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Clients who have an account will be invoiced for advertising charges.

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— PART 1 —

PROCLAMATIONS

AA101*

SENTENCING LEGISLATION AMENDMENT ACT 2004

No. 27 of 2004

PROCLAMATION

Western Australia

By His Excellency

*Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Sentencing Legislation Amendment Act 2004* section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than section 14(2), come into operation.

Given under my hand and the Public Seal of the State on 23 May 2006.

By Command of the Governor,

M. M. QUIRK, Minister for Justice.

AGRICULTURE

AG301*

Plant Diseases Act 1914

Plant Diseases Amendment Regulations (No. 4) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Plant Diseases Amendment Regulations (No. 4) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Plant Diseases Regulations 1989**.

[* Reprint 4 as at 3 March 2006.]

3. Schedule 3 amended

Schedule 3 Form 10 item 4 is deleted and the following item is inserted instead —

“

4. Payment may be made by either posting, or personally giving, this form and the amount of the modified penalty specified in item 3 to the Finance Officer, Western Australian Quarantine and Inspection Service at the address or place specified on the reverse side of this form.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Busselton

REPEAL LOCAL LAW 2006

Under the powers conferred by the *Local Government Act 1995* as amended from time to time and under all other powers enabling it, the Council of the Shire of Busselton resolved to make the following local law on the 12th day of April 2006.

1. Title

This local law may be cited as the “*Shire of Busselton Repeal Local Law 2006*”.

2. Repeal

The following local laws are repealed—

2.1 By-laws made by the Sussex Road Board

- (a) Poundage By-laws published in the *Government Gazette* 14 April 1929, page 626;
- (b) By-laws of the Sussex Road Board published in the *Government Gazette* 19 February 1937, page 284;
- (c) Sussex Road Board Proclamation published in the *Government Gazette* 15 June 1945, page 551;
- (d) By-law re Appointment of Employees published in the *Government Gazette* 23 October 1942, page 986;
- (e) Sussex Road Board Caravan By-laws published in the *Government Gazette* 28 November 1947, page 2180;
- (f) Parking By-law published in the *Government Gazette* 12 December 1947, page 2272; and
- (g) By-laws Governing Long Service Leave to be Granted to Employees of the Sussex Road Board published in the *Government Gazette* 5 May 1950, page 983.

2.2 By-laws made by the Busselton Road Board

- (a) Building By-laws published in the *Government Gazette* 4 January 1952, page 26;
- (b) Parking By-laws published in the *Government Gazette* 5 December 1952, page 2883;
- (c) Busselton Road Board notice published in the *Government Gazette* 29 January 1954, page 136 relating to by-laws published in the *Government Gazette* 3 October 1952, pages 2486-2488;
- (d) By-laws to appoint stands for Vehicles and for regulating Parking of Vehicles and to repeal certain Parking By-laws published in the *Government Gazette* 23 August 1956, page 2140;

- (e) By-laws Controlling the Erection and Maintenance of Fences published in the *Government Gazette* 8 March 1957, page 526;
- (f) Busselton Road Board Notice published in the *Government Gazette* 5 February 1958, page 200 relating to by-laws published in the *Government Gazette* on 29 January, 1954;
- (g) By-laws Relating to Building Line, Albert Street, Busselton published in the *Government Gazette* 15 May 1959, page 1247;
- (h) Amendment to Building By-laws published in the *Government Gazette* 12 June 1959, page 1530;
- (i) Amendment to Camping By-Laws published in the *Government Gazette* 16 October 1959, page 2614;
- (j) By-law for Payment of Discount on Rates published in the *Government Gazette* 13 November 1959, page 2851; and
- (k) By-law Requiring Removal of Refuse, Etc. published in the *Government Gazette* 16 March 1961, page 680.

2.3 By laws made by the Shire of Busselton

- (a) By-law Regulating the Parking of Vehicles in Specified Streets published in the *Government Gazette* 9 September 1949, page 2270;
- (b) Adoption of Draft Model By-laws relating to Regulating the Construction, Establishment, Operation and Maintenance of Motels published in the *Government Gazette* 29 December 1961, page 3956;
- (c) Amendment of By-laws Relating to Camping Fees, Busselton and Wonnerup published in the *Government Gazette* 9 January 1962, page 93;
- (d) By-laws Relating to Horses and Vehicles on Beaches published in the *Government Gazette* 13 June 1962, page 1559;
- (e) Adoption of Draft Model By-laws Relating to Old Refrigerators and Cabinets published in the *Government Gazette* 31 August 1962, page 2419;
- (f) Amendment of By-laws relating to Camping Fees published in the *Government Gazette* 29 November 1962, page 3827;
- (g) Adoption of Draft Model By-laws Relating to Signs, Hoardings and Billposting published in the *Government Gazette* 29 August 1963, page 2591;
- (h) Adoption of Draft Model By-laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing published in the *Government Gazette* 9 December 1964;
- (i) Adoption of Draft Model By-laws Relating to Prevention of Damage to Streets published in the *Government Gazette* 6 July 1965, page 1999;
- (j) By-laws Relating to Verandah and Awnings over Streets published in the *Government Gazette* 7 December 1967, page 3360;
- (k) Amendment of By-laws Relating to Sick Leave published in the *Government Gazette* 20 December 1967, page 3512;
- (l) Amendment to By-laws Relating to Horses and Vehicles on Beaches published in the *Government Gazette* 24 February 1970, page 575;
- (m) Amendment to By-laws Relating to Standing Orders published in the *Government Gazette* 10 November 1970, page 3467;
- (n) Adoption of Draft Model By-laws relating to (Caravan Parks and Camping Grounds) No 2 published in the *Government Gazette* 24 December 1972, page 4677;
- (o) By-laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing published in the *Government Gazette* 14 March 1975, page 909;
- (p) By-laws Governing Long Service Leave to be Granted to Employees published in the *Government Gazette* 15 April 1976, page 1209;
- (q) By-laws Relating to Horses and Vehicles on Beaches published in the *Government Gazette* 15 April 1976, page 1209;
- (r) Amendment to Draft Model By-laws Relating to Caravan Parks and Camping Grounds) No 2 published in the *Government Gazette* 25 June 1976, page 2204;
- (s) By-laws Relating to Stalls published in the *Government Gazette* 14 October 1977, page 3721;
- (t) Amendment to Cemeteries By-laws Busselton, Metricup and Dunsborough Public Cemeteries published in the *Government Gazette* 23 December 1977, page 4721;

- (u) Adoption of Draft Model By-law Relating to Parking of Commercial Vehicles on Street Verges published in the *Government Gazette* 30 December 1977, page 4764;
- (v) By-laws relating to Parking Facilities published in the *Government Gazette* 8 June 1979, page 1525;
- (w) By-laws relating to Parking Facilities published in the *Government Gazette* 14 September 1979, page 2835;
- (x) By-laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing published in the *Government Gazette* 12 September 1980, page 3245;
- (y) By-laws Relating to the Busselton, Metricup and Dunsborough Public Cemeteries published in the *Government Gazette* 6 November 1981, page 4573;
- (z) By-laws Relating to Standing Orders published in the *Government Gazette* 26 June 1981, page 2354;
- (aa) By-laws Relating to Standing Orders published in the *Government Gazette* 19 March 1982, page 928;
- (bb) By-laws Relating to the Busselton, Metricup and Dunsborough Public Cemeteries published in the *Government Gazette* 20 August 1982, page 3355;
- (cc) By-laws Relating to Signs, Hoardings and Billposting published in the *Government Gazette* 22 July 1983, page 2759;
- (dd) By-laws Relating to Standing Orders published in the *Government Gazette* 29 November 1985, page 4486;
- (ee) By-laws Relating to Caravan Parks and Camping Grounds published in the *Government Gazette* 28 February 1986, page 656;
- (ff) By-laws Relating to Street Lawns and Gardens published in the *Government Gazette* 12 September 1986, page 3386;
- (gg) By-laws Relating to Street Lawns and Gardens published in the *Government Gazette* 27 November 1987, page 4306;
- (hh) By-laws Relating to the Parking of Commercial Vehicles on Street Verges published in the *Government Gazette* 15 April 1988, page 1204;
- (ii) By-laws Relating to the Busselton, Metricup and Dunsborough Public Cemeteries published in the *Government Gazette* published 16 March 1990, page 1426;
- (jj) By-law Relating to Standing Orders published in the *Government Gazette* 4 May 1990, page 2197
- (kk) By-laws Relating to Caravan Parks and Camping Grounds published in the *Government Gazette* 3 September 1993, page 4831; and
- (ll) By-laws Relating to Verandahs and Awnings over Streets published in the *Government Gazette* 3 March 1995, page 785.

2.4 General By-laws

- (a) Straying Stock published in the *Government Gazette* 25 October 1935, page 2051;
- (b) Straying Stock published in the *Government Gazette* 30 May 1952, page 1362;
- (c) Dog Act Notice published in the *Government Gazette* 13 December 1929, page 2759 relating to By-laws for dog owners;
- (d) Notice published in the *Government Gazette* 8 April, 1960, page 1029 relating to Uniform By-Laws for the Construction of Televisions Masts and Antennae published in the *Government Gazette* 5 February, 1960;
- (e) Notice published in the *Government Gazette* 18 August 1961, page 2477 relating to uniform general by-laws published in the *Government Gazette* 21 June, 1961;
- (f) Metric Conversion Notice published in the *Government Gazette* 17 January 1975, page 141 relating to Order in Council published in the *Government Gazette* on 11 September 1964;
- (g) Metric Conversion Notice published in the *Government Gazette* 31 January 1975, page 312 relating to the By-law Relating to Verandahs and Awnings Over Streets published in the *Government Gazette* 7 December 1967;

- (h) Metric Conversion Notice published in the *Government Gazette* 14 March 1975, page 920 relating to the By-law Relating to Verandahs and Awnings Over Streets published in the *Government Gazette* 7 December 1967;
- (i) Metric Conversion Notice published in the *Government Gazette* 24 April 1975, page 1230 relating to the Local Government Draft Model By-laws (Street Lawns and Gardens) No 11, published in the *Government Gazette* 7 February 1963;
- (j) Metric Conversion Notice published in the *Government Gazette* 24 April 1975, page 1228 relating to the Local Government Draft Model By-laws (Old Refrigerators and Cabinets) No 8 published in the *Government Gazette* 1 May 1962;
- (k) Metric Conversion Notice published in the *Government Gazette* 18 April 1975, page 1196 relating to Local Government Draft Model By-laws (Motels) No 3 published in the *Government Gazette* 20 September 1961;
- (l) Metric Conversion Notice published in the *Government Gazette* 30 May 1975, page 1669 relating to the Order in Council published in the *Government Gazette* 11 September 1964;
- (m) Metric Conversion Notice published in the *Government Gazette* 30 May 1975, page 1669 relating to Local Government Draft Model By-laws (Safety, Decency Convenience and Comfort of Persons in respect of Bathing) No 14 published in the *Government Gazette* 19 February 1964; and
- (n) Metric Conversion Notice published in the *Government Gazette* 30 May 1975, page 1671 relating to Local Government Draft Model By-laws (Signs, Hoardings and Billposting) No 13 published in the *Government Gazette* 11 June 1963.

Dated this 24th day of May 2006.

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

KEVIN DOUGLAS, Shire President.

ANDREW MacNISH, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG301

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 22 May 2006 resolved that, the RWWA Rules of Thoroughbred Racing 2004 be amended as follows—

Amendment to National Rules

With immediate effect;

- (a) Renumber existing AR36 as AR36(1) and add subrule AR36(2)
- (b) Amend AR148

Effective 1 August 2006;

- (a) Amend definition of “Special Condition Race” and “Restricted Race”;
- (b) Amend further proviso of “Class 6 Race”

A copy of the above rules may be obtained during office hours from the offices of the Western Australian Turf Club, 70 Grandstand Road, Ascot, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

R. B. BENNETT, Chief Executive Officer.

RG302**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003****RWWA RULES OF HARNESS RACING 2004**

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 22 May 2006 resolved that, the RWWA Rules of Harness Racing 2004 be amended as follows—

RWWA RULES OF HARNESS RACING 2004

Amendments to National Rules—

Re-number Existing 46 to 46(1) and add subrule (2)

A copy of the above rules may be obtained during office hours from the offices of the Western Australian Trotting Association or Racing and Wagering Western Australia Website, www.rwwa.com.au.

R. B. BENNETT, Chief Executive Officer.

— PART 2 —

AGRICULTURE

AG401*

BEEKEEPERS ACT 1963

APPOINTMENT

Department of Agriculture and Food,
South Perth WA 6151.

The Governor is pleased to appoint the following as an Inspector pursuant to Section 5 of the *Beekeepers Act 1963*.

Kirsten Louvain Zloich

KIM CHANCE MLC, Minister for Agriculture and Food.

AG402*

GRAIN MARKETING ACT 2002

APPOINTMENT

Department of Agriculture and Food,
South Perth WA 6151.

I, Kim Chance, Minister for Agriculture and Food, acting under Section 5 of the Grain Marketing Act 2002, hereby appoint the following person as a member of the Grain Licensing Authority—

Name	Representing	Term of office	Expiry date
Mr John Richardson	Producers	3 years	1 May 2009

KIM CHANCE MLC, Minister for Agriculture and Food.

AG403*

AGRICULTURAL PRODUCE COMMISSION ACT 1988

CHANGES TO POTATO FEE FOR SERVICE

I, the undersigned Minister for Agriculture and Food being the Minister charged with the administration of the Agricultural Produce Commission Act 1988 grant, pursuant to Section 14 of the said Act, implementation of changes to the fee for service for the APC Potato Producers' Committee for potatoes sold by producers as follows—

Processing Potatoes—Export	\$4.00 per tonne
Processing Potatoes—Local (Domestic)	\$4.00 per tonne
Seed Potatoes—Export	\$4.00 per tonne
Seed Potatoes—Local (Domestic)	\$4.00 per tonne
Ware Potatoes—Export	\$5.00 per tonne
Ware Potatoes—Local (Domestic)	\$20.00 per tonne

The above charges to operate from 1 July 2006.

KIM CHANCE MLC, Minister for Agriculture and Food.

AG404*

AGRICULTURAL PRODUCE COMMISSION ACT 1988**CHANGES TO POME FRUITS FEE FOR SERVICE**

I, the undersigned Minister for Agriculture and Food being the Minister charged with the administration of the Agricultural Produce Commission Act 1988 grant, pursuant to Section 14 of the said Act, implementation of changes to the fee for service for the APC Pome, Citrus and Stone Fruit Producers' Committee for pome fruits sold by producers as follows—

Apples, Pears and Nashi Fruits (packed) @0.0067 per kilogram

The above charges to operate from 1 July 2006.

KIM CHANCE MLC, Minister for Agriculture and Food.

AG405*

AGRICULTURAL PRODUCE COMMISSION ACT 1988**CHANGES TO VEGETABLE FEE FOR SERVICE**

I, the undersigned Minister for Agriculture and Food being the Minister charged with the administration of the Agricultural Produce Commission Act 1988 grant, pursuant to Section 14 of the said Act, implementation of changes to the vegetable fee for service for the APC Vegetable Producers' Committee as follows—

\$0.02 per individual package of vegetable product weighing 100 kilograms or less.

\$0.07 per individual package of vegetable product weighing 101 kilograms or more.

The above fee for service to apply to vegetables sold by producers except herb, potato, mushroom, tomato and Kununurra vegetables

The charges to operate from 1 July 2006.

KIM CHANCE MLC, Minister for Agriculture and Food.

EDUCATION

ED401

CURTIN UNIVERSITY OF TECHNOLOGY ACT 1966**APPOINTMENTS**

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 9(1)(a) of the *Curtin University of Technology Act 1966*, approved the appointment of Messrs Christopher Bennett and Mark Ashley as members of the Curtin University of Technology Council, each for a term of office expiring on 31 March 2009.

Hon. LJILJANNA RAVLICH, MLC, Minister for Education and Training.
M. C. WAUCHOPE, Clerk of the Executive Council.

HEALTH

HE401*

HUMAN REPRODUCTIVE TECHNOLOGY ACT 1991**WESTERN AUSTRALIAN REPRODUCTIVE TECHNOLOGY COUNCIL (APPOINTMENT OF MEMBERS AND DEPUTIES) INSTRUMENT 2006**

Made by the Governor pursuant to section 8(2)(a) of the *Human Reproductive Technology Act 1991* and Clause 2 of the Schedule to the *Human Reproductive Technology Act 1991* respectively.

1. Citation

This instrument may be cited as the *Western Australian Reproductive Technology Council (Appointment of Members and Deputies) Instrument 2006*.

2. Interpretation

In this instrument—

“table” means a table in the schedule to this instrument; and

“the Act” means the *Human Reproductive Technology Act 1991 (WA)*; and

“the Council” means the Western Australian Reproductive Technology Council established under section 8(1) of the Act.

3. Appointment of Members

Each of the persons named in column 2 of the table are appointed as members of the Council, pursuant to the provision of the Act specified in column 1 of the table adjacent to the name of that person, for a period as shown in column 4.

4. Appointment of Deputies

Pursuant to clause 2(1) of the Schedule of the Act, each of the persons named in column 3 is appointed as Deputy to act in the place of the member specified in column 2 of the table adjacent to the name of that person, for a period as shown in column 4.

SCHEDULE

TABLE

Column 1	Column 2	Column 3	Column 4
Section	Members	Deputies	Expiry
8(2)(a)(i)(e)	Ms Yvonne Grace PATTERSON	Mr Hans-Willem VAN HALL	18 Months from date of appointment.
8(2)(a) (ii)	Associate Professor James Michael CUMMINS	Mr Neville Wylie BRUCE	3 Years from date of appointment.
8(2)(a) (ii)	Reverend Dr Joseph Christopher PARKINSON	Reverend Brian CAREY	3 Years from date of appointment.
8(2)(a) (ii)	Dr Beverly Anne PETTERSON	<i>No Deputy</i>	3 Years from date of appointment.

By Command of the Governor

M. C. WAUCHOPE, Clerk of the Executive Council.

HE402

MEDICAL ACT 1894

MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 14) 2006

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 14) 2006*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 2 years after its commencement.

Schedule

General Medical Services in the suburb of Warnbro in the City of Rockingham.

Dated this 21st day of May 2006.

JIM MCGINTY, MLA, Minister for Health.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

AMENDED ENTRY IN THE REGISTER OF HERITAGE PLACES

In accordance with the requirements of Section 54(5)(b) of the *Heritage of Western Australia Act 1990* (the ‘Act’), the Heritage Council gives notice that the entry in the Register on a permanent basis in relation to the Place being *P1904, St Mary’s in Ara Coeli Church*, Hampton Street, has been amended pursuant to a direction from the Minister for Heritage under section 54(1)(a) of the Act.

The reason for the amendment is to give effect to the original intention to include Northampton Lot 27 (now described as Lot 200 on Deposited Plan 300842) in the land description for the Place and to refer to Northampton Lot 28 as Portion of Northampton Lot 28, both of which were omitted from the description. The amended description of the Place is—

Portion of Northampton Lot 28 being part of the land comprised in Certificate of Title Volume 4 Folio 241 and portion of Lot 200 on Deposited Plan 300842 being part of the land contained in Certificate of Title Volume 1211 Folio 997 as defined in Heritage Council of Western Australia Survey Drawing No 1904 prepared by Steffanoni Ewing & Cruickshank Pty Ltd dated 23 October 1998.

Dated this 30th day of May 2006.

IAN BAXTER, Director,
Office of The Heritage Council of W.A.
108 Adelaide Terrace East Perth WA 6004.

HR402***HERITAGE OF WESTERN AUSTRALIA ACT 1990****AMENDED ENTRY IN THE REGISTER OF HERITAGE PLACES**

In accordance with the requirements of Section 54(5) (b) of the Heritage of Western Australia Act 1990, the Heritage Council hereby gives notice that it has amended the entry in the Register on a permanent basis in accordance with section 54(1) and 54(4) in respect of the Place being *P15026, Shops and Offices*, located at 109 Fitzgerald Street and 377-387 Newcastle Streets, Northbridge

The reason for the amendment is to accurately reflect the current and correct land description for the Place. The amended description of the Place is—

Lot 1003 on Deposited Plan 35536 being the whole of the land contained in Certificate of Title Volume 2535 Folio 497.

Dated this 30th day of May 2006.

IAN BAXTER, Director,
Office of The Heritage Council of W.A.
108 Adelaide Terrace East Perth WA 6004.

HOUSING AND WORKS

HW401***HOUSING ACT 1980****DETERMINATION OF STANDARD RATES OF INTEREST DEPARTMENT OF HOUSING
AND WORKS (THE STATE HOUSING COMMISSION), PERTH JUNE 2006**

Pursuant to Sections 33 and 42 being loans under Section 36 of the Housing Act 1980, The State Housing Commission by this determination which was approved by the Honourable Minister for Housing and Works fixes the following maximum standard rates of interest to apply in respect of the various classes of loan granted by it.

1. Keystart Loans, Income Based Loans. Shared Equity (Realstart), pre 1985 Variable Interest Schemes and Wisechoice under Sections 33 and 36 to 7.49% per annum.
2. In respect of Shared Equity 1994 (Aboriginal—Subsidised Rate) Loans the initial rate of interest shall be 6.5% per annum for the first year. After this period the rate will be increased by 0.5% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 7.49% per annum.
3. In respect of Shared Equity 1994 (Access—Subsidised Rate) Loans the initial rate of interest shall be 6.5% per annum for the first year. After this period the rate will be increased by 0.5% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 7.49% per annum.
4. In respect of Shared Equity 1997 (GoodStart—Subsidised Rate) Loans the standard rate of interest shall be 6.5% fixed per annum, until the borrower's income exceeds Homeswest maximum rental income eligibility limits. The rate will then move to the Commonwealth Bank's standard home loan variable interest rate subject to a minimum interest rate of 6.5% per annum.

This determination shall take effect from 1 July 2006.

BOB MITCHELL, Director General,
Department of Housing and Works .

JUSTICE

JU401*

PRISONS ACT 1981

PERMIT DETAILS

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

Surname	Other Names	Permit No.	Revocation Date
Hodges	Joanne Helen	AP 0027	15/05/06

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

Dated 25 May, 2006.

BRIAN LAWRENCE, Manager,
Acacia Prison Contract.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995*Shire of Mount Magnet*

AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Act hereunder effectively immediately.

Caravan Parks and Camping Grounds Act 1995, section 17—

Marc Pitts

Ross Manns

All previous authorisations are hereby revoked.

M. N. BROWN, Chief Executive Officer.

Dated this 24th May, 2006.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 83

Ref 853/2/26/3 Pt 83

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005, that the Minister for Planning and Infrastructure approved the Town of Kwinana local planning scheme amendment on 14 May 2006 for the purpose of—

1. Modifying the Second Schedule by inserting in Special Rural Zone No. 15, under the column headed "Lot Description"—Lot 104 Millar Road, Wellard;
2. Inserting into Development Condition No. 1 of Special Rural Zone No. 15: "Lot 104 Millar Road Wellard: Subdivision Guide Map No. 19"; and
3. Amending the Scheme Map accordingly.

K. J. JACKMAN, Mayor.

N. P. HARTLEY, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Belmont

Town Planning Scheme No. 14—Amendment No. 43

Ref: 853/2/15/12 Pt 43

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning & Infrastructure approved the City of Belmont local planning scheme amendment on 14 May 2006 for the purpose of amending the Scheme Text and Maps as follows—

Scheme Text

Inserting clause 10.17 as follows—

10.17.1 Operation of special control areas

10.17.1.1 The following special control areas are shown on the Scheme Map—

- (a) Development Areas shown on the Scheme Map as DA with a number and included in Schedule 14.
- (b) Development Contribution Areas shown on the Scheme Map as DCA with a number and included in Schedule 15.

10.17.1.2 In respect of a special control area shown on a Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

10.17.2 Development Areas

10.17.2.1 Interpretation

In clause 10.17.2, unless the context otherwise requires—

‘owner’ means an owner or owners of land in the Development Area; and

‘structure plan’ means a structure plan that has come into effect in accordance with clause 10.17.13.1.

10.17.3 Purpose of Development Areas

10.17.3.1 The purposes of Development Areas are to—

- (a) identify areas requiring comprehensive planning; and
- (b) coordinate subdivision and development in areas requiring comprehensive planning.

10.17.3.2 Schedule 14 describes the Development Areas in detail and sets out the specific purposes and requirements that apply to the Development Areas.

10.17.4 Subdivision and Development in Development Areas

10.17.4.1 The development of land within a Development Area is to comply with Schedule 14.

10.17.4.2 The subdivision and development of land within a Development Area is to generally be in accordance with any structure plan that applies to that land.

10.17.5 Structure Plan required

10.17.5.1 The local government is not to—

- (a) consider recommending subdivision; or
- (b) approve development

of land within a Development Area unless there is a structure plan for the Development Area or for the relevant part of the Development Area.

10.17.5.2 Notwithstanding clause 10.17.5.1, a local government may recommend subdivision or approve the development of land within a Development Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements of the Development Area.

10.17.6 Preparation of proposed structure plans

10.17.6.1 A proposed structure plan may be prepared by—

- (a) the local government; or
- (b) an owner.

10.17.6.2 A proposed structure plan may be prepared for all, or part of, a Development Area.

10.17.7 Details of proposed structure plan

10.17.7.1 A proposed structure plan is to contain the following details—

- (a) a map showing the area to which the proposed structure plan is to apply;
- (b) a site analysis map showing the characteristics of the site including—
 - (i) landform, topography and land capability;
 - (ii) conservation and environmental values including bushland, wetlands, damp lands, streams and water courses, foreshore reserves and any environmental policy areas;
 - (iii) hydrogeological conditions, including approximate depth to water table;
 - (iv) sites and features of Aboriginal and European heritage value;

- (c) a context analysis map of the immediate surrounds to the site including—
 - (i) the pattern of neighbourhoods, and existing and planned neighbourhood, town and regional centres;
 - (ii) transport routes, including freeways, arterial routes and neighbourhood connector alignments, public transport routes, strategic cycle routes, bus stops and rail stations;
 - (iii) existing and future land use;
- (d) for district structure plans a map showing proposals for—
 - (i) the pattern of neighbourhoods around town and neighbourhood centres;
 - (ii) arterial routes and neighbourhood connector streets;
 - (iii) the protection of natural features such as water courses and vegetation;
 - (iv) major open spaces and parklands;
 - (v) major public transport routes and facilities;
 - (vi) the pattern and disposition of land uses; and
 - (vii) schools and community facilities;
- (e) for local structure plans a map showing proposals for—
 - (i) neighbourhoods around proposed neighbourhoods and town centres;
 - (ii) existing and proposed commercial centres;
 - (iii) natural features to be retained;
 - (iv) street block layouts;
 - (v) the street network including street types;
 - (vi) transportation corridors, public transport network, and cycle and pedestrian networks;
 - (vii) land uses including residential densities and estimates of population;
 - (viii) schools and community facilities;
 - (ix) public parklands; and
 - (x) urban water management areas;
- (f) a written report to explain the mapping and to address the following—
 - (i) the planning framework for the structure plan including any applicable regional or district structure plans, and any policies, strategies and scheme provisions which apply to the land, and any environmental conditions which apply under the Scheme;
 - (ii) the site analysis including reference to the matters listed in clause 10.17.7.1 (b) above, and, in particular, the significance of the conservation, environmental and heritage values of the site;
 - (iii) the context analysis including reference to the matters listed in clause 10.17.7.1 (c) above;
 - (iv) how planning for the structure plan area is to be integrated with the surrounding land;
 - (v) the design rationale for the proposed pattern of subdivision, land use and development;
 - (vi) traffic management and safety;
 - (vii) parkland provision and management;
 - (viii) urban water management;
 - (ix) proposals for public utilities including sewerage, water supply, drainage, gas, electricity and communication services;
 - (x) the proposed method of implementation including any cost sharing arrangements and details of any staging of subdivision and development.

10.17.7.2 The maps referred to in clause 10.17.7.1 are to—

- (a) be drawn to a scale that clearly illustrates the details referred to in clause 10.17.7.1; and
- (b) include a north point, visual bar scale, key street names and a drawing title and number.

10.17.7.3 A proposed structure plan may, to the extent that it does not conflict with the Scheme, impose a classification on the land included in it by reference to reserves, zones or the *Residential Design Codes*, and where the proposed structure plan becomes a structure plan, the local government is to have due regard to such reserves, zones or *Residential Design Codes* when recommending subdivision or approving development of land within a Development Area.

10.17.7.4 A proposed structure plan must, in the opinion of the local government, be consistent with orderly and proper planning.

10.17.8 Submission to local government and Commission

10.17.8.1 A proposed structure plan prepared by an owner is to be submitted to the local government.

10.17.8.2 Within 7 days of preparing or receiving a proposed structure plan which proposes the subdivision of land, the local government is to forward a copy of the proposed structure plan to the Commission.

10.17.8.3 The Commission is to provide comments to the local government as to whether it is prepared to endorse the proposed structure plan with or without modifications.

10.17.8.4 The Commission must provide its comments to the local government within 30 days of receiving the proposed structure plan.

10.17.9 Advertising of structure plan

10.17.9.1 Within 60 days of preparing or receiving a proposed structure plan that conforms with clause 10.17.7 and complies with the Scheme (or such longer time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government), the local government is to—

- (a) advertise, or require the owner who submitted the proposed structure plan to advertise, the proposed structure plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed structure plan published in a newspaper circulating in the Scheme area;
 - (ii) a sign or signs displaying notice of the proposed structure plan to be erected in a conspicuous place or places in the Development Area, or part of the Development Area, to which the proposed structure plan applies; and
- (b) give notice or require the owner who submitted the proposed structure plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed structure plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed structure plan;
 - (iii) such public authorities and other persons as the local government nominates.

10.17.9.2 The advertisement and notice are to—

- (a) explain the scope and purpose of the proposed structure plan;
- (b) specify when and where the proposed structure plan may be inspected; and
- (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

10.17.10 Adoption of proposed structure plan

10.17.10.1 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice or advertisement for the making of submissions is to—

- (a) adopt the proposed structure plan, with or without modifications; or
- (b) refuse to adopt the proposed structure plan and, where the proposed structure plan was submitted by an owner, give reasons for this to the owner.

10.17.10.2 (a) In making a determination under clause 10.17.10.1, the local government is to have due regard to the comments and advice received from the Commission in relation to the proposed structure plan.

- (b) If the Commission requires modifications to the proposed structure plan, the local government is to consult with the Commission prior to making a determination under clause 10.17.10.1.

10.17.10.3 If the local government, after consultation with the Commission, is of the opinion that a modification to the proposed structure plan is substantial, the local government may—

- (a) readvertise the proposed structure plan; or
- (b) require the owner who submitted the proposed structure plan to readvertise the proposed structure plan;

and thereafter, the procedures set out in clause 10.17.9.1 onwards are to apply.

10.17.10.4 If within the period referred to in clause 10.17.10.1, or such further time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government, the local government has not made a determination under clause 10.17.10.1, the local government is deemed to have refused to adopt the proposed structure plan.

10.17.11 Endorsement by Commission

10.17.11.1 If the proposed structure plan proposes the subdivision of land, then within 7 days of making its determination under clause 10.17.10.1, the local government is to forward the proposed structure plan to the Commission for its endorsement.

10.17.11.2 As soon as practicable after receiving the proposed structure plan, the Commission is to determine whether to endorse the proposed structure plan.

10.17.11.3 The Commission is to notify the local government of its determination under clause 10.17.11.2.

10.17.12 Notification of structure plan

10.17.12.1 As soon as practicable after adopting a proposed structure plan under clause 10.17.10.1 and if clause 10.17.11 applies, as soon as practicable after being notified of the

Commission's decision under clause 10.17.11.3, the local government is to forward a copy of the structure plan to—

- (a) any public authority or person that the local government thinks fit; and
- (b) where the structure plan was submitted by an owner, to the owner.

10.17.13 Operation of structure plan

10.17.13.1 A structure plan comes into effect—

- (a) where the structure plan proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 10.17.11.2; or
- (b) on the day on which it is adopted by the local government under clause 10.17.10.1 in all other cases.

10.17.13.2 If a provision of a structure plan is inconsistent with a provision of the Scheme, then the provision of the Scheme prevails to the extent of the inconsistency.

10.17.14 Inspection of structure plan

10.17.14.1 The structure plan and the Commission's notification under clause 10.17.11.3 is to be kept at the local government's administrative offices, and is to be made available for inspection by any member of the public during office hours.

10.17.15 Variation to structure plan

10.17.15.1 The local government may vary a structure plan—

- (a) by resolution if, in the opinion of the local government, the variation does not materially alter the intent of the structure plan;
- (b) otherwise, in accordance with the procedures set out in clause 10.17.7 onwards.

10.17.15.2 If the local government varies a structure plan by resolution, and the variation does not propose the subdivision of land, the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution.

10.17.15.3 If the local government varies a structure plan by resolution, and the variation proposes the subdivision of land, the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution for its endorsement.

10.17.15.4 As soon as practicable after receiving the copy of the variation referred to in clause 10.17.15.3, the Commission is to determine whether to endorse the proposed variation.

10.17.15.5 The Commission is to notify the local government of its determination under clause 10.17.15.4.

10.17.15.6 A variation to a structure plan by resolution comes into effect—

- (a) where the variation proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 10.17.15.4; or
- (b) on the day on which the local government resolves to make the variation under clause 10.17.15.1 (a).

10.17.16 Detailed area plan

10.17.16.1 Where it is considered desirable to enhance, elaborate or expand the details or provisions contained in a structure plan for a particular lot or lots, a detailed area plan may be prepared by—

- (a) the local government; or
- (b) an owner.

10.17.16.2 A detailed area plan may include details as to—

- (a) building envelopes;
- (b) distribution of land uses within a lot;
- (c) private open space;
- (d) services;
- (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
- (f) the location, orientation and design of buildings and the space between buildings;
- (g) advertising signs, lighting and fencing;
- (h) landscaping, finished site levels and drainage;
- (i) protection of sites of heritage, conservation or environmental significance;
- (j) special development controls and guidelines; and
- (k) such other information considered relevant by the local government.

10.17.16.3 When a proposed detailed area plan is prepared under clause 10.17.16.1, the local government is to—

- (a) advertise, or require the owner who submitted the proposed detailed area plan to advertise, the proposed detailed area plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed detailed area plan published in a newspaper circulating in the Scheme area;

- (ii) a sign or signs displaying notice of the proposed detailed area plan to be erected in a conspicuous place or places in the Development Area, or part of the Development Area, to which the proposed detailed area plan applies; and
- (b) give notice or require the owner who submitted the proposed detailed area plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed detailed area plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed detailed area plan;
 - (iii) such public authorities and other persons as the local government nominates.

10.17.16.4 The advertisement and notice are to—

- (a) explain the scope and purpose of the proposed detailed area plan;
- (b) specify when and where the proposed detailed plan may be inspected; and
- (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

10.17.16.5 The local government is to consider all submissions received and—

- (a) approve the detailed area plan with or without conditions; or
- (b) refuse to approve the detailed area plan and, where the proposed detailed area plan was submitted by an owner, give reasons for this to the owner.

10.17.16.6 If within 60 days of receiving a detailed area plan prepared under clause 10.17.16.1(b), or such longer period as may be agreed in writing between the owner and the local government, the local government has not made one of the determinations referred to in clause 10.17.16.5, the local government is deemed to have refused to approve the detailed area plan.

10.17.16.7 Once approved by the local government, the detailed area plan constitutes a variation of the structure plan.

10.17.16.8 The local government may vary a detailed area plan in accordance with the procedures set out in clause 10.17.16 onwards provided such variations do not prejudice the intention of any related structure plan.

10.17.17 Appeal

10.17.17.1 An owner who has submitted a proposed structure plan under clause 10.17.8.1 may appeal, under Part 14 of the Planning and Development Act 2005—

- (a) any failure of the local government to advertise, or require the owner to advertise, a proposed structure plan within the required time period under clause 10.17.9.1;
- (b) any determination of the local government—
 - (i) to refuse to adopt a proposed structure plan (including a deemed refusal); or
 - (ii) to require modifications to a proposed structure plan that are unacceptable to that owner.

10.17.17.2 An owner who has submitted a detailed area plan in accordance with clause 10.17.16 may appeal, in accordance with Part 14 of the Planning and Development Act 2005, any discretionary decision made by the local government under clause 10.17.16.

Inserting Schedule 14 as follows—

SCHEDULE 14 DEVELOPMENT AREAS

REF. NO.	AREA	PROVISIONS
DA 1	Location 4074 (147-159) President Street; Location 4516 (84-94) Cohn Street; Lot 3 (96) Cohn Street; Lot 2 (98) Cohn Street; Location 4517 (100) Cohn Street; and Lot 358 (102) Cohn Street Kewdale	1. An approved Structure Plan together with all approved amendments shall apply to the land in order to guide subdivision and development. 2. To provide for residential development.
DA 2 Portion of Orrong Road Superblock fronting Surrey Road	Portion of Orrong Road Superblock bounded by Orrong Road, Alexander Road, Surrey Road and Sydenham Street—Lots 1286, 1287, 1290, 1291, 1294 and 1295 Surrey Road, Rivervale.	1. An approved Structure Plan together with all approved amendments shall apply to the land in order to guide subdivision and development. 2. To provide for residential development. 3. Notwithstanding any provision of this Scheme to the contrary, land within this area can be developed to a maximum R Code density of R20, however, the Council may permit the land being developed to a maximum R Code density of R40, in accordance with an adopted Structure Plan.

REF. NO.	AREA	PROVISIONS
DA3 Land Abutting Dod Reserve	Land fronting Kew Street and abutting Dod Reserve.	1. An approved Structure Plan together with all approved amendments shall apply to the land in order to guide subdivision and development.
DA 4	Land bounded by Ryans Court, Morrison Street, Stanton Road and Tonkin Highway Redcliffe.	1. An approved Structure Plan together with all approved amendments shall apply to the land in order to guide subdivision and development. 2. To provide for residential development. 3. Not less than seventy-five percent (75%) of all land within the Residential Zone shall be developed for the purpose of single houses.

Inserting Schedule 15 as follows—

SCHEDULE 15 DEVELOPMENT CONTRIBUTION PLAN

1.	Ref No:	DCA 1
	Area:	
	Provisions:	
	Participants and Contributions:	

Scheme Map

Amending the Scheme Maps as shown on the amending document.

G. J. GODFREY, Mayor.

DR S. SILCOX, Chief Executive Officer.

POLICE

PO501

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the *Police Act 1892*, unclaimed and stolen property will be sold by public auction at Karratha Outdoors and Dive Centre, Lot 1435 Warambie Road, Karratha at 10.00 am on Sunday, 11 June 2006.

Auction to be conducted by Paul Kensington, Licensed Auctioneer.

K. O'CALLAGHAN, Commissioner of Police.

PREMIER AND CABINET

PC401*

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 appointment of the Hon J C Kobelke MLA to act temporarily in the office of Deputy Premier; Treasurer; Minister for Government Enterprises; Minister Assisting the Minister for Public Sector Management in the absence of the Hon E S Ripper MLA for the period 9 to 15 July 2006 (both dates inclusive).

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

WATER

WA401

WATER BOARDS ACT 1904

AQWEST—BUNBURY WATER BOARD

The Governor in Executive Council has approved the appointment of the following persons as members of the Aqwest—Bunbury Water Board—

Mr Thomas Hall for a period expiring on 31 May 2009
 Ms Merrilynn Walker for a period expiring on 31 May 2009

M. C. WAUCHOPE, Clerk of the Executive Council.

WA402*

WATER AGENCIES (POWERS) ACT 1984

NARNGULU WASTEWATER TREATMENT PLANT: SHIRE OF GREENOUGH

Authorisation to Construct a New Wastewater Treatment Plant with a capacity of 3.5Ml/d

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for Water Resources has authorised the Water Corporation to construct a new wastewater treatment plant which comprises of the following works—

- A 3.5Ml/d High Performance Aerated Lagoon (HPAL) System, comprising of one reactor basin and three settling basins.
- Enclosed screenings facilities complete with screenings handling system (washing, compaction and dewatering) and manual bypass screen.
- Treated wastewater pump station for transferring treated wastewater to infiltration ponds.
- Five infiltration ponds with a total area of 30,500m².
- Two sludge drying beds, with proposed dimensions of 60m x 60m x 2.1m.
- Groundwater monitoring system comprising of seven bores.

The location of the proposed works is at the Narngulu Industrial Estate, Victoria Locations 150 and 1782.

The treatment plant will treat wastewater flows from the Geraldton area.

