute the assets having regard only to the claims which they then have notice.

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