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— PART 1 —

ENVIRONMENT AND CONSERVATION

EV301*

Environmental Protection Act 1986

Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Amendment Regulations 2009.*

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 *Environmental Protection* (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995.

4. Regulation 2 amended

In regulation 2 delete the definition of *metropolitan region* and insert:

metropolitan region has the meaning given in the *Planning and Development Act 2005* section 4(1);

By Command of the Governor,

MINERALS AND PETROLEUM

MP301*

Mines Safety and Inspection Act 1994

Mines Safety and Inspection Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mines Safety and Inspection Amendment Regulations 2009*.

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) regulation 18 12 months after the day on which these regulations are published in the *Gazette*;
- (c) the rest of the regulations on the day after the day on which these regulations are published in the *Gazette*.

3. Regulations amended

These regulations amend the *Mines Safety and Inspection Regulations 1995*.

4. Regulation 1.3 amended

(1) In regulation 1.3 delete the definitions of:

National Model Regulations for the Control of Workplace Hazardous Substances

Worksafe Australia

(2) In regulation 1.3 insert in alphabetical order:

AS/NZS followed by a designation, refers to the Australian/New Zealand Standard having that designation that is published jointly by Standards Australia and Standards New Zealand;

National Model Regulations for the Control of Workplace Hazardous Substances means the

"National Model Regulations for the Control of Workplace Hazardous Substances" [NOHSC: 1005 (1994)] declared by the NOHSC and published in March 1994;

NOHSC means the National Occupational Health and Safety Commission established by the *National Occupational Health and Safety Commission Act 1985* (Commonwealth) section 6;

(3) In regulation 1.3 in the definition of *underground supervisor's certificate* delete "regulation 2.23;" and insert:

regulation 2.23.

5. Regulations 2.4B and 2.4C deleted

Delete regulations 2.4B and 2.4C.

6. Regulation 2.6B deleted

Delete regulation 2.6B.

7. Regulation 3.23 amended

(1) In regulation 3.23 delete the definitions of:

authorised medical officer designated work existing employee initial health assessment Perth Chest Clinic

(2) In regulation 3.23 insert in alphabetical order:

additional health assessment means a health assessment other than one referred to in regulation 3.25 or 3.26;

(3) In regulation 3.23 in the definition of *assessment form* delete "Mining Industry Advisory Committee" and insert:

State mining engineer

(4) In regulation 3.23 in the definition of *new employee* delete the passage that begins with "and who—" and continues to the end of the definition and insert:

and who has not previously received a health assessment under regulation 3.25 or 3.26;

- (5) In regulation 3.23 in the definition of *occupational disease* delete paragraph (a) and "or" after it and insert:
 - (a) a disease of a kind referred to in the *Workers'*Compensation and Injury Management

 Act 1981 Schedule 3; or

8. Regulation 3.25 amended

- (1) Delete regulation 3.25(1) and insert:
 - (1) The principal employer and each employer at a mine must ensure that a health assessment is carried out on each new employee at the mine within 3 months after the day on which the person became a new employee.
- (2) In regulation 3.25(2)(e) delete "x-ray." and insert:

x-ray, if the medical practitioner or the approved person considers that one is necessary or desirable.

(3) In regulation 3.25(3)(b) delete "form and the chest x-ray plate to the authorised medical officer." and insert:

form, and the chest x-ray (if any), to the State mining engineer.

9. Regulation 3.26 amended

(1) In regulation 3.26(1) delete "at intervals not exceeding 5 years." and insert:

who has not received a health assessment under regulation 3.25 or this regulation in the last 5 years.

- (2) In regulation 3.26(2):
 - (a) delete "The health assessment" and insert:

A health assessment

- (b) delete paragraph (e) and insert:
 - (e) a chest x-ray, if the medical practitioner or the approved person considers that one is necessary or desirable.

- (3) In regulation 3.26(3):
 - (a) delete "the health assessment" and insert:

a health assessment

(b) in paragraph (b) delete "form and the chest x-ray plate (where applicable) to the authorised medical officer." and insert:

form, and the chest x-ray (if any), to the State mining engineer.

- (4) After regulation 3.26(3) insert:
 - (4) Even if health assessments are carried out on an employee at intervals of less than 3 years, the medical practitioner or the approved person need not comply with subregulation (3)(b) more frequently than once every 3 years.

10. Regulation 3.27 replaced

Delete regulation 3.27 and insert:

3.27. Additional health assessment

- (1) The principal employer and each employer at a mine must ensure that additional health assessments are carried out in respect of an employee who engages in specified occupational exposure work at the mine, if
 - (a) an identifiable disease or other adverse effect on the health of the employee may be related to the exposure; and
 - (b) there is a reasonable likelihood that the disease or adverse effect may occur under the particular conditions of work; and
 - (c) there are recognised techniques for detecting indications of the disease or adverse effect.
- (2) The State mining engineer may direct that an additional health assessment be carried out in respect of specified employees at a mine.
- (3) The principal employer and each employer at the mine must ensure that a direction given under subregulation (2) is complied with as soon as is practicable.

Penalty: See regulation 17.1.

- (4) The State mining engineer may require the results of any additional health assessment carried out in respect of employees at a mine to be given to the State mining engineer.
- (5) The principal employer and each employer at a mine must ensure that a requirement made under subregulation (4) is complied with as soon as is practicable.

Penalty: See regulation 17.1.

11. Regulation 3.28 amended

(1) In regulation 3.28(1) delete "valid" and insert:

recognised

- (2) In regulation 3.28(1) delete the penalty.
- (3) At the end of regulation 3.28(3) insert:

Penalty: See regulation 17.1.

12. Regulation 3.29 amended

Delete regulation 3.29(b) and insert:

(b) works, or is expected to work, at a mine or mines for a cumulative period not exceeding 3 months in any 12 month period if there is no, or there is not expected to be, significant exposure to hazardous substances or agents during the cumulative period.

13. Regulation 3.32 deleted

Delete regulation 3.32.

14. Regulation 4.2 amended

In regulation 4.2 delete "of sections 10, 11.8, 12.1, 12.2, 12.3, 12.4, 12.10, 12.11, 13.1, 13.2, 13.3, 13.9, 13.14, 13.15, 13.16, 14.1, 14.2 and 14.7 of AS 2865" and insert:

of AS/NZS 2865:2001

15. Regulation 4.5 amended

In regulation 4.5(1)(b)(ii) delete "so as" and insert:

so

16. Regulation 4.22 amended

In regulation 4.22 in the Table delete "AS 2865" and insert:

AS/NZS 2865

17. Regulation 5.10 amended

In regulation 5.10(2)(a):

(a) in subparagraph (i) delete "corporate" and insert:

professional engineer

- (b) in subparagraph (ii) delete "A grade";
- (c) in subparagraph (ii) delete ""electrical fitter and electrical mechanic"" and insert:

"electrician" or "electrical mechanic"

18. Regulation 6.37 amended

- (1) Before regulation 6.37(1) insert:
 - (1A) Subject to subregulation (2), a person must not
 - (a) do high risk work of a particular class at a mine unless the person holds a high risk work licence for that class of work; or
 - (b) operate or drive a winding engine at a mine unless the person holds a certificate and has the written authorisation of the manager of the mine; or
 - (c) operate or drive a hoist at a mine (whether or not that work is covered by paragraph (a)) unless the person has the written authorisation of the manager of the mine; or
 - (d) operate or drive any plant not covered by paragraph (a), (b) or (c) at a mine unless the person has been trained and found to be competent by a practical trial in the operation of that plant by the manager of the mine or

some other suitable person appointed for that purpose by the manager.

Penalty: See regulation 17.1.

(2) In regulation 6.37(1)(a)(i) delete "or under the *Occupational Safety and Health Act 1984*" and insert:

or a high risk work licence under the *Occupational Safety and Health Act 1984*,

- (3) In regulation 6.37(3):
 - (a) delete "subregulation (1)(a)" and insert:

subregulation (1A)(a), (b) or (c) or (1)(a)

(b) delete "certificate." and insert:

certificate or licence.

- (4) After regulation 6.37(4) insert:
 - (5) For each person authorised, or found to be competent, by or on behalf of the manager of a mine under subregulation (1A) or (1), the manager must record in the record book
 - (a) the name of the person; and
 - (b) the date on which the person was authorised or found to be competent; and
 - (c) if the person undertook a test or practical trial the date on which the test or trial was undertaken and the name and signature of the person who carried out the test or trial.

Penalty: See regulation 17.1.

- (6) In subregulations (1A) and (1)
 - *high risk work* and *high risk work licence* have the meaning given in the *Occupational Safety and Health Regulations 1996* regulation 6.1.
- (7) During the 12 month period commencing on the day on which subregulation (1A) (as inserted by the *Mines Safety and Inspection Amendment Regulations 2009*) came into operation
 - (a) subregulation (1A) does not apply in respect of underground mining operations; and

(b) subregulation (1) applies in respect of underground mining operations only,

and, at the end of that period, subregulation (1) ceases to have effect.

- (8) For the purposes of subregulation (1A)(a), if, in relation to a particular class of high risk work, a person does not hold an appropriate high risk work licence but
 - (a) the person holds a certificate of competency under the *Occupational Safety and Health Act 1984*; and
 - (b) the certificate authorises or authorised the person to do that class of work,

the person is to be taken to hold a high risk work licence for that class of work.

(9) In this regulation, a reference to a certificate of competency under the *Occupational Safety and Health Act 1984* is a reference to such a certificate issued under that Act for which the transition period under that Act has not expired, and which is not suspended.

19. Regulation 7.20 amended

In regulation 7.20 delete the definition of *National Code of Practice for the Preparation of Material Safety Data Sheets* and insert:

National Code of Practice for the Preparation of Material Safety Data Sheets means the "National Code of Practice for the Preparation of Material Safety Data Sheets" 2nd Edition [NOHSC: 2011 (2003)] declared by the NOHSC and published in April 2003;

20. Regulation 9.1 amended

(1) In regulation 9.1 insert in alphabetical order:

Exposure Standards for Atmospheric Contaminants in the Occupational Environment means the "Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment" [NOHSC:1003 (1995)] declared by the NOHSC and published in May 1995;

Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres means the "Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres" 2nd Edition

[NOHSC:3003 (2005)] declared by the NOHSC and published in April 2005;

- (2) In regulation 9.1 in the definition of *exposure standard* delete paragraph (a) and "or" after it and insert:
 - (a) the standard specified in the Exposure Standards for Atmospheric Contaminants in the Occupational Environment; or

21. Regulation 9.2 amended

In regulation 9.2 delete "Worksafe Australia's National Exposure Standards (NOHSC:1003)" and insert:

the Exposure Standards for Atmospheric Contaminants in the Occupational Environment

22. Regulation 9.13 amended

Delete regulation 9.13(1)(b)(iv) and "or" after it and insert:

 (iv) in the case of asbestos fibres, the Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres; or

23. Regulation 9.32 amended

In regulation 9.32(a) delete "Code of Practice for the Safe Removal of Asbestos (NOHSC:CP002-1988), published by Worksafe Australia; and" and insert:

"Code of Practice for the Safe Removal of Asbestos" 2nd Edition [NOHSC:2002 (2005)] declared by the NOHSC and published in April 2005; and

24. Regulation 9.33 amended

In regulation 9.33(2) delete "Dust (NOHSC:GN 003-1988) published by Worksafe Australia." and insert:

Fibres.

25. Regulation 16.6 amended

In regulation 16.6 delete "(other than exploration operations)".

26. Regulation 16.7 amended

In regulation 16.7(1)(b) delete "(other than exploration operations)".

27. Regulation 16.14 amended

In regulation 16.14(1) delete "(other than exploration operations)".

28. Schedule 1A deleted

Delete Schedule 1A

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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 14 July 2009 resolved that, the RWWA Rules of Thoroughbred Racing 2004 be amended as follows—

Amendment to National Rules

Effective 18th June 2009

Delete and replace, AR138

Amend AR92A (1) (2) (3) & (4),

Add AR 7(t), AR137A(9),

Effective 1 August 2009

Delete and replace AR137A, AR196,

Delete AR137AA

Add 137A(9)

Effective 1 September 2009

Amend AR1 by the addition of the definition of "Correct Weight", "Official Trial", "Jump-out", "Trackwork"

As a consequence of the approval of the definitions of "Official Trial", "Jump-out" and "Trackwork" the following rules were amended accordingly: AR1 definition of "Rider", AR8(jj), AR8(t), AR10A(1) & (2)(b), AR14, AR49, AR53C, AR54(1) (2) & (4), AR56A, AR59B(b), AR59B(c), AR59B(d), AR64A, AR64B, AR64C, AR64E(1), AR64F, AR64G, AR80G(8), AR81(4), AR81A(2), AR81E(c)(iii), AR81F(1)(a), AR81G(1) & (2), AR86A, AR87A, AR137A, AR137B, AR140A, AR140B, AR175, AR182(1)(d), AR182(1)(e), AR183A, AR183B(a),

Amend AR1 by deleting definition of "Punishment" and replacing with "Penalty"

As a consequence of this change of definition, the following amendments were made, effective on 1st September 2009.

The word "punishment" be replaced by the word "penalty" in AR.7(f) , 7(h), AR.7(j), AR.8(x), AR.179(a), AR.179(b), AR.179(c), AR.179, AR.197 and AR.199(a)—

In AR.7(g) the word "punishments" be replaced by the word "penalties".

The heading "PUNISHMENTS" appearing before AR.179 replaced by the heading "PENALTIES

(except weight penalties)"

The word "punish" replaced by the word "penalise" in AR.7(d), AR.7(s), AR.8(e), AR.8A, AR.17, AR.59B(f), AR.85B, AR.92A(3), AR.114(c), AR.117(2) , AR.137A(1), AR.137A(2), AR.137A(3), AR.137B, AR.175 and AR.196(1)—

The word "punished" replaced by the word "penalised" in AR.8D, AR.54(4), AR.56, AR.56B, AR.62(c), AR.64G(2), AR.68A(3), AR.69K, AR.80F(2), AR.83, AR.84, AR.85A(5), AR.85B, AR.87C (twice), AR.87D, AR.89, AR.94, AR.95, AR.96, AR.120(b), AR.135(c), AR.137, AR.143(b), AR.144, AR.145, AR.175A, AR.177B(1), AR.178 and AR.178A—

Amend AR 8A, AR59B(b), AR80D, AR83(c), AR175(hh), AR175(n), AR175(o)(i),

Delete and replace AR64K(1), AR68A(2), AR83(b), AR124 to AR132, AR132A, AR133, AR134, AR150, AR161 to AR174, AR178A

Rescind AR147, AR 148

Add AR51A, AR63, AR68A(4), AR87A(3), AR118, AR175(o)(iv), AR178F,

Renumber AR64K(8) to AR64K(9),

Subrule AR7A amended and renumbered to subrule (8)

AR118 amended and renumbered to AR91

Amendment to Local Rules

As a result of amendments to National Rules replacing "Punish" with "Penalty" Local Rules 34, 56 & 114A were amended accordingly to replace the reference to punish with penalty.

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.

RICHARD BURT, Chief Executive Officer.

— PART 2 —

FISHERIES

FI401*

PEARLING ACT 1990

GRANT OF PEARLING LEASE

FD 406/08

I, Rick Fletcher, Chief Executive Officer of the Department of Fisheries, Western Australia, pursuant to Section 23 of the *Pearling Act 1990* ("the *Pearling Act*") have granted Cygnet Bay Pearls an extension of the emergency pearl oyster farm lease, in respect of an area of water located in the vicinity of Shenton Bluff. The emergency pearl farm lease is valid until 15 September 2009. I have also approved an application by Cygnet Bay Peals for a trial pearl oyster farm lease at the Shenton Bluff site for a period of (two) 2 years from the date of signing this document.

Under Section 33(1) of the *Pearling Act* a person aggrieved by my decision may apply to the State Administrative Tribunal (SAT) for a review of my decision to issue the trial site lease. Application forms can be obtained from the SAT located at Ground Level, 12 St Georges Terrace, Perth WA or from the SAT's website at www.sat.justice.wa.gov.au. The application together with any supporting documents should be lodged with the SAT within 28 days of publication of the Notice. When an application is accepted by the Chief Executive Officer of the SAT, the applicant is to give a copy of the application to the Chief Executive Officer, Department of Fisheries, Level 3, 168 St Georges Terrace, Perth WA.

Dated this 16th day of July 2009.

R. FLETCHER, Chief Executive Officer, Department of Fisheries.

LANDS

LA401*

TRANSFER OF LAND ACT 1893

APPLICATION K848590

Take notice that William Max Wellstead of Wellstead Road, Bremer Bay has made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Wellstead Road, Bremer Bay being portion of Kent Location 7 now Lot 7 on Deposited Plan 251076 containing 12.4733 hectares being the whole of the Land comprised in Memorial Book XXX No. 160.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 13 August 2009 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Bayswater

Town Planning Scheme No. 23—Amendment No. 7

Ref: 853/2/14/27 Pt 7

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 Bayswater local planning

scheme amendment on 2 July 2009 for the purpose of amending the City of Bayswater's Town Planning Scheme No. 23 as follows—

- 1. Delete the current Clause 3.5 of Town Planning Scheme No. 23.
- 2. Insert a new Clause 3.5 into Town Planning Scheme No. 23 to read as—
 - 3.5 Permitted Development

Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require the planning approval of local government—

- a. the carrying out of any building or work which affects only the interior of a building and which does not materially affect the external appearance of the building except where the building is
 - i. located in a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;
 - ii. the subject of an order under Part 6 of the *Heritage of Western Australia* Act 1990; or
 - iii. included on the Heritage List under clause 3.16 of the Scheme;
- b. the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where
 - i. the proposed development/use is not a permitted use for the Precinct within which the development/use is proposed to be undertaken; 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 site is included on the Heritage List under clause 3.16 of the Scheme.
- c. the demolition of any building or structure except where the building or structure is— $\,$
 - i. located in a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
 - ii. included on the Heritage List under clause 3.16 of the Scheme.
- d. a home office;
- e. certain advertisements as listed in Schedule 5 of this Scheme, except where the land is included on the Heritage List under clause 3.16 of this Scheme or where an approval is otherwise required in this Scheme;
- f. the undertaking of any works, acts or activities on, in, or under a street or road by a public authority acting pursuant to the provisions of a Statute;
- g. the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services;
- h. changes of use within an approved shopping centre, provided that the new use is permitted under the Scheme and where the overall net lettable area of the centre is not increased beyond the maximum for which approval has previously been granted:

(Note: For the purposes of this clause, the term shopping centre shall mean a complex of retail and commercial facilities on a site with a minimum net lettable area of 5000m²).

- The use of land which is a permitted use in the Precinct in which the land is situated provided it does not involve the carrying out of any building or other works and the use complies with all relevant development standards;
- j. The erection on a lot of a boundary fence, except where-
 - otherwise required in this Scheme: or
 - boundary fences adjoining or facing a public street or public space.
- 3. Amending 'Table 1—Car parking requirements' as follows
 - i. "Markets" to be inserted next to "Shop, Convenience Store" with a development standard of 6 bays per $100m^2$ NLA;
 - ii. "Factory" to be inserted next to "Warehouse" with a development standard of 1 bay per 50m² NLA.
- 4. Delete Clause 3.15 of Town Planning Scheme No. 23.
- 5. Clauses 3.16 to 3.21 to be renumbered following the deletion of Clause 3.15.
- 6. Insert Schedule 5 "Exempted Advertisements" into Town Planning Scheme No. 23 to read as follows.

SCHEDULE 5—EXEMPTED ADVERTISEMENTS

CITY OF BAYSWATER TOWN PLANNING SCHEME NO. 23 EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 3.5

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Dwellings	One professional name-plate as appropriate.	$0.2m^2$

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Home Office Home Occupation Home Business Cottage Industry	One advertisement describing the nature of the home-based business.	0.2m ²
Places of Public Worship, Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas and Theatres	Two signs (illuminated or non- illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertising sign not to exceed 5m ²
Railway Property and Reserves	Advertisements exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m ² in area.
Public Places and Reserves	(a) Advertisement signs (illuminated and non- illuminated) relating to the functions of government, public authority or Council of a municipality excluding those of a promotional nature constructed on behalf of any such body; and (b) Advertisement signs (illuminated and	Not Applicable Not Applicable
	non- illuminated) required for the management or control of traffic on any public road, car-park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the Council of a municipality; and	11
	(c) Advertisement signs (illuminated and non- illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute, provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	Not Applicable
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot be ordinarily seen by a person outside those buildings.	Not applicable
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Building construction sites		
(advertisement signs displayed only for the duration of the construction) as follows—		
(a) Dwellings	One advertisement per street frontage for each lot containing details of the project and the contractors undertaking the construction work.	$2m^2$
(b) Multiple Dwellings, Shops, Commercial and Industrial Projects	One sign as per (a) above	$5\mathrm{m}^2$

Temporary Signs	stated)	
(c) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3-storeys in height.	One sign as per (a) above	10m ²
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 1 month advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m ²
Property Transactions		
Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows—		
(a) Dwellings	One sign per street frontage for each property relating to the sale, leading or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of $2m^2$
(b) Multiple Dwellings, Shops, Commercial and Industrial Properties	One sign as per (a) above	Each sign shall not exceed an area of 5m ²
(c) Large properties comprised of shopping centres and buildings in excess of four storeys in height.	One sign as per (a) above	Each sign shall not exceed an area of $10 \mathrm{m}^2$
Display Homes		
Advertisement signs displayed for the period over which homes are on display for public inspection.	 (1) One sign for each dwelling on display. (2) In addition to (1) above, one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display. 	2m ² 5m ²

L. J. MAGRO, Mayor. F. LEFANTE, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005

 $\begin{tabular}{ll} APPROVED LOCAL PLANNING SCHEME AMENDMENT\\ Shire of Brookton \end{tabular}$

Town Planning Scheme No. 3—Amendment No. 8

Ref: 853/4/6/3 Pt 8

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 Brookton local planning scheme amendment on 8 July 2009 for the purpose of—

1. Inserting Clause 7.9 as follows-

7.9 AMENDING OR REVOKING A PLANNING APPROVAL

7.9.1 The local government may, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.

2. Inserting Clause 8.9 as follows-

8.9 DELEGATIONS OF AUTHORITY

- 8.9.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the Chief Executive Officer, 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 of delegation.
- 8.9.2 The Chief Executive Officer may delegate to any employee of the local government the exercise of any of the Chief Executive Officer's powers or the discharge of any of the Chief Executive Officer's duties under Clause 8.9.1
- 8.9.3 The exercise of the power of delegation under Clause 8.9.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.
- 8.9.4 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 that Act.

B. J. COOTE, Shire President. G. A. CLARK, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Town of Cambridge

Town Planning Scheme No. 1—Amendment No. 20

Ref: 853/2/31/2 Pt18

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 Town of Cambridge local planning scheme amendment on 8 July 2009 for the purpose of—

- 1. Rezoning Lots 137 and 138 (No. 199 and 201) Cambridge Street, Wembley from 'Residential R60' to 'Medical Use'.
- 2. Amending the Scheme map accordingly.

S. WITHERS, Mayor. J. R. BUCKLEY, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 190

Ref: 853/6/16/7 Pt 190

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 Murray local planning scheme amendment on 8 July 2009 for the purpose of—

- 1. Rezoning Lot 604 Beacham Road, Pinjarra from 'Rural' to 'Special Rural'.
- 2. Amending the Scheme Maps in accordance with the Scheme Amendment Map.
- 3. Amending the Scheme Text by inserting in Schedule 4, the following—

(A) Specified Land	(B) Special Provisions Relating to (A)		
Lot 604 Beacham Road Pinjarra.	Subdivision shall generally be in accordance with the approved Subdivision Guide Plan or any variation approved by the Western Australian Planning Commission. (a) The following uses are permitted ('P')—		
	Single house Outbuilding Public Utility		

(A) Specified Land	(B) Special Provisions Relating to (A)		
Specified Land	(b) The following uses may be permitted at the discretion of		
	Council ('AA')— Home Occupation		
	Stables		
	Cottage Industry		
	Rural Pursuit Ancillary Accommodation		
	(c) The following uses may be permitted at the discretion of		
	Council but subject to the 'SA' provisions— Rural Produce Stalls		
	(d) All other uses are not permitted ('X').		
	3. All dwelling houses and effluent disposal systems shall be developed within the building envelope depicted on the Subdivision Guide Plan. Council may upon application from a lot owner agree to vary the building envelope providing it can be demonstrated to the satisfaction of Council that the alternative envelope is suitable for house construction and achieves minimum site condition requirements for on-site wastewater disposal.		
	4. In order to conserve the landscape, trees and other indigenous vegetation shall not be felled or cleared without the prior written approval of the Council except where required for the erection of a single house, outbuildings, effluent disposal system, accessways, fences and firebreaks.		
	No dam shall be constructed without the written approval of Council.		
	6. Building envelopes shall be setback a minimum of 25 metres from Curtis Lane and Beacham Road and a minimum of 20 metres from any other public road. In addition, building envelopes shall be setback a minimum of 10 metres from any other property boundaries unless Council approves a lesser distance due to the topography or shape of the lot.		
	7. With the intention of preventing overstocking or other practices detrimental to the amenity of the zone, the breeding or keeping of animals shall not be permitted without the approval in writing of Council. In considering any application for the breeding or keeping of stock, the Council will be guided by advice from Agriculture Western Australia. Notwithstanding the above, in cases where stocking approval has been given but where environmental problems develop, Council after consultation with Agriculture Western Australia, may take appropriate action to ban or reduce the stocking of animals. Individual land owners shall be responsible for organising and meeting all costs associated with obtaining advice from Agriculture Western Australia where the keeping of any stock is proposed.		
	 Council may impose limits on the keeping of livestock temporarily, seasonally or permanently. 		
	9. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system, as approved by the Health Department of Western Australia with an adequate phosphorus retention capacity, and the site conditions that achieve the standards specified in the approval of the particular wastewater system being used.		
	 All drainage from internal roads and domestic surfaces shall be disposed of on site in a manner deemed environmentally acceptable to Council. 		
	11. Each dwelling shall be connected to reticulated water supply.		
	12. A fuel free zone, clear of all flammable material/vegetation, to a distance of 20 metres is required around all buildings.		
	13. Access shall be permitted to domestic water supplies for emergency fire fighting purposes, to the satisfaction of the Fire and Emergency Services Authority.		
	14. Prior to the sale of any subdivided lots the subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of the lots created are advised of those provisions of the Shire of Murray Town Planning Scheme No. 4 which relate to the use and management of the land.		

(A) Specified Land	(B) Special Provisions Relating to (A)		
	15. The owner shall submit a Fire Management Plan as part of any application to subdivide and that plan is to be to the satisfaction of Council and the Fire and Emergency Services Authority.		
	16. The owner shall prepare and implement a Revegetation Plan as part of any application to subdivide and that plan is to address revegetation of drainage areas and minimizing the visual impact of future development over the site to the satisfaction of Council. The provisions of the Revegetation Plan are to be implemented as part of the subdivision.		

N. H. NANCARROW, Shire President. D. UNSWORTH, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Swan

Local Planning Scheme No. 17—Amendment No. 8

Ref: 853/2/21/16 Pt 8

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 Swan Local Planning Scheme Amendment on 8 July 2009 for the purpose of—

1. Including Lots 457 & 458 Paradise Quays and Lot 462 Summerlakes Parade, Ballajura as a Special Use zone in the scheme as follows—

No.	Description of Land	Special Use	Conditions
12.	Lots 457 & 458 Paradise Quays and Lot 462 Summerlakes Parade, Ballajura	Residential Development at R30 Code	Development to be in accordance with a Detailed Area Plan (DAP) which provides for an integrated development on the site which—
			addresses the interface with abutting residential lots and public open space, and
			promotes a high quality urban design outcome with good accessibility, orientation of buildings and built form.

C. ZANNINO, Mayor. M. J. FOLEY, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG401

BETTING CONTROL ACT 1954

CALLING OF THE CARD

Notice is hereby given that the Gaming and Wagering Commission has pursuant to section 5(2) of the Betting Control Act, authorised the conduct of betting at "Calling of Card" functions to be held at the Diver's Tavern, Broome on occasions approved by the Gaming and Wagering Commission from time to time.

Approved by the Gaming and Wagering Commission this 9 July 2009.

WATER/SEWERAGE

WA401*

WATER SERVICES LICENSING ACT 1995

NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE

Notice is given that the following Operating Licences have been amended—

Agwest—Bunbury Water Board

10 May 2005 Issue Date: Address of Licensee: 5 MacKinnon Way

Bunbury WA 6230

Classification: Operating Licence, Potable Water Supply Service

Up to and including 17 January 2022 Term of Licence:

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Busselton Water Board trading as Busselton Water

30 May 2000 Issue Date: Address of Licensee: 1 Fairbairn Road Busselton WA 6280

Classification: Operating Licence, Potable Water Supply Service

Term of Licence: Up to and including 01 October 2021.

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.).

Licensee: City of Kalgoorlie Boulder

Issue Date: 30 November 2004Address of Licensee: 577 Hannan Street Kalgoorlie WA 6432

Classification: Operating Licence, Non-potable Water Supply and Sewerage

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Gascoyne Water Cooperative

Issue Date: 23 June 2003 Address of Licensee: 50 Boundary Road Carnarvon WA 6701

Classification: Operating Licence, Irrigation and Non-Potable Water Supply

Term of Licence: Up to and including 23 June 2028`

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Hamersley Iron Pty Ltd Licensee: Issue Date: 25 February 2002 Address of Licensee: Parker Point Road

Dampier WA 6713

Classification: Operating Licence, Potable Water Supply and Sewerage Services

Term of Licence: Up to and including 01 June 2026

Amendment: Remove the requirement to report incidents by deleting Clause 3

Licensee: Ord Irrigation Co-operative Limited

Issue Date: 29 November 2002

Lot 2258, Carpentaria Street Address of Licensee:

Kununurra WA 6743

Classification: Operating Licence, Irrigation and Non-Potable Water Supply

Services

Term of Licence: Up to and including 30 July 2027

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Preston Valley Irrigation Co-operative Limited

Issue Date: 19 May 2003

Address of Licensee: Unit 2, 25 South West Highway

Donnybrook WA 6239

Classification: Operating Licence, Irrigation and Non-Potable Water Supply

Services

Term of Licence: Up to and including 29 June 2023

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Rottnest Island Board Issue Date: 05 December 2003

Address of Licensee: Level 1, E Shed, Victoria Quay

Fremantle WA 6530

Classification: Operating Licence, Potable Water Supply, Sewerage and Drainage

Term of Licence: Up to and including 14 December 2023

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Brookton Issue Date: 29 April 1996 Address of Licensee: 14 White Street Brookton WA 6306

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Shire of Coolgardie Licensee: Issue Date: 21 May 1997 Address of Licensee: **Bayley Street** Coolgardie WA 6429

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Dalwallinu Issue Date: 21 May 1997 Address of Licensee: 58 Johnston Street Dalwallinu WA 6609

Classification: Operating Licence, Sewerage and Non-Potable Water Supply

Services

Up to and including 29 April 2021 Term of Licence:

Amendment: Remove the requirement to report incidents by deleting Clause 3

Licensee: Shire of Denmark Issue Date: 30 May 2005

Address of Licensee: South Coast Highway

Denmark WA 6333

Classification: Operating Licence, Non-Potable Water Supply Services

Term of Licence: Up to and including 31 May 2031

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Dowerin
Issue Date: 21 May 1997
Address of Licensee: 13 Cottrell Street
Dowerin WA 6461

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Dumbleyung

Issue Date: 14 June 2002

Address of Licensee: Cnr Harvey and Dawson Street

Dumbleyung WA 6530

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5..

Licensee: Shire of East Pilbara

Issue Date: 30 April 1999
Address of Licensee: Kalgan Drive
Newman WA 6753

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Gnowangerup

Issue Date: 21 May 1997
Address of Licensee: 28 Yougenup Road
Gnowangerup WA 6335

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Goomalling Issue Date: 21 May 1997

Address of Licensee: Cnr Hoddy and Quinlan Streets

Goomalling WA 6460

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Licensee: Shire of Jerramungup

Issue Date: 21 May 1997 Address of Licensee: 2/6 Vasey Street

Jerramungup WA 6337

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Kent
Issue Date: 21 May 1997
Address of Licensee: Richmond Street
Nyabing WA 6341

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Koorda Issue Date: 21 May 1997

Address of Licensee: Cnr Allenby and Haig Streets

Koorda WA 6475

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Lake Grace
Issue Date: 21 May 1997
Address of Licensee: 1 Bishop Street

Lake Grace WA 6353

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Moora
Issue Date: 21 May 1997
Address of Licensee: 34 Padbury Street
Moora WA 6510

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Morawa
Issue Date: 21 May 1997
Address of Licensee: Winfield Street
Morawa WA 6623

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Licensee: Shire of Ravensthorpe

Issue Date: 21 May 1997

Address of Licensee: Lot 20 Morgans Street

Ravensthorpe WA 6346

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Victoria Plains

Issue Date: 21 May 1997 Address of Licensee: 28 Cavell Street

Calingiri WA 6569

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Wickepin
Issue Date: 21 May 1997
Address of Licensee: 77 Wogolin Road
Wickepin WA 6370

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: Shire of Yilgarn
Issue Date: 21 May 1997
Address of Licensee: Antares Street

Southern Cross WA 6426

Classification: Operating Licence, Non-Potable Water Supply and Sewerage

Services

Term of Licence: Up to and including 29 April 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Licensee: South West Irrigation Management Co-operative Limited trading

as Harvey Water

Issue Date: 28 October 2003

Address of Licensee: Cnr James Stirling Place and South West Highway

Harvey WA 6220

Classification: Operating Licence, Irrigation and Non-Potable Water Supply

Services

Term of Licence: Up to and including 09 October 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Licensee: Water Corporation
Issue Date: 28 June 1996
Address of Licensee: PO Box 100

Leederville WA 6902

Classification: Operating Licence, Potable and Non-Potable Water Supply,

Sewerage, Irrigation and Drainage Services

Term of Licence: Up to and including 28 June 2021

Amendment: Remove the requirement to report incidents by deleting Clause 3

Schedule 5.

Inspection of Licence: Economic Regulation Authority

6th Floor

 $\begin{array}{c} 197 \; \mathrm{St} \; \mathrm{Georges} \; \mathrm{Terrace} \\ \mathrm{Perth} \; \mathrm{WA} \; 6000 \end{array}$

http://www.era.wa.gov.au

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Rudolf Remus, late of 8/36 King William Street, Bayswater, Western Australia, Office Employee, 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 11 February 2009, are required by the Administrator, Klaus Michel of care of Allion Legal, Level 2, 50 Kings Park Road, West Perth, Western Australia to send particulars of their claims to him within one (1) month from the date of publication of this notice, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

ALLION LEGAL.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Gertrude Mary Looker, late of 104 Middleton Road, Albany in the State of Western Australia, Home Duties, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Gertrude Mary Looker deceased who died on the 7th day of February 2009 at Albany, in the said State are required by the personal representative Marie Deniste Ham of 104 Middleton Road, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Mary Hildred Langton, late of Regents Garden Four Seasons, Marmion Street, Booragoon, Western Australia, Retired Home Duties, 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 31 May 2009 are required by the Trustee ANZ

Trustees Limited ACN 006 132 332 of Level 4, 100 Queen Street, Melbourne, Vic 3000 to send particulars of their claim to them by 25 August 2009 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Madge Ule Murphy, late of 63 Riverton Drive, Rossmoyne, Western Australia, Home Duties, deceased

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the deceased who died on 18 April 2009 are required by the Executor Alison Gaye Munro to send particulars of their claim to her, care of Butcher Paull & Calder, 8th Floor, 231 Adelaide Terrace, Perth WA 6000 (Ref: TWH/20090314) within one (1) month of the date of publication hereof after which date the Executor may convey or distribute the assets having regard to the claims of which they then have notice.

Dated: 16th July 2009.

BUTCHER PAULL & CALDER.

ZX405

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Bernice Valmai Meadows who died on 20 August 2008 of 28 Anketell Street, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being Kimberley Geoffrey Dicton, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming Western Australia, to send particulars of their claims to him by the 16 August 2009, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992

Price: \$18.60 plus postage

RETIREMENT VILLAGES REGULATIONS 1992

*Price: \$5.95 plus postage

* Prices subject to change on addition of amendments.