



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X (print) ISSN 2204-4264 (online)
PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 28 APRIL 2015 No. 63

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON
© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Biosecurity and Agriculture Management Act 2007—Shire of Cunderdin—Pest Plants Local Law 2015.....	1521
Cemeteries Act 1986—Shire of Cunderdin— Cemetery Local Law 2015	1530
Dog Act 1976—Shire of Cunderdin—Dogs Local Law 2015	1523
Local Government Act 1995—Shire of Cunderdin— Cemetery Local Law 2015.....	1530
Dogs Local Law 2015.....	1523
Pest Plants Local Law 2015.....	1521
Repeal Local Law 2015	1522
Racing and Wagering Western Australia Act 2003—RWWA Rules of Thoroughbred Racing 2004.....	1539

PART 2

Agriculture and Food.....	1540
Consumer Protection	1542
Deceased Estates	1553
Justice.....	1542
Local Government.....	1543
Planning	1544
Police	1544
Premier and Cabinet.....	1550
Racing, Gaming and Liquor.....	1551
Salaries and Allowances Tribunal	1552
Water/Sewerage.....	1553

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

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

PUBLISHING DETAILS

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

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

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

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

Delivery address:

State Law Publisher
Lower Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

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

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2014 (Prices include GST).

Deceased Estate notices (per estate)—\$30.00

Articles in Public Notices Section—\$69.70 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices—

Per Column Centimetre—\$13.90

Bulk Notices—\$255.00 per page

Electronic copies of gazette notices sent to clients for lodgement with the Delegated Legislation Committee—\$45.80

Clients who have an account will only be invoiced for charges over \$50.

For charges under \$50, clients will need to supply credit card details at time of lodging notice (i.e. a notice under 4cm would not be invoiced).

Clients without an account will need to supply credit card details or pay at time of lodging the notice.

— PART 1 —

LOCAL GOVERNMENT

LG301*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

LOCAL GOVERNMENT ACT 1995

Shire of Cunderdin

Pest Plants Local Law 2015

Under the powers conferred by the *Biosecurity and Agriculture Management Act 2007*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cunderdin resolved on 19th March 2015, to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law is cited as the *Shire of Cunderdin Pest Plants Local Law 2015*.

1.2 Commencement

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

1.3 Definitions

In this local law, unless the contrary intention appears—

authorised person means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

district means the district of the local government;

local government means the Shire of Cunderdin;

pest plant means a plant described as a pest plant under clause 2.1.

1.4 Application

This local law applies throughout the district.

1.5 Repeal

The *Municipality of the Shire of Cunderdin By-Laws Relating to Pest Plants*, as published in the *Government Gazette* on 6 November 1981, is repealed.

PART 2—DESCRIPTION OF PEST PLANTS

2.1 Description of Pest Plants

Every plant described in the Schedule 1 of this local law is a pest plant.

PART 3—SERVING OF NOTICES

3.1 Serving of Notice

(1) The local government may serve on the owner or occupier of private land within the district, a duly completed notice in the form of the Schedule 2 to these local laws requiring the owner or occupier to destroy, eradicate or otherwise control any pest plant on that land.

(2) A person served with a notice under subclause (1) shall comply with that notice within the time and in the manner specified therein.

PART 4—OFFENCES

4.1 Penalties

Where a person fails to comply with a notice issued under clause 3.1, the local government may—

- (a) without payment of any compensation in respect thereof, destroy, eradicate or control, as the case may be, any pest plant, the destruction, eradication or control of which was required by the notice; and
- (b) recover in a court of competent jurisdiction from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.

Schedule 1—Pest plants

[Clause 2.1]

<u>Common Name</u>	<u>Scientific Name</u>
Caltrop	<i>Tribulus Terrestris L.</i>

Schedule 2—Pest plant notice

[Clause 3.1]

No.

To
(Full name)of
(Address)

You are given notice under the above local law that you are required to—

.....
(here specify whether required to destroy, eradicate or otherwise control)the pest plant—
(Common Name) (Scientific Name)on
(here specify the land)of which you are the
(owner or occupier)This notice may be complied with by
(here specify manner of achieving destruction, eradication or control)Such measures shall be commenced not later than
(Date)and shall be completed by
(Date)

Upon failure to comply with this notice within the times specified, the local government may destroy, eradicate or control, as the case may be, any specified pest plant at your expense, and if necessary recover the same in a Court of competent jurisdiction.

Date of service of notice:
Signature of authorised person

Dated: 17th April 2015.

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

R. C. GIBSONE, Shire President.
P. T. NAYLOR, Chief Executive Officer.

LG302***LOCAL GOVERNMENT ACT 1995***Shire of Cunderdin*

Repeal Local Law 2015

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cunderdin resolved on 19th March 2015 to make the following local law.**1 Citation**This local law is cited as the *Shire of Cunderdin Repeal Local Law 2015*.**2 Commencement**This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

3 Repeal

The following local laws are hereby repealed—

- (a) *Draft Model By-laws relating to Storage of Inflammable Liquid No. 12*, as published in the *Government Gazette* on 9 March 1970; and
- (b) *Shire of Cunderdin Local Law (Standing Orders) 2001*, as published in the *Government Gazette* on 26 March 2002.

Dated: 17th April 2015.

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

R. C. GIBSONE, Shire President.
P. T. NAYLOR, Chief Executive Officer.

LG303*

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995

Shire of Cunderdin
Dogs Local Law 2015

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cunderdin resolved on 19th March 2015 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law is cited as the *Shire of Cunderdin Dogs Local Law 2015*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Definitions

In this local law unless the context otherwise requires—

Act means the *Dog Act 1976*;

authorised person means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

dangerous dog (restricted breed) has the meaning given to it in the Act;

district means the district of the local government;

food premises means any premises or vehicle in which a food business, as defined in section 10 of the *Food Act 2008*, is being carried out;

local government means the Shire of Cunderdin;

local planning scheme means a local planning scheme made by the local government 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;

pound keeper means a person authorised by the local government to perform all or any of the functions conferred on a “pound keeper” under this local law;

Regulations means the *Dog Regulations 2013*;

Schedule means a Schedule to this local law;

thoroughfare has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and

townsite means the townsites within the district which are—

- (a) constituted under section 26(2) of the *Land Administration Act 1997*;
- or
- (b) referred to in clause 37 of Schedule 9.3 of the *Local Government Act 1995*.

1.5 Repeal

The following local laws are repealed—

- (a) *Shire of Cunderdin Dogs Local Law 2008*, as published in the *Government Gazette* on 8 August 2008; and
- (b) *Shire of Cunderdin Dogs Amendment Local Law 2009*, as published in the *Government Gazette* on 9 October 2009.

PART 2—IMPOUNDING OF DOGS**2.1 Charges and costs**

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

2.3 Release of impounded dog

- (1) A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the CEO.
- (2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence of her or his ownership of the dog or of her or his authority to take delivery of it.

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS**3.1 Dogs to be confined**

- (1) An occupier of premises within a townsite on which a dog is kept must—
 - (a) cause a portion of the premises on which the dog is kept to be fenced or walled in a manner capable of confining the dog;
 - (b) ensure the fence or wall used to confine the dog and every gate or door in the fence or wall is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
 - (c) ensure that every gate or door in the fence or wall is kept closed at all times when the dog is on the premises, unless the gate or door is temporarily opened in a manner that ensures that the dog remains confined;
 - (d) maintain the fence or wall and all gates and doors in the fence or wall in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous or restricted breed dog, \$2,000; otherwise \$1,000.

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been—
 - (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act.
- (2) On land within a townsite, or zoned “rural residential” under a local planning scheme, the limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act, 2 dogs over the age of 3 months and the young of those dogs under that age.
- (3) On land zoned “rural” under a local planning scheme, the limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act, 4 dogs over the age of 3 months and young of those dogs under that age.

PART 4—APPROVED KENNEL ESTABLISHMENTS

4.1 Interpretation

In this Part and in Schedule 2—

licence means a licence to keep an approved kennel establishment on premises;

licensee means the holder of a licence;

premises, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

transferee means a person who applies for the transfer of a licence to her or him under clause 4.14.

4.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with—

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (d) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (e) the fee for the application for a licence referred to in clause 4.10(1).

4.3 Notice of proposed use

(1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged—

- (a) once in a newspaper circulating in the district; and
- (b) to the owners and occupiers of any premises adjoining the premises.

(2) The notices in subclause (1) must specify that—

- (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
- (b) the application and plans and specifications may be inspected at the offices of the local government.

(3) Where—

- (a) the notices given under subclause (1) do not clearly identify the premises; or
- (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

4.4 Exemption from notice requirements

Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a—

- (a) permitted use; or
- (b) use which the local government may approve subject to compliance with specified notice requirements,

under a local planning scheme, then the requirements of clauses 4.2(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.

4.5 When application can be determined

An application for a licence is not to be determined by the local government until—

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

4.6 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 4.7;
- (b) any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;

- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

4.7 Where application cannot be approved

The local government cannot approve an application for a licence where—

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a local planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

4.8 Conditions of approval

(1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.

(2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

4.9 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: Where a dog involved in the contravention is a dangerous or restricted breed dog, \$2,000 and a daily penalty of \$200; otherwise \$1,000 and a daily penalty of \$100.

4.10 Fees

(1) On lodging an application for a licence, the applicant is to pay a fee to the local government.

(2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.

(3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.

(4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.

4.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.12 Period of licence

(1) The period of effect of a licence is set out in section 27(5) of the Act.

(2) A licence is to be renewed if the fee referred to in clause 4.10(2) is paid to the local government prior to the expiry of the licence.

(3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

4.13 Variation or cancellation of licence

(1) The local government may vary the conditions of a licence.

(2) The local government may cancel a licence—

- (a) on the request of the licensee;
- (b) following a breach of the Act, the Regulations or this local law; or
- (c) if the licensee is not a fit and proper person.

(3) The date a licence is cancelled is to be, in the case of—

- (a) paragraph (a) of subclause (2), the date requested by the licensee; or
- (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.

(4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

4.14 Transfer of licence

(1) An application for the transfer of a valid licence from the licensee to another person must be—

- (a) made in the form determined by the local government;

- (b) made by the transferee;
- (c) made with the written consent of the licensee; and
- (d) lodged with the local government together with—
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).

(2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).

(3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.

(4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

4.15 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.13(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.13(2), which notice is to be given in accordance with section 27(6) of the Act.

4.16 Inspection of kennel

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

PART 5—MISCELLANEOUS

5.1 Offence to excrete

- (1) A dog must not excrete on—
 - (a) any thoroughfare or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 6—ENFORCEMENT

6.1 Interpretation

In this Part—

infringement notice means the notice referred to in clause 6.3; and

notice of withdrawal means the notice referred to in clause 6.6(1).

6.2 Modified penalties

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if—
 - (a) the dog is not a dangerous or restricted breed dog; or
 - (b) the dog is a dangerous or restricted breed dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous or restricted breed dog.

6.3 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

6.4 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

6.5 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

6.6 Withdrawal of infringement notice

(1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

(2) A person authorised to issue an infringement notice under clause 6.3 cannot sign or send a notice of withdrawal.

6.7 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

Schedule 1—Application for a licence for an approved kennel establishment

[clause 4.2]

I/we (full name)
 of (postal address)
 (telephone number)
 (facsimile number)
 (E-mail address)
 Apply for a licence for an approved kennel establishment at (address of premises)

For (number and breed of dogs).....
 * (insert name of person) will be residing at the premises on and from (insert date)
 * (insert name of person) will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at (insert address of residence) on and from (insert date).

Attached are—

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside—
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as, in the keeping of dogs at the proposed kennel establishment.

Signature of applicant Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months—section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on [insert date].

Schedule 2—Conditions of a licence for an approved kennel establishment

[Clause 4.8(1)]

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than—
 - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government to a height of no less than 2m;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be—
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
 - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of—
 - (i) 2m; or
 - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material (or other material) approved by the local government;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;

- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
- (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

Schedule 3—Modified penalties

[Clause 6.2]

Item	Offence	Nature of offence	Modified penalty \$	Dangerous or Restricted Breed Dog Modified Penalty \$
1	3.1	Failing to provide means for effectively confining a dog	100	200
2	3.2	Exceeding the number of dogs permitted to be kept at a premises	100	200
3	4.9	Failing to comply with the conditions of a licence	100 and a daily penalty of 10	200 and a daily penalty of 20
4	5.1(2)	Dog excreting in prohibited place	200	

Dated: 17th April 2015.

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

R. C. GIBSONE, Shire President.
P. T. NAYLOR, Chief Executive Officer

LG304*

**CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995**

Shire of Cunderdin

Cemetery Local Law 2015

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Cunderdin resolved on 19th March 2015 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law is cited as the *Shire of Cunderdin Cemetery Local Law 2015*.

1.2 Commencement

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

1.3 Repeal of local law

The following local laws are repealed—

- (a) *By-Laws relating to Cunderdin Public Cemetery—Reserve No. 14531 and Meckering Public Cemetery—Reserve No. 14624*, as published in the *Government Gazette* on 6 February 1969;
- (b) *The Municipality of the Shire of Cunderdin By-Law for the Control and Management of the Cunderdin and Meckering Public Cemeteries*, as published in the *Government Gazette* on 8 February 1972.

1.4 Purpose and effect

(1) The purpose of this local law is to provide for the orderly management of those Cemeteries in accordance with established plans and to create offences for inappropriate behaviour within cemetery grounds.

(2) The effect of this local law is that all persons in the administration of the cemeteries, burying deceased in the cemeteries, or otherwise providing services to or making use of the cemeteries, are to comply with the provisions of this Local Law.

1.5 Application

This local law applies to the Cunderdin Cemetery (Reserve No. 14531) and Meckering Cemetery (Reserve No. 14624) located in the district.

1.6 Interpretation

(1) In this local law unless the context otherwise requires—

Act means the *Cemeteries Act 1986*;

animal means any animal;

ashes means so much of the remains of a dead body after the due processes of cremation as may be contained in a standard sized cremation urn;

authorised officer means an employee of the local government authorised by the local government for the purposes of performing any function or exercising any power conferred upon an authorised officer by this local law;

burial has the same meaning as is given to it in the Act;

cemetery means any one or any part of the public cemeteries in the district of the local government, which the Governor, by order, has placed under the care control and management of the local government;

CEO means the Chief Executive Officer of the local government;

dead body has the same meaning given to it in the Act;

funeral includes the burial of a dead body and all associated processions and ceremonials but does not include so much of the ceremonial that is solely a religious rite;

funeral director means a person holding a current funeral director's licence;

grant means a grant issued by the local government, of an exclusive right of burial in a grave;

grave means a specified area of the cemetery for burial;

guide dog has the same meaning as is given to that expression in the *Dog Act 1976*;

holder in relation to a grant includes—

(a) a person issued with a grant by the local government;

(b) a person for the time being appearing to the local government to be the holder of a grant;

local government means the Shire of Cunderdin;

memorial means a memorial plaque or memorial as described in this local law or as otherwise approved by the local government;

military grave means a grave eligible for commemoration by the Office of Australian War Graves;

Minister means the Minister for Local Government;

monument includes a tombstone, vault, enclosure or other approved form of memorial;

monumental mason means a person, firm or company holding a current monumental mason's licence;

monumental work when the term is used as an abstract noun shall include the erection, alteration or removal of or other working upon a monument on a grave;

personal representative means—

(a) the administrator or executor of an estate of a deceased person;

(b) the person who, by law of practice, has the right to apply for administration of the estate of the deceased person; or

(c) a person having the lawful custody of a dead body;

remains means ashes or what remains of a dead body after burial;

set fee refers to fees and charges set by a resolution of the local government in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995* and published in the *Government Gazette*, under section 53 of the Act;

single funeral permit means a permit issued by the local government under section 20 or 21 of the Act which entitles the holder to conduct at the cemetery a funeral of a person named in the permit; and

vehicle has the same meaning as is given to that word in the *Road Traffic Act 1974*, as amended from time to time, and includes trail bikes, beach buggies and other recreational vehicles licensed or unlicensed, but excludes a wheel chair being used by a physically impaired person.

(2) Unless otherwise defined herein the terms and expressions used in this local law shall have the same meaning given to them in the Act.

PART 2—ADMINISTRATION

2.1 Powers and functions of CEO

Subject to any directions given by the local government, the CEO shall exercise all the powers and functions of the local government in respect of the cemeteries.

PART 3—APPLICATION FOR FUNERALS

3.1 Grant of right of burial

The local government may issue to a person a grant of right of burial, for the term specified in the Act from time to time, upon—

- (a) written application by that person; and
- (b) payment of the set fee.

3.2 Application for burial

(1) A person may apply for approval to bury a dead body in the cemetery in the form determined by the local government from time to time.

(2) An application under subclause (1) is to be accompanied by the set fee.

3.3 Applications to be accompanied by certificates etc

All applications referred to in clause 3.2 shall be accompanied by either a medical certificate of death or a Coroner's order of burial, and a certificate issued under clause 3.4, in respect of the body.

3.4 Certificate of identification

(1) After a dead body is placed in a coffin and prior to a dead body being removed to the cemetery, a person who personally knew the deceased shall identify the dead body and shall complete a certificate of identification in the form determined by the local government from time to time, unless—

- (a) in the opinion of the funeral director, the dead body is not in a fit state to be viewed; or
- (b) after reasonable effort the funeral director is unable to arrange for a person to identify the dead body.

(2) Where—

- (a) in the opinion of the funeral director, the dead body is not in a fit state to be viewed; or
- (b) after reasonable effort the funeral director is unable to arrange for a person to identify the dead body,

then the funeral director shall complete a certificate in the form determined by the local government from time to time.

3.5 Minimum notice required

All bookings to hold a funeral shall be made with the local government at least 2 working days prior to the time proposed for burial on the application, otherwise an extra charge may be made.

3.6 Time for burials

(1) Subject to subclause (2), a person shall only carry out a burial between the hours of 6:00 a.m. and 6:00 p.m. Monday to Sunday.

(2) A person shall not carry out a burial—

- (a) on Christmas Day; or
- (b) on Good Friday.

PART 4—FUNERAL DIRECTORS

4.1 Directing a funeral

A person shall not direct a funeral within a cemetery or otherwise make use of the cemetery for any purpose connected with directing the funeral unless that person is—

- (a) the funeral director;
- (b) an employee of the funeral director; or
- (c) a holder of a single funeral permit.

4.2 Funeral director's licence

(1) The local government may, upon the receipt of an application in writing in the form determined by the local government and upon payment of a set fee, issue to an

applicant a funeral director's licence authorising a holder to direct funerals within a cemetery at such times and on such days and subject to such conditions as the local government shall specify and in compliance with the provisions of this local law.

(2) If the application referred to in subclause (1) is approved by the local government, the local government shall issue to the applicant a licence in the form determined by the local government.

(3) A person who is the holder of a current funeral director's licence may apply for a new licence for the following year by lodging with the local government an application form and upon payment of the set fee.

4.3 Funeral director's licence expiry

A funeral director's licence shall expire on 30 June in each year.

4.4 Cancellation of a funeral director's licence

(1) The local government may, by notice in writing to a holder of a funeral director's licence, cancel a licence if—

- (a) the holder of the licence or any employee of the holder has committed a breach of this local law, the Act or any of the conditions upon which the licence was issued;
- (b) in the opinion of the local government, the conduct of the holder of the funeral director's licence or any employee of the holder in directing or attempting to direct a funeral within a cemetery, is inappropriate or unbecoming;
- (c) the holder of the funeral director's licence has purported to transfer the licence issued to that holder;
- (d) the funeral director's licence was issued erroneously or in consequence of a false or fraudulent document, statement or representation;
- (e) the fee for the funeral director's licence is due and unpaid;
- (f) the holder of the funeral director's licence is convicted of an offence against this Act or the local law; or
- (g) the local government is no longer satisfied that the holder of the funeral director's licence—
 - (i) is of good repute and is fit to hold the funeral director's licence; or
 - (ii) has suitable facilities and equipment for handling and storing dead bodies and conducting funerals.

(2) Upon the cancellation of the licence pursuant to subclause (1), no part of any fee paid for the issue of that licence is refundable by the local government.

4.5 Application for a single funeral permit

Every application for a single funeral permit made under section 20 or 21 of the Act shall include coffin specifications and details of the vehicle transporting the dead body to the gravesite.

4.6 Application may be refused

The local government may refuse an application for a single funeral permit if, in the opinion of the local government, either the coffin specifications or the details of the vehicle transporting the dead body to the gravesite are not structurally sound or are otherwise inadequate or inappropriate, or on any other grounds.

4.7 Review of decision

An aggrieved person whose licence has been cancelled or suspended under this part may appeal to the State Administrative Tribunal against a decision of the local government under this part and in the manner stated in section 19 of the Act.

PART 5—FUNERALS

Division 1—General

5.1 Requirements for funerals and coffins

A person shall not bring a dead body into the cemetery unless—

- (a) the local government has approved an application for the burial of that dead body in accordance with Part 3 of this local law;
- (b) it is enclosed in a coffin which in the opinion of the local government is structurally sound and bears the name of the deceased person indelibly inscribed in legible characters on a plate on the coffin's lid; and
- (c) under the plate referred to in paragraph (b) there is a substantive lead strip bearing the surname of the deceased person stamped in legible characters, each character being not less than 10mm in height.

5.2 Funeral processions

The time fixed by the local government for any burial shall be the time at which the funeral procession is to arrive at the cemetery gates, and, if not punctually observed,

then the applicant who applied to hold the funeral under clause 3.1 shall pay the set fee for being late.

5.3 Vehicle access and speed limitations

(1) Subject to subclause (2), every funeral procession shall enter by the principal entrance, and no vehicle except the hearse, and official mourning coaches, shall be permitted to enter the interment area.

(2) This clause shall not apply to persons using wheelchairs or motorised wheelchairs.

(3) Vehicles shall proceed within the cemetery by the constructed roadway or other areas designated for the use of vehicles and shall not exceed the speed indicated by signs.

5.4 Offenders may be ordered to leave

A person committing an offence under subclause 5.3(3) may be ordered to leave the cemetery by the CEO or an authorised officer.

5.5 Conduct of funeral by local government

When conducting a funeral under section 22 of the Act the local government may—

- (a) require a written request for it to conduct a funeral to be lodged with it;
- (b) in its absolute discretion, charge any person requesting it to conduct a funeral the set fee for the conduct of that funeral by it;
- (c) where no fee or a reduced fee has been charged by it for the conduct of the funeral, determine the manner in which the funeral shall be conducted;
- (d) bury a dead body within cemeteries under the delegation of the local government and in conjunction with the Act;
- (e) specify an area in the cemetery where the dead body is to be buried or the ashes placed;
- (f) conduct the funeral notwithstanding the failure of a person to make any application or to obtain any consent required under this local law;
- (g) do or require anything which it considers is necessary or convenient for the conduct of a funeral by it.

Division 2—Placement of Ashes

5.6 Disposal of Ashes

(1) A personal representative of a deceased person whose body has been cremated may apply, in an application under clause 3.1 or otherwise, for permission to dispose of the ashes in the cemetery and upon payment of the set fee the local government may grant permission for the ashes to be disposed of by one of the following methods—

- (a) niche wall;
- (b) scattering to the winds; or
- (c) other memorials approved by the local government.

(2) Subject to subclauses (3) and (4), a person shall not place the ashes of a deceased person in the cemetery.

(3) An authorised officer may place the ashes of a deceased person in a cemetery in accordance with the local government's approval provided—

- (a) the person requesting the placement of the ashes has the permission of the local government; and
- (b) the ashes are placed within an area set aside for that purpose by the local government.

(4) An authorised officer may place the ashes of a deceased person within a grave in accordance with the local government approval, provided the person requesting the placement of the ashes has the written permission of the local government and the approval of the holder of the right of burial of the grave.

PART 6—BURIALS

6.1 Depth of graves

(1) A person shall not bury a coffin within the cemetery so that the distance from the top of the coffin to the original surface of the ground is—

- (a) subject to paragraph (b), less than 750mm, unless that person has the permission of the local government or an authorised officer; or
- (b) any circumstances less than 600mm.

(2) The permission of the local government or the authorised officer in subclause (1)(a) will only be granted where in the opinion of the local government or the authorised officer, exceptional circumstances require granting of that permission.

6.2 Re-opening a grave

(1) Subject to subclause (2), if for the purpose of re-opening a grave in the cemetery, the local government finds it necessary to remove plants, grass, shrubs or other like

matter from the grave, then the person ordering the re-opening of that grave shall bear the cost of the removal and any necessary reinstatement.

(2) If the Minister orders the exhumation of a body in accordance with section 58 of the Act, then the Minister may further order how and by whom the cost referred to in subclause (1) should be met.

6.3 Exhumation of a coffin

(1) Subject to subclause (2), a person shall not exhume a coffin in the cemetery for the purposes of re-burial within 12 months after the date of its interment.

(2) Subclause (1) shall not apply where the exhumation is ordered or authorised pursuant to the Act.

(3) Subject to subclause (1) and (2) prior to any other exhumation, the holder of a grant must have applied in writing to the local government requesting the exhumation and the local government has authorised the exhumation.

6.4 Opening of coffin

(1) A person shall not open a coffin in the cemetery unless—

- (a) the coffin is opened for the purposes of the exhumation of a dead body; or
- (b) that person has produced to the local government an order signed by the Commission of Police and the local government has approved the opening of that coffin.

PART 7—MEMORIALS AND OTHER WORK

Division 1—General

7.1 Application for monumental work

The local government may require the written consent of the holder of the right of burial of the grave to accompany an application under section 30 of the Act.

7.2 Placement of monumental work

Every memorial shall be placed on proper and substantial foundations as determined by the local government.

7.3 Removal of rubbish

All refuse, rubbish or surplus material remaining after memorial works are completed under a permit issued under section 30 of the Act shall be immediately removed from the cemetery by the person carrying out the same.

7.4 Operation of work

All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery, and all materials required by tradesmen shall be admitted at such entrance as the CEO or an authorised officer shall direct.

7.5 Removal of sand, soil or loam

No sand, earth or other material shall be taken from any part of the cemetery for use in the erection of any memorial or work except with the written approval of the local government.

7.6 Hours of work

Persons shall not be permitted to carry out memorial or other work on graves within the cemetery other than during the hours of 8.00 a.m. and 6.00 p.m. on weekdays, and 8.00 a.m. and noon on Saturdays, without the written permission of the local government.

7.7 Unfinished work

Should any work by masons or others be not completed before 6:00 p.m. on weekdays and noon on Saturdays, they shall be required to leave the work in a neat and safe condition to the satisfaction of the CEO or an authorised officer.

7.8 Use of wood

No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave without the prior approval of the local government.

7.9 Plants and trees

No trees or shrubs shall be planted on any grave or within the cemetery except such as shall be approved by the CEO.

7.10 Supervision

All workers, whether employed by the local government or by any other person, shall at all times whilst within the boundaries of the cemetery be subject to the supervision of the CEO or an authorised officer and shall obey such directions as the CEO or an authorised officer may give.

7.11 Minor maintenance and repair works

Persons shall be permitted to carry out minor maintenance and repair works, not of a structural nature, such as cleaning, touch up painting, etc on graves, without seeking the approval of the local government.

7.12 Australian war graves

Notwithstanding anything in this local law to the contrary, the Office of Australian War Graves—

- (a) may place a memorial on a military grave; and
- (b) is not required to pay the set fee for any memorial that is placed upon a military grave.

7.13 Placing of glass domes and vases

A person shall not place glass domes, vases or other grave ornaments outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under section 40(2) of the Act.

*Division 2—Memorial Plaque Section***7.14 Requirements of a memorial plaque**

All memorials, placed in a memorial plaque section of the cemetery set aside by the local government, shall be supplied by the local government.

*Division 3—Licensing of Monumental Masons***7.15 Monumental mason's licence**

(1) The local government may, upon receipt of an application in writing by any person and upon payment of the set fee issue to the applicant a monumental mason's licence.

(2) A licence issued under subclause (1) authorises the holder to carry out monumental works within the cemetery subject to the provisions of this local law and such conditions as the local government shall specify upon the issue of that licence.

7.16 Expiry date, non-transferability

A monumental mason's licence—

- (a) shall, subject to clause 7.19, be valid from the date specified therein until 30 June the next following year; and
- (b) is not transferable.

7.17 Carrying out monumental work

A person shall not carry out monumental work within the cemetery unless that person—

- (a) is the holder of a current monumental mason's licence issued pursuant to clause 7.15 or does so as the employee of a person who holds such a licence;
- (b) is authorised by the local government to do so; or
- (c) has received from the local government permission to do so during a funeral service.

7.18 Responsibilities of the holder of a monumental mason's licence

The holder of a monumental mason's licence shall be responsible for the compliance by every person purporting to be authorised to carry out monumental works within the cemetery pursuant to that licence with all the requirements and conditions of the licence, this local law, and any other written law which may affect the carrying out of monumental works.

7.19 Cancellation of a monumental mason's licence

(1) The local government may by notice in writing to the holder of a monumental mason's licence terminate the licence on any of the following grounds—

- (a) that the holder of the licence has committed a breach of the requirements and conditions of the licence, this local law, or any other written law which may affect the carrying out of monumental works;
- (b) that, in the opinion of the local government, the conduct of the holder of the licence or any person in the employ of that holder in carrying out or attempting to carry out any works within the cemetery, is inappropriate or unbecoming; or
- (c) that the holder of the licence has purported to transfer the licence issued to that holder.

(2) Upon the termination of a monumental mason's licence under this clause no part of any fee paid for the issue of that licence is refundable by the local government.

PART 8—GENERAL**8.1 Animals and guide dogs**

(1) A person shall not bring an animal into, or permit an animal to enter or remain in, the cemetery, other than with the approval of the CEO or an authorised officer.

(2) Subclause (1) is subject to section 8 of the *Dog Act 1976*, section 66J of the *Equal Opportunity Act 1986*, and does not apply to assistance animals as defined under section 9(2) of the *Disability Discrimination Act 1992* (Commonwealth).

8.2 Damaging and removing of objects

Subject to clause 8.3(3), a person shall not damage, remove or pick any tree, plant, shrub or flower in the cemetery or any other object or thing on any grave or memorial or which is the property of the local government without the permission of the local government.

8.3 Flowers

- (1) All flowers must be placed in vases or receptacles.
- (2) No person shall plant trees, shrubs or plants in the cemetery without the prior approval of the local government.
- (3) A person may remove withered flowers from a grave or memorial and these are to be placed in a receptacle provided by the local government for that purpose.

8.4 Littering and vandalism

A person shall not—

- (a) break or cause to be broken any glass, ceramic or other material in or upon the cemetery; or
- (b) discard, deposit, leave or cause to be discarded, deposited or left any refuse or litter in or upon the cemetery other than in a receptacle provided for that purpose.

8.5 Advertising

A person shall not advertise or carry on any trade, business or profession within the cemetery without the prior written approval of the local government which consent may be granted subject to such conditions as the local government thinks fit.

8.6 Obeying signs and directions

A person shall obey all signs displayed, marked, placed or erected by the local government within the cemetery and any other lawful direction by the CEO or an authorised officer.

8.7 Removal from the cemetery

Any person failing to comply with any provisions of this local law or behaving in a manner that in the opinion of the local government, the CEO or an authorised officer is inappropriate in the cemetery may in the addition to any penalty provided by this local law, be ordered to leave the cemetery by the local government, the CEO or an authorised officer.

8.8 Fireworks or firearms

- (1) A person shall not bring or discharge any fireworks within the cemetery.
- (2) A person shall not bring or discharge any firearms within the cemetery.

PART 9—OFFENCES AND MODIFIED PENALTIES

9.1 General

A person who commits a breach of any provisions of this local law commits an offence and shall on conviction be liable to a penalty not exceeding \$500 and if the offence is a continuing one to a further penalty not exceeding \$20 for every day or part of a day during which the offence has continued.

9.2 Modified penalties

- (1) The offences specified in Schedule 1 are offences which may be dealt with under section 63 of the Act.
- (2) The modified penalty payable in respect of an offence specified in the Schedule 1 is set out in the column 4 of the Schedule 1.
- (3) The prescribed form of the infringement notice referred to in section 63(1) of the Act is set out in Schedule 2.
- (4) The prescribed form of the notice withdrawing an infringement notice referred to in section 63(3) of the Act is set out in Schedule 3.

Schedule 1—Prescribed offences

MODIFIED PENALTIES

[Clause 9.2(1)&(2)]

Item No.	Clause	Nature of Offence	Modified Penalty
1	5.3(3)	Exceeding speed limit	\$100
2	5.3(3)	Not driving on constructed vehicle roadways	\$100

Item No.	Clause	Nature of Offence	Modified Penalty
3	7.3	Not removing rubbish and surplus materials	\$100
4	7.7	Leaving uncompleted works in an untidy or unsafe condition	\$100
5	8.1(1)	Animal within cemetery	\$100
6	8.4	Littering and vandalism	\$100
7	8.5	Unauthorised advertising or trading	\$100
8	8.6	Disobeying sign or lawful direction	\$100
9		All other offences not specified	\$100

Schedule 2—Form 1
INFRINGEMENT NOTICE

[cl. 9.2(3)]

TO:
(Name)

.....
(Address)

It is alleged that at hours on day of 20..... at you committed the offence indicated below by an (x) in breach of clause of the *Shire of Cunderdin Cemetery Local Law 2015*.

.....
(Authorised Officer)

Offence

- Animal within cemetery
 - Not removing rubbish and surplus materials
 - Exceeding speed limit
 - Leaving uncompleted works in an untidy or unsafe condition
 - Littering and vandalism
 - Unauthorised advertising or trading
 - Not driving on constructed vehicle areas
 - Disobeying sign or lawful direction
 - Other Offence
- \$.....

You may dispose of this matter—

By payment of the penalty as shown within 21 days of the date of this notice (or the date of the giving of this notice if that is a different date) to the Chief Executive Officer of the Shire of Cunderdin at Lundy Avenue Cunderdin between the hours of 9:00 a.m. to 4.30 p.m. Monday to Friday.

Please make cheques payable to the Shire of Cunderdin. Payments by mail should be addressed to—

The Chief Executive Officer
Shire of Cunderdin
PO Box 100
CUNDERDIN WA 6407

If the penalty is not paid within the time specified, then a complaint of the alleged offence may be made and heard and determined by a court.

Schedule 3—Form 2
WITHDRAWAL OF INFRINGEMENT NOTICE

[clause 9.2(4)]

No.

..... Date/...../.....

To ^[1]

Infringement Notice No. dated/...../..... for the alleged offence of ^[2]

Penalty ^[3] \$..... is withdrawn.

(Delete whichever does not apply)

* No further action will be taken.

* It is proposed to institute court proceedings for the alleged offence.

[1] Insert name and address of alleged offender.

[2] Insert short particulars of offence alleged.

[3] Insert amount of penalty prescribed.

.....
(Authorised Officer)

Dated 17th April 2015.

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

R. C. GIBSONE, Shire President.
P. T. NAYLOR, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA301*

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 24 April 2015 resolved that, the RWWA Rules of Thoroughbred Racing 2004 be amended with effect from 1 May 2015 as follows—

Amendment to Australian Racing Rules (National Rules) effective 1 May 2015

Delete and replace AR.85A(3)

Add AR146 and AR.178D(7)

Amend AR.143, AR.165(1) and AR.177B(2)(l)

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

RICHARD BURT, Chief Executive Officer.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Pursuant to section 23 (2b) (d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Kevin Robert Powell of Glencoe is appointed a member of the Dumbleyung Land Conservation District, (the Committee was established by an Order in Executive Council, published in the *Government Gazette* of 13 March 1987 at pp. 663-664, and amended in the *Gazettes* of 26 May 1989 at pp. 1578-79, 12 July 1991 at pp. 3415-16, 20 January 1995 at p. 208, and Amendment Orders approved by Executive Council on 23 September 1997 and 30 June 1998 {refer Department of Agriculture and Food reference: 881773V04POV} and amended in the *Gazettes* of 16 March 2004 at pp. 793-794 and 10 July 2009 at p. 2749). The appointment is for a term ending 31 July 2016.

Dated this day 22nd of April 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG402*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 of the Soil and Land Conservation Act 1945, the following person is appointed a member of the District Committee for the Dumbleyung Land Conservation District, (the Committee was established by an Order in Executive Council, and published in the *Government Gazette* of 13 March 1987 at pp. 663-664, and amended in the *Gazettes* of 26 May 1989 at pp. 1578-1579, 12 July 1991 at pp. 3415-3416, 20 January 1995 at p. 208, and Amendment Orders approved by Executive Council on 23 September 1997 and 30 June 1998, {refer to Department of Agriculture and Food reference: 881773V04POV and amended in the *Gazette* of 16 March 2004 at pp. 793-794 and 10 July 2009 at p. 2749}). The appointment is for a term ending on 31 July 2016.

- (1) Pursuant to Section 23 (2b) (d) delete Owen Douglas Dare of Dumbleyung from representing, being persons actively engaged in, or affected by, or associated with land use in the district.
- (2) Pursuant to Section 23 (2c) (c) of the Act, Owen Douglas Dare of Dumbleyung is appointed a member of the Committee on the nomination of the Western Australian Farmers Federation (Inc.).

Dated this day 22nd of April 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG403*

SOIL AND LAND CONSERVATION ACT 1945

LOWER BLACKWOOD LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2015

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Lower Blackwood Land Conservation District (Appointment of Members) Instrument 2015*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Lower Blackwood Land Conservation District) Order 1992**, the following members are appointed to the land conservation district committee for the Lower Blackwood Land Conservation District—

- (a) on the nomination of the Shire of Augusta-Margaret River: Kim Hastie of Augusta;

- (b) on the nomination of the Shire of Nannup: Robert Bruce Longmore of Nannup and Timothy Leslie Prosser of Scott River;
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
- (i) Walter Christopher Avery of Scott River
 - (ii) Timothy John Crimp of Rosa Glen
 - (iii) Barbara Dunnet of Scott River East
 - (iv) John David Dunnet of Scott River East
 - (v) Bruce Henderson Hamilton of Augusta
 - (vi) Clifford Graham Owen of Karridale
 - (vii) Leslie Francis Prosser of Scott River
 - (viii) Timothy Leslie Prosser of Scott River
 - (ix) David Alex Wren of Nillup-Courtenay
 - (x) Joanna Wren of Nillup
 - (xi) Peter Wren of Deepdene
 - (xii) District Manager, Department of Parks and Wildlife, Busselton

(*Published in the Gazette of 26 June 1992 at pp. 2651-2654 and Amendment Orders approved by Executive Council on 17 June 1997 and 6 October 1998 (refer to Department of Agriculture reference: 881844V03POF)).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on the 30 April 2018.

Dated this day 22nd of April 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG404*

SOIL AND LAND CONSERVATION ACT 1945

KATANNING LAND CONSERVATION DISTRICT

Soil Conservation Service Charge Notice (2015-2018)

I, Ken Baston, being the Minister responsible for the administration of the *Soil and Land Conservation Act 1945*, being satisfied that all prescribed steps have been taken, give notice that the soil conservation service charge described in the Schedule to this Notice be imposed in the Katanning Land Conservation District for three years commencing 1 July 2015 and ending 30 June 2018.

The boundaries of the Katanning Land Conservation District are as specified in the Order establishing the district published in the *Government Gazette* on 6 July 1990 (pp.3268-3269).

Schedule

Amount of service charge	\$30 per annum on all rateable land within the Katanning Land Conservation District.
Specified service	To assist in funding— <ol style="list-style-type: none"> 1. The operating costs of the Katanning Resource Centre; 2. The wages of the Katanning Land Conservation District Committee (LCDC) Landcare Officer; and 3. Project development for on-ground works for salinity management (draft title).
Collection and allocation of service charge	The service charge will be collected by the Shire of Katanning and paid to the Department of Agriculture and Food for allocation to the Katanning LCDC.
Annual report	The Katanning LCDC must report to the Minister on the progress of the service by 15 June of each year the charge is applied.

KEN BASTON, MLC, Minister for Agriculture and Food.

AG405*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

ALTERNATIVE REQUIREMENTS

Pursuant to section 44 of the *Biosecurity and Agriculture Management Act 2007* (the Act) the Director General of Agriculture and Food has approved requirements for the intra-state movement of certain potential carriers of declared pests. These requirements take effect as an alternative to the

requirements currently imposed under regulation 20 and 21 of the Biosecurity and Agriculture Management Regulations 2013. The requirements will remain in place until 10 October 2015, by which time they will be made permanent by amendment of the regulations. Failure to comply with the requirements constitutes an offence under the Act and penalties apply. Of particular importance are the requirements relating to the movement of banana containers to Kununurra and Carnarvon. These have been introduced to combat the threat of introduction of Panama Disease, a devastating disease of bananas recently found in Queensland.

Full details of the requirements may be obtained from www.agric.wa.gov.au or from the head office of the Department of Agriculture and Food at—

Address: 3 Baron-Hay Court South Perth 6151
Postal: Locked Bag 4 Bentley Delivery Centre WA 6983
Phone: 08 9368 3333 (International +61 8 9368 3333)
Fax: +61 8 9474 2405
Email: enquiries@agric.wa.gov.au

CONSUMER PROTECTION

CP401*

CHARITABLE COLLECTIONS ACT 1946

REVOCATION OF LICENCES

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

- Catch Music Inc
- Children in Action Inc
- Drug Free Attention Difficulties Support (Inc)
- Fremantle Heart Patients Support Group (Inc)
- Kwinana Home Support Services Inc
- Lend a Hand Foundation Incorporated
- Love Angel Foundation
- Poker for Charity Association (POCA) Inc
- Sarimilla Trust Inc
- Julian Leaver, Laura Leaver and Richard Swan as Trustees for the Hotrock
- Tenix Foundation Pty Ltd as Trustee for the Tenix Foundation Trust
- The Rise for Alex Foundation as Trustee for The Rise for Alex Fund
- WJF Management Pty Ltd as Trustee for Warren Jones Medical Research Foundation
- Wings Away Inc

Dated this 16th day of April 2015.

ANNE DRISCOLL, Commissioner for Consumer Protection.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

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

Wendy Antoinette Bennett of Lot 43 Hibbertia Way, Bindoon
Andrew James Birch of 23 Losino Boulevard, Henley Brook
Joanne Elaine Barrett-Lennard of 6 Troon Loop, Dunsborough
Ian George Digweed of 34 Bentley Street, Singleton

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

CITY OF KALGOORLIE-BOULDER
APPOINTMENTS

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Geoff Copley as an authorised officer to operate within the City of Kalgoorlie-Boulder to enforce the following Acts, Regulations and Local Laws effective immediately—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976 and Regulations
- Cat Act 2011 and Regulations
- Litter Act 1979 and Regulations
- Bush Fires Act 1954 and Regulations—(Bush Fire Control Officer)
- Bush Fires (Infringements) Regulations 1978
- Control of Vehicles (Off-road Areas) Act 1978 and Regulations
- Caravan Parks and Camping Grounds Act and Regulations 1997
- City of Kalgoorlie-Boulder Local Laws

D. S. BURNETT, Chief Executive Officer.

LG402*

CITY OF BELMONT
APPOINTMENTS

It is hereby notified for public information that Vic Bijl and Claudia Nieman have been appointed an Authorised Officer for the City of Belmont, effective from 23 April 2015, and are officers authorised to exercise the powers in accordance with the following Acts, Regulations and Local Laws—

- Local Government Act 1995
- Local Government (Uniform Local Provisions) Regulations 1996
- All other Council Local Laws or Regulations administered or enforced by the City of Belmont.

STUART COLE, Chief Executive Officer.

LG403*

LOCAL GOVERNMENT ACT 1995

Shire of Serpentine-Jarrahdale
(BASIS OF RATES)

I, Tony Simpson MLA, being the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 26 March 2015, determine that the method of valuation to be used by the Shire of Serpentine Jarrahdale, as the basis for a rate in respect of the land referred to in the Schedule is to be the Gross Rental Value of the land.

Schedule

	Designated land
Unimproved Value to Gross Rental Value	All that portion of land being Lot 164 (Reserve 25911) as shown on Deposited Plan 202726.

Hon. TONY SIMPSON, MLA, Minister for Local Government.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Stirling

Town Planning Scheme No. 3—Amendment No. 52

Ref: TPS/1492

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Stirling local planning scheme amendment on 1 April 2015 for the purpose of—

1. Inserting the following Additional Use into Schedule 2—Additional Uses of the Scheme—

No.	Description of Land	Additional Uses	Conditions
A75	Portion of Swan Location W and being Lot 11 on Diagram 14265 Vol 1291 Fol 259 House Number 11 Grand Promenade, Dianella	Medical Centre	Nil

2. Amending the Scheme Map by rezoning Lot 11, House Number 234 Grand Promenade, Dianella from 'Residential (R30)' to 'residential (R30)' and Additional Use—A75 (Medical Centre) as follows—

G. ITALIANO, JP, Mayor.
 S. JARDINE, Chief Executive Officer.

POLICE

PO401*

ROAD TRAFFIC ACT 1974

TEMPORARY SUSPENSION OF REGULATIONS

I, Ian Clarke, Inspector being the delegated officer of the Minister for Transport under Section 83 of the *Road Traffic Act 1974*, pursuant to the powers conferred by Section 83(1) of that Act, and the consent of the Local Authorities having been obtained and nominated for the purposes of:

A Cycle Road Race by members/entrants of the Peel District Cycling Club (Inc) on 2 November 2014 between the hours of 07:30 Hrs and 12:00 Hrs, 23 November 2014 between the hours of 07:30 Hrs and 12:00 Hrs, 14 December 2014 between the hours of 07:30 Hrs and 12:00 Hrs, 11 January 2015 between the hours of 07:30 Hrs and 12:00 Hrs, 8 February 2015 between the hours of 07:30 Hrs and 12:00 Hrs, 15 March 2015 between the hours of 07:30 Hrs and 12:00 Hrs, 12 April 2015 between the hours of 07:30 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Bradford Street, Chilver Street, Valentine Street, Hazelhurst Street and Bradford Street, in the City of Belmont. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Cycle Criterium Race by members/entrants of the Peel District Cycling Club (Inc) on 16 November 2014 between the hours of 08:00 Hrs and 12:30 Hrs, 23 November 2014 between the hours of 08:00 Hrs and 12:30 Hrs, 14 December 2014 between the hours of 08:00 Hrs and 12:30 Hrs, 4 January 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 11 January 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 8 February 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 15 February 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 22 February 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 2 March 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 8 March 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 22 March 2015 between the hours of 08:00 Hrs and 12:30 Hrs, 29 March 2015 between the hours of 08:00 Hrs and 12:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Smeaton Way, Pickard Avenue, Cariston Road and Smeaton Way, in the City of Rockingham. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Cycling Road Race by members/entrants of the West Coast Masters Cycling Council Inc on 9 November 2014 between the hours of 07:30 Hrs and 12:00 Hrs, 7 December 2014 between the hours of 07:30 Hrs and 12:00 Hrs, 18 January 2015 between the hours of 07:30 Hrs and 12:00 Hrs, 22 February 2015 between the hours of 07:30 Hrs and 12:00 Hrs, 8 March 2015 between the hours of 07:30 Hrs and 12:00 Hrs, 22 March 2015 between the hours of 07:30 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Innovation Circuit, Advantage Way, Rigali Way and Innovation Circuit, in Wangara (City of Wanneroo). Temporary suspension of the Road Traffic Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Criterium Cycle Road Race by members/entrants of the Roues Chaudes Cycling Club on 16 November 2014 between the hours of 07:00 Hrs and 12:00 Hrs, 23 November 2014 between the hours of 07:00 Hrs and 12:00 Hrs, 30 November 2014 between the hours of 07:00 Hrs and 12:00 Hrs, 7 December 2014 between the hours of 07:00 Hrs and 12:00 Hrs, 26 January 2015 between the hours of 07:00 Hrs and 12:00 Hrs, 8 February 2015 between the hours of 07:00 Hrs and 12:00 Hrs, 22 March 2015 between the hours of 07:00 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Brodie Hall Drive onto Sarich Way and back onto Brodie Hall Drive anti clockwise, in Bentley. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Triathlon by members/entrants of the Albany Triathlon Club on 1 March 2015 between the hours of 06:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Marine Terrace/Middleton Road and Wollaston Road/Golf Links Road, in the City of Albany. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (to allow cyclists to contravene stop signs/white stop lines)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats. Suspension of the Regulations is only issued in respect to cycling event competitors along the event route in accordance with the approved traffic management plan. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so.

All participants to wear approved head protection at all times for the cycle event.

A Triathlon by members/entrants of the Corrigin Triathlon Club on 7 March 2015 between the hours of 14:30 Hrs and 18:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Larke Crescent, Kirkwood Street, Crossland Street, Lynch Street, Murphy Street, and Hill Street in the Shire of Corrigin.

All participants to wear approved head protection at all times for the cycle event.

A Criterium Cycle Road Race by members/entrants of the Roues Chaudes Cycling Club on 15 February 2015 between the hours of 07:00 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Brodie Hall Drive onto Sarich Way and back onto Brodie Hall Drive anti clockwise, in Bentley. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Criterium Cycle Road Race by members/entrants of the Roues Chaudes Cycling Club on 21 March 2015 between the hours of 13:00 Hrs and 18:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Brodie Hall Drive onto Sarich Way and back onto Brodie Hall Drive anti clockwise, in Bentley. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race by members/entrants of the Pemberton Community Resource Centre Inc. on 1 March 2015 between the hours of 08:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Club Road, Pump Hill Road, Stirling Road, Channybearup Road, Vasse Highway, in the Shire of Manjimup. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 28 March 2015 between the hours of 12:00 Hrs and 18:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Higgins Street (between North Street and Warren Road), in the Shire of Nannup. Temporary suspension of regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sports (CAMS) National Guidelines—on closed roads; in compliance with the local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race—Criterium by members/entrants of the Albany Cycling Club Inc. on 7 March 2015 between the hours of 13:30 Hrs and 17:00 Hrs, 14 March 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Engelheart Drive, Boundary Road, Clydesdale Road, Radiata Drive and Engleheart Drive, in the City of Albany. Temporary suspension of the Road Traffic Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Cycling Event (non racing) by members/entrants of the Bicycling WA on 8 March 2015 between the hours of 07:30 Hrs and 12:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

In accordance with the approved Traffic Management Plan, in the Shire of Kalamunda. Temporary suspension of the Traffic Road Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

Club (Inc) on 15 March 2015 between the hours of 07:00 Hrs and 10:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Start at intersection of Pine Terrace and Owen Road, Darlington, Brook Road, Railway Reserve Heritage Trail path, Harold Street, Burkinshaw Road, Tillbrook Street, Sealy Road, then left onto dual path adjacent to Glen Forrest Drive, Hardey Road, Thomas Road, Charles Road, Jacoby Street, and then turning just before Mindyah Court and return on same outward route to path adjacent to Tillbrook Street, Burkinshaw Road, Harold Street, and then follow outward route back (on Brook Road and Owen Road), and then to the finish line at Darlington Recreation Ground, Pine Terrace, Darlington, in the Shire of Mundaring. Temporary suspension of the Road Traffic Act and Regulations applies to: Regulation 203 (1), 203 (3) (a) and 203 (4) of the *Road Traffic Code 2000*—(to allow participating runners to proceed along the left side of the carriageway)—in accordance with the approved traffic management plan.

A Road Cycling Race— ‘Elleker Handicap’ by members/entrants of the Albany Cycling Club Inc. on 28 March 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Lower Denmark Road, Elleker-Grassmere Road and Lower Denmark Road, in the City of Albany. Temporary suspension of the Road Traffic Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race—Kees Glorie Memorial Handicap by members/entrants of the Albany Cycling Club Inc. on 11 April 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Nanarup Road, Two People Bay Road and Nanarup Road, in the City of Albany. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race—Syd Harper Memorial Handicap by members/entrants of the Albany Cycling Club Inc. on 19 April 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Frenchman Bay Road, in the City of Albany. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race— ‘Lancaster Road Handicap’ by members/entrants of the Albany Cycling Club Inc. on 22 March 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Lancaster Road, Albany Highway, Link Road and Lancaster Road, in the City of Albany. Temporary suspension of regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 25 March 2015 between the hours of 07:00 Hrs and 18:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Galena Road, Brockman Road and Lindsay Road in the Shire of Nannup. Temporary suspension of the Road Traffic Act and Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sports (CAMS) National Guidelines—on closed roads; in compliance with the local authority approval and in accordance with the approved traffic management plan.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 28 March 2015 between the hours of 05:00 Hrs and 24:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

A Road, B Road, Boomer Road, Brumby Road, Dala Road, Dorant Road, Dugite Road, Ewarts Road, Ferndale Road, Kinky Road, Koala Road, Possum Road, Quokka Road, Ridge Road, River Road, Shortcut Road, Snake Road, Swan Road, Zed Road and adjoining tracks in the Ferndale Plantation. Temporary Suspension of the Road Traffic Act/Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sport (CAMS) National Guidelines—on closed roads; in compliance with local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 28 March 2015 between the hours of 05:00 Hrs and 24:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Milward Plantation: Agg Road, Bishop Road, Contour Road, Kilarney Road, Meachem Road, Milward Circuit, Old Cundinup Road, Pine Road and adjoining tracks in the Milward Plantation, in the Shire of Nannup. Ellis Plantation: Arete Road, Cliff Road, Crevasse Road, Delta Road, Fault Road, Gorge Road, Matterhorn Road, Mesa Road, Morain Road, Neve Road, Range Road, Spur Road, Stallard Road, Strata Road and adjoining tracks in the Ellis Plantation, in the Shire of Nannup. Temporary Suspension of the Road Traffic Act/Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sport (CAMS) National Guidelines—on closed roads; in compliance with local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 29 March 2015 between the hours of 05:00 Hrs and 24:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Milward Plantation: Agg Road, Bishop Road, Contour Road, Kilarney Road, Meachem Road, Milward Circuit, Old Cundinup Road, Pine Road and adjoining tracks in Milward Plantation, in the Shire of Nannup. Ellis Plantation: Arete Road, Cliff Road, Crevasse Road, Delta Road, Fault Road, Gorge Road, Matterhorn Road, Mesa Road, Morain Road, Neve Road, Range Road, Spur Road, Stallard Road, Strata Road and adjoining tracks in the Ellis Plantation, in the Shire of Nannup. Folly Plantation: Alan Road, Annels Road, Arsenic Road, Asplin Road, Balmoral Road, Beryl Road, Brockman Road, Dunnett Road, Edward Road, Estate Road, Felspar Road, Folly Road, Galena Road, Geradhi Road, Gordon Road, Gypsum Road, Helium Road, Huntly Road, Illmenite Road, Lindsay Road, Marischal Road, Neon Road, Northside Road, Nursery Road, Ponderosa Road, Russell Road, Tantalum Road, Tanjannerup Road, Tin Road, Uranium Road, Zircon Road, East Road, Averling Road and adjoining tracks in Folly Plantation, in the Shire of Nannup. Temporary suspension of the Road Traffic Act/Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sports (CAMS) National Guidelines—on closed roads; in compliance with the local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 27 March 2015 between the hours of 08:00 Hrs and 22:00 Hrs, 28 March 2015 between the hours of 08:00 Hrs and 22:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Marine Terrace (Brown Street to Georgette Street), in the City of Busselton. Temporary suspension of the Road Traffic Act/Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sport (CAMS) National Guidelines—on closed roads; in compliance with local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 27 March 2015 between the hours of 08:00 Hrs and 22:00 Hrs, 28 March 2015 between the hours of 08:00 Hrs and 22:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Milne Street and Carey Street, in the City of Busselton. Temporary suspension of the Road Traffic Act/Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sport (CAMS) National Guidelines—on closed roads; in compliance with local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Quit Forest Rally 2015 by members/entrants of the West Australian Car Club (Inc) on 27 March 2015 between the hours of 08:00 Hrs and 22:00 Hrs, 28 March 2015 between the hours of 08:00 Hrs and 22:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on—

Geographe Bay Road from Scout Road to Ford Road and Georgette Street from Marine Terrace to Geographe Bay Road, in the City of Busselton. Temporary suspension of the Road Traffic Act/Regulations applies to: 'Car Rally Racing' in accordance with Confederation of Australian Motor Sport (CAMS) National Guidelines—on closed roads; in compliance with local authority approval and in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Christ Church Run—Annual Foot Race by members/entrants of the WA Marathon Club Inc. on 29 March 2015 between the hours of 07:00 Hrs and 09:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Start in car park next to Nedlands Rugby Club, left into Esplanade, proceed on left side of carriageway to Tawarri Lodge, turn right onto path up beside the old Sunset Hospital, left on to shared path beside Birdwood Parade and, then Jutland Parade and head west, turn left at corner of Victoria Avenue, head north on left side of carriageway of Victoria Avenue to Bishop Avenue, rejoin footpath, proceed north and then north-west to Jetty Road, turn and return same way to Sunset Hospital, continue onto footpath alongside Birdwood Parade, turn left down path (just north of Gallop House) to Esplanade, turn right and proceed on right hand side of carriageway to Perth F.S.Y.C, turn left onto Edward Bruce Foreshore shared path to start finish area at Nedlands Rugby Club, Charles Court Reserve, in the City of Nedlands. Temporary suspension of the Road Traffic Act and Regulations applies to: Temporary suspension of regulations is applicable to Regulations 203 (1), 203 (3) (a) and 203 (4) of the *Road Traffic Code 2000* (to allow participating runners to proceed along the left side of the carriageway as required) in accordance with the approved traffic management plan.

A Road Race—Cycling by members/entrants of the Midland Cycle Club on 12 April 2015 between the hours of 07:00 Hrs and 14:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Reserve Road, Berry Road, Clenton Road and O'Brien Road, in the City of Swan. Temporary suspension of the Road Traffic Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Charity Group Bike Ride by members/entrants of the Tour De Gracetown on 28 March 2015 between the hours of 08:00 Hrs and 14:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

Cowaramup Bay Road, Caves Road, Redgate Road, Bussell Highway, Davis Road, Rosa Glen Road, Rosa Brook Road, Jingong Treeton Road, Gale Road, Bussell Highway, Metricup Road, Harmans Mill Road, Tom Cullity Drive, Caves Road and Cowaramup Bay Road, in the Shire of

Augusta-Margaret River. Temporary suspension of the Road Traffic Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, or they are conducting the official start and sprint finish where accredited traffic controllers with stop/slow bats are stopping and holding opposing traffic in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race 'Denmark to Albany Handicap' by members/entrants of the Albany Cycling Club Inc. on 8 August 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

South Coast Highway, in accordance with the approved traffic management plan, in the Shire of Denmark. Temporary suspension of the Traffic Road Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

A Road Cycling Race— Denmark Handicap by members/entrants of the Albany Cycling Club Inc. on 18 July 2015 between the hours of 13:30 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on—

South Coast Highway, Horsley Road, Scotsdale Road, turn around at Kordabup Road and return along Scotsdale Road, McLeod Road and South Coast Highway, in the Shire of Denmark. Temporary suspension of the Traffic Road Act and Regulations applies to Regulation 50 of the *Road Traffic Code 2000* (contravene stop sign/white stop line)—where opposing traffic at those locations is stopped and held by accredited traffic controllers with stop/slow bats and Regulation 130 (2) of the *Road Traffic Code 2000* (overtaking other cyclists and riding in a peloton) in respect to cycling event competitors along the event route. Cyclists must keep left of the centre of the road, unless overtaking a slow moving vehicle where safe to do so, in accordance with the approved traffic management plan.

All participants to wear approved head protection at all times.

I. CLARKE, Inspector.

PREMIER AND CABINET

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. J. H. D. Day, MLA to act temporarily in the office of Minister for Health; Tourism in the absence of the Hon. Dr. K. D. Hames, MLA for the period 13 July to 1 August 2015 (both dates inclusive).

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

PR402*

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. H. M. Morton, MLC to act temporarily in the office of Minister for Health; Tourism in the absence of the Hon. Dr. K. D. Hames, MLA for the period 24 May to 5 June 2015 (both dates inclusive).

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

PR403*

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. W. R. Marmion, MLA to act temporarily in the office of Minister for Local Government; Community Services; Seniors and Volunteering; Youth in the absence of the Hon. A. J. Simpson, MLA for the period 1 to 5 August 2015 (both dates inclusive).

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

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988
LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
57308	Bethalina Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Karratha and known as Soul Cafe	19/05/2015
129255	Almin Amir Fulurija and Talwyn Nigel Widger	Application for the grant of a Restaurant licence in respect of premises situated in Melville and known as Blend Cafe and Pizza Bar	21/05/2015
129860	Michael John Woodley	Application for the grant of a Special Facility Transport licence in respect of premises situated in Broome and known as Contessa C	21/05/2015
176691	Nando's Australia Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in East Victoria Park and known as Nando's East Victoria Park	31/05/2015
57338	JYZ Enterprises Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Joondalup and known as Coco Cubano	8/06/2015
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
129321	Linx Nominees Pty Ltd	Application to add, vary or cancel a condition of a Small Bar licence in respect of premises situated in South Fremantle and known as Corner Room.	7/05/2015

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

Dated: 24 April 2015.

B. A. SARGEANT, Director of Liquor Licensing.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination following an appointment to the position of Director General, Department of Fisheries in the Special Division of the Public Service.

Determination

The determination of the Salaries and Allowances Tribunal made on 24 June 2014 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

This variation is effective on and from 14 April 2015.

Remove from Table 1—Special Division CEO within Part 1 of the First Schedule the following:

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Chief Executive Officer	Fisheries	2	Vacant	\$-

Include in Table 1—Special Division CEO within Part 1 of the First Schedule the following:

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Director General	Fisheries	2	H Brayford	\$299,656

Dated at Perth this 21st day of April 2015.

W. S. COLEMAN, AM
Chairman.

C. A. BROADBENT
Member.
Salaries and Allowances Tribunal.

B. J. MOORE
Member.

SA402*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination following the inclusion of the position of Director General, Department of Local Government and Communities into the Special Division of the Public Service.

Determination

The determination of the Salaries and Allowances Tribunal made on 24 June 2014 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

This variation is effective on and from 2 April 2015.

Include in Table 1—Special Division CEO within Part 1 of the First Schedule the following:

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Director General	Local Government and Communities	3	J Mathews	\$284,591

Dated at Perth this 21st day of April 2015.

W. S. COLEMAN, AM
Chairman.

C. A. BROADBENT
Member.
Salaries and Allowances Tribunal.

B. J. MOORE
Member.

WATER/SEWERAGE

WA401*

WATER SERVICES ACT 2012**EXEMPTION NOTICE**

Exemption of Mr Richard Hadley and Mr Allen Hadley from section 5(1) of the *Water Services Act 2012* for a water service to the Smiths Beach Resort, Lot 2 Smiths Beach Rd, Yallingup.

In accordance with section 7 of the *Water Services Act 2012*, the Hon Mia Davies MLA, Minister for Water, granted an exemption from the application of section 5(1) of the Act to Mr Richard Hadley and Mr Allen Hadley on 14 April 2015, in respect of the provision of a water supply to the Smiths Beach Resort (Lot 2 Smiths Beach Rd, Yallingup).

The water supply is sourced from a bore located on Lot 4 Hemsley Rd, Naturaliste (owned by Mr Richard Hadley and Mr Allen Hadley). The water is piped approximately 7 kilometres to the Smiths Beach Resort, which is situated on Lot 2 Smiths Beach Rd, Yallingup. The water is chlorinated and is used for potable purposes.

The exemption is valid for an indefinite period.

Summary of the reasons for the decision

The provision of this exemption is not contrary to the public interest. It is considered that:

- the risk of monopoly power abuse is low, given that the service is not for profit and that maintenance obligations are prescribed in a contractual agreement;
- the public health aspects of the service are regulated under the *Health Act 1911*; and
- the regulatory burden imposed by licensing would be disproportionately high given the small scale of the service.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Timothy Alastair Holmes, late of 6 Graham Court, Cottesloe 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 either 15 November 2014 or 16 November 2014 are required by the personal representative to send particulars of their claims to him/her care of IRDI Legal, 248 Oxford Street, Leederville, Western Australia 6007 by 1 June 2015 after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

IRDI Legal as solicitors for the personal representative.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Muriel Sherwood, late of Unit 1/31 Thrall Street, Innaloo, WA 6018.

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 31 January 2015 at Unit 1/31 Thrall Street, Innaloo, 6018 aforesaid are required by the Executor and Trustee of 23 Alfonso Street, North Perth, Western Australia 6006 to send particulars of their claims to him by 30 May 2015 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

!! NOW AVAILABLE !!



**LAW ALMANAC
2015**



**Cost: \$23.65 (incl. GST)
(plus postage)**

*Orders can be placed online or by phoning / faxing
Visa or Master Card details to:*

STATE LAW PUBLISHER

PHONE: 6552 6000

FAX: 9321 7536

www.slp.wa.gov.au

Counter Sales are not available