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## **GOVERNMENT GAZETTE**

# **PUBLISHING DETAILS FOR ANZAC DAY 2013**

Due to the public holiday on Thursday, 25 April 2013,  
Copy will close at **noon on Tuesday, 23 April** for the  
*Gazette* published on **Friday, 26 April**.

# — PART 1 —

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## JUSTICE

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JU301\*

Legal Profession Act 2008

### Legal Profession Conduct Amendment Rules 2013

Made by the Board under sections 577, 578 and 579 of the Act.

**1. Citation**

These rules are the *Legal Profession Conduct Amendment Rules 2013*.

**2. Commencement**

These rules come into operation as follows —

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

**3. Rules amended**

These rules amend the *Legal Profession Conduct Rules 2010*.

**4. Rule 15 amended**

- (1) In rule 15(1) insert in alphabetical order:

*authorised deposit-taking institution* has the meaning given in the *Banking Act 1959* (Commonwealth) section 5;

*listed public unit trust* means a unit trust that has one or more units listed for quotation on the official list of a stock exchange in Australia or elsewhere;

- (2) In rule 15(6) delete “A practitioner” and insert:

Subject to subrule (7A), a practitioner

- (3) After rule 15(6) insert:
- (7A) Subrule (6) does not apply in respect of a client who is —
- (a) an authorised deposit-taking institution; or
  - (b) a listed public unit trust; or
  - (c) the responsible entity of a managed investment scheme registered under the Corporations Act Chapter 5C or a custodian for that scheme; or
  - (d) an affiliate of the practitioner who has received —
    - (i) full written disclosure regarding the proposed loan; and
    - (ii) independent legal or financial advice regarding the proposed loan;
- or
- (e) an employer of the practitioner.
- (7B) The onus of establishing the requirements in subrule (7A)(d)(i) and (ii) rest with the practitioner.

GRANT DONALDSON SC, Member.

JAMES THOMSON SC, Member.

PETER QUINLAN SC, Member.

IAN WELDON, Member.

Date: 20 February 2013.

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JU302\*

Legal Profession Act 2008

## **Legal Profession (Admission) Amendment Rules 2013**

Made by the Board under section 575 of the Act.

### **1. Citation**

These rules are the *Legal Profession (Admission) Amendment Rules 2013*.

**2. Commencement**

These rules come into operation as follows —

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

**3. Rules amended**

These rules amend the *Legal Profession (Admission) Rules 2009*.

**4. Rule 5 amended**

(1) In rule 5:

- (a) delete “jurisdiction.” and insert:

jurisdiction if the granting of the qualification requires the successful completion of coursework covering all the prescribed areas of knowledge described in the Uniform Admission Rules 2008 Schedule 1 published by the Law Admissions Consultative Committee.

- (b) in the Table before item 1 insert:

1A.	Curtin University	Bachelor of Laws
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GRANT DONALDSON SC, Member.

JAMES THOMSON SC, Member.

PETER QUINLAN SC, Member.

IAN WELDON, Member.

Date: 20 February 2013.

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## LOCAL GOVERNMENT

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LG301\*

**HEALTH ACT 1911  
LOCAL GOVERNMENT ACT 1995**

*Town of Claremont*

**HEALTH AMENDMENT LOCAL LAW 2010**

Made by the Council of the Town of Claremont at its Ordinary Meeting under section 342 of the *Health Act 1911* and in accordance with Subdivision 2, Division 2, Part 3 of the *Local Government Act 1995*.

**1. Citation**

This local law may be cited as the *Town of Claremont Health Amendment Local Law 2010*.

**2. Principal local laws**

In this local law, the *Town of Claremont Health Local Laws 1997* as published in the *Government Gazette* on 31 March 1998, as amended and published in the *Government Gazette* on 11 September 2009, are referred to as the principal local laws. The principal local laws are amended.

**3. Principal local laws amended**

The principal local laws are amended as described in the table.

Item	Sections affected	Description of amendment
1	Global	Wherever they occur throughout the principal local law change "section" to "subsection", whether in upper or lower case, to "clause" and subclause" in the appropriate grammar.
2	Part 1—cl.3(1)	In the definition "AS 2001.5.4—2005" delete "tests" and insert "test". In the definition "Food Standards Code" delete "Australian" and insert "Australia".
3	Part 2—cl.18(4)(a) Part 3—cl.19(m)	In clauses 18(4)(a) and 19(m), delete "the Office of Energy" and insert "electricity and gas technical and safety legislation".
4	Part 5—cl.58(2)	In subclause 58(2) delete "there from" and substitute the word "therefrom".
5	Part 6—cl.102	In clause 102, above the "bees" definition, insert "'bee hive" means a moveable or fixed structure, container or object in which a colony of bees is kept;".
6	Part 8—cl.138	In clause 138(8)(a) delete "AS 1530.3.1999" and insert "AS/NZS 1530.3.1999".
7	Part 9—cl.155	In subclause 155(b) delete "Trade" and insert "Trades".

Passed at an ordinary meeting of the Council of the Town of Claremont held on 19 October 2010.

The Common Seal of the Town of Claremont was affixed by authority of a resolution of the Council in the presence of—

JOCK BARKER, Mayor  
STEPHEN GOODE, Chief Executive Officer

Dated: 2 November 2010.

Consented to—

TARUN WEERAMANTHRI, Executive Director,  
Public Health.

Dated: 15 November 2010.

LG302\*

**LOCAL GOVERNMENT ACT 1995***Shire of York***PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2013**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of York resolved on 18 February 2013 to make the following local law.

**1. Citation**

This local law is cited as the *Shire of York Parking and Parking Facilities Amendment Local Law 2013*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal Local Law**

In this local law, the *Shire of York Parking and Parking Facilities Local Law* published in the *Government Gazette* on 22 February 2000 is referred to as the principal local law. The principal local law is amended.

**4. Various amendments to terminology**

- (1) Delete “stall” where it appears in this local law and substitute—  
bay
- (2) Delete “stalls” where it appears in this local law and substitute—  
bays

**5. Part 1 Clause 1.3 amended**

- (1) Delete the definitions “bicycle”, “carriageway”, “centre”, “footpath”, “motorcycle”, “no parking area”, “parking area”, “parking region”, “pedestrian crossing”, “special purpose vehicle” and “vehicle”, and insert the following in the appropriate alphabetical order—

“bicycle” has the meaning given to it in the Code;

“carriageway” has the meaning given to it in the Code;

“centre” has the meaning given to it in the Code;

“footpath” has the meaning given to it in the Code;

“motorcycle” has the meaning given to it in the Code;

“no parking area” has the meaning given to it in the Code;

“no parking sign” means a sign with the words ‘no parking’ in red letters on a white background, or the letter ‘P’ within a red annulus and a red diagonal line across it on a white background;

“no stopping area” has the meaning given to it in the Code;

“no stopping sign” means a sign with words ‘no stopping’ in red letters on a white background, or the letter ‘S’ within a red annulus and a red diagonal line across it on a white background;

“parking area” has the meaning given to it in the Code;

“parking region” means the area described in Schedule 1;

“right of way” “ means any lane, passage, thoroughfare, way, whether private or public, over which any person in addition to the owner has a right of carriageway;

“special purpose vehicle” has the meaning given to it in the Code;

“vehicle” has the meaning given to it in the Code.

- (2) Amend the definition “Code” by deleting “1975” and substituting—  
2000
- (3) Amend the definition “symbol” by deleting “1989” and substituting—  
1999

**6. Part 1 Clause 1.4 amended**

- (1) In subclause (2) delete—
  - (a) “or a parking station”; and
  - (b) “or station”.
- (2) Delete subclause (4).

**7. Part 2 Heading amended**

Delete “AND PARKING STATIONS”.

**8. Part 2 Clause 2.1 amended**

- (1) Insert before the word “The”, the number “(1)”.
- (2) Delete “and also indicate by signs”.

- (3) Delete paragraph (b).
- (4) In paragraph (c) delete “and parking stations”.
- (5) In paragraph (d) delete “and parking stations”.
- (6) In paragraph (e) delete “or parking stations”.
- (7) In paragraph (f) delete “and parking stations”.
- (8) After paragraph (f) insert—
  - (2) Where the local government makes a determination under subsection (1), it shall erect signs to give effect to the determination.

**9. Part 2 Clause 2.3 deleted**

Delete clause 2.3.

**10. Part 2 Clause 2.4 amended**

- (1) Delete subclause (1) and substitute—

A person shall not park or attempt to park a vehicle in a parking bay stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a bay marked “M/C”, if the bicycle is parked in accordance with subclause (2).

- (2) After subclause (2)(b) insert—

(3) A driver may park a vehicle in a permissive parking bay (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—

- (a) The driver's vehicle displays an ACROD sticker; and
- (b) A person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.

**11. Part 3 Clause 3.2 amended**

- (1) Subclause (1) is amended by deleting the words “, or part of a parking station”;
- (2) Delete subclause (3) and renumber remaining subclauses.

**12. Part 3 Clause 3.3 amended**

Delete “A person” and substitute—

Unless otherwise permitted by a sign, a person

**13. Part 3 Clause 3.7 amended**

- (1) In subclause (2) delete “A person” and substitute—

Subject to any law relating to intersections with traffic control signals a person
- (2) In paragraph (e) of subclause (2), delete “9” and substitute “10”.
- (3) In paragraph (g) of subclause (2) delete “or other elevated structure or within a tunnel or underpass”.
- (4) In paragraph (j) of subclause (2), after the semicolon insert—

or
- (5) Delete paragraph (k) of subclause (2).
- (6) Redesignate paragraph “(l)” to “(k)”.
- (7) Delete subclause (3), and substitute—
  - (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of a children's crossing.
- (8) Delete subclause (4) and substitute—
  - (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a children's crossing.
- (9) In the appropriate numerical order insert—
  - (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side or departure side of the nearest rail of a railway level crossing.

**14. Part 3 Clause 3.9 amended**

- (1) In the title of the clause, delete “2,000” and substitute—

5,000
- (2) In the first line of the clause, delete “2,000” and substitute—

5,000

**15. Part 3 Clause 3.15 amended**

- (1) In subclause (1)(c) delete “or”.
- (2) In subclause (1)(d) delete “; or” and substitute—

.
- (3) Delete paragraph (e) of subclause (1).



**16. Part 3 Clause 3.16 amended**

Delete the title of clause 3.16 and substitute—

**3.16 Driving or parking on reserves****17. New Part 4 inserted**

Insert a new Part 4 as follows—

**PART 4—STOPPING GENERALLY****4.1 No Stopping**

A driver shall not stop on a part of a carriageway, or in an area—

- (a) to which a ‘no stopping’ sign applies; or
- (b) during the times a sign specifies a ‘no stopping’ restriction is in operation.

**4.2 No Parking**

(1) A driver shall not stop on a length of carriageway or in an area to which a ‘no parking’ sign applies, unless the driver is—

- (a) dropping off, or picking up, passengers or goods;
- (b) does not leave the vehicle unattended; and
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

(2) For the purposes of subclause (1)—“unattended”, in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.

**4.3 Stopping in a parking bay for people with disabilities**

(1) A driver shall not stop in a parking area for people with disabilities unless—

- (a) the driver’s vehicle displays an ACROD sticker; or
- (b) either the driver or the passenger in that vehicle is a person with disabilities.

(2) In this clause a ‘parking area for people with disabilities’ is a length or area—

- (a) to which a ‘permissive parking’ sign displaying a “people with disabilities” symbol applies;
- (b) to which a ‘people with disabilities parking’ sign applies;
- (c) indicated by a road marking that consists of, or includes, a “people with disabilities” symbol; or
- (d) set aside within a parking region as a ‘parking bay for use of a disabled person’ under the *Local Government (Parking for Disabled Persons) Regulations 1988*.”.

**18. Part 5 Clause 5.1 amended**

(1) In subclause (3) delete—

- (a) “\$1,000” and substitute—  
\$5,000
- (b) delete the number “\$100” and substitute—  
\$500

(2) In subclause (4) delete “Second Schedule” and substitute—

Schedule 2

**19. Part 5 Clause 5.2 deleted**

Delete clause 5.2.

**20. Part 5 Clause 5.3 amended**

Delete “Third Schedule” where it appears in this clause and substitute—

Schedule 3

**21. First Schedule amended**

Delete the First Schedule and substitute—

**Schedule 1—Parking Region**

The parking region is the area of the Shire of York enclosed by the following roads—

- |  |                    |
|--|--------------------|
| 1. Macartney Street                                      | 6. Monger Street   |
| 2. Howick Street   | 7. South Street    |
| 3. Railway line (between Henrietta and Christie Streets) | 8. Lowe Street     |
| 4. Henrietta Street                                      | 9. Christie Street |
| 5. Thorn Street  | 10. Neville Street |

and includes both sides of the above named roads within that area, but excludes the following portions of the district—

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (c) any thoroughfare which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that thoroughfare has been delegated by the Commissioner of Main Roads to the local government.

## 22. Second Schedule amended

Delete the Second Schedule and substitute the following—

### Schedule 2—Prescribed Offences

#### Prescribed Offences

[cl. 6.1(4)]

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2(1)(b)	Failure to park wholly within parking bay	60
2	3.2(1)(a)	Parking wrong class of vehicle	100
3	3.2(1)(b)	Parking by persons of a different class	100
4	3.2(1)(c)	Parking during prohibited period	100
5	3.2(2)(a)	Parking in no parking area	80
6	3.2(2)(b)	Parking contrary to signs or limitations	60
7	3.2(2)(c)	Parking vehicle in motor cycle only area	60
8	3.2(3)	Parking without permission in an area designated for 'Authorised Vehicles Only'	65
9	3.3(a)	Failure to park on the left of two-way carriageway	80
10	3.3(b)	Failure to park on boundary of one-way carriageway	60
11	3.3(a) and 3.3(b)	Parking against the flow of traffic	80
12	3.3(c)	Parking when distance from farther boundary less than 3 metres	60
13	3.3(e)	Causing obstruction	125
14	3.5(a) or (b)	Failure to park at approximate right angle or parallel to carriageway	60
15	3.6(2)	Failure to park at an appropriate angle	60
16	3.7(2)(a)	Double parking	125
17	3.7(2)(b)	Parking on or adjacent to a median strip	80
18	3.7(2)(c)	Denying access to private drive or right of way	125
19	3.7(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	125
20	3.7(2)(e)	Parking within 10 metres of traffic island	60
21	3.7(2)(f)	Parking on footpath/pedestrian crossing	150
22	3.7(2)(h)	Parking contrary to continuous line markings	60
23	3.7(2)(i)	Parking on intersection	150
24	3.7(2)(j)	Parking within 1 metre of fire hydrant or fire plug	80
25	3.7(2)(k)	Parking within 6 metres of intersection	60
26	3.7(3)	Parking vehicle within 10 metres of departure side of a children's crossing	60
27	3.7(4)	Parking vehicle within 20 metres of approach side of a children's crossing	60

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
28	3.7(5)	Parking vehicle within 20 metres of the approach side or departure side of a railway level crossing	60
29	3.8(1)(b)	Parking commercial vehicle, bus or caravan on verge	60
30	3.8(1)(c)	Parking on verge contrary to sign	60
31	3.9	Parking vehicle with tare of over 5,000kgs for over 2 hours	100
32	3.10	Parking over length vehicle in excess of 2 hours	100
33	3.11	Parking contrary to direction of Authorized Person	60
34	3.14(c)	Parking a trailer/caravan on a thoroughfare	100
35	3.15(2)	Parking on land that is not a parking facility without consent	125
36	3.15(3)	Parking on land not in accordance with consent	125
37	3.16	Driving or parking on reserve	125
38	4.1	Stopping contrary to a 'no stopping' sign	125
39	4.2	Parking contrary to a 'no parking' sign	85
40	4.3(1)	Stopping in disabled parking area	120
41	5.6	Leaving vehicle so as to obstruct a public place	80
42		All other offences not specified	80

**23. Third Schedule Form 1 amended**

Delete title and substitute—

**Schedule 3—Form 1**  
**Notice to Owner of Vehicle Involved in Offence**

**24. Third Schedule Form 2 amended**

Delete title and substitute—

**Schedule 3—Form 2**  
**Infringement Notice**

**25. Third Schedule Form 3 amended**

Delete title and substitute—

**Schedule 3—Form 3**  
**Infringement Notice**

**26. Third Schedule Form 4 amended**

Delete title and substitute—

**Schedule 3—Form 4**  
**Withdrawal of Infringement Notice**

**27. Fourth Schedule deleted**

Delete the Fourth Schedule.

**28. Redesignation of clauses**

- (1) In clause 1.4, redesignate subclauses “(5)” and “(6)” to “(4)” and “(5)” respectively.
- (2) In clause 2.1(1), redesignate paragraphs “(c)” through to “(f)” to “(b)” through to “(e)”.
- (3) Redesignate clause “2.4” to “2.3”.
- (4) In the Part 4 title, delete “4” and substitute—  
5
- (5) Redesignate “4.1” through to “4.6” to “5.1” through to “5.6”.
- (6) In the Part 5 title delete “5” and substitute—  
6
- (7) Redesignate clause “5.1” to “6.1”.
- (8) Redesignate clause “5.3” to “6.2”.

**29. Table of Contents amended**

- (1) Delete item 2.3.
- (2) Renumber item “2.4” to “2.3”.
- (3) Insert a new Part 4 as follows—
  - PART 4—STOPPING GENERALLY**
  - 4.1 No Stopping
  - 4.2 No Parking
  - 4.3 Stopping in a parking bay for people with disabilities
- (4) Renumber Part “4” to Part “5”.
- (5) Renumber items “4.1” through to “4.6” to “5.1” to “5.6”, respectively.
- (6) Renumber Part “5” to Part “6”.
- (7) Renumber item “5.1” “6.1”.
- (8) Renumber item “5.3” to “6.2”.
- (9) Delete Schedule 4.

Dated: 18 February 2013.

The Common Seal of the Shire of York was affixed by the authority of a resolution of the Council in the presence of—

A. S. BOYLE, Shire President.  
R. HOOPER, Chief Executive Officer.

**LG303\*****LOCAL GOVERNMENT ACT 1995***Shire of York***ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES AND PUBLIC PLACES AMENDMENT LOCAL LAW 2013**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of York resolved on 18 February 2013 to make the following local law.

**1. Citation**

This local law is cited as the *Shire of York Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2013*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal local law**

In this local law, the *Shire of York Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* published in the *Government Gazette* on 17 January 2001 is referred to as the principal local law. The principal local law is amended.

**4. Various amendments to terminology**

- (1) Delete—
  - (a) “*Town Planning and Development Act 1928*” where it appears in this local law and substitute—  
*Planning and Development Act 2005*
  - (b) “*Road Traffic Code 1975*” where it appears in this local law and substitute—  
*Road Traffic Code 2000*
  - (c) “*Weight and Measures Act 1915*” where it appears in this local law and substitute—  
*Trade Measurement Administration Act 2006*
  - (d) “*Liquor Licensing Act 1988*” where it appears in this local law and substitute—  
*Liquor Control Act 1988*

**5. Part 1 Clause 1.2 amended**

- (1) Delete the definitions—
  - (a) “**carriageway**”;
  - (b) “**footpath**”;

- (c) “town planning scheme”;
- (d) “Regulations”;
- (2) In the appropriate alphabetical order insert the following definitions—
  - “bicycle” has the meaning given to it in the *Road Traffic Code 2000*;
  - “carriageway” has the meaning given to it in the *Road Traffic Act 2000*;
  - “crossover” has the same meaning as “crossing”;
  - “footpath” has the meaning given to it in the *Road Traffic Act 2000*;
  - “General Regulations” means the *Local Government (Functions and General) Regulations 1996*;
  - “local planning scheme” means a local planning scheme of the local government made under the *Planning and Development Act 2005*, or a town planning scheme which was made under the *Town Planning and Development Act 1928*, which applies throughout the whole or a part of the district;
  - “lot” has the meaning given to it in the *Planning and Development Act 2005*;
  - “thoroughfare” has the same meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;

#### 6. Part 2 Clause 2.1 amended

- (1) In paragraph (a) delete “6m of an intersection” and substitute—
  - 10m of an intersection, or plant any plant, other than grass and similar plants within 6m of an intersection
- (2) In paragraph (g) after “any”, insert—
  - bicycle,

#### 7. Part 2 Clause 2.2 amended

Delete subclause (2) and substitute—

- (2) The local government may exempt a person from compliance with subclause (1)—
  - (a) if that person complies with a policy issued by the local government issued under clause 7.5 in relation to a specific activity in a thoroughfare, verge or footpath; or
  - (b) on the application of that person.

#### 8. Part 2 Clause 2.8 amended

- (1) In subclause (b) delete “and”.
- (2) In the appropriate alphabetical order, insert—
  - (d) ensure the verge treatment does not cause a sight distance obstruction to any person using a footpath on the verge or a carriageway or crossing adjoining the verge or in proximity to it;
  - (e) ensure that the verge treatment does not damage or obstruct a drain, manhole, gully, inspection pit, channel, kerb, or tree planted by the local government; and
  - (f) ensure that any sprinklers or pipes installed to irrigate a verge treatment—
    - (i) do not protrude above the level of the lawn when not in use,
    - (ii) are not used at such times so as to cause unreasonable inconvenience to pedestrians or other persons, and
    - (iii) do not otherwise present a hazard to pedestrians or other persons.

#### 9. Part 2, Division 4, Clause 2.16 Public Place amended

Re-number clause “2.16” to “2.14”.

#### 10. Part 4 Clause 4.2 amended

- (1) In subclause (2)(b) after “place” delete “or”.
- (2) In subclause (2)(c) after “thoroughfare,” insert—
  - or
- (3) After subclause (2)(c) insert—
  - (d) subject to subclause (4), allow an animal to excrete on a thoroughfare.
- (4) After subclause (3) insert—
  - (4) An owner of an animal does not commit an offence if the excreta is immediately removed.

#### 11. Part 4 New Clause 4.3

Insert—

##### 4.3 Removal of Vehicle or Animal

An authorised person may impound an animal or vehicle left in contravention of clause 4.1.

**12. Part 4 New Division 2**

In the appropriate numerical order insert—

*Division 2—Shopping trolleys***4.4 Definitions**

In this Division—

“**retailer**” means a proprietor of a shop in respect of which shopping trolleys are provided for the use of customers of the shop; and

“**shopping trolley**” means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods.

**4.5 Shopping trolley to be marked**

A retailer must clearly mark its name or its trading name on any shopping trolley made available for the use of customers.

**4.6 Person not to leave trolley in public place**

A person must not leave a shopping trolley in a public place or on City property other than in an area set aside for the storage of shopping trolleys.

**4.7 Retailer to remove abandoned trolley**

(1) If a shopping trolley is found in a public place or on City property, other than in an area set aside for the storage of shopping trolleys, the City may advise (verbally or in writing) a retailer whose name is marked on the trolley of the location of the shopping trolley.

(2) A retailer must remove a shopping trolley within 24 hours of being so advised under subclause (1).

**4.8 Retailer taken to own trolley**

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

**4.9 Impounding of abandoned trolley**

An authorised person may impound a shopping trolley that is—

- (a) left on a thoroughfare, verge or local government property that is not marked in accordance with clause 4.5; or
- (b) not removed by a retailer after having been so advised under clause 4.7(2).

**13. Part 5 Clause 5.16 amended**

Delete clause 5.16 and substitute—

**5.16 Prohibitions on burning**

Subject to any other written law and notwithstanding anything to the contrary in this local law, an application for a permit for the purpose of clause 5.13 is not to be approved by the local government for burning between 31 August and 1 May of the following year where the intensity of the burn could damage native flora and fauna.

**14. Part 6 Clause 6.1 amended**

In paragraph (g) in the definition “**trading**” after “which are”, insert—  
only

**15. Part 6 Clause 6.3 amended**

Delete subclause (3).

**16. Part 6 Clauses 6.5 and 6.6 deleted**

Delete clauses 6.5 and 6.6.

**17. Part 6 New Division 2**

Insert, in the appropriate numerical order, a new Division 2 as follows—

*Division 2—Outdoor eating facilities on public places***6.7 Interpretation**

In this Division—

“**Facility**” means an outdoor eating facility or establishment on any part of a public place, but does not include such a facility or establishment on private land;

“**permit holder**” means the person to whom a permit has been issued for the purpose of clause 6.16; and

“**public place**” has the meaning given to it in clause 6.1.

**6.8 Permit required to conduct Facility**

A person shall not establish or conduct a Facility without a permit.

**6.9 Matters to be considered in determining application**

In determining an application for a permit for the purpose of clause 6.16, the local government may consider in addition to any other matter it considers relevant, whether or not—

- (a) the Facility is conducted in conjunction with and as an extension of food premises which abut on the Facility, and whether the applicant is the person conducting such food premises;
- (b) any abutting food premises are registered in accordance with the Food Act 2008 and whether the use of the premises is permitted under the local planning scheme;
- (c) the Facility will comply with the Food Act 2008;
- (d) users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences;
- (e) the Facility would—
  - (i) obstruct the visibility or clear sight lines at an intersection of thoroughfares of any person; or
  - (ii) impede pedestrian access; and
- (f) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose for which it was designed.

**6.10 Obligations of permit holder**

- (1) The permit holder for a Facility shall—
  - (a) ensure that the Facility is conducted at all times in accordance with the provisions of this local law and the Food Act 2008;
  - (b) ensure that the eating area is kept in a clean and tidy condition at all times;
  - (c) maintain the chairs, tables and other structures in the eating area in a good, clean and serviceable condition at all times;
  - (d) be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the Facility; and
  - (e) be solely responsible for all rates and taxes levied upon the land occupied by the Facility.
- (2) Whenever, in the opinion of the local government, any work is required to be carried out to a Facility, the local government may give a notice to the permit holder for the Facility to carry out that work within the time limited by the notice.
- (3) In subclause (2), “work” includes the removal, alteration, repair, reinstatement or reconstruction of any part of a public place arising from or in connection with the setting up or conduct of a Facility.

**6.11 Removal of Facility unlawfully conducted**

Where a Facility is conducted without a permit, or in contravention of a condition of a permit, any tables, chairs, umbrellas or other equipment may be removed by an authorized person and impounded in accordance with the Act.

**6.12 Use of Facility by public**

- (1) A person shall not occupy a chair or otherwise use the equipment in a Facility the subject of a permit unless the person uses them for the purpose of consuming food or drinks provided by the Facility.
- (2) A person shall leave a Facility when requested to do so by the permit holder.

**6.13 Temporary removal of Facility may be requested**

- (1) The permit holder for a Facility is to temporarily remove the Facility when requested to do so on reasonable grounds by an authorized person or a member of the Police Service or an emergency service in the event of an emergency.
- (2) The permit holder may replace the Facility removed under subclause (1) as soon as the person who directed her or him to remove it allows it to be replaced.

**18. Part 7 Clause 7.1 amended**

- (1) In subclause (2)(c), delete “and”.
- (2) Renumber paragraph “(d)” to “(e)”.
- (3) After subclause (2)(d), insert—
  - (d) contain any other information required, for that particular type of permit, under this local law; and

**19. Part 7 Division 1 New Clause 7.3**

(1) In the appropriate numerical order, insert—

**7.3 Relevant consideration in determining application for permit**

(1) In determining an application for a permit, the local government is to have regard to—

- (a) any relevant policy of the local government;
- (b) the National Competition Principles Agreement;
- (c) the desirability of the proposed activity;
- (d) the location of the proposed activity; and
- (e) such other matters as the local government may consider to be relevant in the circumstances of the case.

(2) The local government may refuse to approve an application for a permit on any one or more of the following grounds—

- (a) that the applicant has committed a breach of any provision of this local law or of any written law relevant to the activity in respect of which the permit is sought;
- (b) that the applicant is not a desirable or suitable person to hold a permit;
- (c) such other grounds as the local government may consider to be relevant in the circumstances of the case.

**20. Part 7 Clause 7.7 amended**

(1) After “apply,” insert—

with appropriate modifications

(2) Delete “mutatis mutandis”.

**21. Part 8 Heading amended**

Delete “APPEALS” and substitute—

**REVIEW****22. Clause 8.1 amended**

(1) Delete the heading of clause 8.1 and substitute—

**Objections and review**

(2) Delete “regulations 33 and 34 of the Regulations” and substitute—  
regulation 33 of the General Regulations

**23. Schedule 1 amended**

Delete Schedule 1 and substitute—

**Schedule 1—Prescribed Offences****Prescribed Offences**

[cl. 10.4]

Item No.	Clause No.	Description	Modified Penalty \$
1	2.1(a)	Plant of 0.75m in height on thoroughfare within 10m of intersection	125
2	2.1(b)	Damaging lawn or garden	125
3	2.1(c)	Plant (except grass) on thoroughfare within 2m of carriageway	125
4	2.1(d)	Placing hazardous substance on footpath	200
5	2.1(e)	Damaging or interfering with signpost or structure on thoroughfare	350
6	2.1(f)	Playing games so as to impede vehicles or persons on thoroughfare	125
7	2.1(g)	Riding of bicycle, skateboard or similar device on mall or veranda of shopping centre	125
8	2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	200
9	2.2(1)(b)	Throwing or placing anything on a verge without a permit	200
10	2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	200
11	2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	250



Item No.	Clause No.	Description	Modified Penalty \$
12	2.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	250
13	2.2(1)(g)	Lighting a fire on a thoroughfare without a permit	350
14	2.2(1)(h)	Felling tree onto thoroughfare without a permit	200
15	2.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	200
16	2.2(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	350
17	2.2(1)(k)	Creating a nuisance on a thoroughfare without a permit	200
18	2.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	200
19	2.2(1)(m)	Interfering with anything on a thoroughfare without a permit	200
20	2.3(1)	Consumption or possession of liquor on thoroughfare	200
21	2.7(1)	Installation of verge treatment other than permissible verge treatment	250
22	2.8	Failure to maintain permissible verge treatment or placement of obstruction on verge	200
23	2.9	Failure to comply with notice to rectify default	200
24	2.15(2)	Failure to comply with sign on public place	125
25	2.17(1)	Driving or taking a vehicle on a closed thoroughfare	350
26	3.2(1)	Placing advertising sign or affixing any advertisement on a thoroughfare or verge	125
27	3.2(3)	Erecting or placing of advertising sign in a prohibited area	125
28	4.1(1)	Animal or vehicle obstructing a public place or local government property	125
29	4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	125
30	4.2(2)(b)	Animal on public place with infectious disease	125
31	4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	125
32	4.2(2)(d)	Failure to remove animal excreta	125
33	4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	125
34	5.6(1)	Driving a vehicle on other than the carriageway of a flora road	300
35	5.9	Planting in a thoroughfare without a permit	300
36	5.11	Failure to obtain a permit to clear a thoroughfare	500
37	5.13	Burning of a thoroughfare without a permit	500
38	5.17	Construction of firebreak on thoroughfare without a permit	500
39	5.19	Commercial harvesting of native flora on thoroughfare	500
40	5.20(1)	Collecting seed from native flora on thoroughfare without a permit	350
41	6.2(1)	Conducting of stall in public place without a permit	350
42	6.3(1)	Trading without a permit	350

Item No.	Clause No.	Description	Modified Penalty \$
43	6.6(1)(a)	Failure of stallholder or trader to display or carry permit	125
44	6.6(1)(b)	Stallholder or trader not displaying valid permit	125
45	6.6(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	125
46	6.6(2)	Stallholder or trader engaged in prohibited conduct	125
47	6.8	Establishment or conduct of outdoor eating facility without a permit	350
48	6.10	Failure of permit holder of outdoor eating facility to comply with obligations	200
49	6.12(1)	Use of equipment or outdoor eating facility without purchase of food or drink from facility	125
50	6.12(2)	Failure to leave outdoor eating facility when requested to do so by permit holder	125
51	7.6	Failure to comply with a condition of a permit	200
52	7.10	Failure to produce permit on request of authorized person	125
53	10.1	Failure to comply with notice given under local law	200
54		All other offences not specified	125

#### 24. Redesignation of clauses

- (1) Designations “6.7” through to “6.8” are redesignated “6.5” through to “6.6”.  
 (2) Designations “7.3” through to “7.10” are redesignated “7.4” through to “7.11”.

#### 25. Table of contents amended

- (1) In Part 2—
- delete all of Division 2;
  - renumber Divisions “3” through to “7” to “2” through to “6” respectively;
  - renumber Clauses “2.6” to “2.19”, inclusive, to “2.4” to “2.17”, respectively.
- (2) In Part 4—
- After clause 4.2 insert—  
4.3 Removal of vehicle or animal;
  - renumber clauses “4.3” to “4.7”, inclusive, to “4.4” to “4.8”, respectively.
  - After renumbered clause 4.8 insert—  
4.9 Impounding of abandoned trolley
- (3) Delete clauses “6.5” and “6.6”.
- (4) Renumber clauses “6.7” to “6.8”, inclusive, to “6.5” to “6.6”, respectively.
- (5) After renumbered clause 6.6, insert—  
     Division 2—Outdoor eating facilities on public places  
     6.7 Interpretation  
     6.8 Permit required to conduct facility  
     6.9 Matters considered in determining application  
     6.10 Obligations of permit holder  
     6.11 Removal of facility unlawfully conducted  
     6.12 Use of facility by public  
     6.13 Temporary removal of facility may be requested”.
- (6) After clause 7.2, insert—  
7.3 Relevant considerations in determining permits
- (7) Renumber clauses “7.3” to “7.10”, inclusive, to “7.4” to “7.11”, respectively.

Dated: 18 February 2013.

The Common Seal of the Shire of York was affixed by the authority of a resolution of the Council in the presence of—

A. S. BOYLE, Shire President.  
 R. P. HOOPER, Chief Executive Officer.

LG304\*

**LOCAL GOVERNMENT ACT 1995***Town of Cottesloe*

## STANDING ORDERS AMENDMENT LOCAL LAW 2013

Under the powers conferred by the *Local Government Act 1995* and all other powers conferred upon it, the Council of the Town of Cottesloe resolved on 25 March 2013 to make the following law.

**1. Citation**

This local law may be cited as the *Town of Cottesloe Standing Orders Amendment Local Law 2013*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal Local Law**

In this local law, the *Town of Cottesloe Standing Orders Local Law 2012* published in the *Government Gazette* on 12 July 2012 is referred to as the Principal Local Law. The Principal Local Law is amended.

**4. Clause 11.13 amended**

Delete clause 11.13 and replace with the following—

**11.13 Other Persons to Disclose Impartiality Interests**

The disclosure of interests by other persons is covered in the Regulations.

Dated this 26th day of March 2013.

The Common Seal of the Town of Cottesloe is hereunto affixed by authority of a resolution of Council in the presence of—

KEVIN JOSEPH MORGAN, Mayor.  
CARL ASKEW, Chief Executive Officer.

LG305\*

**LOCAL GOVERNMENT ACT 1995***Town of Victoria Park*

## PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2013

## Table of Contents

1. Citation
2. Commencement
3. Principal local law
4. Clause 1.3 Amended
5. Clause 1.6 Amended
6. Clause 2.2 Amended
7. Clause 2.11 Inserted
8. Clause 3.2 Amended
9. Clause 3.8 Amended
10. Clause 4.1 Amended
11. Clause 4.8 Deleted
12. Clause 6.1 Amended
13. Clause 7.10 Amended
14. Clause 7.12 Amended
15. Part 8 Amended
16. Clause 9.5 Amended
17. Clause 9.6 Amended
18. Clause 9.8 Inserted
19. Schedule 2 Amended
20. Schedule 4 Amended
21. Schedule 5 Inserted

**LOCAL GOVERNMENT ACT 1995***Town of Victoria Park*

## PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2013

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Town of Victoria Park resolved on 12 March 2013 to make the following local law.

### 1. Citation

This local law may be cited as the *Town of Victoria Park Parking and Parking Facilities Amendment Local Law 2013*.

### 2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

### 3. Principal local law

In this local law the *Town of Victoria Park Parking and Parking Facilities Local Law 2008* as published in the *Government Gazette* on 14 January 2009 and as amended and published in the *Government Gazette* on 1 December 2009 is referred to as the Principal Local Law. The Principal Local Law is amended as follows.

### 4. Clause 1.3 Amended

Clause 1.3 is amended as follows—

- (a) Insert the following definitions in alphabetical order—

‘**car carrier**’ means a vehicle together or separately from any attached trailer that is designed for the transportation of cars or of other vehicles but excludes tow trucks;

‘**heavy or long vehicle**’ means a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 meters or more in length or exceeds a GVM of 4.5 tonnes;

- (b) Delete the definition for ‘**metered zone**’ and replace with the following—

‘metered zone’ means any parking facility, parking area, thoroughfare or reserve, or any part of a parking facility, parking area, thoroughfare or reserve in which parking meters regulate the parking of vehicles;

### 5. Clause 1.6 Amended

Delete Clause 1.6 and substitute the following—

#### 1.6 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows—

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles;
- (d) bicycles;
- (e) taxis;
- (f) heavy and long vehicles;
- (g) car carriers; and
- (h) all other vehicles.

### 6. Clause 2.2 Amended

Delete Clause 2.2 and substitute the following—

#### 2.2 Parking fee to be paid

(1) During the fixed hours, a person must not park a vehicle in a designated parking space—

- (a) unless—
- (i) a parking meter installed for the space indicates that the parking fee has been paid; or
  - (ii) the person has done what is required by an authorised system that applies in relation to the space;

(2) A person who parks a vehicle in a designated parking space when a parking meter or parkatarea installed in relation to the space indicates that the parking fee has not been paid does not commit an offence against subsection (1)(a) if the person immediately pays the parking fee in accordance with section (1) above.

(3) If—

- (a) a person commits an offence against subsection (1)(b) in a designated parking space; and
- (b) an infringement notice for the offence is placed on or attached to the vehicle; and
- (c) the vehicle in relation to which the offence is committed remains parked in the space after the notice is affixed; the person commits a separate and further offence under subsection (1)(b) for each further time (equal to the maximum time indicated on the official traffic sign installed in relation to the space) that the vehicle remains parked in the space during the fixed hours.

**7. Clause 2.11 Inserted**

After Clause 2.10, insert the following—

**2.11 No movement of vehicles to avoid time limitations in metered zones**

Where the parking of vehicles in a metered zone is permitted for a limited time, a person shall not move a vehicle within the metered zone so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that thoroughfare for at least 2 hours since the vehicle was last parked in that thoroughfare.

**8. Clause 3.2 Amended**

Delete Clause 3.2 and substitute the following—

**3.2 Vehicles to be within parking stall**

(1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare or parking station otherwise than—

- (a) parallel to and as close to the kerb as is practicable;
- (b) wholly within the stall; and
- (c) headed in the direction of the movement of traffic on the side of the thoroughfare or right of way in which the stall is situated.

(2) Subject to subclause (3) where a parking stall in a thoroughfare or parking station is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

(3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.

(4) A person shall not park a vehicle partly within and partly outside a parking area.

**9. Clause 3.8 Amended**

In clause 3.8 after subclause (3) insert the following—

(4) Where the parking of vehicles in a Parking Station is permitted for a limited time, a person shall not park a vehicle so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that Parking Station for at least 2 hours since the vehicle was last parked in that Parking Station.

**10. Clause 4.1 Amended**

In clause 4.1 after subclause (5) insert the following—

(6) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not park a vehicle so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that thoroughfare for at least 2 hours since the vehicle was last parked in that thoroughfare.

**11. Clause 4.8 Deleted**

Clause 4.8 is deleted and the remaining clauses 4.9 to 4.12 be renumbered accordingly.

**12. Clause 6.1 Amended**

Clause 6.1 is amended as follows—

- (a) In paragraph (c) delete “sign.” and insert “sign); and”; and
- (b) After paragraph (c) insert the following—
  - (d) unless the vehicle is a Taxi and—
    - (i) the vehicle stopped for no longer than 2 minutes; and
    - (ii) the driver is with the vehicle at all times; and
    - (iii) the driver is picking up or dropping off a passenger.

**13. Clause 7.10 Amended**

In clause 7.10 after subclause (2) insert the following—

(3) Subclause (2) does not apply to the driver if he or she is the owner or occupier of the premises adjacent to that driveway, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the driveway unless otherwise prohibited by a written resolution of the strata company responsible for the common property of the lot adjacent to that driveway and so long as—

- (a) no part of the vehicle overhangs the adjacent carriageway or any adjacent footpath, and
- (b) no other parking restriction applies to that driveway.

**14. Clause 7.12 Amended**

In clause 7.12 delete the words “vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes” and replace with “heavy or long vehicle”.

**15. Part 8 Amended**

Delete Part 8 and substitute the following—

**PART 8—PARKING PERMITS****8.1 Parking Permits**

- (1) A person may apply for a Parking Permit to park a vehicle on a thoroughfare;
- (2) An application for a permit shall be made in the form determined by the local government.
- (3) The local government may in respect of an application for a permit for the purpose of subclause (1)—
  - (a) approve it;
  - (b) approve it subject to such conditions as the local government considers appropriate; or
  - (c) refuse to approve it.
- (4) Where the local government makes a decision under subclauses (3)(a) or (b), it shall issue a permit in the form determined by it to the person who applied for the permit.
- (5) A Parking Permit issued for the purpose of subclause (1) is valid for the dates, days and or times as set out in the conditions of the approval of the permit, and is valid until the expiry date and or time set out in the conditions of the permit.
- (6) Where a temporary Parking Permit is issued, that permit is not renewable.

**8.2 Conditions of exemption for Parking Permits**

- (1) Where stopping or parking of a vehicle on any part of a thoroughfare within the district is prohibited by a sign, the holder of a permit issued under clause 8.1 is exempted from such prohibitions if—
  - (a) the vehicle is parked in an area specified in the permit;
  - (b) the permit is affixed to the vehicle in the manner specified in the conditions of the permit;
  - (c) the period in respect of which the permit was issued has not expired;
  - (d) the permit is being used only in accordance with any conditions under which the permit was issued;
  - (e) the permit is being used in a vehicle in which the permit is authorised to be used in accordance with the conditions of the permit; and
  - (f) the total time which the vehicle is parked does not exceed 24 hours.

**8.3 Construction site vehicle parking**

- (1) In this clause, unless the context otherwise requires—
  - “builder” has the same meaning as that expression is given in the *Building Regulations 1989*;
  - “construction site” means any land subject to development;
  - “construction site vehicle” means a commercial vehicle or a heavy goods vehicle;
  - “development” means the demolition, erection, construction, alteration or addition to any building or structure on land or the carrying out on the land of any excavation or other works;
  - “eligible person” means an owner or occupier of a construction site or any builder carrying out work on a construction site;
  - “heavy goods vehicle” means a vehicle which comes within the interpretation of either a tractor (prime mover type) or a tractor (other than prime mover type) in the First Schedule to the *Road Traffic Act 1974* and includes any other vehicle constructed primarily for the conveyance of goods which is attached to a heavy goods vehicle; and
  - “work zone” means any road or part of a road, whether or not marked as a metered space or parking stall, set aside by the local government by the use of a sign, for a period specified on the sign, for the parking of construction site vehicles.
- (2) An eligible person seeking to establish a work zone adjacent to a construction site may make written application to the local government which may approve or refuse the application.

- (3) Where the local government approves an application made under subclause (2), it shall give the applicant written notice specifying—
- (a) the portion of road approved for use as a work zone;
  - (b) the term of the approval and the times during which the parking of construction site vehicles in the work zone is permitted;
  - (c) any conditions applicable to the approval;
  - (d) the amount of any establishment fee as determined by the local government from time to time.
- (4) Where the establishment fee specified in a notice referred to in subclause (3) is paid to the local government within fourteen days from the date of issue of the notice, the local government shall set aside a work zone in accordance with the notice.
- (5) An eligible person shall, in addition to the establishment fee, pay to the local government a daily fee as determined by the local government from time to time for each day that a work zone is set aside.
- (6) The daily fee shall be payable in arrears on the first day of each month.
- (7) If the daily fee is at any time in arrears after it shall have become due (whether or not any formal or legal demand is made), the local government may remove any signs used to set aside the work zone.
- (8) A person shall not park a vehicle in a work zone unless—
- (a) the vehicle is a construction site vehicle;
  - (b) the vehicle is parked during a time in which the parking of a construction site vehicle on that zone is permitted by a sign; and
  - (c) a person is continuously engaged in loading or unloading goods—
    - (i) to or from the construction site vehicle; and
    - (ii) to or from the construction site.

#### 16. Clause 9.5 Amended

After clause 9.5(2), insert the following—

- (3) For the purposes of this local law, a special purpose vehicle includes a vehicle in use by an Authorised Person.

#### 17. Clause 9.6 Amended

In clause 9.6 delete the words “so that it obstructs the use of any part of that public place”.

#### 18. Clause 9.8 Inserted

After clause 9.7, insert the following—

##### **9.8 No parking Car Carriers and Heavy and Long Vehicles—**

A person shall not park a heavy or long vehicle, or a car carrier in any area specified in Schedule 5 except—

- (a) where the driver of that vehicle has received prior permission from an authorised person;
- (b) where that vehicle is parked wholly within a designated Loading Zone; or
- (c) where the vehicle is assisting in the removal of a damaged or broken down vehicle, which due to its condition cannot be driven, from a public place,

and in any case only in accordance with the provisions of the Local Law.

#### 19. Schedule 2 Amended

Delete Schedule 2 and substitute the following—

##### *Schedule 2*

##### PARKING AND PARKING FACILITIES LOCAL LAW 2008

##### PRESCRIBED OFFENCES

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to pay fee for metered space	60
2	2.3	Parking in excess of period shown on metered space	60
3	2.4	Parking when meter has expired	60
4	2.6(1)	Failure to park wholly within metered space	60
5	2.6(3)	Parking outside metered zone	60

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
6	2.7	Non-permitted insertion in parking meter	60
7	2.8	Failure to display ticket clearly in metered zone	60
8	2.9	Parking or attempting to park a vehicle in a metered space occupied by another vehicle	60
9	2.10	Parking contrary to a meter hood	120
10	2.11	Move vehicle to avoid time limit in metered zone	60
11	3.2	Failure to park wholly within parking stall	60
12	3.2(4)	Failure to park wholly within parking area	60
13	3.3	Failure to pay parking station fee	60
14	3.5	Leaving without paying parking station fee	60
15	3.7	Failure to display ticket clearly in parking station	60
16	3.8(1)(a)	Causing obstruction in parking station	90
17	3.8(1)(c)	Parking contrary to sign in parking station	60
18	3.8(1)(d)	Parking contrary to directions of Authorized Person	120
19	3.8(1)(e)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
20	3.8(4) or 4.1(3)(b) or 4.1(6)	Parking contrary to signs or limitations	60
21	4.1(1)(a)	Parking wrong class of vehicle	60
22	4.1(1)(b)	Parking by persons of a different class	60
23	4.1(1)(c)	Parking during prohibited period	120
24	4.1(3)(a)	Parking in no parking area	120
25	4.1(3)(c)	Parking vehicle in motor cycle only area	60
26	4.1(4)	Parking motor cycle in stall not marked 'M/C'	60
27	4.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	120
28	4.2(1)(a)	Failure to park on the left of two-way carriageway	60
29	4.2(1)(b)	Failure to park on boundary of one-way carriageway	60
30	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	60
31	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	120
32	4.2(1)(d)	Parking closer than 1 metre from another vehicle	60
33	4.2(1)(e)	Causing obstruction	120
34	4.3(b)	Failure to park at approximate right angle	60
35	4.4(2)	Failure to park at an appropriate angle	60
36	4.5(2)(a) and 7.2	Double parking	120
37	4.5(2)(b)	Parking on or adjacent to a median strip	60
38	4.5(2)(c)	Denying access to private drive or right of way	120
39	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	60
40	4.5(2)(e)	Parking within 10 metres of traffic island	60
41	4.5(2)(f)	Parking on footpath/pedestrian crossing	120



Item No.	Clause No.	Nature of Offence	Modified Penalty \$
42	4.5(2)(g)	Parking contrary to continuous line markings	60
43	4.5(2)(h)	Parking on intersection	120
44	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
45	4.5(2)(j)	Parking within 3 metres of public letter box	60
46	4.5(2)(k)	Parking within 10 metres of intersection	60
47	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60
48	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
49	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	60
50	4.6	Parking contrary to direction of Authorized Person	120
51	4.7(2)	Removing mark of Authorized Person	120
52	4.8(a)	Parking in thoroughfare or parking facility for purpose of sale	60
53	4.8(b)	Parking unlicensed vehicle in thoroughfare	60
54	4.8(c)	Parking a trailer/caravan on a thoroughfare	60
55	4.8(d)	Parking in thoroughfare or parking facility for purpose of repairs	60
56	4.9(1) or (2)	Parking on land that is not a parking facility without consent	120
57	4.9(3)	Parking on land not in accordance with consent	60
58	4.10	Driving or parking on reserve	60
59	5.1(1)	Stopping contrary to a 'no stopping' sign	120
60	5.1(2)	Parking contrary to a 'no parking' sign	120
61	5.1(3)	Stopping within continuous yellow lines	120
62	6.1	Stopping unlawfully in a loading zone	60
63	6.2	Stopping unlawfully in a taxi zone or bus zone	120
64	6.3	Stopping unlawfully in a mail zone	60
65	6.4	Stopping in a zone contrary to a sign	60
66	7.1	Stopping in a shared zone	60
67	7.3	Stopping near an obstruction	60
68	7.4	Stopping on a bridge or tunnel	60
69	7.5	Stopping on crests/curves etcetera	60
70	7.6	Stopping near fire hydrant	60
71	7.7	Stopping near bus stop	120
72	7.8	Stopping on path, median strip or traffic island	60
73	7.9	Stopping on verge	60
74	7.10	Obstructing path, a driveway etcetera	120
75	7.11	Stopping near letter box	60
76	7.12	Stopping heavy or long vehicles on carriageway or parking facility	90
77	7.13	Stopping in bicycle parking area	60
78	7.14	Stopping in motorcycle parking area	60
79	7.15	Stopping in accessible parking area	500
80	8.3	Failure to remove permit when residence changed	60

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
81	9.6	Leaving vehicle so as to obstruct a public place	120
82	9.8	Park car carrier or heavy or long vehicle in prohibited area.	60
83		All other offences not specified	60

**20. Schedule 4 Amended**

Delete Schedule 4 and substitute the following—

*Schedule 4*

## PARKING AND PARKING FACILITIES LOCAL LAW 2008

## DEEMED PARKING STATIONS

- (1) Swan TAFE, Bentley Campus—Hayman Road, Bentley;
- (2) Canning College—Marquis Street, Bentley;
- (3) Centro Victoria Park Shopping Centre—366 Albany Highway, Victoria Park;
- (4) Burswood Entertainment Complex and Burswood Park—Great Eastern Highway, Burswood;
- (5) Fraser Park Road—Lot 123 (88) Hampshire Street, East Victoria Park;
- (6) Right of Way off Burswood Road adjacent to G.O. Edwards Park—Lots 66 and 67 Burswood Road, Burswood;
- (7) Electrical Substation—Lot 301, 1 MacKay Street, Belmont;
- (8) Portion of Canning Location 3252 and being lots—
  - (a) Lot 101 on Plan 15736 and whole of land comprised in Certificate of Title Volume 1764 Folio 573—101 Jarrah Road, Bentley
  - (b) Lot 6 on Plan 15403 and whole of land comprised in Certificate of Title Volume 1738 Folio 479—6 Brodie-Hall Drive, Bentley
  - (c) Lot 112 on Plan 16869 and whole of land comprised in Certificate of Title Volume 1840 Folio 585—Lot 112 Brodie-Hall Drive, Bentley
  - (d) Lot 5 on Plan 15403 and whole of land comprised in Certificate of Title Volume 1738 Folio 478—5 Brodie Hall Drive, Bentley
  - (e) Lot 1-4 on Strata Plan 28659 and whole of land comprised in Certificate of Title Volume 2129 Folio 162, 163, 164 & 165—9 De Laeter Way Bentley
  - (f) Lot 25 on Plan 24975 and whole of land comprised in Certificate of Title Volume 2205 Folio 71—7A De Laeter Way, Bentley
  - (g) Lot 76 on Plan 34132 and whole of land comprised in Certificate of Title Volume 2529 Folio 98—2 Brodie Hall Drive, Bentley

**21. Schedule 5 Inserted**

Insert Schedule 5 as follows—

*Schedule 5*

## PARKING AND PARKING FACILITIES LOCAL LAW 2008

## LARGE VEHICLE EXCLUSION ZONE

- (1) Albany Highway and side streets off Albany Highway to a distance of 250 metres.

Dated: 25 March 2013.

The Common Seal of the Town of Victoria Park was affixed by authority of a resolution of the Council in the presence of—

TREVOR VAUGHAN, Mayor.  
ATHANASIOS KYRON, Chief Executive Officer.

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**RACING, GAMING AND LIQUOR**

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RA301\*

Casino Control Act 1984

**Casino Control (Authorised Games)  
Amendment Notice 2013**

Given by the Gaming and Wagering Commission of Western Australia under section 22(1) of the Act.

**1. Citation**

This notice is the *Casino Control (Authorised Games) Amendment Notice 2013*.

**2. Commencement**

This notice comes into operation as follows —

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

**3. Notice amended**

This notice amends the *Casino Control (Authorised Games) Notice 2011*.

**4. Clause 3 amended**

In clause 3 in the Table:

- (a) after “Mini Dice” insert:

Mismatch

- (b) after “Money Wheel” insert:

Nines

Dated: 26 March 2013.

Sealed by the Gaming and Wagering  
Commission of Western Australia in  
the presence of —

(L.S.)

MICK CONNOLLY, Chairperson.  
ANDREW DUCKWORTH, Member.

**RA302\*****RACING AND WAGERING WESTERN AUSTRALIA ACT 2003****RACING AND WAGERING WESTERN AUSTRALIA  
(PLAYER FOB RULES) NOTICE 2013**

Made by Racing and Wagering Western Australia under section 61 of the Act.

**1. Citation**

This notice is the *Racing and Wagering Western Australia (Player FOB Rules Notice 2013)*

**2. Commencement**

These rules came into operation on 12 June 2012.

**3. Interpretation**

In this notice—

“**the Act**” means the *Racing and Wagering Western Australia Act 2003*;

“**the Rules**” means the rules described in clause 4, adopted by Racing and Wagering Western Australia.

**4. Rules adopted under section 61 of the Act**

(1) In a meeting held on 31 May 2012, Racing and Wagering Western Australia resolved—

- (a) to adopt and operate under rules relating to a jointly operated fixed odds wagering system in accordance with section 61(2) and (4) of the Act.
- (2) A copy of the rules adopted was published for public information in the Special Gazette of 12 June 2012 at pp. 2413-2441.
- (3) Further amendments to the Rules were adopted by resolution of the Board dated 11 October 2012 and published for public information in the Gazette of 23 October 2012 at pp. 5058-5060.

**5. Changes to Rules published for public information (section 61(6)(c) of the Act**

- (1) Further amendments to the Rules were adopted by resolution of the Board dated 25 March 2013.
- (2) Those further amendments to the Rules are published in the Schedule to this notice for public information, as required by section 61(6)(c) of the Act.

**Schedule 1—Amendments to Adopted Rules**

Rule 165 is inserted

**165. AFL Each Way First Goal Scorer**

- (a) The place part of each way bets will be settled at one quarter of the win odds on the first, second and third goals. Players who do not score until after three goals have been scored will be treated as losing selections.
- (b) Where a player scores the first goal, both the win and place part of the bet are successful and will be settled at the appropriate win and place odds. If the same player scores the second or third goal no additional winnings will be paid.
- (c) Where a player scores the second or third goal, the place part of the bet is successful. If the same player scores the second and third goals, no additional winnings will be paid for the third goal.
- (d) All bets stand irrespective of whether a player leaves the field before the first goal is scored or does not take the field until after the third goal is scored.

Rule 256 is inserted

**256. NRL Each Way First Try Scorer**

- (a) The place part of each way bets will be settled at one quarter of the win odds on the first, second and third tries. Players who do not score until after three tries have been scored will be treated as losing selections
- (b) Where a player scores the first try, both the win and place part of the bet are successful and will be settled at the appropriate win and place odds. If the same player scores the second or third try no additional winnings will be paid.
- (c) Where a player scores the second or third try, the place part of the bet is successful. If the same player scores the second and third tries, no additional winnings will be paid for the third try.
- (d) All bets stand irrespective of whether a player leaves the field before the first try is scored or does not take the field until after the third try is scored.

Rule 274 is amended

**274. Soccer**

delete the words *Correct Score bets will be refunded where the Final Score was not offered as a betting option* and insert the words *For the avoidance of doubt, where there are no Goals scored in a match, all wagers on First Goal Scorer and Anytime Goal Scorer markets (apart from No Goal Scorer wagers on those markets) will be resulted as losing wagers.*

Rules 312 to 325 are removed in their entirety  
and replaced with the following rules 312 to 321

**312.** Highest Checkout: the Dead-Heat Rule applies to wagers placed on the named scorer of the highest winning checkout in a match, day or tournament.

**313. Elections**

For Election betting—

- (a) All-In betting applies;
- (b) “Coalition” refers to the Liberal Party and National Party;
- (c) RWWA pays on the party that is sworn in; and
- (d) Wagers are settled at the time of swearing in.

**314. Fantasy AFL and NRL**

For player-based group betting, payouts will be based on AFL Dream Team Points used by the AFL website [www.afl.com.au](http://www.afl.com.au).

**315.** For groups of 7 players or less (including player head-to-heads), all competitors must be in the playing 21 for bets to stand. If a selected player starts as a substitute or is not in the starting 21 all single wagers will be refunded whilst affected multiples will be recalculated excluding that leg.

**316.** For groups of 8 players or more, all bets stand regardless of any non starters and for any non starters or starting as a substitute, the stakes will be refunded for single bets, whilst multiples will be recalculated excluding that leg.

**317.** For Unders/ Overs Player markets, the player must be in the starting 21. If the nominated player starts the match as the substitute all bets will be void for single wagers and multiples will be recalculated excluding that leg.

**318.** Season group betting is All-In.

**319. Fantasy NRL**

For player-based group betting, payouts will be based on NRL Dream Team Points used by the NRL website [www.nrl.com.au](http://www.nrl.com.au).

**320.** For groups of 7 players or less (including player head-to-heads), all competitors must be in the playing 17 for bets to stand. If a selected player is not in the starting 17 all single wagers will be refunded whilst affected multiples will be recalculated excluding that leg.

**321.** For groups of 8 players or more, all bets stand regardless of any non starters and for any non starters the stakes will be refunded for single bets, whilst multiples will be recalculated excluding that leg.

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## — PART 2 —

### CORRECTIVE SERVICES

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
Harun	Abi	AP0796	25/03/2013
Brown	Rachel	AP0603	25/03/2013
Carroll	Mark Francis	AP0582	25/03/2013
Drage	John	AP0617	25/03/2013
McDonald	Grant	AP0188	25/03/2013

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

TILLIE PROWSE, Manager, Acacia Prison Contract.

27 March 2013.

### ELECTORAL

EL401\*

#### ELECTORAL ACT 1907

##### ELECTORAL (POLITICAL FINANCE) REGULATIONS 1996

##### CHANGE TO THE SPECIFIED AMOUNT

Pursuant to Regulation 3(4) of the *Electoral (Political Finance) Regulations 1996*, I hereby state that \$2,300 is the specified amount for the purposes of Part VI of the *Electoral Act 1907*.

WARWICK GATELY AM, Electoral Commissioner.

### LOCAL GOVERNMENT

LG401

#### HEALTH ACT 1911

##### City of Armadale

##### FEES AND CHARGES

Notice is hereby given that, pursuant to the provisions of Section 344C of the *Health Act 1911*, the Council of the City of Armadale at its meeting of 25 March 2013 resolved that, effective from 1 July 2013, the following registration fees will apply—

Registration of Lodging Houses—

- New Premises (maximum fee) \$267
- Renewals Paid by 30 June (early payment incentive) \$240
- Renewals Paid after 30 June \$267

R. S. TAME, Chief Executive Officer.

LG402\*

## LOCAL GOVERNMENT ACT 1995

*City of Melville*

## APPOINTMENTS

It is hereby notified for public information that Jeremy James Reed and Richard James Gordon Scutt have been appointed as Authorised Persons at St John of God Hospital, Murdoch Parking Station (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Section 9.10, 9.13 and 9.15 of the *Local Government Act 1995*.

SHAYNE SILCOX, Chief Executive Officer.

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**MARINE/MARITIME**


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MA401\*

## WESTERN AUSTRALIAN MARINE ACT 1982

## NAVIGABLE WATERS REGULATIONS 1958

## SPEED RESTRICTION—5 KNOTS

Waroona Dam

Shire of Waroona

Department of Transport,  
Fremantle WA, 29 March 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby revoke Notice MX405 as published in the *Government Gazette* on 5 October 2010 and limit the speed of motorised vessels to five (5) knots within the following area—

**Waroona Dam:** All navigable waters of Waroona Dam excluding the gazetted public water ski area between the hours of sunrise to sunset.

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

MA402\*

## WESTERN AUSTRALIAN MARINE ACT 1982

## EXEMPTION

Personal Watercraft Conducting 'Tow-in Surfing'  
Activities from Compliance with Regulations 48A(2) and 49  
of the *Navigable Waters Regulations 1958*

I, David Harrod, General Manager Marine Safety, Department of Transport, delegate of the Chief Executive Officer, acting under section 115A of the *Western Australian Marine Act 1982*, **hereby exempt** personal watercraft (PWC) or a person operating a PWC from compliance with the following regulations while those vessels are being used only for the purposes of 'Tow-in Surfing' activities—

1. Regulation 48A(2) of the *Navigable Waters Regulations 1958* (NWR) which requires that the towing of water skiers only occur in gazetted water-skiing areas; and
2. Regulation 49 of the NWR which requires that the driver of a speed boat towing a water skier must be accompanied by another person to keep watch over the skier;

Subject to the following conditions—

1. The PWC operator must be 17 years of age or over;
2. The PWC operator and the person being towed must each hold a Recreational Skippers Ticket;
3. The towed craft must not be motorised;
4. Only one person and only one craft may be towed at a time;
5. Tow-in surfing does not occur in any gazetted water ski, PWC restricted or prohibited areas;
6. Tow-in surfing activities must not impede the safe passage or navigation of any other craft and must give right of way to all other aquatic activities;
7. Tow-in surfing activities must maintain a minimum distance of 45 metres from any other tow in surfing activity and 200 metres from all other aquatic activities (swimmers, paddle surfers, other vessels, persons on the shore);
8. Tow-in surfing activities may only take place between the hours of sunrise and sunset; and

9. Each PWC participating in a Tow-in surfing activity in any area is to be equipped at all times with—
- all safety equipment as required under the NWR;
  - a rescue sled with a minimum size of 90cm width, 1.2m length and 7cm thickness equipped with a minimum of five (5) grip handles (the use of the sled is not to exceed the load capacity recommended by the manufacturer);
  - two (2) kill switch lanyards, one to be worn on the wrist or attached to the personal flotation device of the operator and the other to be wrapped around the handlebars of the PWC;
  - a marine band radio which has an effective range of coverage for the operation;
  - a suitable quick release floating tow rope;
  - a suitable bow tow line;
  - a suitable first aid kit; and
  - dive fins, mask and a safety knife in a readily accessible location.

This exemption does not exempt any person or vessel from compliance with any other maritime legislation including speed restrictions and the *Prevention of Collisions at Sea Regulations 1983*.

This exemption is effective until 7 April 2014 unless revoked.

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

Dated: 26 March 2013.

MA403\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
RESTRICTED SPEED AREAS—ALL VESSELS  
2013 Autumn River Festival

Department of Transport,  
Fremantle WA, 5 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes Notice MA401 as published in the *Government Gazette* on 27 March 2012 relating to the 5 knot speed restriction applicable from 200m downstream of Ron Courtney Island to 200m upstream of Ron Courtney Island, Swan River.

Also, acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the department by this notice permits water skiing within the same designated area as stated above.

Also, acting pursuant to the powers conferred by Regulation 10A(b) of the *Navigable Waters Regulations 1958*, the department by this notice prohibits swimming within the same designated area as stated above.

These amendments are only applicable between the hours of 11 am and 11:45 am and between 2:30 pm and 3:15 pm on Sunday 7th April 2013 and the speed limit change is only applicable to bona fide vessels associated with the 2013 Autumn River Festival water ski display.

RAYMOND BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

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## PLANNING

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PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Beverley*  
Town Planning Scheme No. 2—Amendment No. 20

Ref: TPS/0670

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 Beverley local planning scheme amendment on 6 March 2013 for the purpose of—

1. Altering the title of Clause 4.4 to include lots that do not abut any form of road reserve. The new title shall be—

**4.4 DEVELOPMENT OF LOTS NOT ABUTTING A CONSTRUCTED PUBLIC ROAD**







Zoning Table		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
<b>Commerce—continued</b>																	
52	Office							P									
53	On-site Canteen							~									
54	Outdoor Display							P									
55	Reception Centre							AA									
56	Restaurant (includes cafe)							AA									
57	Restricted Premises							SA									
58	Shop							P									
59	Showroom							AA									
60	Take-away Food Outlet							AA									
61	Warehouse							~									
<b>Health, Welfare and Community Services</b>																	
62	Carpark							AA									
63	Child Care Services							~									
64	Community Use							AA									
65	Consulting Rooms							AA									
66	Education Establishment							SA									
67	Emergency Services							AA									
68	Funeral Parlour							~									
69	Hospital							~									
70	Juvenile Detention Centre							~									
71	Medical Centre							AA									
72	Nursing Home							~									
73	Place of Animal Care							SA									
74	Place of Public Meeting, Assembly or Worship							~									
75	Prison							~									
76	Public Mall							~									
77	Public Utility							AA									
<b>Entertainment, Recreation and Culture</b>																	
78	Equestrian Centre							~									
79	Entertainment Venue							SA									
80	Private Recreation							AA									
81	Public Recreation							AA									

The symbols used in the zoning table have the following meaning—

P the development is permitted by the Scheme.

AA the development is not permitted unless the Council has granted planning approval.

SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3.

~ a development that is not permitted by the Scheme.

**APPENDIX 12—MIXED BUSINESS ZONE NON-PERMITTED USE AND DEVELOPMENT**

No.	Description of Land	Conditions
1	Lot 122 Kingsmill Street, Port Hedland Lot 121 Kingsmill Street, Port Hedland Lot 120 Kingsmill Street, Port Hedland Lot 119 Kingsmill Street, Port Hedland Lot 118 Kingsmill Street, Port Hedland Lot 117 Kingsmill Street, Port Hedland Lot 116 Kingsmill Street, Port Hedland Lot 115 Kingsmill Street, Port Hedland Lot 2 Anderson Street, Port Hedland Lot 1 Anderson Street, Port Hedland Lot 317 Anderson Street, Port Hedland Lot 318 Anderson Street, Port Hedland Lot 319 Anderson Street, Port Hedland Lot 323 Anderson Street, Port Hedland Lot 338 Anderson Street, Port Hedland Lot 339 Anderson Street, Port Hedland Lot 340 Anderson Street, Port Hedland Lot 341 Anderson Street, Port Hedland Lot 372 Anderson Street, Port Hedland Lot 373 Anderson Street, Port Hedland Lot 374 Anderson Street, Port Hedland Lot 367 Anderson Street, Port Hedland Lot 394 Anderson Street, Port Hedland Lot 395 Anderson Street, Port Hedland Lot 396 Anderson Street, Port Hedland Lot 397 Anderson Street, Port Hedland Lot 398 Anderson Street, Port Hedland Lot 399 Anderson Street, Port Hedland Lot 400 Wilson Street, Port Hedland Lot 401 Wilson Street, Port Hedland Lot 402 Anderson Street, Port Hedland Lot 403 Anderson Street, Port Hedland Lot 479 Wilson Street, Port Hedland Lot 478 Wilson Street, Port Hedland Lot 477 Wilson Street, Port Hedland Lot 366 Howe Street, Port Hedland Lot 476 Wilson Street, Port Hedland Lot 475 Morgans Street, Port Hedland Lot 474 Morgans Street, Port Hedland Lot 349 Morgans Street, Port Hedland Lot 348 Morgans Street, Port Hedland Lot 347 Morgans Street, Port Hedland Lot 253 Morgans Street, Port Hedland Lot 252 Morgans Street, Port Hedland	<ul style="list-style-type: none"> <li>• Aged or Dependent Person Dwelling;</li> <li>• Caretakers Dwelling;</li> <li>• Grouped Dwelling;</li> <li>• Home Occupation;</li> <li>• Multiple Dwelling;</li> <li>• Residential Building; and</li> <li>• Single House</li> </ul>

K. HOWLETT, Mayor.  
M. J. OSBORNE, Chief Executive Officer.

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## PREMIER AND CABINET

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PR401\*

**INTERPRETATION ACT 1984****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon Dr K. D. Hames MLA to act temporarily in the office of Treasurer; Minister for Transport; Fisheries in the absence of the Hon T. R. Buswell MLA for the period 25 to 29 March 2013 (both dates inclusive).

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

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**RACING, GAMING AND LIQUOR**

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RA401\*

**GAMING AND WAGERING COMMISSION ACT 1987****PERMIT AND CONDITIONS FOR THE CONDUCT OF A TRADE PROMOTION LOTTERY**

A Trade Promotion Lottery is a lottery conducted to promote the sale of goods or the use of services, in which every participant takes part—

- (a) without cost to him; or
- (b) by reason of the purchase of goods or the use of services, the cost of which is no more than the cost would be without the opportunity to take part in the lottery.

The Gaming and Wagering Commission hereby authorises the conduct of Trade Promotion Lotteries, which are deemed to be permitted lotteries, provided that the following conditions are complied with in respect of the conduct of Trade Promotion Lotteries—

1. There shall be no cost to enter the lottery.
2. If the entry is via a telephone call or other electronic medium, the cost of the call shall not exceed 55 cents.
3. If entry is via the Internet, there shall be no additional cost to the participant to register his/her name other than the cost paid by the participant to access the web site via the internet service provider.
4. No prize may consist of or include cosmetic surgical and medical procedures.
5. The lottery may be conducted for a maximum of twelve months.
6. The draw must be conducted within one month of the closure of the lottery.
7. Where entry to the trade promotion lottery is by an entry form or coupon—
  - (a) a description of the prize/s must be printed on the entry form/coupon;
  - (b) the terms or conditions of entry to the lottery must be—
    - (i) printed on the entry form/coupon; or
    - (ii) published in a newspaper that is published nationally (for trade promotion lotteries originating outside of Western Australia) and/or Statewide (for trade promotion lotteries conducted within Western Australia); or
    - (iii) published on the internet; and
  - (c) where the rules and/or conditions of the trade promotion lottery are published in a newspaper or on the internet, reference to such publication is to be included on the entry form or coupon.
8. Where the trade promotion lottery is conducted by audio or visual media—
  - (a) a description of the prize/s is to be included in the broadcast; and
  - (b) the terms and conditions of entry to the trade promotion lottery are to be included in the broadcast, or the broadcast must direct contestants to where the terms and conditions are to be found.
9. Where the trade promotion lottery is conducted by electronic media (other than audio or visual) all advertising of the promotion shall provide a description of the prizes and shall direct contestants to where the terms or conditions of entry are to be found.
10. Where the trade promotion lottery is conducted in any other way all advertising of the lottery shall provide a description of the prizes and shall contain the terms and conditions of the lottery.
11. The method for determining the winner shall be clearly stated in the terms or conditions of entry to the trade promotion lottery.
12. Where a trade promotion lottery is conducted by audio, visual or other electronic media a copy of the terms or conditions of entry shall be lodged with the Gaming and Wagering Commission prior to the commencement of the promotion.
13. Once the trade promotion lottery has commenced the published rules and conditions of the lottery cannot be amended without written approval of the Gaming and Wagering Commission.
14. Once the trade promotion lottery has commenced it cannot be cancelled or withdrawn without prior written approval of the Gaming and Wagering Commission.
15. Records relating to the lottery shall be maintained for a period of twelve months and shall be made available to an authorised officer of the Gaming and Wagering Commission or a Police Officer upon request.
16. Where practicable, members of the public must be afforded the opportunity to witness the draw. Where not practicable, audit records confirming the prize draw must be made available to an authorised officer of the Gaming and Wagering Commission or a Police Officer upon request.

*This notice replaces the notice gazetted on 19 August 2011.*

MICK CONNOLLY, Deputy Chairman.

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
<b>APPLICATION FOR THE GRANT OF A LICENCE</b>			
14385	Bay 33 Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Watermans Bay and known as Bay 33	29/04/2013
<b>APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
376832	Busselton Hockey Stadium Club Inc	Application to add, vary or cancel a condition of the Special Facility Sports Arena licence in respect of premises situated in Busselton and known as Busselton Hockey Club Stadium Inc	15/04/2013

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

B. A. SARGEANT, Director of Liquor Licensing.

28 March 2013.

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## DECEASED ESTATES

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ZX401

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

Notice to Creditors and Claimants

In the matter of the Estate of Paul John Hesson, late of 244 Hartog Crescent, Dampier in the State of Western Australia, Electrician, 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 the 8th day of November 2012, are required by the Executor, Stuart Trewin, to send the particulars of their claims to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 6th day of May 2013, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 26th day of March 2013.

GLEN GILES, Taylor Smart.

ZX402

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

Notice to Creditors and Claimants

Irena Faucher, late of 22 Hermitage Street, Dudley Park 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 28 June 2012, are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 8 May 2013 (six weeks) after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

**ZX403**

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

Notice to Creditors and Claimants

Graemme Alfred Bevan (also known as Graeme Alfred Bevan), late of 35 Meadow Lane, Dardanup 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 30 October 2011, are required by the personal representative to send particulars of their claims to him care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 8 May 2013 (six weeks) after which date the personal representative may convey or distribute the assets having regard to the claims of which he then has notice.

CLEMENT & CO, as solicitors for the personal representative.

**ZX404**

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

Notice to Creditors and Claimants

Richard William Gray Congdon, late of 68-70 Brunswick Road, Albany 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 7 July 2012, are required by the personal representative, Sally Congdon of PO Box 514, Mt Hawthorn, Western Australia 6915 to send particulars of their claims to her by 17 May 2013, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

**ZX405\***

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

Notice to Creditors and Claimants

Estate of the late Robert Neil McLachlan, formerly of Shoalwater Nursing Home, Fourth Avenue, Shoalwater 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 above-named deceased, who died on 25 November 2012, are required to send particulars of their claims to the Executor, care of RSM Bird Cameron (see address below) within one (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

c/- ANDREW MARSHALL, RSM Bird Cameron Chartered Accountants,  
GPO Box R1253, Perth WA 6844.  
Telephone: (08) 9261 9393

**ZX406\***

**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* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 5 May 2013 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Ackrill, Alice Ann, late of Regents Gardens Residential Care, Drovers Place, Wanneroo, died 28.01.2013 (DE20001743 EM13)

Bisset, Winifred Wordsworth, Also Known As Winifred Wordsworth Rigg, late of The Beaumont, Unit 22 141 Clarement Crescent, Swanbourne, died 27.02.2013 (DE33007009 EM113)

Christopher, Despa, late of Hilton Aged Care, 19 Laidlaw Street, Hilton, died 9.03.2013 (DE19703562 EM17)

Derrin, Jack, Also Known As John Derrin, late of Dorothy Genders Village, U 53 99 McCabe Street, Mosman Park, died 7.02.2013 (DE33099488 EM313)

Fairbanks, Phyllis Maud, late of Hellenic Community Aged Care, 2 Hellenic Drive, Dianella, formerly of 3 Cygnet Street, Dianella, died 26.02.2013 (DE19873689 EM37)

Green, Elizabeth Mary, late of 6a Hope Avenue, Manning, died 12.03.2013 (DE19990772 EM15)

Knott, Mary, late of U 3 86 Mills Road, Martin, died 2.03.2013 (DE19930622 EM26)

Lawson, Joyce Pauline, late of Unit 6 27 St Leonards Street, Mosman Park, died 23.12.2012 (DE20011834 EM213)

Leigh, Evelyn, late of 111 Hope Street, White Gum Valley, died 10.03.2013 (DE19760902 EM23)

Martin, Linda Augusta, late of 81 Lonsdale Street, Yokine, died 9.03.2013 (DE19711864 EM35)

Maslen, Ellen Dallys, late of 25 Oxley Avenue, Padbury, died 25.01.2013 (DE33025444 EM26)

McGill, William Charles, late of U 10 161 Middleton Road, Mount Clarence, died 28.02.2013 (DE19962830 EM110)

Peters, Dorothea Phyllis, late of Cygnet 4-10 Hayman Road, Bentley, formerly of Unit 35 Wreford Court, Amaroo Retirement Village, Gosnells, died 1.02.2013 (DE19781610 EM26)

Sambo, Ross, late of 200 Forrest Circle, South Hedland, died 1.05.2012 (DE33103853 EM26)

Thompson, Daryl Paul, late of 40 Henderson Drive, Seville Grove, died 21.02.2013 (DE19916085 EM24)

Topp, Anna, late of Bassendean Aged Care, 27 Hamilton Street, Bassendean, died 7.02.2013 (DE33014073 EM17)

Walker, Walter, late of Karlarra House, 200 Forrest Circle Road, South Hedland, died 20.01.2012 (DE33104976 EM36)

Walsh, James Thomas, late of Karlarra House, 200 Forrest Circle Road, South Hedland, formerly of 4/12 Kolama Court, South Hedland, died 6.01.2013 (DE33105268 EM36)

Zuhlsdorf, Ilse Dorothea, late of 60 Loch Street, Nedlands, died 22.02.2013 (DE19802808 EM38)

BRIAN ROCHE, Public Trustee,  
553 Hay Street,  
Perth WA 6000.  
Telephone: 1300 746 212

WESTERN AUSTRALIA

## LOCAL GOVERNMENT ACT 1995

(Reprint No. 6 as at 3 August 2012)

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