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Local Government.....

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— PART 1 —

PROCLAMATIONS

AA101*

ELECTORAL AMENDMENT (MISCELLANEOUS) ACT 2009

No. 7 of 2009 PROCLAMATION

Western Australia
By His Excellency
Doctor Kenneth Comninos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia

[L.S.]

KENNETH COMNINOS MICHAEL Governor

I, the Governor, acting under the *Electoral Amendment (Miscellaneous) Act 2009* section 2(b) and with the advice and consent of the Executive Council, fix 1 October 2009 as the day on which the provisions of that Act, other than Part 1, come into operation.

Given under my hand and the Public Seal of the State on 25 August 2009. By Command of the Governor,

NORMAN MOORE, Minister for Electoral Affairs.

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Local Government (Miscellaneous Provisions) Act 1960

Building Amendment Regulations (No. 4) 2009

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

1. Citation

These regulations are the *Building Amendment Regulations* (No. 4) 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 *Building Regulations* 1989.

4. Schedule 2 amended

In Schedule 2 in the item relating to Quairading in Column 2 delete "All townsites" and insert:

Whole district

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

CE302*

Electricity Act 1945

Electricity (Licensing) Amendment Regulations (No. 5) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity (Licensing) Amendment Regulations (No. 5) 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 *Electricity (Licensing) Regulations 1991.*

4. Regulation 22 amended

- (1) In regulation 22(1)(a):
 - (a) delete "completed service under—" and insert: completed—
 - (b) in subparagraph (i) delete "electricians; or" and insert: electricians before the repeal of that Act; or
 - (c) in subparagraph (ii) delete "1996," and insert:

1996 before the *Training Legislation*Amendment and Repeal Act 2008 Part 2 came into operation; or

- (d) after subparagraph (ii) insert:
 - (iii) an approved VET course as defined in the *Vocational Education and Training Act 1996* section 5(1) that the Board determines is suitable for training electricians,
- (2) Delete regulation 22(6).

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

ENVIRONMENT

EV301*

Environmental Protection Act 1986

Environmental Protection (Ozone Protection) Policy Revocation Order 2009

Made by the Minister under section 33(2) of the Act.

1. Citation

This order is the *Environmental Protection (Ozone Protection) Policy Revocation Order 2009.*

2. Commencement

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

3. Approval revoked

The approval of the *Environmental Protection (Ozone Protection) Policy 2000* given under section 31(d) of the Act is revoked.

DONNA FARAGHER, Minister for Environment.

EV302*

Conservation and Land Management Act 1984

Walpole and Nornalup Inlets Marine Park Amendment Order 2009

Made by the Governor in Executive Council under section 13(1) and (4) of the Act.

1. Citation

This order is the Walpole and Nornalup Inlets Marine Park Amendment Order 2009.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 on the day on which this order is published in the *Gazette*;
- (b) the rest of the order on the day after that day.

3. Order amended

This order amends the Walpole and Nornalup Inlets Marine Park Order 2009.

4. Schedule 1 amended

In Schedule 1 paragraph (n) delete "Location 1293;" and insert:

Location 1239;

By Command of the Governor,

FISHERIES

FI301

CORRECTION TO REPRINT

FISH RESOURCES MANAGEMENT REGULATIONS 1995

Reprint 8, as at 7 August 2009, of the Fish Resources Management Regulations 1995 is corrected at follows—

On page 245, in Schedule 12 Part 2 item 4, after "113C(1)", delete "113E(3),".

113E(1),

LAND

LA301*

Licensed Surveyors Act 1909

Licensed Surveyors (Licensing and Registration) Amendment Regulations 2009

Made by the Land Surveyors Licensing Board and approved by the Governor in Executive Council.

1. Citation

These regulations are the *Licensed Surveyors (Licensing and Registration) 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 *Licensed Surveyors (Licensing and Registration) Regulations 1990*.

4. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[r. 18 and 19]

The fee specified at the end of each item in this Schedule is payable in respect of the matter specified in that item.

Item		Matter	Fee
1.		stration under regulation 5 of professional training ement	\$37
2.		ication under regulation 7 for approval of nment of professional training agreement	\$37
3.	Appl	ication under regulation 13 to enter examination	\$70
4.	Examination fee under regulation 13 (for each examination or project)		\$37
5.	Issue	under regulation 18 of letter of accreditation	\$50
6.	Issue under regulation 18E of replacement certificate or licence		
7.	Application under section 7 of the Act for a licence		\$40
8.	Application under section 11A of the Act for a practising certificate —		
	(a)	for first year —	
		(i) before 1 September	\$125
		(ii) on or after 1 September	\$55
	(b)	for each subsequent year	\$125
9.	Renewal under section 11A of the Act of a practising certificate for each year		\$125
10.	Late renewal under section 11A(6) of the Act of a practising certificate \$12		\$125
11.	Inspe regist	ection under section 12(2) of the Act of the ter	\$12

Passed by a resolution of the Land Surveyors Licensing Board at a meeting held on July 16, 2009.

N. E. BROWNE, Chairman, Land Surveyors Licensing Board.

Approved by the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

LOCAL GOVERNMENT

LG401*

LITTER ACT 1979

Shire of Cunderdin

APPOINTMENT OF AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Cunderdin—

Authorised Officers

Angela Plichota Phil Steven
Loren Hempel Stuart Hopwood
Shane Fewster Gary Tuffin

Norbert Marwick

All previous appointments are hereby revoked.

Dated 27/08/09.

GARY TUFFIN, Chief Executive Officer.

LG402*

CARAVAN PARKS AND CAMPING GROUNDS ACT 1995

Shire of Cunderdin

APPOINTMENT OF AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Cunderdin—

Authorised Officers

Angela Plichota Phil Steven
Loren Hempel Stuart Hopwood
Shane Fewster Gary Tuffin

Norbert Marwick

All previous appointments are hereby revoked.

Dated 27/08/09.

GARY TUFFIN, Chief Executive Officer.

LG403*

DOG ACT 1976

 $Shire\ of\ Cunderdin$

APPOINTMENT OF AUTHORISED PERSONS AND REGISTRATION OFFICERS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Cunderdin—

Authorised Officers Registration Officers

Angela Plichota

Shane Fewster

Sory Tuffin

Norbert Marwick

Loren Hempel

Emma Coughlan

Stuart Hopwood

Loren Hempel

Jaynee Gray

Gary Tuffin

All previous appointments are hereby revoked.

Dated 27/08/09.

GARY TUFFIN, Chief Executive Officer.

LG404*

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Shire of Cunderdin

APPOINTMENT OF AUTHORISED PERSONS AND POUND KEEPERS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Cunderdin— $\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{2} \left(\frac{1}{2} \right) \left(\frac{1}$

Authorised Officers

Angela Plichota Shane Fewster Norbert Marwick Emma Coughlan Stuart Hopwood Gary Tuffin

Loren Hempel

All previous appointments are hereby revoked.

Dated 27/08/09.

GARY TUFFIN, Chief Executive Officer.

LG405*

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

Shire of Cunderdin

APPOINTMENT OF AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Cunderdin— $\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{2} \left(\frac{1}{2} \right) \left(\frac{1}$

Authorised Officers

Angela Plichota Shane Fewster Norbert Marwick Loren Hempel Stuart Hopwood Gary Tuffin

All previous appointments are hereby revoked.

Dated 27/08/09.

GARY TUFFIN, Chief Executive Officer.

LG406*

LOCAL GOVERNMENT ACT 1995

City of Melville

AUTHORISED PERSONS

It is hereby notified for public information that Terence Schindler, Scott Ferguson and Russell Price have been appointed as Authorised Persons at Bull Creek Shopping Centre Parking station No.14 (as defined in the City of Melville Parking Facilities Local Laws) and as Authorised Persons for the purposes of Section 9.10, 9.13 and 9.15 of the *Local Government Act 1995*.

SHAYNE SILCOX, Chief Executive Officer.

LG407

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Shire of Murray

SWIMMING POOL INSPECTION LEVY

In accordance with the *Local Government (Miscellaneous Provisions) Act 1960* section 245A(8) the Shire of Murray gives notice that at the meeting held on July 30, 2009 Council imposed a Swimming Pool Inspection levy of \$13.75 (GST inclusive) per property, per annum containing a private swimming pool.

This charge is to be imposed on each owner of land on which there is a swimming pool.

DEAN L. UNSWORTH, Chief Executive Officer.

LG408*

$Shire\ of\ Kellerberrin$ APPOINTMENTS

Authorisation Officer

It is hereby noted for public information that Miss Angela Plichota, Mr Stuart Hopwood and Mr Shane Fewster have been appointed by Council as Authorised Persons of the Shire of Kellerberrin pursuant to the following—

- Dog Act 1976.
- 2. Local Government Act 1995.
 - a. s3.39—Remove/impound goods involved in contravention that could lead to impounding
 - b. s3.40A—Remove and impound an abandoned vehicle wreck
 - c. s9.11—Request name and address of person committing or suspected on reasonable grounds of committing an offence against the Local Government Act.
 - d. s9.13—Authorisation to issue owner of a vehicle alleged to have been involved in commission of offence, with a notice to provide identity of driver at time allegedly occurred
 - e. s9.16—Issue Infringement Notices
- 3. Control of Off-Road Vehicles Act 1978 & Regulations
- 4. Litter Act 1979 & Regulations

Registration Officers

It is hereby notified for public information that the following persons have been appointed Registration Officers under the $Dog\ Act\ 1976$ —

Mr Raymond Griffiths Mr Tom Applegate Miss Jessica Butler Miss Katelin Bowyer Mr Mark Silver

D. A. FRIEND, Chief Executive Officer.

LG409*

LOCAL GOVERNMENT ACT 1995

Shire of Donnybrook-Balingup

APPOINTMENT OF AUTHORISED PERSON

It is hereby notified for public information that Mr Jack Stannard has been appointed as an authorised person for the Shire of Donnybrook-Balingup from 17 August 2009, to administer the following Acts, Regulations and Local Laws—

Part 9 Division 2 of the Local Government Act 1995;

Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;

Section 3.39 of the Local Government Act 1995 as an Authorised Person;

To exercise powers under Part XX of the Local Government Act (Miscellaneous Provisions) Act 1960; Section 44 9 of the Local Government Act (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;

Dog Act 1976 (and Regulations) for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E(1) Dog Act, as an Authorised Person;

Litter Act 1979 and Regulations;

Bush Fires Act 1954 and Regulations;

Caravan Parks and Camping Grounds Act 1995;

Control of Off-Road Vehicle (Off-Road Areas) Act 1978 and Regulations;

Shire of Donnybrook-Balingup Local Laws and Regulations.

S. B. DILLEY, Shire President. J. R. ATTWOOD, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

Shire of Donnybrook/Balingup Fire Break Order

Important information relating to your responsibility as a landholder in the Donnybrook—Balingup Shire

With reference to Section 33 of the *Bush Fires Act 1954*, you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this order.

This work MUST be carried out by 1st December 2009 and kept maintained until 31st March 2010.

An inspection of firebreaks and hazard removal will be carried out in all areas of the Shire by an authorised officer.

Persons who fail to comply with the requirements of this Order may be issued with an infringement notice (**penalty \$250**) or prosecuted with an increased penalty, and additionally, council may carry out the required work at the cost to owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice or if natural features render firebreaks unnecessary you may apply to the council or its duly authorised officer not later than the 15th day of November 2009 for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by the council or its duly authorised officer, you shall comply with the requirements of this notice. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

1. RURAL LAND

- (a) On land which is divided by or abuts a formed or partly formed road or railway reserve, a firebreak not less than two metres wide shall be provided within 60 metres of the boundary of the road or railway reserve. Breaks ARE NOT permitted on road reserves without Council approval.
- (b) A firebreak two metres wide shall be provided immediately surrounding and within twenty metres of the perimeter of all buildings, hay sheds and fuel storage areas situated on the
- (c) A cleared area of at least a six metre radius shall be provided around all combustion pumping engines.

2. EUCALYPTUS AND PINE PLANTATIONS

- (a) Firebreaks not less than ten metres in width around the perimeter of land on which trees are planted.
- (b) Not less than ten metres in width along those portions of plantations which enjoy a common boundary with a road reserve.
- (c) Not less than six metres in width in such positions that no part or compartment of a plantation shall exceed 28ha in area.
- (d) Where ten metre breaks are required in accordance with this Section of Council's Fire Break Order, pruning of overhang shall be carried out up to a height of five (5) metres above the firebreak (Ground level).
- (e) In addition to the breaks specified, plantations traversed by Western Power transmission lines have additional obligations under the Electricity Act.

3. TOWNSITES LAND: (INCLUDES RESIDENTIAL, SPECIAL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL LAND)

Townsites: Donnybrook, Balingup, Kirup, Mullalyup, Newlands, Preston and Noggerup.

- (a) Where the area of land is 2024m² (approx. ½ acre) or less, remove all flammable material on the land except living trees, shrubs and plants from the whole land, and;
- (b) Where the land exceeds 2024m² (approx ½ acre) clear firebreaks not less than two metres wide, unless otherwise specified in the Town Planning Scheme, immediately inside all external boundaries of the land, and also immediately surrounding all buildings situated on the land. Grass on the remaining area of the land must be either grazed, cut for fodder, or totally removed from the land.
- (c) Council, on the recommendation of a Bush Fire Control Officer, may vary these conditions in certain circumstances.

4. RURAL RESIDENTIAL, SPECIAL USE AND CRAFT COMMERCIAL LAND

The owners of all land zoned as "Rural Residential", "Special Use", or "Craft Commercial", under Town Planning Scheme No. 4, shall maintain a firebreak not less than two metres wide, immediately inside all external boundaries of the land, free of overhanging branches to a height of four metres. Council on the recommendation of a Bush Fire Control Officer, may vary these conditions in certain circumstances. A low fuel zone of twenty metres wide shall be provided immediately surrounding all buildings situated on the land. Grass on the remaining area of the land must be either grazed (within conventional practice), cut for fodder or completely removed from the land.

5. FUEL AND/OR GAS DEPOT

In respect of land owned by you on which is situated any container normally used to contain liquids or gas fuel, including the land on which any ramp or support is constructed, you shall have the land clear of all flammable materials.

6. WELDING, CUTTING, AND GRINDING EQUIPMENT

A person shall not operate welding or cutting apparatus of any kind in the open air unless at least one fire extinguisher is provided at that place and a firebreak which is at least five (5) metres wide surrounds that place. As per Bush Fire Regulations 1954 39c.

7. ROADSIDE VERGES

Council policy is that no vegetation is to be removed from road verges and no verge is to be burnt without a permit for that specific purpose.

SPECIAL NOTICE TO LANDOWNERS AND OCCUPIERS

The Council forwards a copy of this firebreak order with rates assessments each year, the notice is also published in the Donnybrook—Bridgetown mail and additional copies are obtainable at the shire counter

The aim of the Council is to eliminate destructive bush fires and to this aim, some areas of the shire are subject to hazard removal and roadside burning which is carried out by the shire's bush fire brigades and council workforce.

The requirements of this Order are considered to be the minimum standard of fire prevention work required to protect not only individual properties but the district generally. in addition to the requirements of this Order council may issue separate special orders on owners or occupiers if hazard removal is considered necessary in some specific areas.

If firebreaks are provided by spraying, landholders are reminded to spray in time for firebreaks to comply by 1st December 2009.

Note: Warning notices will <u>not</u> be issued for non compliance with the order. unless suitable arrangements are made in writing council will issue infringement notices immediately on landholders who have not complied by the required date.

BUSH FIRE PRECAUTIONS

PROHIBITED BURNING TIMES

The Prohibited Burning Times applying with this Shire are 15 December 2009 to 14 March 2010.

RESTRICTED BURNING TIMES

The Restricted Burning Times are 1 November 2009 to 14 December 2009 and 15 March 2010 to 26 April 2010.

These dates are subject to slight variation according to seasonal conditions, but any alterations will be advertised locally.

BUSH FIRE ACT SUMMARY

- 1. Permits to burn are required for the whole of the Restricted Period and can be obtained from the Area Fire Control Officers listed.
- 2. Any special conditions imposed by the Fire Control Officer when issuing permits must be strictly adhered to.
- 3. The permit holder shall give notice of his intention to burn to—
 - (a) The Shire Office no later than on the day when the burning is to take place. Weekend burning must be notified by Friday at 4.00pm.
 - (b) The owner or occupier of adjoining land.
 - (c) The nearest Department of Environment and Conservation (DEC) Office if the land is situated within 3km of State Forest Land. (Phone DEC Kirup: 9731 6232, DEC Collie: 9734 1988).
- 4. Period of notice to neighbours prior to burning cannot be more than 28 days or less than four days, although less notice may be determined by mutual agreement of all neighbours.
- 5. Your attention is drawn to Items 5, 6 and 7 printed on the back of the permit.
- 6. All landowners and occupiers who incur a bushfire have an obligation to assist each Fire Control Officer to compile a Fire Report Form.
- 7. Open Fires within the Shire are not permitted from 1st December to 31st March each year except in properly constructed fire places situated in authorised areas and not permitted when a very high or extreme fire danger has been forecast.
- 8. Garden refuse or rubbish burnt on the ground may be lit only between 6.00pm and 11.00pm and must be completely extinguished with water or earth by midnight. All flammable matter is to be cleared within five metres at all points of the site of the fire. And a person must be in attendance during the whole time the fire is burning. No fires to be lit during the prohibited burning period, or on very high or extreme forecast days.
- 9. Any incinerator used to burn rubbish must be properly constructed—an open drum with or without a lid is not an appropriate incinerator.
- 10. Slashing of grass and scrub should not be undertaken on very hot days, as this activity has the strong possibility of causing fires. Please exercise extreme caution and seek the advice of your Fire Control Officer before slashing.
- 11. It is in the interest of all residents to be involved with the local bush fire brigade. Fire training is available through the brigade at no cost.

CONTRACTORS

Council will not undertake to do any work connected with the requirements of this notice. It is the responsibility of the land owner to source contractors to provide the required fire protection, if unable to undertake the work themselves.

DONNYBROOK TOWN AREA ONLY

Donnybrook Fire and Rescue will carry out protective burning of lots, subject to notification in writing to PO Box 400, Donnybrook, prior to 31st October 2009. A fee for this service will be payable by the landowner to Donnybrook Fire & Rescue.

BUSH FIRE CO	NTROL OFFICERS			
Chief Fire Control Officer		Fire Control Officers		
		Argyle / Irishtown	David Tooke	9731 1330
Max Walker	9764 1021			Mobile 0428 920 045
	Mobile 0428 641 021	Balingup	Toby Jarvis	9764 1803
				Mobile 0403135569
		Beelerup	Bruce Hearman	9731 1301
Deputy Chief Fire Control Officer		Brookhampton	Neville Clifford	9731 8253
		Donnybrook	Graham Chester	9731 2638
D :1m 1	0501 1000	T3 1.1	3.6 337 11	0410106393
David Tooke	9731 1330 Malaila 0499 099 047	Ferndale	Max Walker	9764 1021
	Mobile 0428 920 045	Kirup/Brazier	Mick Zwart Trevor Radford	9731 6331
			revor nadiord	9731 6333 Mobile 0427888684
Fire Weather Officer		Lowden	Ian McLaren	9732 1272
Murray Webb 9731 0286		Mullalyup	Neil Gubler	9764 1194
manay webb	3131 0200	Mumballup	Chris Marwick	9732 2019
		Stirling Park	Greg Mader	9756 2017
		Thomson Brook	Graham Foan	9731 8104
				Mobile 0429311840
		Upper Balingup	Sam Dell	9764 1020
			'Agostino	
		Upper Capel	John Fry	$9731\ 1269$
		Wilga	Neil Charteris	$9766\ 1030$

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of the late Christina Betty White of 7 Parkland Retreat, Esperance in the State of Western Australia, pensioner, deceased, who died on 17 June 2008.

Creditors and other persons having claim (to which section 63 of the Trustees Act 1962 relates) are required by the Solicitor for the Administrator Gulshan R. Chopra of Moss & Co., Barristers & Solicitors of Suite 2, 10 William Street, Esperance, Western Australia 6450 to send particulars of their claims to him within 30 days of this notice, after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee then have notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Stanley Milton Watt, late of Brightwater Care Group, 39 Hamersley Road, Subiaco, Western Australia and formerly of 16 Kings Park Avenue, Crawley, Western Australia, Company Director, who died on 18th July 2009.

Creditors, next of kin and others having claims in respect of the property of the abovenamed deceased, are required by the executor, David Edward Stevens c/- BDO Kendalls of PO Box 7426, Cloisters Square, Western Australia 6850, to send particulars to the said executor at the above address within one month from the date of this notice, after which date the executor may distribute the assets having regard only to the claims of which the executor then has notice.

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