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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2009 AND NEW YEAR HOLIDAY PERIOD 2010

Publishing Dates and times Closing Dates and Times for copy

Thursday, 24 December 2009 at 3.30 pm Thursday, 31 December 2009 at 3.30 pm Friday, 8 January 2010 at 3.30 pm Tuesday, 22 December 2009 at 12 noon Thursday, 24 December 2009 at 12 noon Wednesday, 6 January 2010 at 12 noon

— PART 1 —

ENVIRONMENT AND CONSERVATION

EV301*

Environmental Protection Act 1986

Environmental Protection (Clearing of Native Vegetation) Exemption Order 2009

Made by the Minister for Environment with the approval of the Governor under section 6 of the Act.

1. Citation

This order is the *Environmental Protection (Clearing of Native Vegetation) Exemption Order 2009.*

2. Commencement

This order comes into operation as follows —

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

3. Declaration of exemption

Section 51D(3)(a) of the Act does not apply in respect of clearing, in the drain corridor, for the purposes of constructing and maintaining a drain that is —

- (a) not more than 12 m wide; and
- (b) not more than 2 ha in area; and
- (c) not more than 0.6 m deep (on average).

4. The drain corridor

In this order —

coordinate means a Map Grid of Australia (Geocentric Datum of Australia 1994) coordinate for zone 50;

<i>drain corridor</i> means the area defined by boundaries joining the
coordinates in the Table sequentially —

	Table	
Point No.	Easting	Northing
1	485457.10	6219745.32
2	485455.96	6220024.35
3	485474.46	6220024.38
4	485472.57	6219863.47
5	485473.97	6219807.29
6	485489.29	6219760.45
7	485509.77	6219734.28
8	485550.35	6219718.08
9	485587.35	6219718.14
10	485615.24	6219726.50
11	485640.00	6219715.65
12	485673.49	6219683.17
13	485692.77	6219639.55
14	485730.00	6219614.13
15	485774.06	6219593.82
16	485814.72	6219583.69
17	485843.55	6219559.29
18	485877.49	6219514.52
19	485907.17	6219474.68
20	485947.78	6219436.23
21	485993.36	6219408.05
22	486026.82	6219395.26
23	486063.10	6219398.74
24	486093.67	6219411.62
25	486147.76	6219398.86
26	486201.17	6219364.70
27	486243.92	6219323.68
28	486275.81	6219286.92
29	486282.62	6219262.48
30	486279.28	6219227.84
31	486274.72	6219180.79
32	486265.55	6219127.71

Point No.	Easting	Northing
33	486262.55	6219087.24
34	486276.17	6219040.40
35	486298.25	6218993.57
36	486334.83	6218944.64
37	486375.43	6218909.61
38	486428.84	6218876.30
39	486952.49	6218861.99
40	487082.17	6218842.69
41	487082.97	6218901.06
42	487099.38	6218900.98
43	487099.60	6218744.11
44	487082.31	6218744.00
45	487080.46	6218805.55
46	486584.01	6218820.03
47	486408.55	6218838.89
48	486357.70	6218871.06
49	486317.00	6218908.03
50	486272.17	6218977.07
51	486250.79	6219024.06
52	486243.96	6219060.73
53	486241.37	6219119.97
54	486246.98	6219176.47
55	486249.76	6219222.69
56	486245.42	6219268.05
57	486214.82	6219303.13
58	486176.31	6219340.70
59	486122.90	6219368.87
60	486084.32	6219368.13
61	486047.51	6219356.77
62	485999.83	6219360.13
63	485954.98	6219382.31
64	485902.99	6219419.04
65	485862.32	6219465.60
66	485838.12	6219501.97
67	485814.60	6219529.32

Point No.	Easting	Northing
68	485774.73	6219543.81
69	485723.29	6219571.33
70	485687.69	6219597.76
71	485662.24	6219628.29
72	485643.55	6219664.93
73	485624.90	6219679.16
74	485595.22	6219684.77
75	485557.16	6219674.98
76	485493.45	6219705.15
77	485457.10	6219745.32

DONNA FARAGHER, Minister for Environment.

Approved by the Governor,

PETER CONRAN, Clerk of the Executive Council.

FISHERIES

FI101

PRINTERS CORRECTION

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 18) 2009

An error occurred in the notice published under the above heading on page 4993 of *Government Gazette* No. 228 dated 8 December 2009 and is corrected as follows. On page 4996 in the table, delete the words—

and insert—

"	Cod (combined, except Coral Trout and		
	Coronation Trout)	2	"

5141

LOCAL GOVERNMENT

LG301*

Local Government Act 1995

Local Government (Coolgardie - Councillor Numbers) Order 2009

Made by the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *Local Government (Coolgardie - Councillor Numbers) Order 2009.*

2. Commencement

- (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. Terms used

In this order —

commencement day means the day on which the rest of the order comes into operation under clause 2(b);

next election means the first ordinary election for the Shire of Coolgardie held after commencement day;

next election day means the day fixed for the holding of the poll for the next election.

4. Change in number of councillors for the next election (s. 2.18(3)(a) of the Act)

On and from next election day, the number of offices of councillor on the council of the Shire of Coolgardie is 7.

5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

(a) Part 4 of the Act applies to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day; and (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

LG302*

Local Government Act 1995

Local Government (West Arthur - Councillor Numbers) Order 2009

Made by the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *Local Government (West Arthur - Councillor Numbers) Order 2009.*

2. Commencement

- (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. Terms used

In this order —

commencement day means the day on which the rest of the order comes into operation under clause 2(b);

next election means the first ordinary election for the Shire of West Arthur held after commencement day;

next election day means the day fixed for the holding of the poll for the next election.

4. Change in number of councillors for the next election (s. 2.18(3)(a) of the Act)

On and from next election day, the number of offices of councillor on the council of the Shire of West Arthur is 7.

5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

- (a) Part 4 of the Act applies to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day; and
- (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

CULTURE AND THE ARTS

CA401*

LIBRARY BOARD OF WESTERN AUSTRALIA ACT 1951

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN OF THE LIBRARY BOARD OF WESTERN AUSTRALIA

State Library of Western Australia.

It is hereby notified for public information that Dr Matthew Allen has been appointed to Chairman of the Library Board of Western Australia for 2010.

Mr Michael Murray has been appointed to the position of Vice Chairman of the Library Board of Western Australia for 2010.

MARGARET ALLEN, Chief Executive Officer and State Librarian.

ENERGY

EN401*

ENERGY COORDINATION ACT 1994

NOTICE UNDER SECTION 11T NOTICE OF DECISIONS.

Notice is given that the following Trading licence has been granted—		
Licensee:	Perth Energy Pty Ltd	
Issue Date:	30 November 2009	
Address of Licensee:	Unit 3, 77 Mill Point Road South Perth WA 6151	
Classification:	Trading Licence (GTL12)	
Term of Licence:	Up to and including 29 November 2019	
Area Covered:	Licence granted to supply gas across all Western Australian Gas Supply areas 1 to 8 (Plan No. ERA-GAS-012).	
Inspection of Licence:	Economic Regulation Authority 6th Floor 197 St Georges Terrace Perth WA 6000 http://www.era.wa.gov.au	

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

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

Schedule 1

Description of Place

Bowra and O'Dea, Beaufort Street, at 359 Beaufort Street, Highgate; Lot 103 on Diagram 92080 being the whole of the land contained in C/T V: 2106 F: 55

Church of St. Nicholas at Lot 324 Paris Rd, Australind; Lot 324 on DP 302294 being the whole of the land contained in C/T V: 621 F: 96.

Esperance RSL Building, Norfolk Island Pines and War Memorial at 6 James Street, 84 and 86 Dempster Street, Esperance; Lot 307 on DP 48799 being Res 6206 and the whole of the land contained in Certificate of CLT V: 3149 F: 819. Lot 308 on DP 48799 being Res 48842 and the whole of the land contained in Certificate of CLT V: 3149 F: 820. Ptn of the Dempster Street road Res. Lot 809 on DP 183864 being the whole of the land contained in C/T V: 1596 F: 60. Together as shown on HCWA Survey Drawing No. 18402 prepared by Midland Survey Services

Marsala House, Dianella at 38 Sycamore Rise, Dianella; Lot 35 on Plan 10627 being the whole of the land contained in C/T V 1366 F 217.

GRAEME GAMMIE, Executive Director, Office of the Heritage Council of W.A. 108 Adelaide Terrace, East Perth WA 6004.

15 December 2009.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

Shire of Northam

AUTHORISED OFFICER

It is hereby notified for public information that Mr Craig Wilson has been appointed as Pound Keeper, Registration Officer, Authorised Officer and Ranger for the purpose of enforcing the following Acts, Regulations and Local Laws for the Shire of Northam—

- (a) Local Government Act 1995 and Regulations
- (b) Local Government (Miscellaneous Provisions) Act 1960
- (c) Bush Fires Act 1954 and Regulations
- (d) Dog Act 1976 and Regulations
- (e) Litter Act 1979
- (f) Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- (g) Council Local Laws
- (h) Caravan, Parks and Camping ground Act 1995 and Regulations

Dated: 9 December 2009.

N. HALE, Chief Executive Officer.

LG402*

DOG ACT 1976

Shire of Cunderdin

APPOINTMENTS OF AUTHORISED OFFICERS

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

Registration Officers Clare Passells

Stacey McQuistan

Dated 10 December 2009.

LG403*

BUSH FIRES ACT 1954

Shire of Cunderdin

APPOINTMENTS OF AUTHORISED OFFICERS

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

Stuart Hopwood

Shane Fewster

Dated 10 December 2009.

G. M. (Gary) TUFFIN, Chief Executive Officer.

LG404*

ANIMAL WELFARE ACT 2002

Shire of Cunderdin

APPOINTMENTS OF AUTHORISED OFFICERS

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

Stuart Hopwood Shane Fewster

Dated 10 December 2009.

G. M. (Gary) TUFFIN, Chief Executive Officer.

LG405*

CITY OF BAYSWATER APPOINTMENT OF RANGERS

It is hereby notified for public information that, Elan Tzabary, James Burke, Geoff Copley, Steven Chua, Ray McArthur, Robert Butler and Aaron Watson have been appointed as authorized officers to exercise powers pursuant to the following legislations—

- 1. Local Government Act 1995
- 2. Council's Local Laws
- 3. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
- 4. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;
- 5. Dog Act 1976 and Regulations
- 6. Litter Act 1979 and Regulations
- 7. Local Government "Parking for Disabled Persons" Regulations 1996
- 8. Control of Vehicles (Off-road areas) Act 1978
- 9. Bush Fires Act

It is hereby notified for public information that, Clint Bridgeman, Reuben Fryer, Karen Myles, Arek Mazurkiewicz, Jeanetta Burke, Christian Aguire, Marcello Di Illaco, Kim Stockley, Nick Towill and Ashley Smith have been appointed as authorized officers to exercise powers pursuant to the following legislations—

- 1. Local Government Act 1995
- 2. Council's Local Laws excluding Dogs Local Laws
- 3. To exercise power under Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
- 4. Litter Act 1979 and Regulations
- 5. Local Government "Parking for Disabled Persons" Regulations 1996

- 6. Control of Vehicles (Off-road areas) Act 1978
- 7. Bush Fires Act

All previous appointments are hereby cancelled.

FRANCESCA LEFANTE, Chief Executive Officer.

LG406*

LOCAL GOVERNMENT ACT 1995

City of Cockburn

AUTHORISED PERSONS

It is hereby notified for public information that as from 15 December 2009, Brent Matthew Stein has been appointed as a City Ranger and is a duly authorised officer in accordance with the various Acts, Regulations and Local Laws as detailed hereunder.

- 1. Dog Act 1976
- 2. Control of Vehicles (Off Road Areas) Act 1978
- 3. Litter Act 1979
- 4. Local Government Act 1995
- 5. Fire Control Officer pursuant to s.38 and 5.59 of the Bush Fires Act 1954
- 6. City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder-
 - (1) Divisions 3, 4, 5 and 6 of Part II—Animals
 - (2) Part III—Reserves, Foreshores and Beaches except section (t) and section 3.4(f), (g), (j), (k) and (l) thereof.
 - (3) Divisions 2, 5 and 6 of Part V—Dangerous and Offensive Things.
 - (4) Part VI—Hawkers, Stallholders and Street Traders.
 - (5) Divisions 4 and 5 of Part VII—Management and Control of Council Property.
 - (6) Sections 8.22 and 8.23 of Part VIII-Signs, Hoardings, Bill Posting.
 - (7) Part IX—Streets and Public Places except sections 9.4, 9.5, 9.6, 9.7 and 9.8 thereof.
 - (9) Part XI—Law, Order and Security.
 - (10) City of Cockburn (Local Government Act) Local Laws 2000 as detailed hereunder— Parking and Parking Facilities Local Law 2007.

The authorisations of Simon James Eager, Travis Shannon Ranieri and Matthew George Kaiser are hereby cancelled.

STEPHEN CAIN, Chief Executive Officer.

LG407*

HEALTH ACT 1911

Shire of Coolgardie

IMPOSITION OF A FEE/CHARGE BY RESOLUTION

It is hereby notified for public information that the Council of the Shire of Coolgardie, in accordance with section 344C of the Health Act 1911, has resolved to set registration and renewal of registration fees for Lodging Houses, registered under section 123 of the Shire of Coolgardie Health Local Laws 1998, as per the following schedule—

Application for grant or renewal of Registration of a Lodging House—

The fee for the grant or the renewal of the Registration-

- (a) \$200; or
- (b) the amount calculated by multiplying \$6.00 by the maximum number of rooms, specified in the application, whichever is the greater amount

These above new fess for the registration and renewal of registration of lodging houses will come in to effect on 1 January 2010.

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Boddington

Local Planning Scheme No. 2—Amendment No. 24

Ref: 853/6/15/2 Pt 24

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 Boddington local planning scheme amendment on 27 October 2009 for the purpose of amending the designation on the Scheme Map for Lot 74 Hotham Avenue, Boddington from Residential R15 to Residential R25.

P. R. CARROTTS, Shire President. G. A. SHERRY, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Chapman Valley

Town Planning Scheme No. 1—Amendment No. 38

Ref: 853/3/17/1 Pt 38

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 Chapman Valley local planning scheme amendment on 26 November 2009 for the purpose of—

- 1 Rezoning Lot 108 Chapman Valley Road, Narra Tarra from "General Farming" to "Special Rural";
- 2 Adding to Appendix 6 of the Scheme Text the following-

AREA No.17	Lot 108 Chapman Valley Road, Narra Tarra	
Subdivision	(a) Subdivision, development and land use shall generally be in accordance with the Subdivision Guide Plan as adopted by the local government and endorsed by the Western Australian Planning Commission.	
	(b) The minimum lot size shall be 20 hectares.	
Building	(a) Buildings shall be confined to the building envelopes as identified on the Subdivision Guide Plan.	
	(b) All buildings shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours.	
	(c) All stormwater and runoff from buildings and impervious surfaces shall be disposed of within each lot to the satisfaction of the local government.	
	(d) All building development shall accord with the local government's Rural Bushfire Policy & FESA requirements.	
	(e) All property boundaries for new lots shall be fenced to a minimum standard of 6 strand ring lock in a uniform manner.	
Stock Control	(a) The keeping of animals (other than domestic pets) shall accord with the maximum stocking rates as prescribed by Agriculture WA.	
	(b) Application for approval for an increased stocking rate above the minimum prescribed is to be submitted to and determined by the local government. The local government in determining an application for an increase in the stocking rate may consult with Agriculture WA and affected surrounding landowners on desirable rates and applicable pasture types.	

AREA No.17	A No.17 Lot 108 Chapman Valley Road, Narra Tarra	
	(c)	Notwithstanding a) above, the local government may reduce or vary the limit on stocking or place any other conditions in the light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighboring properties.
	(d)	All property boundaries for new lots shall be fenced to a minimum standard of timber post and 6 strand ring-lock in a uniform manner.
Vegetation Protection	(a)	Prior to the stocking of any lot, all remnant vegetation (excluding areas for fire control, driveway access and servicing) shall be protected from livestock by means of fencing to an appropriate standard to the satisfaction of the local government.
	(b)	Remnant vegetation is not to be cleared outside the building envelopes.
Servicing	(a)	No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans to the satisfaction of the local government in consultation with the Health Department of WA.
	(b)	The local government may request the Western Australian Planning Commission impose a condition at the time of subdivision that requires the subdivider provide fire fighting facilities (or a financial contribution in-lieu of) in accordance with the local government's Rural Bushfire Policy requirements.
	(c)	Construction of a single dwelling on any proposed lot shall be supported by a minimum roof catchment area of $300m^2$ from all building/s and a rain water storage tank of at least $100,000$ litres to sustain a potable water supply for domestic and fire fighting use in accordance with the local government's Rural Bushfire Policy requirements.
	(d)	The subdivider is to liaise with Main Roads WA regarding access on to Chapman Valley Road and/or Morrell Roads prior to the lodgement of an application for subdivision.
	(e)	The local government may request the Western Australian Planning Commission impose a condition at the time of subdivision requiring the subdivider to demonstrate the quantity and quality of ground water, with this data to be made available to the local government and prospective purchasers of the land.
		(f) Construction of a dam or soak on the property shall be subject to formal planning consent being granted by the local government.
	(g)	No vehicle access is permitted onto or from Chapman Valley and Morrell Roads.
Land Use	(a)	Landowners shall not proceed with any form of development or change in land use without having obtained planning consent from the local government.
Advice to Purchasers	(a)	The local government may request that the Western Australian Planning Commission impose a condition at the time of subdivision that requires the subdivider to ensure that prospective purchasers and successors in title are advised of—
		i. The local planning scheme provisions which relate to the use and management of the land; and
		ii. The constraints associated with the use of ground and surface water for intensive agricultural pursuits, and the need to liaise with the Department of Water regarding ground water licensing requirements for commercial use.

3 Amending the Scheme Maps accordingly.

PI403*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Dandaragan

Local Planning Scheme No. 7—Amendment No. 12

Ref: 853 / 3 / 6 / 8 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 Shire of Dandaragan local planning scheme amendment on 26 November 2009 for the purpose of—

- 1. Rezoning a portion of Lot 28 (Reserve 36547) Harris Street, Dandaragan from "Local Scheme Reserve—Parks and Recreation" to "Residential R 12.5".
- 2. Amending the Scheme Maps accordingly.

R. S. LOVE, President. C. P. STRUGNELL, Chief Executive Officer.

TRANSPORT

TR401*

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (SELF-TESTING BREATH ANALYSING EQUIPMENT) NOTICE 2009 Made by the Minister for Transport under section 72(2)(a) and (2a).

1. Citation

This notice may be cited as the Road Traffic (Self-Testing Breath Analysing Equipment) Notice 2009.

2. Previous approvals revoked

I revoke the previous notice made under section 72(2) (a) and (2a), which was gazetted on 24 December 1987.

3. Approval and designation of apparatus

Apparatus bearing, with or without other material, the expression "DRÄGER ALCOTEST 7110" is—

- (a) approved as apparatus for ascertaining a person's blood alcohol content by analysis of a sample of the person's breath; and
- (b) designated as self-testing apparatus.

SIMON O'BRIEN, Minister for Transport.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the estate of John Chugg, formerly of 4 Banach Street, Maddington, Western Australia 6109 deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovenamed deceased who died on 9th September 2008, are required by the administrator Gail McGlinn of 28 Woodlake Boulevard, Ellenbrook, Western Australia to send particulars of their claims to her within one (1) month from the date of publication of this notice, after which time she may convey or distribute the assets having regard only to the claims of which she has then had notice.

GAIL McGLINN.