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CONTENTS

PART 1

	Page
Betting Control Act 1954—Betting Control Amendment Regulations (No. 3) 2010	5739
Casino Control Act 1984—Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2010.....	5741
Cemeteries Act 1986—City of Rockingham—Cemeteries Amendment Local Law 2010	5719
Dog Act 1976—Town of Kwinana—Dogs Local Law 2010.....	5715
Dividing Fences Act 1961—City of Rockingham—Fencing Amendment Local Law 2010.....	5718
Gaming and Wagering Commission Act 1987—Gaming and Wagering Commission Amendment Regulations 2010.....	5747
Liquor Control Act 1988—Liquor Control Amendment Regulations (No. 10) 2010.....	5743
Local Government Act 1995—	
City of Rockingham—Cemeteries Amendment Local Law 2010	5719
City of Rockingham—Fencing Amendment Local Law 2010.....	5718
Shire of Nannup—Standing Orders Amendment Local Law 2010.....	5718
Town of Kwinana—Dogs Local Law 2010.....	5715
Lotteries Commission Act 1990—	
Lotteries Commission (Cash 3) Amendment Rules 2010.....	5737
Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2010	5720
Lotteries Commission (Oz Lotto) Amendment Rules (No. 2) 2010.....	5723
Lotteries Commission (Powerball) Amendment Rules 2010.....	5726
Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2010.....	5729
Lotteries Commission (Soccer Pools) Amendment Rules (No. 2) 2010.....	5734
Lotteries Commission (Super 66) Amendment Rules 2010	5732
Poisons Act 1964—	
Poisons Amendment Regulations (No. 4) 2010.....	5709
Poisons Amendment Regulations (No. 6) 2010.....	5711
Proclamations—Approvals and Related Reforms (No. 4) (Planning) Act 2010—No. 28 of 2010.....	5709
Racing and Wagering Western Australia Act 2003—Racing and Wagering Western Australia Amendment Regulations 2010	5740
Racing Penalties (Appeals) Act 1990—Racing Penalties (Appeals) Amendment Regulations 2010.....	5742
Road Traffic Act 1974—Road Traffic Code Amendment Regulations (No. 3) 2010.....	5749

PART 2

Agriculture.....	5758
Deceased Estates	5768
Fisheries.....	5758
Local Government.....	5759
Marine/Maritime	5759
Minerals and Petroleum.....	5760
Planning.....	5762
Premier and Cabinet	5766
Public Notices	5770
Training.....	5766

LG302*

LOCAL GOVERNMENT ACT 1995*Shire of Nannup*

STANDING ORDERS AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Nannup resolved on the 24 June 2010 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Nannup Standing Orders Amendment Local Law 2010*.

2. Principal local law

In this local law, the *Shire of Nannup Standing Orders Local Law 2010* published in the *Government Gazette* on 4 May 2010 is referred to as the principal local law. The principal local law is amended.

3. Subclause 7.12(3)

Repeal subclause 7.12(3).

4. Clause 8.4

Delete the words "that meeting" after the words "part in" and insert the words "the debate of the item" in clause 8.4.

5. Clause 15.7

Delete the words "A person who breaches a provision of this local law commits an offence. Penalty: \$5,000, and a daily penalty of \$500", and insert the words "Any person guilty of any breach of the Standing Orders or any of the provisions thereof, shall be liable to a penalty not exceeding \$1,000."

Dated: 28 October 2010.

The Common Seal of the Shire of Nannup was affixed by authority of a resolution of the Council in the presence of—

B. DUNNET, Shire President.
S. COLLIE, Chief Executive Officer.

LG303*

DIVIDING FENCES ACT 1961**LOCAL GOVERNMENT ACT 1995***City of Rockingham*

FENCING AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Dividing Fences Act 1961*, the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 28 September 2010 to make the following local law.

1. Citation

This local law may be cited as the *City of Rockingham Fencing Amendment Local Law 2010*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law, the *City of Rockingham Fencing Local Law 2000* published in the *Government Gazette* on 21 March 2001 and the *Fencing Amendment Local Law 2002* published in the *Government Gazette* on 1 November 2002 are referred to as the principal local laws. The principal local laws are amended.

4. Clause 4 amended

4.1. In the definition "notice of breach" delete "15(1)" replace with "16(1)";

4.2. Insert "secondary setback area" means the land between a building situated on a lot and a secondary thoroughfare (as defined in the Residential Design Codes);

4.3. In the definition "town planning scheme" delete *Town Planning and Development Act 1928* and replace with *Planning and Development Act 2005*.

5. Clause 6 amended

5.1 Delete subclause (1) and insert—

- (3) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.

5.2 In subclause (2), delete “and (4)”

6. Clause 7 amended

6.1 Delete heading and insert—

Fences Within Front and Secondary Setback Areas

6.2 After subclause (3), insert—

- (4) The provision of subclause (2) shall apply to a secondary setback area where a driveway in the secondary setback area is used as the primary driveway access”.

7. Clause 10 amended

In subclause (1) insert “and clause 7” after “clause 6”.

8. Clause 12 amended

In subclause (3), delete “1950mm” and insert “2000mm”.

9. Clause 16 amended

9.1 In subclauses (1) and (2) delete “or occupier”.

9.2 Delete clause 16(3) and insert—

- (3) Should the owners fail to comply with a notice of breach, the City of Rockingham may by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, only if the fence abuts a public thoroughfare, public place or property of the City of Rockingham, and may recover the shared expenses of doing so from the owner of the lot in a court of competent jurisdiction.

10. Clause 18 amended

In subclause (2), delete “\$100” and insert “\$125”.

Dated: 28 September 2010.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

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

LG304*

CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995
City of Rockingham

CEMETERIES AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 28 September 2010 to make the following local law.

1. Citation

This local law may be cited as the *City of Rockingham Cemeteries Amendment Local Law 2010*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law, the *City of Rockingham Cemeteries Local Law 2000* published in the *Government Gazette* on 21 March 2001 is referred to as the principal local law. The principal local law is amended.

4. Clause 1.3 amended

- 4.1. In the definition “ashes” delete “a standard sized cremation urn” and insert “one or more a standard sized cremation urns”.
- 4.2. Insert “guide dog” has the same meaning as defined in the *Dog Act (WA) 1976*.
- 4.3. Insert “temporary marker” means for a period not longer than two years.

5. Clause 3.4 amended

Delete "twenty four hours" and insert "one business day".

6. Clause 4.3 amended

6.1 Insert the number (1) before the word "Every";

6.2 Insert new paragraph at end of clause "A director wishing to conduct a funeral under a single funeral permit must hold a current certificate of Public Liability Insurance to the value of \$5,000,000."

7. Clause 5.9 amended

Delete subclauses (b) and (e) and replace with—

- (b) use its absolute discretion in setting the fee for the conduct of any funeral;
- (e) conduct a funeral despite the failure of a person to make any application or to obtain any consent required under this local law. However, the actual burial cannot take place until all required paperwork has been received by the Board. It is the responsibility of the funeral director or arranger to inform the family where this situation occurs;

8. Clause 7.19 amended

Delete subclause (3)

9. Clause 8.1 amended

Delete clause 8.1 and insert—

- 8.1 Subject to clause 8.2, a person may bring animals into or permit an animal to enter the cemetery if on an appropriate leash at all times.

Dated: 28 September 2010.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

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

LOTTERIES

LO301*

Lotteries Commission Act 1990

Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2010

Made by the Lotteries Commission under section 28(1) of the Act.

1. Citation

These rules are the *Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2010*.

2. Commencement

These rules come into operation as follows —

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