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ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2008 (Prices include GST).

Deceased Estate notices, (per estate)—\$25.60

Articles in Public Notices Section—\$59.70 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

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— PART 1 —

ENERGY

EN301*

Energy Coordination Act 1994

Energy Coordination (Higher Heating Value) Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Energy Coordination (Higher Heating Value) Regulations 2008*.

2. Commencement

These regulations come into operation as follows —

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

3. Heating value for determining charges for transporting gas

- (1) In subregulation (2) —
determined heating value has the meaning given in the *Gas Standards (Gas Supply and System Safety) Regulations 2000* regulation 17A.
- (2) A person who transports gas through a distribution system in which gas of different qualities from 2 or more pipelines is commingled must, when using the heating value of the gas for the purpose of determining charges for transporting the gas, use the determined heating value.

Penalty: a fine of \$1 000.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

EN302*

Energy Coordination Act 1994

Energy Coordination (Customer Contracts) Amendment Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Energy Coordination (Customer Contracts) Amendment Regulations 2008*.

2. Commencement

These regulations come into operation as follows —

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

3. Regulations amended

These regulations amend the *Energy Coordination (Customer Contracts) Regulations 2004*.

4. Regulation 25B inserted

At the end of Part 2 insert:

25B. Heating value for determining charges for supply of gas

- (1) In subregulation (2) —
determined heating value and *gas day* have the meanings given in the *Gas Standards (Gas Supply and System Safety) Regulations 2000* regulation 17A.
- (2) A person who sells gas under a customer contract that is transported through a distribution system in which gas of different qualities from 2 or more pipelines is commingled must, when using the heating value of the gas for the purpose of —
 - (a) determining the charge for the supply of gas on any gas day; or

- (b) determining the charge for the supply of gas on the basis of the average of the heating value on a number of gas days,

use the determined heating value for that day or each of those days.

Penalty: a fine of \$1 000.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

— PART 2 —

HEALTH

HE401*

MEDICAL PRACTITIONERS ACT 2008**MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 1) 2009**

Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 1) 2009*.

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 34(2)(b)(iv) of the Act.

Expiry of determination

4. This determination expires two years after its commencement.

SCHEDULE

SENIOR MEDICAL PRACTITIONERS IN THE ARMADALE HEALTH SERVICE.

Dated this 17th day of January 2009.

KIM HAMES MLA, Deputy Premier,
Minister For Health.

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 |
|---------|--------------|------------|-----------------|
| Howard | Deborah Anne | AP 0467 | 17/01/09 |

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

BRIAN LAWRENCE, Manager
Acacia Prison Contract.

22 January, 2009.

LAND ADMINISTRATION

LA401*

DAMPIER TO BUNBURY PIPELINE ACT 1997 DESIGNATED LAND

I, Brendon John Grylls, MLA, DBNGP Land Access Minister, give notice in accordance with section 33(1) of the *Dampier to Bunbury Pipeline Act 1997* that the land the subject of the LAND DESCRIPTION described below is designated, at the beginning of the day this notice is published in the *Government Gazette*, as additional land in the DBNGP corridor.

LAND DESCRIPTION

1. Portion of Lot 392 on Deposited Plan 202726 shown as DBNGP corridor marked Y on Deposited Plan 39028 being part of the land comprised in Certificate of Title Volume 1902 Folio 389.

The Plans may be inspected at Landgate, Midland Square, Midland.

BRENDON GRYLLES MLA, DBNGP Land Access Minister.

MINERALS AND PETROLEUM

MP401*

DANGEROUS GOODS SAFETY ACT 2004 DANGEROUS GOODS SAFETY EXEMPTION NOTICE (NO. 3) 2009

Made by the Chief Dangerous Goods Officer, Malcolm Paul Russell .

1. Citation

This notice may be cited as the *Dangerous Goods Safety Exemption Notice (No. 3) 2009*.

2. Exemption

(1) Pursuant to section 22 of the *Dangerous Goods Safety Act 2004* ("Act") the following class of persons is exempt from the requirement to hold a supply licence under regulation 112 of the *Dangerous Goods Safety (Explosives) Regulations 2007* ("Regulations") for the supply of ammunition propellant or black powder—

Persons who hold a licence under the *Firearms Act 1973* that authorises the person to supply ammunition propellant or black powder

(2) This exemption will take effect from the date of gazettal and will remain in force until 31 January 2010, unless amended or cancelled pursuant to section 22(4) of the Act.

MALCOLM PAUL RUSSELL, Chief Dangerous Goods Officer.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005 METROPOLITAN REGION SCHEME

Town of Kwinana

Notice of Resolution—Clause 27

Lyon Road, Wandi Cell

Amendment 1170/27

File No.: 812-2-26-4

Notice is hereby given that in accordance with Clause 27 of the Metropolitan Region Scheme, the Western Australian Planning Commission (WAPC) resolved on 9 December 2008 to transfer land from the urban deferred zone to the urban zone, as shown on WAPC plan 4.1546/1.

The Town of Kwinana requested the 'parallel' amendment of its local planning scheme using the provisions of section 126(3) of the Planning and Development Act. This request has been agreed to by the WAPC. Accordingly, this amendment to the Metropolitan Region Scheme and the Town of Kwinana Town Planning Scheme No. 2, Amendment No. 113 is effective from the date of publication of this notice in the *Government Gazette*.

The plan of the Metropolitan Region Scheme amendment may be viewed at the offices of—

- Western Australian Planning Commission, Wellington Street, Perth
- J S Batty Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal office of the Town of Kwinana.

TIM HILLYARD, Acting Secretary,
Western Australian Planning Commission.

PI402*

PLANNING AND DEVELOPMENT ACT 2005

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town Planning Scheme No. 6—Amendment No. A10

Lot 1 Julimar Road Chittering

Notice is hereby given that the Shire of Chittering has prepared the above mentioned Scheme Amendment for the purpose of—

- (A) Modifying the current zoning of Lot 1 Julimar Road, Chittering from Agricultural Resource to Rural Retreat”; and
- (B) Amending the Scheme Map accordingly.

1. Provide a scheme amendment map to include a “Rural Retreat” zone with an appropriate colour and designate the subject land accordingly.
2. Modify Schedule 2—Zoning Table to insert the following permissibilities against the uses classes under the heading of “Rural Retreat”—

| | |
|-----------------------------------|---|
| Agriculture Intensive | A |
| Ancillary Accommodation | D |
| Animal Establishment | A |
| Aquaculture | A |
| Bed and Breakfast | D |
| Civic Use | D |
| Community Purpose | D |
| Family Day Care | D |
| Farm Stay | D |
| Home Business | P |
| Industry—Cottage | D |
| Industry—Rural | A |
| Public Utility | D |
| Reception Centre | A |
| Residential Building | D |
| Rural Pursuit | D |
| Single House | P |
| Telecommunications Infrastructure | A |
| Wayside Stall | D |
| All other use classes | X |

The need to include the new zone into the zoning table

3. Delete ‘See Note 1 at end of zoning table’ from Rural Retreat provisions of Schedule 2—Zoning Table.
4. Correct numbering on Zoning Table
5. Add to the objectives listed under clause 4.2.4.1 (“Rural Smallholding” zone)—
To provide lots with a minimum size of 5ha and average size of 10ha
6. Add to the objectives listed under clause 4.2.5.1 (“Rural Retreat” zone)—
To provide lots with a minimum size of 10ha and an average size of 20ha
7. Remove note under clause 4.2.5 “There is currently no land zoned in the scheme for this purpose”
8. Modify clause 5.8.3 to include reference to the “Rural Retreat” and “Rural Smallholding” and “Rural Conservation” zones.
9. Modify clause 8.2 (b) (iii) to include reference to the “Rural Retreat”, “Rural Conservation” and “Rural Smallholding” zones.
10. Modify heading of clause 5.7 to include reference to the “Rural Conservation” zone.

11. Modify the first paragraph of clause 5.8.11 to read—

“With the intention of preventing overstocking or other practices detrimental to the amenity of the area and to prevent land degradation and nutrient export, the keeping of livestock within the Rural Residential and Rural Smallholding zones shall not be permitted without approval in writing from the Council. The keeping of livestock will not be permitted within the Rural Retreat or Rural Conservation zones.”

Plans and documents setting out and explaining the Scheme Amendment have been deposited at the Council Offices, Great Northern Highway, Bindoon, and will be available for inspection during office hours up to and including Friday 13 March 2009.

Written submissions on the Scheme Amendment may be made in writing on form 4 and lodged with the undersigned on or before Friday 13 March 2009.

This amendment is available for inspection in order to provide an opportunity for the public comment and it should not be construed that final approval will be granted.

Further information may be obtained by contacting Council’s Executive Manager Development Services, Azhar Awang, by email on chatter@chittering.wa.gov.au or telephone on 9576 4600.

JOHN MERRICK J.P., Chief Executive Officer.

P O Box 70, Bindoon 6502

Email chatter@chittering.wa.gov.au

Website www.chittering.wa.gov.au

PI403*

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

Town Planning Scheme No. 4—Amendment No. 6

Ref: 853/3/11/5 Pt 6

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Moora local planning scheme amendment on 15 December 2008 for the purpose of—

1. Deleting clause 2.1 and 2.2 and replacing with—

2.1 Reserves

Certain lands within the Scheme area are classified as Local Reserves.

2.2 Local Reserves

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

2.3 Use and development of Local Reserves

2.3.1 A person must not—

- (a) use a Local Reserve; or
- (b) commence or carry out development on a Local Reserve,

without first having obtained planning approval under Part VII of the Scheme.

2.3.2 In determining an application for planning approval the local government is to have due regard to—

- (a) the matters set out in clause 7.4; and
- (b) the ultimate purpose intended for the Reserve.

2.3.3 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for planning approval.

2. Renumbering the remainder of section 2 as follows—

2.4 Compensation

2.4.1 Where the Council refuses planning approval for the development of a reserve on the ground that the land is reserved for local authority purposes or for the purposes shown on the Scheme Map, or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

- 2.4.2 Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing planning approval or granting it subject to conditions that are unacceptable to the applicant.
- 2.4.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price representing the unaffected value of the land at the time of refusal of planning approval or of the grant of approval subject to conditions that are unacceptable to the applicant.
3. In the Legend on the Scheme Map including "Conservation" in the list of Scheme Reserves designated by green tones as depicted on the Scheme Amendment Map.
 4. Rezoning Lots 18 to 20 Lee Steere Street, Moora, from Special Rural Zone to Residential Zone with R12.5/25 density codes as depicted on the Scheme Amendment Map.
 5. Reclassifying Lot 21 Lee Steere Street corner Hamilton Street, Moora, from Special Rural Zone to Scheme Reserve for Conservation as depicted on the Scheme Amendment Map.

S. A. BRYAN, Shire President.
L. O'REILLY, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Perth
City Planning Scheme No. 2—Amendment No. 12

Ref: 853/2/10/26 Pt 12

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Perth local planning scheme amendment on 29 December 2008 for the purpose of—

1. After Clause 57A(1)(h) insert—
 - (i) 60-70 Kings Park Road Special Control Area
2. Insert the following in Schedule 9 Special Control Areas—

9.0 60-70 Kings Park Road Special Control Area

 - 9.1 Special Control Area
The following provisions apply to the land marked as Figure 9—60-70 Kings Park Road Special Control Area.
 - 9.2 Objective
The objective of the 60-70 Kings Park Road Special Control Area is to facilitate the development of the Special Control Area as a whole in a co-ordinated manner.
 - 9.3 Plot Ratio
For the purpose of determining the plot ratio for any development on the subject land the 60-70 Kings Park Road Special Control Area shall be treated as one site.
 - 9.4 Car Parking
For the purpose of determining the maximum tenant parking allowance for any development on the subject land the 60-70 Kings Park Road Special Control Area shall be treated as one site.
3. Amending the Scheme Map and Precinct Plan accordingly.

L. M. SCAFFIDI, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham
Town Planning Scheme No. 2—Amendment No. 55

Ref: 853/2/28/4 Pt 55

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Rockingham local planning

Scheme Amendment on the 29th December 2008 for the purpose of amending Schedule No. 2 by amending Additional Use No.21 as follows—

| No. | Site Description | Additional use | Special Conditions |
|-----|---|--|--|
| 21 | Lot 54 (No.74A) Parkin Street, Rockingham | Consulting Rooms Medical Centre Office Shop Showroom | No more than one (1) Additional Use being operated from the premises at any one time but does not preclude any other Additional Use specified being approved as an incidental use. Mixture of uses is not permitted unless the Council has exercised its discretion by granting planning approval. The Additional Use shall only be operated in association with a residential dwelling on the site. |

B. SAMMELS, Mayor.
ANDREW HAMMOND, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Capel
Town Planning Scheme No. 7—Amendment No. 43

Ref: 853/6/7/7 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 approved the Shire of Capel Local Planning Scheme Amendment on 13 January 2009 for the purpose of—

1. Amending the Scheme Map by rezoning Lot 10 Thomas Street, Boyanup from “Residential R10/R15” to “Special Use”.
2. Introducing at Appendix 4 of Town Planning Scheme No. 7 the following—

| Land Particulars | Permitted Uses | Development Standards/Conditions |
|--|--|---|
| Lot 10 Thomas Street, Boyanup | Aged Persons Unit Accommodation “Aged Persons” shall have the same meaning as prescribed under the Residential Design Codes | <ol style="list-style-type: none"> 1. Development to be generally in accordance with a Guide Development Plan adopted by Council. 2. Council may approve minor variations to the adopted Guide Development Plan. 3. The development shall include a range of two and three bedroom units 4. All development shall be in accordance with the Residential Design Codes with the application of the R25 density code. 5. The density bonus for Aged Persons dwellings under the Residential Design Codes may be applied to the development however, is limited to a maximum of 12 units (inclusive of the existing three units). 6. An Acid Sulfate Soil Management plan is to be prepared and implemented at the time of development if the proposed works are likely to disturb Acid Sulfate Soils, to the satisfaction of the Shire and the Department of Environment and Conservation. |

3. Amending the Scheme Maps Accordingly.

M. T. SCOTT, Shire President.
P. F. SHEEDY, Chief Executive Officer.

DECEASED ESTATES

ZX401**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Aaron John Heelas, late of 7 Parkfield Way, Australind in the state of Western Australia, Limousine Driver, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased, who died on 18 December 2008, are required by the Executor John William Heelas of 16 Milligan Avenue, Australind, WA 6233 to send particulars of their claim to him within one (1) month from the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX402**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

The Estate of Antonio Piccolo, late of 155 Gibbs Street, East Cannington, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased, who died on the 7th day of July 2008, are required by the Executor, being Francesco Piccolo, of care of Mort & Associates, P.O. Box 20, Cannington, W.A., 6987, to send particulars of their claims to Mort and Associates, P.O. Box 20, Cannington, W.A., 6987, within one (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to claims of which he then has notice.

Mort & Associates as solicitor for the Executor.

ZX403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

The Estate of Carmela Piccolo, late of 155 Gibbs Street, East Cannington, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased, who died on the 20th day of November 2008, are required by the Executor, being Francesco Piccolo, of care of Mort & Associates, P.O. Box 20, Cannington, W.A., 6987, to send particulars of their claims to Mort and Associates, P.O. Box 20, Cannington, W.A., 6987, within one (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to claims of which he then has notice.

Mort & Associates as solicitor for the Executor.
