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CONTENTS

PART 1

| | Page |
|---|------|
| Local Government Act 1995— | |
| Building Amendment Regulations (No. 4) 2007 | 5327 |
| City of South Perth—Parking Amendment Local Law 2007 | 5328 |
| Local Government (Miscellaneous Provisions) Act 1960—Building Amendment | |
| Regulations (No. 4) 2007 | 5327 |

PART 2

| | |
|--|------|
| Consumer and Employment Protection | 5330 |
| Deceased Estates | 5342 |
| Electoral Commission | 5330 |
| Heritage..... | 5330 |
| Justice..... | 5331 |
| Local Government..... | 5332 |
| Minerals and Petroleum | 5335 |
| Planning and Infrastructure | 5336 |
| Police | 5339 |
| Premier and Cabinet..... | 5339 |
| Public Sector Management..... | 5340 |
| Racing, Gaming and Liquor..... | 5340 |
| Salaries and Allowances Tribunal | 5341 |

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EFFECTIVE FROM 1 JULY 2007 (Prices include GST).

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

Clients without an account will need to pay at time of lodging the notice.

— PART 1 —

HOUSING AND WORKS

HW301*

Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995

Building Amendment Regulations (No. 4) 2007

Made by the Governor in Executive Council under section 433A of the *Local Government (Miscellaneous Provisions) Act 1960* and section 9.60 of the *Local Government Act 1995*.

1. Citation

These regulations are the *Building Amendment Regulations (No. 4) 2007*.

2. Commencement

These regulations come into operation as follows:

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

3. The regulations amended

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

4. Regulation 31 amended

Regulation 31(1) is amended as follows:

- (a) in paragraph (a)(i)(A) by deleting “Telecom (as defined in the *Telecommunications Act 1991* of the Commonwealth)” and inserting instead —

“

Telstra (within the meaning given in the *Telstra Corporation Act 1991* (Commonwealth) section 3)

”.

(b) after paragraph (a)(i)(B) the following is inserted —

“

(C) Water Corporation (established by the *Water Corporation Act 1995* section 4) and arrangements made for disconnection of its services;

”.

(c) after paragraph (a)(i)(B) by inserting —

“ and ”.

By Command of the Governor,

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

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of South Perth

PARKING AMENDMENT LOCAL LAW 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the City of South Perth resolved on 25 September 2007 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of South Perth Parking Amendment Local Law 2007*.

1.2 Commencement

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

1.3 Application and intent

The application and intent of this local law is to amend the Parking Local Law, to clarify the operation of, and enable the scheduling of, a General No Parking Zone in the City of South Perth for the more orderly conduct of the Red Bull Air Race 2007.

1.4 Local Law Amended

In this local law, the City of South Perth Parking Local Law as published in the *Government Gazette* on 23 December 2003, and amended as published in the *Government Gazette* on 17 December 2004 and 29 November 2005, is referred to as the principal local law. The principal local law is amended as follows.

PART 2—CLAUSE 7.4 & SCHEDULE 4—GENERAL NO PARKING ZONES

2.1 Sub-clause 7.4 (c) is amended by deleting the phrase “, other than in a parking stall or metered space,”; and

2.2 Sub-clause 7.4 (d) is amended by deleting the phrase “, other than in a parking stall or metered space”.

2.3 Schedule 4—General No Parking Zones—is amended by inserting the following paragraph after the first paragraph—

From 5:00 a.m. to 6:00 p.m. on 3 & 4 November 2007, the area contained within the Wards of Civic and Mill Point in the City of South Perth which area is

bounded by and includes South Terrace to the south, Canning Highway to the east and the Swan River foreshore to the west and north is declared to be a General No Parking Zone for the purposes of this local law.

The Common Seal of the City of South Perth is affixed by the authority of a resolution of the Council in the presence of—

JOHN COLLINS JP, Mayor.
CLIFF FREWING, Chief Executive Officer.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401

COMPANIES (CO-OPERATIVE) ACT 1943

Section 403

REGISTRATION OF AUDITORS

Notice is hereby given that the following person is registered as qualified to act as an auditor pursuant to s402 of the Act with effect from 27 September 2007—

Christopher Michael Williamson

PATRICK WALKER, Register for Consumer Protection.

ELECTORAL COMMISSION

EC401

WESTERN AUSTRALIAN COLLEGE OF TEACHING ACT 2004

ELECTION OF BOARD MEMBERS (10) PURSUANT TO SECTION 9

WESTERN AUSTRALIAN COLLEGE OF TEACHING (ELECTIONS) REGULATIONS 2007

ELECTION TIMETABLE PURSUANT TO REGULATION 6

Notice of the election: Tuesday, 9 October 2007

Opening of Nominations: Friday, 12 October 2007

Close of Nominations: at 4.00 pm on Friday, 26 October 2007

Close of Roll: at 4.00 pm on Friday, 26 October 2007

Close of Poll: at 10.00 am on Monday, 10 December 2007

WARWICK GATELY AM, Electoral Commissioner.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Schedule 1**Description of Place**

House, 53 Helena Street, Guildford at 53 Helena Street, Guildford; Lot 83 on DP 222536 being the whole of the land contained in C/T V 2083 F 174.

Pursuant to directions from the Minister for Heritage, notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that it is proposed that the places described in Schedule 2 be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing & should be forwarded to the address below not later than 16 November 2007. The places will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

Schedule 2**Description of Place**

Albany Masonic Hall at 58-60 Spencer Street, corner Earl Street, Albany: Lot 25 on DP 46817 being the whole of the land contained in C/T V 2612 F 88.

Dempster Homestead (fmr), Esperance at 155 Dempster Street, Esperance; Lot 1 on Plan 7287 being the whole of the land contained in C/T V 1310 F 266.

Edna May Tavern, Westonia at cnr Wolfram & Cement Streets, Westonia; Lot 1 on DP 203296 being the whole of the land contained in C/T V 1452 F 50 and Lot 2 on DP 203296 being the whole of the land contained in C/T V 1452 F 49.

St John of God Convent (fmr), Broome at 9 Barker Street cnr Weld Street, Broome; Lot 301 on D 87740 being the whole of the land contained in C/T V 2119 F 696.

Uniting Church, Hall & Manse, Northam at 103 Duke Street & 100 Chidlow Street, Northam; Lot 611 on DP 25195 and being the whole of the land contained in C/T V 2542 F 675. Lot 62 on D 93179 and being the whole of the land contained in C/T V 2542 F 673

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that it has resolved that—

1. the place listed in Schedule 3 is of cultural heritage significance, and is of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the place should be entered in the Register of Heritage Places on an interim basis.

The place will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The place listed in Schedule 3 is vested in the Crown, or in a person on behalf of the Crown, in right of the State.

The Heritage Council hereby invites submissions as to whether the place listed in Schedule 3 should be entered in the Register of Heritage Places on a permanent basis. The submissions must be in writing and should be forwarded to the address set out below not later than 16 November 2007.

Schedule 3**Description of Place**

Beverley Fire Station at 146 Vincent Street, Beverley; Lot 27 on D 12729 being the whole of the land contained in C/T V 1089 F 290.

Tanker Jetty, Esperance adjacent to The Esplanade and Norseman Road Intersection, Esperance; Ptn of Lot 362 on DP 47462 being part of a dedicated road and being part of the land contained in CLT V 3135 F 687. Ptn of Lot 991 on DP 220456 being part of R 27318 and being part of the land contained in CLT V 3114 F 351. Ptn of the sea bed being unnumbered unallocated Crown land. The fabric of the "Tanker Jetty" together as shown on HCWA Survey Drawing No. 0831 prepared by Whelans.

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

5 October 2007.

JUSTICE

JU401*

MAGISTRATES COURT ACT 2004**REGISTRIES**

In accordance with section 8 of the Magistrates Court Act 2004 (WA) I hereby give notice that the following place is to have a registry of the Magistrates Court of Western Australia—

Stirling Gardens

The Court will sit at this registry as required to conduct the business of the Court and will only deal with matters within the Court's criminal jurisdiction. The Courts' sitting times will be published at the registry and will otherwise be available on request from the Registrar or Deputy Registrar of the registry.

STEVEN HEATH, Chief Magistrate,
Magistrates Court of Western Australia.

JU402*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

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

Martin Philip Cappleman of 10 Wilcannia Way, Armadale

Mahadevan Jayabalan of 14 Jubaea Court, Canning Vale

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG101*

*CORRECTION NOTICE***LOCAL GOVERNMENT ACT 1995***Shire of Denmark*

(BASIS OF RATES)

Department of Local Government
and Regional Development.

DLGRD: DE5-4#03

It is hereby notified for public information that an error has been made in the notice published in the *Government Gazette* of 7 August 2007 on page 4051 concerning the Basis of Rates for the Shire of Denmark. The error is to be corrected by—

deleting the words “Lot 6924” where they appear under Schedule “A” on line 36 and;

replace them with “Lot 6934”.

QUENTIN HARRINGTON, A/Director General.

LG401

LOCAL GOVERNMENT ACT 1995*Shire of Nannup*

(BASIS OF RATES)

Department of Local Government
and Regional Development.

DLGRD: NP5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the A/Director General of the Department of Local Government and Regional Development under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be unimproved value for the purposes of rating with effect from 22 August 2007.

QUENTIN HARRINGTON, A/Director General.

File 02488-1971/01

TECHNICAL DESCRIPTION

Additions to Unimproved Value Area

Shire of Nannup

All that portion of land being Lot 88 and Lot 89 as shown on Diagram 96616.

LG402

LOCAL GOVERNMENT ACT 1995*City of Swan*

(BASIS OF RATES)

Department of Local Government
and Regional Development.

DLGRD: SW5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the A/Director General of the Department of Local Government and Regional Development under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from the date of gazettal.

QUENTIN HARRINGTON, A/Director General.

File 02508-1971/02

TECHNICAL DESCRIPTION

Additions to Gross Rental Value Area

City of Swan

All those in portions of land being Lot 5594, Lot 5595, Lots 6001 to 6017 inclusive, Lots 6019 to 6057 inclusive and Lots 6212 to 6223 inclusive as shown on Deposited Plan 52087; Lot 2479, Lot 24780 and Lot 4602 as shown on Deposited Plan 52093; Lots 500 to 563 inclusive and Lots 565 to 584 inclusive as shown on Deposited Plan 52155; Lots 4820 to 4830 inclusive, Lots 4873 to 4843 inclusive and Lots 4845 to 4852 inclusive as shown on Deposited Plan 52624; Lots 4853 to 4869 inclusive, Lot 5522, Lot 5523 and Lots 5749 to 5751 inclusive as shown on Deposited Plan 52625; Lots 1033 to 1046 inclusive, Lot 1061, Lot 1062, Lots 1078 to 1082 inclusive, Lots 1131 to 1169 inclusive, Lots 1178 to 1183 inclusive and Lots 1201 to 1204 inclusive as shown on Deposited Plan 53311; Lots 1073 to 1077 inclusive, Lots 1086 to 1095 inclusive, Lots 1099 to 1102 inclusive, Lots 1546 to 1550 inclusive, Lots 1554 to 1581 inclusive, Lots 1585 to 1588 inclusive, Lots 1603 to 1610 inclusive and Lots 1668 to 1677 inclusive as shown on Deposited Plan 53312; Lots 6058 to 6099 inclusive and Lots 6200 to 6211 inclusive as shown on Deposited Plan 53875; Lots 1481 to 1494 inclusive, Lots 1509 to 1545 inclusive and Lots 1551 to 1553 inclusive as shown on Deposited Plan 54255.

LG403*

LOCAL GOVERNMENT ACT 1995*Shire of Wongan-Ballidu*

APPOINTMENT OF AUTHORISED PERSONS

It is hereby notified for public information that the following persons—

| | |
|---------------|---------------|
| Stuart Taylor | Trevor Walker |
| Robert White | Edward Bell |
| James Rendell | |

have been authorised in accordance with the following legislation—

Dog Act 1976 and Regulations
Litter Act 1979 and Regulations
Local Government Act 1995 Part 3—Functions of Local Government, Part 9—Miscellaneous Provisions
Local Government Act (Miscellaneous Provisions) 1960 Part XX (Ranger/Poundkeeper)
Caravan Parks and Camping Grounds Act
Shire of Wongan-Ballidu Local Laws

The following persons have been authorised as Registration Officers in accordance with the Dog Act 1976 and Regulations—

| | |
|---------------|------------------|
| Stuart Taylor | Beverly Pomfret |
| James Rendell | Edward Bell |
| Robert White | Sandra Chambers |
| Trevor Walker | Marian Schindler |
| Irene Myring | Craig Thornton |
| Renae Darragh | |

All previous appointments are hereby cancelled.

ROBERT WHITE, Acting Chief Executive Officer.

LG404*

LOCAL GOVERNMENT ACT 1995*Shire of Kalamunda*

APPOINTMENT OF AUTHORISED PERSON

It is hereby notified for public information that Mr Benjamin Michael Day is appointed as an Authorised Officer for the Shire of Kalamunda, effective from 15 October 2007 to administer the provisions of the following Acts, Regulations and Local Laws as directed—

- Local Government Act 1995;
- Local Government Act (Miscellaneous Provisions) 1960;
- Dog Act 1976 (As amended) and Regulations;
- Bush Fires Act 1954 and Regulations;
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations;
- Litter Act 1979 and Regulations;
- Shire of Kalamunda Local Laws and Regulations.

The previous authorisation for Mr Stuart Hopwood has been cancelled.

DAVID E. VAUGHAN, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954*Town of Victoria Park**Town of Vincent*

2007/2008 FIREBREAK NOTICE

Notice to all Owners and/or Occupiers of Land within the Town of Victoria Park and Town of Vincent.

Pursuant to the powers conferred in Section 33 of the Bush Fires Act 1954, you are required on or before the 30th November 2007, or within fourteen days of the date you become the owner or occupier should this be after the 30th day of November 2007 and thereafter up to and including the 30th day of April 2008, to clear inflammable matter, on land owned and/or occupied by you in accordance with the following requirements—

1. All land which is 2000 m² or less in area;
Remove inflammable matter from the whole of the land, except living trees and shrubs; plants under cultivation and lawn, by means of ploughing, cultivating or slashing to a height of no more than 50mm.
2. All other land within the Town of Victoria Park and Town of Vincent—
 - (i) Firebreaks of a minimum width and height of 3 metres are to be cleared immediately inside all external boundaries of the land;
 - (ii) Firebreaks to a minimum width of 3 metres and height of 3 metres are to be cleared immediately surrounding all buildings situated on the land; and any place where inflammable liquids and gas products are kept;
 - (iii) In addition to the requirements in this clause Council may, by notice in writing require an owner and/or occupier to act as and when specified in the notice with respect to anything which is upon land and which in the opinion of Council is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

The term "Inflammable Matter" for the purpose of this notice includes bush (as defined in the Bush Fires Act 1954), timber, boxes, cartons, paper, rubbish and any other combustible or inflammable matter, but does not include buildings, green standing trees and bushes or growing bushes or plants in gardens or lawns.

All firebreaks must be cleared on or before 30 November in any year and thereafter maintained clear of inflammable matter up to and including 30 April in the following year.

If for any reason an owner and/or occupier considers it impractical to clear firebreaks or comply with other fire protection measures in accordance with the Notice, the owner and/or occupier may apply in writing to Council no later than 31 October in any year for a variation. If permission is not granted in writing by Council or its authorised officer, the owner and/or occupier must comply with the requirements of this Notice. Any variation granted by Council will apply only for a single Firebreak Period. A variation granted by Council shall only remain in force until 30 April in the following year.

The penalty for failing to comply with this notice is a fine of not more than \$5,000.00 and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

Pursuant to Sections 24G(2) and 25(1a) of the Bush Fires Act 1954, the burning of garden refuse and lighting of fires in the open air is prohibited within the districts of the Town of Victoria Park and Town of Vincent between 30 November 2007 and 30 April 2008.

By order of Town of Victoria Park—

JOHN BONKER, Chief Executive Officer.

By order of Town of Vincent—

JOHN GIORGI, Director.

MINERALS AND PETROLUUM

MP401*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
 Section 37(1)

DECLARATION OF LOCATIONS

I, William Lee Tinapple, Director Petroleum and Royalties Division of the Department of Industry and Resources for the State of Western Australia, delegate of the Designated Authority, in respect of the area specified as being adjacent to the State of Western Australia by virtue of an instrument of delegation dated 25 July 2007, declare the blocks hereunder to be a location for the purpose of Part III of the Act.

| Rowley Shoals Map Sheet | | |
|----------------------------------|--------------|---------------------|
| Block Nos. | Field | Location No. |
| 3129 | Ajax | 7SL/06-7 |
| Hamersley Range Map Sheet | | |
| Block Nos. | Field | Location No. |
| 26, 98 | Corvus | 8SL/06-7 |
| Rowley Shoals Map Sheet | | |
| Block Nos. | Field | Location No. |
| 3130 | Forestier | 9SL/06-7 |
| Rowley Shoals Map Sheet | | |
| Block Nos. | Field | Location No. |
| 3413 | Saffron | 10SL/06-7 |
| Rowley Shoals Map Sheet | | |
| Block Nos. | Field | Location No. |
| 3342 | Sage | 11SL/06-7 |

These blocks are the subject of Exploration Permit No. WA-1-P held by—

Apache Northwest Pty Ltd
 Woodside Energy Ltd
 Santos Limited.

Dated at Perth on this 27 day of September 2007.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

MP402*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
 RENEWAL OF EXPLORATION PERMIT WA-261-P

Renewal of Exploration Permit WA-261-P has been granted to Apache Northwest Pty Ltd, Tap Oil Limited, Victoria Petroleum NL, Sun Resources NL, Bow Energy Limited and Strike Oil Limited to have effect from and including 18 September 2007 for a period of five years.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Kent

Town Planning Scheme No. 2—Amendment No. 2

Ref: 853/5/13/4 Pt 2

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 Shire of Kent local planning scheme amendment on 10 July 2007 for the purpose of—

- (i) Transferring Reserve 14272, Lot 38 Richmond Street, Nyabing Townsite from the Public Purpose reserve to the Parks and Recreation reserve.
- (ii) Transferring a portion of Reserve 23585, Lot 99 Bourke Street, Nyabing Townsite from the Public Purpose reserve to the Parks and Recreation reserve.
- (iii) Transferring a portion of Reserve 23585, Lot 99 Bourke Street, Nyabing Townsite from the Public Purpose reserve to the Residential (R20) zone.
- (iv) Transferring a portion of Reserve 18748, Kent Location 893, Pavilion Road, Pingrup Townsite from the Parks and Recreation reserve to the Commercial zone.
- (v) Transferring a portion of Reserve 18748, Kent Location 893, Pavilion Road, Pingrup Townsite from the Parks and Recreation reserve to the Residential (R20) zone.
- (vi) Deleting Rural Residential zone staging clauses 5.6.2 (a) (v) and 5.6.2 (b) (iv).
- (vii) Incorporating into Schedule No. 1—Interpretations, a definition of “Home Business” as follows—

“home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ more than 2 people not members of the occupier’s household;
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
 - (c) does not occupy an area greater than 50 square metres;
 - (d) does not involve the retail sale, display or hire of goods of any nature;
 - (e) in relation to vehicles and parking, will not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
 - (f) does not involve the use of an essential service of greater capacity than normally required in the zone.
- (viii) Incorporating into Schedule No. 2—Zoning Table, within the Residential sub section of the use class column, “Home Business” with the following notations for the respective zones—
SA—Residential, AA—Commercial, AA—Rural and AA—Rural Residential.
 - (ix) Incorporating MST provisions providing for the delegation of authority to Council Officers, i.e.
 - 7.6.1. The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the *Local Government Act 1995*, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power delegation.
 - 7.6.2. The CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under clause 7.6.1.
 - 7.6.3. The exercise of the power of delegation under clause 7.6.1 requires a decision of an absolute majority as if the power has been exercised under the *Local Government Act 1995*.
 - 7.6.4. Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of the Act.
 - (x) Incorporating a new clause 5.12—Unauthorised Existing Development, as follows—
 - 5.12 Unauthorised Existing Developments
 - 5.12.1 The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.
 - 5.12.2 Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced shall be deemed to be lawful upon the grant of planning approval.

- (xi) Incorporating provisions to provide for the exercise of discretion, i.e. replacing clause 5.1.2 (c) with the following—
- 5.1.2. (c) the erection on a lot of single house including any extension, ancillary outbuildings and swimming pools in a zone where the proposed use is designated with the symbol “P” in the cross-reference to that zone in the zoning table, except where—
- (i) the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the residential Planning Codes;
 - or
 - (ii) the development is on a site noted in scheduled No. 4—Heritage List or will be located in a heritage area designated under the Scheme.
- (xii) Incorporating MST provisions relating to heritage matters.
- (xiii) Replacing Clause 5.9—Places of Heritage Value and sub-clauses 5.9.1 to 5.9.4 with the following—
- 5.9 Heritage Protection
- 5.9.1 Heritage List
- 5.9.1.1 The local government is to establish and maintain a Heritage List as Schedule No. 4 which identifies those places within the Scheme Area which are of cultural heritage significance and worthy of conservation under the provisions of this Scheme, together with a description of each place and reasons for its entry.
- 5.9.1.2 In the preparation of the Heritage List (Schedule No.4), the local government is to—
- (a) have regard to the municipal inventory prepared by the local government under section 45 of the *Heritage of Western Australia Act 1990*; and
 - (b) include in the Heritage List (Schedule No.4) such of the entries on the municipal inventory as it considers to be appropriate.
- 5.9.1.3 In considering a proposal to include a place on the Heritage List (Schedule No.4), the local government is to—
- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under clause 5.9.1.1 and the reasons for the proposed entry;
 - (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the date the notice is served;
 - (c) carry out such other consultations as it thinks fit; and
 - (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after consideration of the submissions.
- 5.9.1.4 Where a place is included on the Heritage List (Schedule No. 4), the local government is to give notice of the inclusion to the Commission, the Heritage Council of Western Australia and to the owner and occupier of the place.
- 5.9.1.5 The local government is to keep an up to date copy of the Heritage List (Schedule No.4) with the Scheme documents for public inspection.
- 5.9.1.6 The local government may remove or modify the entry of a place on the Heritage List (Schedule No.4) by following the procedures set out in clause 5.9.1.3.
- 5.9.2 Designation of a Heritage Area
- 5.9.2.1 If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, the local government may, by resolution, designate that area as a heritage area.
- 5.9.2.2 The local government is to—
- (a) adopt for each heritage area a Local Planning Policy which is to comprise—
 - (i) a map showing the boundaries of the heritage area;
 - (ii) a record of places of heritage significance; and
 - (iii) objectives and guidelines for the conservation of the heritage area; and
 - (b) keep a copy of the Local Planning Policy for any designated heritage area with the Scheme documents for public inspection.
- 5.9.2.3 If a local government proposes to designate an area as a heritage area, the local government is to—
- (a) notify in writing each owner of land affected by the proposed designation and provide the owner with a copy of the proposed Local Planning Policy for the heritage area;
 - (b) advertise the proposal by—
 - (i) publishing a notice of the proposed designation once a week for 2 consecutive weeks in a newspaper circulating the Scheme area;

- (ii) erect a sign giving notice of the proposed designation in a prominent location in the area that would be affected by the designation; and
 - (iii) such other methods as the local government considers appropriate to ensure widespread notice of the proposal; and
 - (c) carry out such other consultation as the local government considers appropriate.
- 5.9.2.4 Notice of a proposal under clause 5.9.2.3 (b) is to specify—
- (a) the area subject of the proposed designation;
 - (b) where the proposed Local Planning Policy which will apply to the proposed heritage area may be inspected; and
 - (c) in what form and in what period (being not less than 21 days from the day the notice is published or the sign is erected, as the case requires), submissions may be made.
- 5.9.2.5 After the expiry of the period within which submissions may be made, the local government is to—
- (a) review the proposed designation in the light of any submissions made; and
 - (b) resolve to adopt the designation with or without modification, or not to proceed with the designation.
- 5.9.2.6 If the local government resolves to adopt the designation, the local government is to forward a copy of the designation to the Heritage Council of Western Australia, the Commission and each owner of land affected by the designation.
- 5.9.2.7 The local government may modify or revoke a designation of a heritage area.
- 5.9.2.8 Clauses 5.9.2.3 to 5.9.2.6 apply, with any necessary changes to the amendment of a designation of a heritage area.
- 5.9.3 Heritage Agreements
- The local government may, in accordance with the *Heritage of Western Australia Act 1990*, enter into a heritage agreement with an owner or occupier of land or a building for the purpose of binding the land or affecting the use of the land or building insofar as the interest of that owner or occupier permits.
- 5.9.4 Heritage Assessment
- Despite any existing assessment on record, the local government may require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List (Schedule No.4).
- 5.9.5 Variations to Scheme Provisions for a Place of Heritage Value or Heritage Area
- Where desirable to—
- (a) facilitate the conservation of a heritage place entered in the Register of Places under the *Heritage of Western Australia Act 1990* or listed in the Heritage List (Schedule No.4) under clause 5.9.1.1; or
 - (b) enhance or preserve heritage values in a heritage area designation under clause 5.9.2.1, the local government may vary any site development requirement specified in the Scheme or the Residential Planning Codes by—
 - (a) consulting the affected parties by following one or more of the provisions for advertising uses under clause 6.2; and
 - (b) having regard to any expressed views prior to making its determination to grant the variation.
- (xiv) Incorporating a new clause 6.1.3—Additional Material for Heritage Matters, as follows—
- 6.1.3 Additional Material for Heritage Matters
- Where an application relates to a place entered on the Heritage List (Schedule No.4) or within a heritage area, the local government may require an applicant to provide one or more of the following to assist the local government in its determination of the application—
- (a) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as on continuous elevation;
 - (b) a detailed schedule of all finishes, including materials and colours of the proposed development and, unless the local government exempts the applicant from the requirement or any part of it, the finishes of the existing development on the subject lot and on each lot immediately adjoining the subject lot.
- (xv) Amending the Scheme Maps accordingly.

B. M. ALTHAM, Shire President.
A. WRIGHT, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire Derby/West Kimberley
Town Planning Scheme No. 5—Amendment No. 5

Ref: 853/7/4/7 Pt 5

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 Shire of Derby/West Kimberley local planning scheme amendment on 31 July 2007 for the purpose of—

1. Amending Clause 5.2.5 of the Scheme Text as follows;

5.2.5 Residential Lot Sizes

A Development Guide Plan for land in the Residential Development area shall provide for a range of residential densities at the discretion of Council, and which shall not exceed a maximum density of Residential R40. The Development Guide Plan should include provision for single residential lots and grouped dwelling sites and/or multiple dwelling sites.

JOHN PEARSON, 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 Lot 1513 Lambert Road, Karratha, at 10.00am on Wednesday 31st October 2007.

Auction to be conducted by Ross's Auctions, 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 following temporary appointment—

Hon F. M. Logan MLA to act temporarily in the office of Minister for Corrective Services; Small Business; Minister Assisting the Minister for Federal-State Relations in the absence of the Hon M. M. Quirk MLA for the period 29 September to 13 October 2007 (both dates inclusive).

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

PC402*

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. C. Kobelke MLA, to act temporarily in the office of Minister for Disability Services; Tourism; Culture and the Arts; Consumer Protection in the absence of the Hon S. M. McHale MLA for the period 29 September to 12 October 2007 inclusive.

This notice supersedes the acting arrangements relating to the above period published in *Government Gazette* Number 149 dated 20 July 2007.

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

PUBLIC SECTOR MANAGEMENT

PS401*

PUBLIC SECTOR MANAGEMENT ACT 1994

EXEMPTION

In accordance with s.25 (1) (a) of the *Public Sector Management Act 1994*, I partially exempt the Department for Child Protection from the Recruitment, Selection and Appointment Standard, for the following occupational groups;

- Social Work positions including Team Leaders, Level 6, Senior Field Officers, Level 5, Senior Community Child Protection Workers, Level 5 and Senior Officer Care Services, Level 5;
- Field Workers, Level 2/4
- Education Officers, Level 2/4; and
- Clinical and Counselling Psychologists L6 and L5

This exemption applies to the “open and competitive” component of the Recruitment, Selection and Appointment Standard only, for a period of no more than twelve months from the date of this notice, unless repealed or amended under s.25 (1) (b) of the *Public Sector Management Act 1994*.

During the period of the partial exemption, all other components of the Recruitment, Selection and Appointment Standard and associated procedures pursuant to the Public Sector Management (Breaches of Public Sector Standards) Regulations 2005 remain applicable.

This exemption aims to provide for the Department for Child Protection to continue to consolidate its staffing and to source candidates on an ongoing and ad hoc basis in order to attempt to meet staffing needs arising from an increase in funding.

The exemption is applicable to the abovementioned occupational groups only and cannot be used for any other groups or positions in the department.

Dated 5 October 2007.

Dr RUTH SHEAN, Commissioner, Public Sector Standards.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and 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 & 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 | | | |
| 12076 | Poppo Pty Ltd | Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Poppo Korean & Japanese Restaurant | 22/10/2007 |
| 12069 | Mossman Ventures Pty Ltd | Application for the grant of a Liquor Store licence in respect of premises situated in Halls Head and known as Port Mandurah Liquor & Gourmet Deli | 30/10/2007 |
| 12081 | Ketchup Nominees Pty Ltd | Application for the grant of a Small Bar licence in respect of premises situated in Subiaco and known as Pure Cafe | 06/11/2007 |
| APPLICATIONS FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL | | | |
| 31159 | Susan Leaver and Gregory Leaver | Application for the grant of an extended trading permit—liquor without a meal, in respect of premises situated in Fremantle and known as Xwray Cafe | 17/10/2007 |

| App. No. | Applicant | Nature of Application | Last Date for Objections |
|--|--------------------------------|--|--------------------------|
| APPLICATIONS FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL— <i>contd.</i> | | | |
| 31163 | Yaling Zhuo and Xinmin Chen | Application for the grant of an extended trading permit—liquor without a meal, in respect of premises situated in Perth and known as Streeton's Cafe | 21/10/2007 |

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

Dated: 3 October 2007.

B. A. SARGEANT, Director of Liquor Licensing.

SALARIES AND ALLOWANCES TRIBUNAL

SX401*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

The determination of the Salaries and Allowances Tribunal made on 26th April 2007 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—

Amend and include in Part 1 of the First Schedule the following—

| Agency | Office | Classification |
|---------------------------------|------------------|-----------------|
| Department for Child Protection | Director General | Group 3 Maximum |

Dated at Perth this 26th day of September 2007.

Dr M. C. WOOD, Chairman.
M. L. NADEBAUM, Member.
Salaries and Allowances Tribunal

SX402*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

The determination of the Salaries and Allowances Tribunal made on 4th April 2007 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—

Amend and include in Part 1 of the First Schedule the following—

| Agency | Office | Classification |
|------------------------------------|--|-----------------|
| Department of the Attorney General | Executive Director, Courts and Tribunal Services | Group 1 Maximum |

Dated at Perth this 26th day of September 2007.

Dr M. C. WOOD, Chairman.
M. L. NADEBAUM, Member.
Salaries and Allowances Tribunal

SX403*

SALARIES AND ALLOWANCES ACT 1975

LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS' REMUNERATION

Recommendation Report Variation

The recommendation report on Local Government Chief Executive Officers' remuneration made by the Salaries and Allowances Tribunal on 27 June 2007 under section 7A of the *Salaries and*

Allowances Act 1975, as amended from time to time, is hereby varied by further recommendations, set out below—

Amend and include in Part 2 of the Schedule, the following—

| Local Government | Band | Total Reward Package |
|-----------------------------|--------|----------------------|
| City of Geraldton—Greenough | Band 7 | \$177,480-\$240,120 |
| Shire of Northam | Band 5 | \$144,072-\$194,706 |
| Shire of Busselton | Band 7 | \$177,480-\$240,120 |

Dated at Perth this 26th day of September 2007.

Dr M. C. WOOD, Chairman.
M. L. NADEBAUM, Member.
Salaries and Allowances Tribunal

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 5th November 2007, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Baskerville, Norman Thomas, late of Hollywood Senior Citizens Village, 118-120 Monash Avenue, Nedlands, died 24.07.2007 (DE20011741EM22)

Church, Doris Joyce, late of 73 Hotham Street, Bayswater, died 2.09.2007 (DE19762736EM17)

Cottrell, Laurence Edward, late of Lot 4 Marriott Street, Koorda, died 21.07.2007 (DE20002292EM23)

Dubberlin, Lavinia Margaret, late of Ella Williams House, 77 Camboon Road, Noranda, died 1.09.2007 (DE19740262EM27)

Gibb, Alexanderina McIntosh, late of 169/1 Plantation Street, Mount Lawley, died 24.08.2007 (DE19863036EM36)

Gibson, Muriel Clough, late of 46 Williams Road, Armadale, died 6.09.2007 (DE19962313EM32)

Gould, Justine Audrey, late of 21 Mississippi Drive, Mandurah, died 27.08.2007 (DE19781427EM15)

Gray, Doris Irene, late of Hale Hostel, 31 Waverley Road, Coolbellup, died 3.09.2007 (DE19872453EM16)

Grundie, Eric, late of Numbala Nunga Nursing Home, PO Box 74, Derby, died 23.06.2007 (DE33058837EM37)

Gulliver, Rodney Derek, late of Peel Health Campus, Lakes Road, Greenfields, died 23.07.2007 (DE19990385EM37)

Jensen, Knud, late of 65 Raglan Street, Pingelly, died 27.04.2007 (DE33057390EM15)

Kelsall, Donald Victor, late of 54 Ardross Street, Applecross, died 20.07.2007 (DE19692250EM17)

Messenger, Margaret Patricia, late of 1/790 Beaufort Street, Mount Lawley, died 18.08.2007 (DE33059541EM12)

Miller, Kevin, late of Bennett Brook Hostel, 130 Lord Street, Eden Hill, died 11.07.2007 (DE30232044EM16)

Morell, Elva, late of 21 Angelo Street, Armadale, died 21.08.2007 (DE19882384EM27)

O'Keefe, Margaret Grace, late of Greenmount Gardens Nursing Home, 22 Coongan Avenue, Greenmount, died 13.09.2007 (DE30231129EM36)

Rowcroft, Catherine Mary Barham, late of Unit 16/8 Bradford Street, Menora, died 11.09.2007 (DE19460188EM38)

Whiteside, Kathleen, late of 2 McLaggan Turn, Mandurah, died 22.01.2007 (DE30330024EM26)

JOHN SKINNER, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.
Telephone 9222 6777.

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