



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**



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SPECIAL PUBLICATION NOTICE

GOVERNMENT GAZETTE—EASTER 2002

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 2002.

EASTER ISSUES:

THURSDAY 28 MARCH (Copy closes Tuesday 26 March at 12.00 noon)

FRIDAY 5 APRIL (Copy closes Wednesday 3 April at 12.00 noon)

There will be no edition for TUESDAY 2 APRIL.

Any enquiries should be directed to John Thompson,
Phone (08) 9426 0010

— PART 1 —

PROCLAMATIONS

AA101*

ARMADALE REDEVELOPMENT ACT 2001

25 of 2001

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
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I, the Governor, acting under section 2 of the *Armadale Redevelopment Act 2001*, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 19 March 2002.

By Command of the Governor,

A. McTIERNAN, Minister for Planning and Infrastructure.

GOD SAVE THE QUEEN !

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995*Shire of Donnybrook/Balingup*
**REMOVAL OF REFUSE, RUBBISH AND DISUSED MATERIALS
(AMENDMENT) LOCAL LAW 2001**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Donnybrook/Balingup resolved on 27th February 2002 to make the following local law.

Citation

1. These Local Laws may be cited as the Shire of Donnybrook/Balingup Removal of Refuse, Rubbish and Disused Materials (Amendment) Local Laws 2001.

Principal Local Laws

2. In these local laws the Shire of Donnybrook/Balingup Removal of Refuse Rubbish and Disused Materials Local Laws 2001 made by the Shire of Donnybrook/Balingup on 27 June 2001 and published in the *Government Gazette** on 7 September 2001, are referred to as the principal local laws (*No. 145 on pages 4975 and 4976).

PART 1—PRELIMINARY

3. The Principal Local Laws are amended—

- (a) Clause 1.2(v) is amended by removing “trees” from the definition of rubbish.
- (b) After clause 1.2(v) the following subclause is inserted—
 - (vi) “any trees, scrub, undergrowth or other vegetation which is overgrown”

PART 2—GENERAL

- (c) The heading of clause 2.1 is amended to include “overgrown vegetation” so that it reads—

“Clearing of Refuse, Rubbish, Disused Material or Overgrown Vegetation”.

(d) Clause 2.1(b)—

“is likely to adversely affect the value of any other land”, is repealed.

Dated 15 March 2002.

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

F. S. DRAKE-BROCKMAN, Shire President.
J. R. ATTWOOD, Chief Executive Officer.

POLICE

PO301*

Constitution Act 1889

Constitution (Vesting of Minor Appointments) Order 2001

Made by the Governor in Executive Council under section 74 of the Act.

1. Citation

This order may be cited as the *Constitution (Vesting of Minor Appointments) Order 2001*.

2. Vesting of power to make minor appointments to WA Police Service

The person for the time being holding or acting in the office of Manager (Personnel Services) in the department of the Public Service principally assisting the Minister to whom the administration of the *Police Act 1892* is committed in the administration of that Act may make minor appointments to that department.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RG301*

Totalisator Agency Board Betting Act 1960

Totalisator Agency Board (Betting) Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Totalisator Agency Board (Betting) Amendment Regulations 2002*.

2. Regulation 36 amended

Regulation 36(1) of the *Totalisator Agency Board (Betting) Regulations 1988** is amended as follows:

- (a) after paragraph (g) by inserting the following paragraph —

“

- (ga) in the United Arab Emirates —

All horse races held at the Nad-Al-Sheba
racecourse situated at Dubai;

”;

- (b) by deleting paragraph (i) and inserting the following paragraph instead —

“

- (i) in the United States of America —

All horse races held at the Arlington Park
racecourse situated at Chicago, Illinois;
All horse races held at the Churchill Downs
racecourse situated at Louisville, Kentucky;
All horse races held at the Meadowlands
Paceway situated at East Rutherford, New
Jersey.

”.

[* Reprinted as at 20 August 1999.

*For amendments to 28 February 2002 see 2000 Index to
Legislation of Western Australia, Table 4, p. 353, and Gazette
3 April, 26 June, 23 October and 6 November 2001.]*

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

TRANSPORT

TR301*

Taxi Act 1994

Taxi Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Taxi Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Taxi Regulations 1995**.

[* Reprinted as at 12 December 1997.

For amendments to 26 February 2002 see 2000 Index to Legislation of Western Australia, Table 4, p. 349.]

3. Regulation 5 amended

- (1) Regulation 5(1)(c) is amended by inserting after “in subregulation (2)” —
“ and (3) ”.
- (2) After regulation 5(2) the following subregulation is inserted —
“
 - (3) For the purpose of section 20, the Director General may impose conditions on the operation of a multi-purpose taxi, restricting the operator and driver to one or more particular taxi dispatch service providers, selected by the Director General.”.

4. Regulation 19A inserted

After regulation 19 the following regulation is inserted —

“

19A. Conditions that may be imposed on taxi dispatch service providers (s. 29)

For the purpose of section 29, the Director General may impose conditions on the provider of a taxi dispatch service in relation to the following —

- (a) the charges that may be imposed upon multi-purpose taxi operators for using the dispatch service;

- (b) the manner in which particular types of requests for multi-purpose taxi services are allocated and distributed by a taxi dispatch service provider. ”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

TR302*

Port Authorities Act 1999

Port Authorities Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Port Authorities Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Port Authorities Regulations 2001**.

[* *Published in Gazette 18 May 2001, p. 2417-545.*]

3. Regulation 20 repealed

Regulation 20 is repealed.

4. Regulation 81 repealed

Regulation 81 is repealed.

5. Regulation 82 repealed

Regulation 82 is repealed.

6. Regulation 121 amended

Regulation 121(2) is amended in the Table by deleting the items “regulation 81” and “regulation 82”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

TR303*

Western Australian Marine Act 1982

W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2002*.

2. Commencement

These regulations come into operation on 1 July 2002.

3. Regulation 10A amended

Regulation 10A(1) of the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983** is amended by deleting “offshore” in each place where it occurs and inserting instead —

“ off the mainland of the State ”.

[* Reprinted as at 30 July 1997.

For amendments to 23 January 2002 see 2000 Index to Legislation of Western Australia, Table 4, p. 400, and Gazette 27 July 2001.]

4. Saving

If a registration certificate and identification plate in respect of a vessel has been obtained under regulation 10A(1)(c) of the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* before the commencement of the *W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2002*, the registration continues to have effect under regulation 10A of the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* from that commencement in relation to the vessel as if it were intended that the vessel would operate within 5 nautical miles off the mainland of the State.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE

AG401

MARKETING OF EGGS ACT 1945 APPOINTMENTS

Department of Agriculture
South Perth WA 6151.

The Governor is pleased to appoint pursuant to Section 7(3)(b) of the Marketing of Eggs Act 1945, Ms Jennifer Rose Olney as a member of the Western Australian Egg Marketing Board for a term of office expiring on 3 February 2003.

KIM CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

CENSORSHIP

CS402*

CENSORSHIP ACT 1996 RESTRICTED CLASSIFICATION

I, JIM MCGINTY, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 14th day of March 2002.

JIM MCGINTY, Attorney General.

Schedule

12 March 2002

Restricted Classification

Title or Description	Publisher
40 Plus Vol 11 No 2	Fantasy Publications Ltd
40 Plus Vol 11 No 5	Fantasy Publications Ltd
40 Plus Guide to Blondes, The Vol 3 No 5	Fantasy Publications Ltd
50 and Over Vol 7 No 9	Fantasy Publications Ltd
Asia 18 Feb 2002 No 39	Dogwood Publications Inc
Asian Babes Vol 10 No 3	Fantasy Publications Ltd
Asian Babes Vol 10 No 6	Fantasy Publications Ltd
Australasian Sexpaper Feb 2002 No 125	Xpress Australia Pty Ltd
Australian Hot Talk No 88	Gemkilt Publishing Pty Ltd
Australian Penthouse (Limited Edition) Mar 2002 Vol 23 No 3	Gemkilt Publishing Pty Ltd
Australian Penthouse (Plus) Mar 2002 Vol 23 No 3	Gemkilt Publishing Pty Ltd
Australian Penthouse Letters No 99	Gemkilt Publishing Pty Ltd
Australian Rosie, The (Aussie Couples) No 13	Xpress Australia Pty Ltd
Australian Rosie, The Feb 2002 No 152	Xpress Australia Pty Ltd
Barely 18 Vol 1 No 32	Top-Flite Inc
Best of 40 Plus, The Vol 3 No 2	Fantasy Publications Ltd
Best of Big & Black, The Vol 2 Iss 4	Fantasy Publications Ltd
Best of Big & Black, The Vol 3 Iss 1	Fantasy Publications Ltd
Best of Electric Blue, The (60 Plus) Vol 2 No 4	Fantasy Publications Ltd
Best of Men Only, The No 48	Paul Raymond Publications Ltd
Best of Readers' Wives, The Vol 3 No 2	Fantasy Publications Ltd

Restricted Classification—*continued*

Title or Description	Publisher
Best of Real Wives, The Vol 2 Iss 11	Fantasy Publications Ltd
Best of Real Wives, The Vol 2 Iss 13	Fantasy Publications Ltd
Betting on Flesh (Premiere Issue)	Amazing Media Group
Big Ones (International) Vol 12 No 8	Fantasy Publications Ltd
Big Ones (International) Vol 12 No 13	Fantasy Publications Ltd
Big Ones (International) Vol 13 No 1	Fantasy Publications Ltd
Cheeks Mar 2002 No 45	Cheeks Publications Inc
Club Cream No 1	Paul Raymond Publications Ltd
Club International Vol 30 No 12	Paul Raymond Publications Ltd
Club International Vol 30 No 13	Paul Raymond Publications Ltd
Club International Vol 31 No 2	Paul Raymond Publications Ltd
College Co-eds Vol 1 No 1	Amy Publications
College Girls Do Vol 1 No 2	Amy Publications
D-Cup Feb 2002 No 53	D-Cup Publications Inc
Eros Vol 4 No 1	Fantasy Publications Ltd
Escort (Readers' Wives) No 29	Paul Raymond Publications Ltd
Escort Vol 21 No 13	Paul Raymond Publications Ltd
Escort Vol 22 No 2	Paul Raymond Publications Ltd
Fantasiary Vol 2	Amazing Media Group Inc
For Men Dec 2001 Iss 40	Fantasy Publications Ltd
For Men Feb 2002	Fantasy Publications Ltd
For Men Mar 2002 Iss 44	Fantasy Publications Ltd
For Men Special (Horny New Year Sluts) No 13	Fantasy Publications Ltd
Freeway No 207	Freeway
Genesis Feb 2002 No 56	Genesis Publications Inc
Girls of Penthouse, The Mar-Apr 2002 Vol 26 No 2	General Media Communications Inc
Hawk Mar 2002 Vol 11 No 3	Killer Joe Productions Inc
Head Trip Vol 1	Amazing Media Group Inc
Hustler (Gold Edition) Vol 7 No 4	JT Publishing Pty Ltd
Just 18 Feb 2002 No 55	Just 18 Inc
Just Girls Vol 20 No 2	Paul Raymond Publications Ltd
Knockers XXX.Com No 2	Amazing Media Group Inc
Lust in Paradise Vol 1	Amazing Media Group Inc
Mayfair Vol 36 No 12	Paul Raymond Publications Ltd
Mayfair Vol 37 No 2	Paul Raymond Publications Ltd
Men Only Vol 66 No 13	Paul Raymond Publications Ltd
Men Only Vol 67 No 1	Paul Raymond Publications Ltd
Men Only Vol 67 No 2	Paul Raymond Publications Ltd
Mens World Vol 13 No 12	Paul Raymond Publications Ltd
Mens World Vol 13 No 13	Paul Raymond Publications Ltd
Mens World Vol 14 No 1	Paul Raymond Publications Ltd
Mens World Vol 14 No 2	Paul Raymond Publications Ltd
Mothers in Law Vol 2 No 5	Fantasy Publications Ltd
Naughty Neighbors Apr 2002 Vol 8 No 4	The Score Group
New Talent Vol 9 No 1	Fantasy Publications Ltd
New Talent Vol 9 No 2	Fantasy Publications Ltd
Nude Readers' Wives No 178	Fantasy Publications Ltd
Nude Readers' Wives No 179	Fantasy Publications Ltd
Only 18 Vol 4 No 12	Fantasy Publications Ltd
Oui Feb 2002 Vol 36 Iss 2	Global Media Group Ltd
Penthouse Mar 2002 Vol 33 No 7	General Media Communications Inc
Penthouse Apr 2002 Vol 33 No 8	General Media Communications Inc
Penthouse Forum Mar 2002 Vol 32 No 3	General Media Communications Inc
Penthouse Forum Apr 2002 Vol 32 No 4	General Media Communications Inc
Penthouse Letters Mar 2002 Vol 20 No 3	General Media Communications Inc
Penthouse Letters Apr 2002 Vol 20 No 4	General Media Communications Inc
Penthouse Variations Dec 2001 Vol 23 No 12	General Media Communications Inc
Penthouse Variations Mar 2002 Vol 24 No 3	General Media Communications Inc
Penthouse Variations Apr 2002 Vol 24 No 4	General Media Communications Inc
Playmate Club Feb 2002 Iss 7	Perth Swingers Playmate Club
Purely 18 Feb 2002 Vol 4 No 4	Canary Inc
Razzle Vol 20 No 2	Paul Raymond Publications Ltd
Razzle (Readers' Wives) Vol 28	Paul Raymond Publications Ltd
Readers' Wives Guide To Spunk Loving Sluts Vol 4 No 5	Fantasy Publications Ltd
Real Wives Vol 8 No 10	Fantasy Publications Ltd
Real Wives Vol 8 No 13	Fantasy Publications Ltd

Restricted Classification—*continued*

Title or Description	Publisher
Soho Iss 17	Paul Raymond Publications Ltd
Soho Iss 18	Paul Raymond Publications Ltd
Soho Vol 2 No 1	Paul Raymond Publications Ltd
Soho Vol 2 No 2	Paul Raymond Publications Ltd
Swank Feb 2002 No 56	Swank Publications Inc
Swank Untamed (Anal Action) Feb 2002 No 42	Dogwood Publications Inc
Velvet Feb 2002 No 56	Velvet Publications Inc
Very Best of High Society, The #140 Vol 18 No 12	The Crescent Publishing Group
Virgin Pink Vol 2 Iss 2	Amazing Media Group Inc
X-Treme Vol 2 No 6	Fantasy Publications Ltd

CS401***CENSORSHIP ACT 1996**

REFUSED CLASSIFICATION

I, JIM MCGINTY, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as refused publications for the purposes of that Act.

Dated this 14th day of March 2002.

JIM MCGINTY, Attorney General.

Schedule

12 March 2002

Refused Classification

Title or Description	Publisher
Australian Penthouse (Black Label Edition) Mar 2002 Vol 23 No 3	Gemkilt Publishing Pty Ltd

CS403***CENSORSHIP ACT 1996**

UNRESTRICTED CLASSIFICATION

I, JIM MCGINTY, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as unrestricted publications for the purposes of that Act.

Dated this 14th day of March 2002.

JIM MCGINTY, Attorney General.

Schedule

12 March 2002

Unrestricted Classification

Title or Description	Publisher
Australian Penthouse (National) Apr 2002 Vol 23 No 4	Gemkilt Publishing Pty Ltd
H & E Jan 2002	New Freedom Publications Ltd
Heavy Metal Spring 2002 Vol 16 No 1	Heavy Metal Magazine
Hustler (Australia) Vol 7 No 4	JT Publishing Pty Ltd
New Zealand Naturist Mar 2002 Iss 180	New Zealand Naturist Federation Inc
Playboy Apr 2002 Vol 49 No 4	Playboy
Playboy's Book of Lingerie Mar 2002 Vol 83	Playboy Press
Playboy's College Girls Mar 2002	Special Editions

CONSUMER AND EMPLOYMENT PROTECTION

CE401**COMPANIES (CO-OPERATIVE) ACT 1943**

Section 403

REGISTRATION OF AUDITORS

Notice is hereby given that the following persons are registered as qualified to act as an auditor pursuant to s402 of the Act with effect from 14th March 2002.

David Francis Burges	Alison Mary Kitchen
Donald Campbell-Smith	Denise Patricia McComish
Michael Francis Colgan	Michael Bowman McFarlane
Malcolm David Frost	Glyn Donald O'Brien
Malcolm William Heasman	Michael John Young

DENIS M. BLAKEWAY, Delegate of the Register.

ENVIRONMENT

EV401**ENVIRONMENTAL PROTECTION ACT 1986**

Section 20

Delegation (No. 39)

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*.

Persons to whom delegation made—

This delegation is made to any person—

- (a) for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*; or
- (b) (i) appointed as an authorised person under section 87 of the *Environmental Protection Act 1986*; and
(ii) employed by a local government within the meaning of the *Local Government Act 1995*; or
- (c) for the time being holding or acting in the following offices within the Department of Environmental Protection—
 - (i) Director, Environmental Regulation Division;
 - (ii) Manager, Licensing Branch, Environmental Regulation Division; and
 - (iii) Senior Environmental Officer, Licensing Branch, Environmental Regulation Division.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* Delegation No. 30 dated 13 October 1999 is hereby revoked.

Dated this 18th day of March 2002.

Hon. JUDY EDWARDS, Minister for the Environment.
ROGER PAYNE, Acting Chief Executive Officer.

EV402**ENVIRONMENTAL PROTECTION ACT 1986**

(Section 20)

Delegation (No. 40)

Delegation under section 20 of the Environmental Protection Act 1986 ("The Act")

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Director, Environmental Regulation Division of the Department all the powers and duties

conferred or imposed under sections 54, 57, 59, 60, 62, 64, 65, 68, 70, 73, 87, 88, 95, 96 and 97 of the Act.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* Delegations No. 17 and No. 18 both dated 15 March 1994 are hereby revoked.

Dated this 18th day of March 2002.

Hon. JUDY EDWARDS, Minister for the Environment.
ROGER PAYNE, Acting Chief Executive Officer.

EV403**ENVIRONMENTAL PROTECTION ACT 1986**

(Section 20)

Delegation (No. 42)

Delegation under section 20 of the Environmental Protection Act 1986 ("The Act")

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Senior Environmental Officer, Licensing, Environmental Regulation Division of the Department all the powers and duties conferred or imposed under sections 54, 57, 59(1)(b), 59(2), 59(3), and 64 of the Act.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* Delegation No. 20 dated the 15th day of March 1994 is hereby revoked.

Dated this 18th day of March 2002.

Hon. JUDY EDWARDS, Minister for the Environment.
ROGER PAYNE, Acting Chief Executive Officer.

EV404**ENVIRONMENTAL PROTECTION ACT 1986**

(Section 20)

Delegation (No. 41)

Delegation under section 20 of the Environmental Protection Act 1986 ("The Act")

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Manager, Licensing, Environmental Regulation all the powers and duties conferred or imposed under sections 54, 57, 59(1)(b), 59(2), 59(3), and 64 of the Act.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* Delegation No. 19 dated the 15th day of March 1994 and Delegation No 9 dated 23 April 1989 are hereby revoked.

Dated this 18th day of March 2002.

Hon. JUDY EDWARDS, Minister for the Environment.
ROGER PAYNE, Acting Chief Executive Officer.

FISHERIES

FI401**FISH RESOURCES MANAGEMENT ACT 1994**

EXMOUTH GULF PRAWN FISHERY MANAGEMENT PLAN AMENDMENT 2002

FD 1297/01 [451]

Made by the Minister under section 54(2).

Citation

1. This amendment may be cited as the *Exmouth Gulf Prawn Fishery Management Plan Amendment 2002*.

Principal Plan

2. In this amendment the *Exmouth Gulf Prawn Management Plan 1989** is referred to as the principal Plan.

Arrangement amended

3. The arrangement in the principal Plan is amended by—

- (a) inserting immediately after the item numbered 16—
“16A. Requirement for the installation of an Automatic Location Communicator
16B. Presence in the Fishery”; and
- (b) deleting “(Clause 4)”.

Clause 3 amended

4. Clause 3 of the principal Plan is amended by inserting in the appropriate alphabetical order—

- ““ALC” means an Automatic Location Communicator as defined in regulation 55A of the regulations that is capable of transmitting to the Executive Director at any time accurate information as to the geographical position, course and speed of the authorised boat;”
- ““approved directions for use” means the directions for use of an ALC given by the Executive Director in a notice in writing to the master of an authorised boat or a licence holder;”
- ““boat” means a boat the name and licensed fishing boat number of which are contained in a licence in accordance with clause 9;”
- ““calendar year” means the period of twelve months commencing on each first day of January and ending on the last day of the next December;”
- ““closed waters” means any waters of the Fishery in which fishing is prohibited;”
- ““regulations” means the *Fish Resources Management Regulations 1995*;” and
- ““underway” means that a boat is not at anchor, or made fast to the shore or aground.”.

Clause 12 amended

5. The principal Plan is amended by deleting from subclause 12(2)—
“licensed to operate in the Fishery”.

Clause 15 amended

6. The principal Plan is amended by deleting from subclause 15(2)—
“licensed to operate in the Fishery”.

Clause 16 amended

7. The principal Plan is amended by deleting from clause 16—
“licensed to operate in the Fishery”.

Clauses 16A and 16B inserted

8. The principal Plan is amended by inserting immediately after clause 16—

Requirement for the installation of an Automatic Location Communicator

16A. (1) For the purpose of this clause “approved” and “approved person” have the same meaning as provided for in regulation 55A of the regulations.

(2) A person must not use a boat to operate in the Fishery unless—

- (a) an ALC has been installed on that boat in accordance with the approved directions for use and by an approved person;
- (b) the ALC has been serviced in accordance with the approved directions for use, by an approved person and at intervals specified by the Executive Director in the approved directions for use;
- (c) the person has with them a legible copy of the approved directions for use; and
- (d) the ALC is used in the manner specified in the approved directions for use.

(3) It is a condition of a licence that the licence holder must not use a boat to operate in the Fishery unless—

- (a) an ALC is installed on that boat;
- (b) the ALC is serviced in accordance with the approved directions for use, by an approved person and at intervals specified by the Executive Director in the approved directions for use; and
- (c) when the ALC is used it is used in the manner specified in the approved directions for use.

(4) It is a condition of a licence that regulation 55C of the regulations is complied with at all times.

(5) For the purpose of this clause, if a person uses a boat on behalf of another person they are both taken to have so used the boat.

Presence in the Fishery

16B. (1) The master of a boat must, when intending to fish within the Fishery, not use that boat—

- (a) to enter the waters of the Fishery; or
- (b) outside a Port Area (as specified in Item 5 of the Schedule) within the waters of the Fishery;

at any time when any part of the Fishery is open to fishing unless

- (c) the Department has received from the master of that boat a nomination of intention to enter the Fishery and comply with the requirements of the Management Plan; and
 - (d) that nomination is current.
- (2) If the Department receives a nomination in accordance with subclause 1(c) in any calendar year, that nomination is current for the remainder of that year unless—
- (a) the Department receives a nomination from the master of that boat cancelling it; or
 - (b) the boat leaves the waters of the Fishery.
- (3) The master of a boat must not use that boat to enter or be underway in closed waters when any other part of the Fishery is open to fishing unless the Department—
- (a) has received a nomination to enter or be underway in closed waters (as the case may be); and
 - (b) received the nomination no more than one hour before the boat entered or was underway in those waters.
- (4) Any nomination to the Department made in accordance with this clause must be made using an ALC in accordance with the approved directions for use.
- (5) In any proceedings for an offence against the Act, unless proven to the contrary, the position of a boat received by the Department from an ALC installed on that boat is to be taken to be conclusive evidence of the actual position of that boat at that time.
- (6) For the purposes of section 62(1) of the Act and this clause the area specified is the area detailed in Item 1 of the Schedule.
- (7) For the purpose of this clause, if a person uses a boat on behalf of another person they are both taken to have so used the boat.

Clause 17 amended

9. The principal Plan is amended by deleting from subclause 17(1)—
“licensed to operate in the Fishery”.

Clause 18 amended

10. The principal Plan is amended by deleting from clause 18—
“licensed to operate in the Fishery”.

Clause 19 inserted

11. The principal Plan is amended by deleting clause 19A and inserting instead—
“

Offences and major provisions

19A. A person who contravenes a provision of—

- (a) clauses 5, 6, 10, 11, 12, 16, 16A(2)(a), 16B(3), 17, or 20(4); or
- (b) clauses 16A(2)(b), 16A(2)(c), 16A(2)(d), 16B(1), or 16B(4),

commits an offence and for the purposes of section 75 of the Act the offences specified in subclause (a) are major provisions.

Schedule amended

12. The Schedule of the principal Plan is amended by—
(a) deleting Items 1, 2, and 3 and inserting instead—
“

Item 1 (The Fishery)

All waters of the Indian Ocean and Exmouth Gulf bounded by a line commencing at the intersection of 21°48.98' south latitude and 114°11.40' east longitude (Point Murat); thence north easterly along the geodesic to the intersection of 21°42.78' south latitude and 114°18.27' east longitude; thence generally north easterly along the high water mark on the eastern side of South Muiron Island to the intersection of 21°40.08' south latitude and 114°21.02' east longitude; thence north easterly along the geodesic to the intersection of 21°39.23' south latitude and 114°22.12' east longitude; thence generally north easterly along the high water mark on the eastern side of North Murion Island to the intersection of 21°37.54' south latitude and 114°23.17' east longitude; thence east by north along the geodesic to the intersection of 21°35.53' south latitude and 114°39.82' east longitude; thence generally southerly along the high water mark on the western side of Serrurier Island to the intersection of 21°37.89' south latitude and 114°40.92' east longitude; thence south easterly along the geodesic to the intersection of 21°43.28' south latitude and 114°45.92' east longitude (southern extremity of Locker Island); thence south along the meridian to the intersection of 21°47.78' south latitude and 114°45.92' east longitude (high water mark on the mainland), thence generally south, west, then north along the high water mark of the coastline to the commencement point.

Item 2 (Nursery Area)

All waters of Exmouth Gulf bounded by a line commencing from the intersection of 22°18.30' south latitude and 114°10.60' east longitude (Point Lefroy); thence north east by north along the geodesic to the intersection of 22°10.08' south latitude and 114°15.42' east longitude; thence east along the parallel to the intersection of 22°10.08' south latitude and 114°24.92' east longitude; thence north east along the geodesic to the intersection of 21°53.08' south latitude and 114°33.32' east longitude (the western extremity of Brown Island); and thence east north east along the geodesic to the intersection of 21°51.08' south latitude and 114°38.52' east longitude (Tubridgi Point); thence generally south, west, then north along the high water mark of the coastline to the commencement point.

Item 3 (Gear Trial Area)

All waters of the fishery bounded by a line commencing at the intersection of 22°00.00' south latitude and 114°08.60' east longitude; thence east along the parallel to the intersection of 22°00.00' south latitude and 114°09.60' east longitude; thence south by west along the geodesic to the intersection of 22°03.00' south latitude and 114°09.00' east longitude; thence west along the parallel to the intersection of 22°03.00' south latitude and 114°08.00' east longitude; thence north by east along the geodesic to the commencement point.

"; and

- (b) inserting immediately after Item 4—

Item 5 (Port Area)

The Port Area is the area within 3 nautical miles of latitude 21°57.523' south and longitude 114°08.397' east (Exmouth Marina and associated area).

".

[*Published in the Gazette of 17 March 1989. For amendments to 27 February 2002 see Notice No.437 published in the Gazette of 23 February 1990, Notice No.486 published in the Gazette of 5 April 1991, Notice No. 537 published in the Gazette of 20 March 1992, Notice No. 720 published in the Gazette of 27 June 1995, the Exmouth Gulf Prawn Management Plan Amendment 1996 published in the Gazette of 19 July 1996, the Exmouth Gulf Prawn Management Plan Amendment 1997 published in the Gazette of 14 March 1997, and the Exmouth Gulf Prawn Management Plan Amendment 1999 published in the Gazette of 6 August 1999. See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices made under the Fisheries Act 1905 immediately before the commencement of those regulations.]

Dated this 13th day of March 2002.

K. M. CHANCE, Minister for Agriculture, Forestry and Fisheries.

HEALTH

HE401**MEDICAL ACT 1894**

MEDICAL (UNMET AREA OF NEED) AMENDMENT DETERMINATION (No. 1) 2002

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Amendment Determination (No. 1) 2002*.

Commencement

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

Determinations amended

3. The unmet area of need determinations specified in the Schedule are amended as shown in the Schedule.

SCHEDULE—UNMET AREA OF NEED DETERMINATIONS AMENDED

- *Medical (Unmet Area of Need) Determination (No. 7) of 2001*¹—

Insert under the existing locality in the Schedule—Unmet Area of Need

“General medical services in the locality of Golden Bay, City of Rockingham”

¹ This determination declares the provision of general medical services in the locality of Secret Harbour, City of Rockingham to be an unmet area of need for the purposes of section 11AF(1)D of the *Medical Act 1894*.

Dated this 14th day of March 2002.

HON. R. C. KUCERA, APM, MLA, Minister for Health.

HE402**MEDICAL ACT 1894**

MEDICAL (UNMET AREA OF NEED) DETERMINATION (No. 2) 2002

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 2) 2002*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires two years after its commencement.

SCHEDULE

- General medical services in the Shire of Yilgarn

Dated this 18th day of February 2002.

HON. R. C. KUCERA, APM, MLA, Minister for Health.

HE403**MEDICAL ACT 1894**

MEDICAL (UNMET AREA OF NEED) DETERMINATION (No. 4) 2002

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 4) 2002*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires two years after its commencement.

SCHEDULE

- Derbarl Yerrigan Health Service Inc.

Dated this 12th day of March 2002.

HON. R. C. KUCERA, APM, MLA, Minister for Health.

JUSTICE

JU401**DECLARATIONS AND ATTESTATIONS ACT 1913**

APPOINTMENTS

It is hereby notified for public information that the Attorney General has approved of the appointment of the following persons as Commissioner for Declarations under the *Declarations and Attestations Act 1913*—

Mrs Teresa Marie Partridge of Lot 115 Ramsay Road, Stretham

Mr Brian Robert Steele of 12 New England Drive, Hillarys.

GARY THOMPSON, Executive Director, Court Services.

JU402**JUSTICES ACT 1902****APPOINTMENTS**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

Mr Wayne Harry English of 75 Hotham Street, Boddington

Ms Sheila Margaret McHale of 64 Edgumbe Street, Como

Mr Michael Douglas Telford of 2c Banksia Court, Wickham

to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU403**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988****APPOINTMENTS**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following persons as Members of the Children's Court of Western Australia—

Mrs Yvonne Dawn Crofts of 964 Harding Way, Karratha

Mr Samuel James McDonald of 24 Pebble Drive, Port Geographe.

GARY THOMPSON, Executive Director, Court Services.

LOCAL GOVERNMENT

LG401**CEMETERIES ACT 1986****VESTING OF THE BURTVILLE CEMETERY (RESERVE No. 8143) ORDER 2002**

Made under section 5 of the Act by the Governor in Executive Council.

1. Citation

This Order may be cited as the *Vesting of the Burtville Cemetery (Reserve No. 8143) Order 2002*.

2. Commencement

This Order shall take effect from the date of publication in the *Government Gazette*.

3. Revocation of Previous Vesting Order

The vesting of the Burtville Cemetery (Reserve No. 8143) published in the *Government Gazette* of 3 June 1910 on page 1358 and all previous vestings are hereby revoked.

4. Vesting of Cemetery

The care, control and management of the Burtville Cemetery (Reserve No. 8143) is hereby vested in the Shire of Laverton.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

LG402**CEMETERIES ACT 1986****VESTING OF THE DUKERTON CEMETERY (RESERVE No. 9292) ORDER 2002**

Made under section 5 of the Act by the Governor in Executive Council.

1. Citation

This Order may be cited as the *Vesting of the Dukerton Cemetery (Reserve No. 9292) Order 2002*.

2. Commencement

This Order shall take effect from the date of publication in the *Government Gazette*.

3. Vesting of Cemetery

The care, control and management of the Dukerton Cemetery (Reserve No. 9292) is hereby vested in the Shire of Laverton.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

LG403**CEMETERIES ACT 1986**

VESTING OF THE MT. MARGARET CEMETERY (RESERVE No. 20944) ORDER 2002

Made under section 5 of the Act by the Governor in Executive Council.

1. Citation

This Order may be cited as the *Vesting of the Mt. Margaret Cemetery (Reserve No. 20944) Order 2002*.

2. Commencement

This Order shall take effect from the date of publication in the *Government Gazette*.

3. Revocation of Previous Vesting Order

The vesting of Mt. Margaret Cemetery (Reserve No. 20944) published in the *Government Gazette* of 21 October 1938 and all previous vestings are hereby revoked.

4. Vesting of Cemetery

The care, control and management of the Mt. Margaret Cemetery (Reserve No. 20944) is hereby vested in the Shire of Laverton.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

LG404**LOCAL GOVERNMENT ACT 1995**

DISTRICTS OF AUGUSTA-MARGARET RIVER AND BUSSELTON (CHANGE OF DISTRICT BOUNDARIES) ORDER 2002

Made by the Governor in Executive Council.

1. Citation

This Order may be cited as the *Districts of Augusta-Margaret River and Busselton (Change of District Boundaries) Order 2002*.

2. Commencement

This Order shall take effect from the date of publication in the *Government Gazette*.

3. Boundary changes—district of Augusta-Margaret River (s. 2.1 (1) (b) of the Act)

(1) The boundaries of the district of Augusta-Margaret River are changed by including within the district the portions of land described in Schedule 2.

(2) The boundaries of the Cowaramup Ward in the district of Augusta-Margaret River are changed by including within the area of the ward the portions of land described in Schedule 2.

(3) The boundaries of the district of Augusta-Margaret River are changed by excluding from the district the portions of land described in Schedule 1.

(4) The boundaries of the Cowaramup Ward in the district of Augusta-Margaret River are changed by excluding from the area of the ward the portions of land described in Schedule 1.

4. Boundary changes—district of Busselton (s. 2.1 (1) (b) of the Act)

(1) The boundaries of the district of Busselton are changed by including within the district the portions of land described in Schedule 1.

(2) The boundaries of the West Rural Ward of the district of Busselton are changed by including within the area of the ward the portions of land described in Schedule 1.

(3) The boundaries of the district of Busselton are changed by excluding from the district the portions of land described in Schedule 2.

(4) The boundaries of the West Rural Ward of the district of Busselton are changed by excluding from the area of the ward the portions of land described in Schedule 2.

By Command of the Governor

ROD SPENCER, Clerk of the Executive Council.

SCHEDULE 1

TRANSFER OF TERRITORY FROM THE SHIRE OF AUGUSTA-MARGARET RIVER WARD
(COWARAMUP WARD) TO THE SHIRE OF BUSSELTON (WEST RURAL WARD)

All that portion of land being the southwestern severance of Lot 23 on Office of Titles Plan 22198.

Total area: 15.807ha

SCHEDULE 2

TRANSFER OF TERRITORY FROM THE SHIRE OF BUSSELTON (WEST RURAL WARD) TO
THE SHIRE OF AUGUSTA-MARGARET RIVER (COWARAMUP WARD)

All that portion of Lot 2 of Sussex Location 1668, as shown on Office of Titles Diagram 34392.

Total area: About 6.65ha

LG405

LOCAL GOVERNMENT ACT 1995

DISTRICT OF IRWIN (CHANGE OF DISTRICT BOUNDARY) ORDER 2002

Made by the Governor in Executive Council.

1. Citation

This Order may be cited as the *District of Irwin (Change of District Boundary) Order 2002*.

2. Commencement

This Order shall take effect from the date of publication in the *Government Gazette*.

3. Boundary changes—district of Irwin (s. 2.1 (1) (b) of the Act)

(1) The western boundary of the district of Irwin is changed by including within the district the portions of land described in the Schedule.

(2) The western boundary of the Port Denison Ward in the district of Irwin is changed by including within the ward the portions of land described in the Schedule.

By Command of the Governor

ROD SPENCER, Clerk of the Executive Council.

SCHEDULE

ADDITION TO THE DISTRICT OF IRWIN (PORT DENISON WARD)

All that portion of land being Port Denison Lots 546, 547 and 592, as shown on Department of Land Administration Crown Plan 16836.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

Notice of Grant of Exploration Permit

Exploration Permit No. WA-320-P has been granted to OMV Timor Sea Pty Ltd and OMV Petroleum Pty Ltd to have effect for a period of six (6) years from 14 March 2002.

RICHARD CRADDOCK, Acting Director Petroleum Division.

MP402*

COMMONWEALTH OF AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT 1967

SECTION 37(1)

DECLARATION OF A LOCATION

I, Richard Craddock, Acting Director Petroleum Division of the Department of Mineral and Petroleum Resources for the State of Western Australia, being the officer who, for the time being which holds certain powers and function of the Designated Authority in respect of the area specified as being adjacent to the State of Western Australia by virtue of an instrument of delegation dated 31 May 2001 and published in the *Government Gazette* of Western Australia on 12 June 2001, do by the publication of this instrument in the *Government Gazette*, declare the following blocks to be a location for the purpose of Part III of the Act.

	Field		Location No.
	JANSZ		3SL/01-2
Rowley Shoals Map Sheet			
Block No.	Block No.	Block No.	Block No.
3028	3029	3030	3031
3099	3100	3101	3102
3103	3170	3171	3172
3173	3174	3175	3242
3243	3244	3245	3246
3247	3314	3315	3316
3317	3318	3319	

This block is the subject of Exploration Permit No. WA-268-P held by—

Mobil Exploration & Producing Australia Pty Ltd

Texaco Australia Pty Ltd

Dated this 15th day of March 2002.

RICHARD CRADDOCK, Acting Director, Petroleum Division.

MP403

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mineral and Petroleum Resources,
Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act, 1978, for breach of covenant, viz. non payment of rent.

D. IMLAH, SM, Warden.

To be heard in the Warden's Court at Leonora on 14th May, 2002.

EAST MURCHISON MINERAL FIELD

Lawlers District

Prospecting Licence

36/1073—WMC Resources Limited

MOUNT MARGARET MINERAL FIELD

Mount Malcolm District

Prospecting Licence

37/5886—Graham Alfred Hawks

Mount Margaret District

Prospecting Licences

38/2902—Alessandro Luigi Guj; SMD Investments Pty Ltd

38/2905—Alessandro Luigi Guj; SMD Investments Pty Ltd

Miscellaneous Licence

38/89—Statewest Power Pty Ltd; Rolls Royce Power Ventures (Perth) Pty Ltd

Mount Morgans District

Prospecting Licence

39/3691—Heron Resources Limited

MP404**MINING ACT 1978**

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mineral and Petroleum Resources,
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Act 1978, notice is hereby given that the Prospecting Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

D. IMLAH, SM, Warden.

To be heard in the Warden's Court at Kalgoorlie on 17th April, 2002.

BROAD ARROW MINERAL FIELD

24/3163—Gutnick Resources NL

24/3508—Kym Anthony McLaren & Frederick Charles Saunders

24/3509—Kym Anthony McLaren & Frederick Charles Saunders

24/3510—Kym Anthony McLaren & Frederick Charles Saunders

24/3511—Kym Anthony McLaren & Frederick Charles Saunders

24/3512—Kym Anthony McLaren & Frederick Charles Saunders

24/3583—Royal Resources Pty Ltd

EAST COOLGARDIE MINERAL FIELD

26/2943—Holihox Pty Ltd, Mineral Products Holdings Pty Ltd, David Ross Richards

26/2946—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2947—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2948—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2949—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2950—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2951—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2952—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2953—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2954—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2955—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2956—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2957—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

26/2958—John Richard Athans, Mineral Products Holdings Pty Ltd, Holihox Pty Ltd

NORTH EAST COOLGARDIE MINERAL FIELD

27/1258—Gindalbie Gold NL

27/1259—Gindalbie Gold NL

28/856—Rivkin Financial Services Ltd

NORTH COOLGARDIE MINERAL FIELD

29/1564—Tarnwood Pty Ltd

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

TOWN PLANNING SCHEME No. 20—AMENDMENT No. 27

Ref: 853/6/6/21 Pt 27

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Busselton Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

1. Rezoning land described as Pt Lot 10 (proposed Lot 226) corner of Bussell Highway and Broadwater Boulevard from 'Residential' to 'Residential (Additional Use—Medical Centre)'.
2. Inserting into Schedule 4—'Additional Uses' the following—

No.	Particulars of Land	Land Use Permitted/Specified	Conditions
	Lot 226 of portion Sussex Location 161 on the corner of Russell Highway and Broadwater Boulevard.	The only Land Uses permitted shall be— Medical Centre	Design of the development to incorporate— <ul style="list-style-type: none"> • A maximum gross floor area of 765m². • A single storey development of a design and nature that is consistent with the residential character of the surrounding area. • Preparation of a Landscaping Plan detailing and showing dense vegetated buffers on all boundaries. • Maximisation of the retention of mature trees on the site by relocating carparking spaces and the building if necessary.

B. MORGAN, President.
M. SWIFT, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Dardanup

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 107

Ref: 853/6/9/6 Pt 107

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Dardanup Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

1. Rezoning portion of Lot 13, Boyanup Agricultural Area, (No. 13) Twomey Road, Dardanup from "General Farming" to "Restricted Use" zone—*"Production and exhibition of art and craft goods (including large sculptures) and a single house subject to any development, including the grazing of stock, not being permitted within 30 metres from the Crooked Brook watercourse to protect the riparian land."*
2. Rezoning portion of Lot 13, Boyanup Agricultural Area, (No. 13) Crooked Brook Road, Dardanup from "General Farming" to "Restricted Use" zone - *"As per the General Farming Zone, however a grouped dwelling or a second house is not permitted and subject to any development, including the grazing of stock, not being permitted within 30 metres from the Crooked Brook watercourse to protect the riparian land. The construction of a single house will be restricted to the southeast portion of the subject lot as shown on the Subdivision and Development Guide Plan, unless support is obtained from the Department of Mineral and Petroleum Resources for an alternative site."*

3. Appendix V of the Scheme Text being amended by inclusion of the following entries—

No.	Street	Particulars of Land	Only uses permitted
5	Twomey Road, Dardanup	Portion of Lot 13 Boyanup Agricultural Area	Production and exhibition of art and craft goods (including large sculptures) and a single house, subject to any development, including the grazing of stock, not being permitted within 30 metres from the Crooked Brook watercourse to protect the riparian land.
6	Crooked Brook Road, Dardanup	Portion of Lot 13 Boyanup Agricultural Area	As per the General Farming Zone, however a grouped dwelling or a second house is not permitted and subject to any development, including the grazing of stock, not being permitted within 30 metres from the Crooked Brook watercourse to protect the riparian land. The construction of a single house will be restricted to the southeast portion of the subject lot as shown on the Subdivision and Development Guide Plan, unless support is obtained from the Department of Mineral and Petroleum Resources for an alternative site.

4. Amending the Scheme Map in accordance with the Scheme Amendment Map.

M. T. BENNETT, President.
M. L. CHESTER, Chief Executive Officer.

PI403***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Kalgoorlie-Boulder

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 44

Ref: 853/11/3/6 Pt 44

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Kalgoorlie-Boulder Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

- Amending Table 1: Zoning Table, by inserting after the use class 'Home Occupation' the use class 'Home Office' as follows—

USE CLASSES	General Residential	Extensive Residential	Special Residential	Central Business	District Business	Local Business	Mixed Business	General industry	Service/Light Industry	Transport/Freight	Tourist	Rural	Private Recreation
Home Office	P	P	P	P	P		P				P	P	

- Amending Schedule 1 by inserting after the definition of 'Home Occupation' a new definition of 'Home Office' as follows—

Home office means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not—

- entail clients or customers travelling to and from the dwelling;
- involve any advertising signs on the premises; or
- require any external change to the appearance of the dwelling.

3. Amending Table 1: Zoning Table, by inserting after the use class 'Holiday Accommodation' the use class 'Home Business' as follows—

USE CLASSES	General Residential	Extensive Residential	Special Residential	Central Business	District Business	Local Business	Mixed Business	General industry	Service/Light Industry	Transport/Freight	Tourist	Rural	Private Recreation
Home Business				AA	AA		AA						

4. Amending Schedule 1 by inserting after the definition of 'Holiday Accommodation' a new definition of 'Home Business' as follows—

Home business means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

5. Amending Table 1: Zoning Table by changing the use class 'Home Occupation' as follows—
- from a use not permitted (no symbol) to a discretionary ("AA") use within the "Central Business", "District Business", "Mixed Business", "Tourist", and "Rural" Zones; and
 - from a discretionary ("AA") use to a discretionary ("SA") use requiring advertising as per Clause 6.6 of the Town Planning Scheme within the "General Residential" Zone.

6. Amending Schedule 1 by changing the definition of 'Home Occupation' as follows—
- Home occupation means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ any person not a member of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone.

7. Deleting Clause 4.4: Home Occupations in its entirety and replacing it with the following—
- Clause 4.4

HOME OFFICES, HOME OCCUPATIONS AND HOME BUSINESSES

- (1) Planning approval is not required for the use or development of a home office in accordance with Table 1: Zoning Table.
- (2) Planning approval is required for the use or development of a home occupation or a home business.

NOTE: 'Home Office', 'Home Occupation' and 'Home Business' are defined in Schedule 1.

- (3) A proposal for the use or development of a home office, a home occupation or a home business shall be made in the form set out in Schedule 11 and shall be accompanied by all plans and other information required by the Scheme.
- (4) Planning approval granted under this clause—
 - (a) is granted to the person to whom it was granted;
 - (b) is not capable of being transferred or assigned to any other person or any other location; and
 - (c) does not run with the land in respect of which it was granted.

- (5) A change in the nature, size, or character of the business approved as a home occupation or a home business shall require planning approval.
 - (6) The Council shall not grant planning approval of a home occupation or a home business that does not comply with any relevant planning policy unless the requirements of Clause 6.6 have been complied with.
8. Incorporating Schedule 11—Form 6: Proposal to Carry Out a Home Office, Home Occupation or Home Business.

SCHEDULE 11—Form 6

CITY OF KALGOORLIE-BOULDER TOWN PLANNING SCHEME NO. 1
 PROPOSAL TO CARRY OUT A HOME OFFICE, HOME OCCUPATION OR HOME BUSINESS

TYPE OF BUSINESS (please tick)

Home Office

Home Occupation* * Please note that an application for a Home Occupation also requires a completed planning application form (Form 1, Schedule 2).

Home Business* * Please note that an application for a Home Business also requires a completed planning application form (Form 1, Schedule 2).

APPLICANT DETAILS

Name

Address.....

..... Postcode.....

Telephone No. Facsimile No

PROPERTY DETAILS

House No Lot No.....

Street Name Suburb.....

BUSINESS DETAILS

1. Nature of proposed business

.....

.....

2. Location of business in relation to the dwelling.....

3. Total area of building/land used for the business m²

4. Number of persons employed (indicate if the person(s) are occupiers of the dwelling).....

.....

5. Hours of operation (include hours and days)

.....

6. Expected number of clients or customers travelling to and from the dwelling

..... per hour per day

7. Number of vehicles that could be parked within the boundaries of the property

8. Details of any advertising sign(s) (indicate size and location)

.....

9. Details of equipment and/or machinery to be used.....

.....

10. Description of storage areas.....

11. Frequency of delivery and collection of goods

Declaration—

The occupier above hereby applies to carry out the home office/home occupation/home business described above and states that the above particulars are true.

Signature Date

P. ROBSON, Mayor.
 I. FLETCHER, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Murray

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 148

Ref: 853/6/16/7 Pt 148

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Murray Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

1. Rezoning Lot 194 Fiegert Road, Barragup from “Rural” to “Special Rural” and “Public Recreation/Conservation”, subject to the inclusion of the following Special Provisions within Schedule 4—

(A)	(B)
Specified Land	Special Provisions Relating to (A)
Lot 194 Fiegert Road, Barragup.	<ol style="list-style-type: none"> 1. The subdivision of Lot 194 Fiegert Road, Barragup (subject site) shall be in accordance with the approved subdivision guide plan, or any variation to that plan approved by the Western Australian Planning Commission (WAPC). 2. The following uses are Permitted (“P”)— <ul style="list-style-type: none"> – Single House – Outbuilding – Public Utility 3. The following uses may be permitted at the discretion of Council (“AA”)— <ul style="list-style-type: none"> – Rural Pursuit – Home Occupation – Keeping of Live Stock for non commercial purposes – Dependent Persons Dwellings – Stables – Cottage Industry 4. Council shall only permit land uses other than a single house, if it can be adequately demonstrated that the land use will not detrimentally affect the environmental attributes of the adjacent wetlands. 5. Each lot shall contain a building envelope of an area of no more than 2000 m². Within the building envelope area, no more than 1000m² shall be cleared to allow for the construction of a single house and outbuilding. 6. Each building envelope shall be set back not less than 100 metres from the high water mark. 7. Each building envelope shall be set back not less than 50 metres from the small wetland in the south west corner of the subject site. 8. The prior consent of Council is required should the felling of native vegetation be proposed outside the allocated building envelopes, except for the construction of access ways, fences, effluent disposal systems and firebreaks. 9. The landowner shall prepare a foreshore management plan on advice from the Water and Rivers Commission, Soil and Land Conservation and the Department of Conservation and Land Management. The foreshore management plan shall provide details of the following— <ol style="list-style-type: none"> (a) Rehabilitation and revegetation of degraded areas. (b) Fencing requirements. (c) Public access to the foreshore. (d) Specific measures to protect the remnant vegetation, fauna and wetlands.

(A) Specified Land	(B) Special Provisions Relating to (A)
	10. Fencing shall be of open post, rail or wire structure, to allow small mammals to pass between the subject site and adjacent foreshore reserve.
	11. The remnant lakeside vegetation identified in the subdivision guide plan shall be protected from clearing and the grazing of stock, through the construction of fences, to the requirements of the Shire of Murray.
	12. Clearing and grazing of stock shall not be permitted within 50 metres from the small wetland in the south west corner of the subject site.
	13. Grazing of stock will be permitted in accordance with Agriculture WA guidelines.
	14. Fences and firebreaks are not to be constructed across the small wetland in the south west corner of the subject site.
	15. The identified artefacts scatter on the northern boundary of the subject site shall be surveyed, fenced and appropriate signage provided in consultation with the local Aboriginal Custodians.
	16. The landowner shall notify prospective purchasers of the location and importance of the artefact scatter to local Aboriginal people.
	17. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system, which will be contained within the building envelope area.
	18. The lowest part of all surface and subsurface drainage systems (including road drainage systems) shall be located at or above the average annual maximum ground water level.
	19. Activities carried out on the land shall not contravene the Water and Rivers Commission By-laws relating to groundwater pollution.
	20. Each dwelling shall be provided with a potable water source from a rainwater tank with a storage capacity of not less than 92,000 litres.
	21. A well licence must be obtained from Waters and Rivers Commission to draw groundwater.
	22. The subdivider shall advise prospective purchasers that reticulated water and sewerage will not be provided by the Water Corporation.
	23. The subdivider shall advise prospective purchasers in writing of the Water and Rivers Commissions requirements relating to pollution control and groundwater extraction.
	24. The drainage system shall not be altered without the prior approval of the Council in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect on the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval.
	25. Memorials shall be placed on newly created titles alerting prospective purchasers of the existence of a health risk due to mosquitoes.
	26. The land shown on the Subdivision Guide Plan as a 50 metre wide foreshore reserve being ceded free of cost, with the balance of the proposed 2.97 hectare Regional Open Space being set aside as a separate lot for acquisition by the Western Australian Planning Commission.

2. Amending the Scheme Maps accordingly.

N. H. NANCARROW, President.
N. LEACH, Chief Executive Officer.

PI405

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Plantagenet

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 25

Ref: 853/5/14/4 Pt 25

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Plantagenet Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

- (i) Rezoning Plantagenet Locations 3710, 4388 and portion of Location 4903 Mt Barker-Porongorup Road from 'Rural' to 'Rural Residential' with an 'Additional Use (Tourist Site)' classification over portion of Locations 3710 and 4903;
- (ii) Amending 'Schedule II—Additional Uses' of the Scheme Text by adding the following—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
1	Portion of Plantagenet Locations 3710 and 4903 Mt Barker-Porongorup Road.	Shop, Tearoom, and accommodation associated with tourism.	Subject to development approval by the responsible authority.

- (iii) Inserting in 'Schedule V—Rural Residential Zones' of the Scheme Text the following specific provisions for the use and development of Plantagenet Locations 3710, 4388 and portion of Location 4903 Mt Barker-Porongorup Road—

(a) Specified Area Of Locality	(b) Special Provisions To Refer To (a)
5 Plantagenet Locations 3710, 4388 and Pt Location 4903, Mt Barker-Porongorup Road, Mt Barker	<p>Objective of Rural Residential Area No. 5. To provide for larger hobby farms in excess of 2.0 hectares, which can accommodate residential style developments and small scale rural uses in a compatible manner with rural residential uses on adjoining lots and surrounding rural uses in accordance with the <i>Mount Barker Local Rural Strategy</i>.</p> <p>1.0 Subdivision Guide Plan</p> <p>1.1 Subdivision of Rural Residential Zone Area No. 5 shall be generally in accordance with the subdivision guide plan endorsed by the Chief Executive Officer.</p> <p>1.2 The minimum lot size shall be 2.0 hectares. The Council may recommend that the Western Australian Planning Commission approve minor variations to the subdivision guide plan.</p> <p>2.0 Land Use</p> <p>2.1 Within Rural Residential Zone Area No 5 the following uses are permitted—</p> <ul style="list-style-type: none"> - Residential Dwelling House - Livestock Grazing, subject to provision 3.0 <p>2.2 The following uses may be permitted, subject to the special approval of Council—</p> <ul style="list-style-type: none"> - Home Occupation - Aquaculture - Public Utility - Cottage Industry - Horticulture - Public Recreation - Other incidental or non-defined activities considered appropriate by the Council and which are consistent with the objective of the zone.

(a) Specified Area Of Locality	(b) Special Provisions To Refer To (a)
	3.0 Keeping of Livestock/Animals
	3.1 Intensive agricultural pursuits such as piggeries and feedlots are not permitted. The keeping of livestock shall be restricted to fenced pastured areas of the lot. The owner shall be responsible for the construction and maintenance of stock proof fencing to protect remnant vegetation and revegetation areas. Animal numbers shall not exceed the stocking rates recommended by Agriculture WA. The keeping of animals shall not result in the removal or damage of vegetation and trees or result in soil degradation and dust nuisance.
	3.2 Where, in the opinion of the Council, the continued presence of animals on any portion of land is likely to contribute, or is contributing to dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice.
	3.3 Where notice has been served on a landowner in accordance with this clause, the Council may also require the land to be rehabilitated to its satisfaction, within three (3) months of serving the notice.
	3.4 In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.
	4.0 Horticulture
	4.1 Council will only approve of commercial-scale horticultural enterprises where the proponent can demonstrate the use would be located and managed in such a way as to avoid creating conflicts with existing or likely future rural residential uses on adjoining or nearby lots.
	4.2 Where dams are to be constructed for irrigation purposes, the location and design shall have regard to potential impacts on the landscape amenity of the area and down-stream housing sites.
	5.0 Location of Buildings and Structures
	5.1 Buildings and structures shall be setback a minimum of 20 metres from the lot boundaries abutting Mt Barker-Porongorup Road, Bevan Road, new access roads, and 15 metres from all other lot boundaries. No direct lot access shall be permitted to the Mt Barker-Porongorup Road.
	5.2 Council may vary these setback requirements based on specific locational requirements such as views, privacy, the retention of remnant vegetation, appropriate location of effluent disposal systems and addressing satisfactorily fire management issues.
	5.3 Buildings shall be sited to allow a 'low fuel buffer' not less than 20 metres wide, which does not encroach into remnant vegetation and areas of revegetation as designated on the subdivision guide plan.
	5.4 All dams require the approval of Council before construction. Dams shall be sited and designed to avoid visual impact from surrounding roads, to the satisfaction of Council.

(a) Specified Area Of Locality	(b) Special Provisions To Refer To (a)
	6.0 Building Design, Materials & Colour
	6.1 Dwellings and outbuildings shall be designed and constructed of materials that allow them to blend into the landscape of the site. Council will be supportive of walls and roofs with natural tonings in keeping with the amenity of the area, however Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted zincalume and off-white colours.
	6.2 Dwelling houses shall not exceed 7.5 metres in height, measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of Council, in order to minimise the visual impacts of such buildings when viewed from surrounding roads.
	6.3 No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If fencing is utilised, it shall be of rural construction such as post and strand, to the satisfaction of Council.
	6.4 Water tanks shall be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area, to the satisfaction of Council.
	7.0 Vegetation and Revegetation
	7.1 No clearing of vegetation shall occur except for—
	(a) clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
	(b) clearing as may reasonably be required to construct an approved building and its curtilage;
	(c) trees that are dead, diseased or dangerous;
	(d) clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council; and
	(e) clearing required to establish a 'low fuel' buffer.
	7.2 Council may request the Western Australian Planning Commission to impose a condition of subdivision requiring the revegetation of areas shown on the subdivision guide plan. Such revegetation areas shall be appropriately maintained for a minimum of three (3) years.
	7.3 Additional tree planting may be required as a condition of development approval.
	7.4 Alternative methods, other than fencing, are to demarcate internal lot boundaries where they cross the creekline and foreshore vegetation.
	8.0 Water Supply
	8.1 Where lots are not serviced by a reticulated water supply, each dwelling house shall be provided with a water supply with a minimum capacity of 92,000 litres. This may be supplied from Water Corporation licensed underground water supplies or rainwater storage systems approved by Council and the Health Department of Western Australia.

(a) Specified Area Of Locality	(b) Special Provisions To Refer To (a)
	9.0 Effluent Disposal
	9.1 On-site effluent disposal shall be the responsibility of the individual landowner.
	9.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council and the Health Department of WA. Systems shall be designed and located to minimise nutrient export and/or release into any waterway or groundwater. Conventional effluent disposal systems for new dwellings shall be setback a minimum of 100 metres from the drainage line north west of Bevan Road, and be situated 2 metres above the highest known groundwater level.
	9.3 Council shall require the use of amended soil type effluent disposal systems, such as Ecomax/ATU Systems in situations where a 100 metre setback from the drainage line cannot be achieved, where soil conditions are not conducive to the retention of nutrients, and in low-lying areas.
	9.4 Separation from creeklines and groundwater areas shall be determined by Council in conjunction with the Health Department of WA, but generally, a minimum horizontal separation of 50 metres from the creekline will be required.
	9.5 Variations to the design or location of effluent disposal areas will require a suitably qualified practitioner to satisfactorily demonstrate to the Council and the Health Department of WA that effluent disposal will not cause adverse environmental or health impacts.
	9.6 No more than one (1) effluent disposal system per lot will be permitted except for the 'Additional Use' site denoted on the subdivision guide plan. The effluent disposal requirements for the 'Additional Use' site shall be assessed by Council as part of its development approval process. (Refer 'Schedule II - Additional Uses'.)
	10.0 Stormwater Drainage Management
	10.1 A nutrient stripping/sediment retention drainage management plan, prepared in accordance with Water & Rivers Commission Guidelines, is to be submitted with any application for subdivision approval.
	11.0 Bushfire Management Control
	11.1 Council may request the Western Australian Planning Commission to impose conditions of subdivision for— <ul style="list-style-type: none"> • the construction of strategic firebreaks, as shown on the subdivision guide plan; • the provision of a standpipe and hardstand facility, to the satisfaction of Council and the Bushfires Board; and • a contribution towards the provision of fire-fighting facilities.
	11.2 Where a lot is traversed by a strategic firebreak, as shown on the subdivision guide plan, the registered proprietor shall

(a) Specified Area Of Locality	(b) Special Provisions To Refer To (a)
	maintain the firebreak to the satisfaction of Council. Fencing and/or unlocked gates across the strategic firebreak shall only be permitted at the discretion and satisfaction of Council and the Bush Fires Board.
	11.3 A 'low fuel' buffer, at least 20 metres wide, shall be established and maintained around all buildings.
	11.5 The subdivider shall ensure, to the satisfaction of Council, that prospective purchasers of a lot within Rural Residential Zone Area No 5, are aware of the fire management guidelines contained in the <i>Homeowners Bushfire Survival Manual</i> and Australian Standard 3959 'Construction of Buildings in Bushfire Prone Areas'.
	12.0 Notification of Prospective Owners
	12.1 The subdivider shall ensure, to the satisfaction of Council, that prospective purchasers of a lot within Rural Residential Zone Area No 5—
	<ul style="list-style-type: none"> • are provided with a copy of these scheme text specific provisions before entering into a contract for sale to purchase a lot; • acknowledge that horticultural uses may be permitted in the area and these uses may impact on rural residential uses; and • acknowledge that there is a tree plantation 500 metres to the south east of the subject land and that activities such as mobile chipping and heavy haulage during log harvest periods may adversely impact on the amenity of the area.

(iv) Amending the Scheme Maps accordingly.

K. M. FORBES, President.
R. STEWART, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Swan

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 388

Ref: 853/2/21/10 Pt 388

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Swan Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

1. Adding to Appendix 6B (Schedule of Additional or Restricted Uses), the following additional use—

LOCALITY	STREET AND LAND PARTICULARS	ADDITIONAL OR RESTRICTED USES AND CONDITIONS
Bullsbrook	Lot 1314 Great Northern Highway, Bullsbrook	<ol style="list-style-type: none"> 1. The following use is an additional use— 'AA' Use - Greenwaste Recycling Facility. 2. The additional use referred to in 1. is restricted to the area of 5ha.

LOCALITY	STREET AND LAND PARTICULARS	ADDITIONAL OR RESTRICTED USES AND CONDITIONS
		3. The additional use referred to in 1. is subject to the following conditions— <ol style="list-style-type: none"> 1. No Biosolids are to be produced or stored on site. 2. No Manures are to be produced or stored on site. 3. The additional use shall not be continued after 30 June 2005, unless otherwise approved by the Council.
	2. Inserting on the Scheme Map an 'Additional Use' symbol on Lot 1314 Great Northern Highway, Bullsbrook.	

C. GREGORINI, Mayor.
E. W. LUMSDEN, Chief Executive Officer.

PI407*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Yilgarn

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 1

Ref: 853/11/12/2 Pt 1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Yilgarn Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

1. inserting clause 5.4 in the Scheme Text as follows—
 - “5.4 **Caretakers’ Dwelling in the Southern Cross Townsite**
This clause applies only to land in the Industrial zone within the Southern Cross townsite.
 - (a) a caretakers’ dwelling is not to be developed and/or occupied on a lot unless that lot is used and developed with an industry, business, or office in accordance with the provisions of the Scheme;
 - (b) only one caretakers’ dwelling is to be permitted on a lot; for the purpose of this clause “lot” excludes a strata lot or survey-strata lot created under the *Strata Titles Act 1985*;
 - (c) a caravan or park home is not to be used as a caretakers’ dwelling for either permanent or temporary occupation;
 - (d) a caretakers’ dwelling is to be screened an/or fenced from the street frontage of the lot to the satisfaction of the Council and wherever possible is to be sited at the rear of other buildings on the lot;
 - (e) a caretakers’ dwelling is to have a maximum floor area of 100 m².”
2. inserting “5.4 Caretakers’ Dwelling in the Southern Cross Townsite” in numeric order in the table of Contents in the Scheme Text.
3. on the Scheme Map reclassifying Lot 922 Bullfinch Road and part of Reserve 8849 between Libra and Leo Streets, Southern Cross from Local Reserve for Recreation to Residential zone with R12.5 density code, as depicted on the Scheme Amendment Map.
4. on the Scheme Map amending the density code from R10 to R30 for the following lots in Southern Cross as depicted on the Scheme Amendment Map—

Lot No.	Street Frontage	Secondary Street
493	Taurus Street	Scorpio Street
486	Taurus Street	Gruis Street
889	Taurus Street	Gruis Street
881	Taurus Street	Hydra Street
890	Taurus Street	Hydra Street
898	Taurus Street	Phoenix Street
914	Taurus Street	Phoenix Street
908	Taurus Street	Centaur Street
510	Altair Street	Scorpio Street

Lot No.	Street Frontage	Secondary Street
(UCL)	Altair Street	Scorpio Street
517	Altair Street	Gruis Street
485	Altair Street	Gruis Street
771	Altair Street	Gruis Street
518	Altair Street	Gruis Street
476	Altair Street	Hydra Street
475	Altair Street	Hydra Street
527	Altair Street	Hydra Street
158	Altair Street	Hydra Street
466	Altair Street	Phoenix Street
431	Altair Street	Phoenix Street
149	Altair Street	Phoenix Street
117	Altair Street	Phoenix Street
437	Altair Street	Centaur Street
738	Altair Street	Centaur Street
445	Altair Street	Canopus Street
64	Altair Street	Canopus Street
859	Antares Street	Scorpio Street
777	Antares Street	Scorpio Street
783	Antares Street	Gruis Street
537	Antares Street	Gruis Street
528	Antares Street	Hydra Street
159	Antares Street	Hydra Street
222	Antares Street	Hydra Street
178	Antares Street	Hydra Street
168	Antares Street	Phoenix Street
118	Antares Street	Phoenix Street
169	Antares Street	Phoenix Street
127	Antares Street	Phoenix Street
Reserve 31164	Antares Street	Centaur Street
56	Antares Street	Centaur Street
72	Antares Street	Centaur Street
65	Antares Street	Canopus Street
204	Spica Street	Hydra Street
179	Spica Street	Hydra Street
188	Spica Street	Phoenix Street
128	Spica Street	Phoenix Street
192	Spica Street	Phoenix Street
141	Spica Street	Phoenix Street
134	Spica Street	Centaur Street
1	Spica Street	Centaur Street
135	Spica Street	Centaur Street
88	Spica Street	Centaur Street
80	Spica Street	Canopus Street
81	Spica Street	Canopus Street
Reserve 29321	Sirius Street	Phoenix Street
142	Sirius Street	Phoenix Street
148	Sirius Street	Centaur Street
89	Sirius Street	Centaur Street
96	Sirius Street	Canopus Street

5. on the Scheme Map reclassifying Reserve 23715 Antares and Canopus Streets, Southern Cross from Residential zone to Local Reserve for Recreation as depicted on the Scheme Amendment Map.

P. R. PATRONI, President.
N. E. EIFFLER, Chief Executive Officer.

PI408***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Augusta-Margaret River

TOWN PLANNING SCHEME No. 11—AMENDMENT No. 109

Ref: 853/6/3/8 Pt 109

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the Shire of Augusta-Margaret River Town Planning Scheme Amendment on 13 March 2002 for the purpose of—

1. Amending the Scheme Text by inserting the following in "Appendix 1: Special Rural Zones—Provisions Relating to Specified Areas".

(A) Specified Area of Locality	Special Provisions to refer to (A)
Lots 1, 2, 3, 4 & 8 (Sussex Location 522) Devon Drive and Lots 5, 6 & 7 (Sussex Location 522) Guernsey Gully, Margaret River.	<p>Subdivision Guide Plan</p> <ol style="list-style-type: none"> 1. Notwithstanding the provisions of Clause 4.7.5 (b), subdivision shall be generally in accordance with the Subdivision Guide Plan forming part of Schedule 1 of the Scheme, which forms part of Amendment No. 109 dated 31 January 2001, endorsed by Council and approved by the Western Australian Planning Commission. 2. At the time of subdivision, Council shall recommend a minimum lot size of 1 ha. 3. A 20 metre wide landscape protection area is to be established on the lots fronting Wallcliffe Road as illustrated on the Subdivision Guide Plan. This area will be subject to a tree planting programme prepared in consultation with Council as a condition of subdivision approvals. 4. As a condition of subdivision Council shall recommend to the Western Australian Planning Commission that a notification be placed on title under Section 70A of the Transfer of Land Act notifying purchasers that the subject land is located in close proximity to the raceway, and of the raceways continuing use right and noise exemption. <p>Servicing</p> <ol style="list-style-type: none"> 5. All lots created in accordance with the Subdivision Guide Plan are to be connected to a reticulated town water supply as a condition of subdivision. 6. A Contribution Scheme or Policy addressing landowner contributions to infrastructure, road upgrading, drainage, public accessways and recreation facilities shall be prepared, in consultation with Council, prior to subdivision of lots within the Subdivision Guide Plan area. 7. As a condition of subdivision Council shall recommend to the Western Australian Planning Commission that subdividers contribute to the upgrading of roads, drainage, public accessways and recreation facilities by means of an equitable contribution formula determined by Council in consultation with the Western Australian Planning Commission and the subdivider/s for the Subdivision Guide Plan area. 8. Land required for the public accessway and drainage reserve shall be ceded to Council free of cost at the time of subdivision. 9. All new power lines must be placed underground. <p>On site effluent disposal</p> <ol style="list-style-type: none"> 10. A 50 metre setback is required for effluent disposal systems from the drainage lines identified on the Subdivision Guide Plan, however building envelopes may be within 50 metres of the drainage lines providing the 50 metre setback for effluent disposal is achieved. 11. Where a 50 metre setback from drainage lines for effluent disposal cannot be achieved an alternative treatment system will be required. <p>Management Plans</p> <ol style="list-style-type: none"> 12. As a condition of subdivision Council shall recommend to the Western Australian Planning Commission that the subdivider implement the endorsed Fire Management Plan dated 26 July, 2000 to the satisfaction of the Council and

(A) Specified Area of Locality	Special Provisions to refer to (A)
	Fire and Emergency Services Authority of Western Australia.
	<p>13. As a condition of subdivision Council shall recommend to the Western Australian Planning Commission that a notification be placed on title under Section 70A of the Transfer of Land Act to notify purchasers of their rights and obligations under the endorsed Fire Management Plan dated 26 July, 2000.</p> <p>14. A copy of the Fire Management Plan shall be kept at the office of the Council and made available for public inspection during normal office hours.</p> <p>15. As a condition of subdivision Council shall recommend to the Western Australian Planning Commission that the subdivider prepare and implement a foreshore management plan.</p> <p>16. No livestock will be permitted unless special approval of Council is granted in writing.</p>
	<p>Building Envelopes</p> <p>17. Building envelopes are to be a maximum of 10% of the total lot size and shall be generally no closer than 10 metres from any adjoining lot unless Council considers that a lesser setback will not have a detrimental affect on residential amenity of the adjoining lot or the general area.</p> <p>18. Building envelopes, as depicted on the Subdivision Guide Plan, may be varied at the discretion of Council if it is being considered through the process of a planning application and provided that—</p> <ul style="list-style-type: none"> (a) Council is satisfied that the location of the new building envelope will not be intrusive or impact on the overall surrounding environs. (b) It is demonstrated to Council's satisfaction that there are sound reasons for relocating the building envelope to the new site. (c) In the opinion of Council, no valid objection is raised by any adjoining or affected landowner.
	<p>Development</p> <p>19. No clearing is to occur within the Subdivision Guide Plan area, unless—</p> <ul style="list-style-type: none"> (a) to comply with the Bushfires Act 1954 (as amended). (b) to provide vehicular access to development on lots. (c) Council considers it necessary for fire management or public safety. (d) to provide for a building envelope approved by Council. <p>20. Buildings shall not be constructed to a height greater than 8 metres in accordance with Council's formula for determining height. Council may determine a lesser height limit requirement upon assessment of topographical and visual constraints.</p> <p>21. All new residential development on special rural lots shall be limited to a single dwelling and associated outbuildings. Ancillary accommodation shall be subject to Council's ancillary accommodation policy as adopted by Council.</p> <p>22. Fencing of all new boundaries is not permitted and fencing of building envelopes will only be permitted when special approval of Council is granted in writing.</p> <p>23. The construction of new dams or soaks will not be permitted.</p> <p>24. Reflective roofs such as zinalume, off white/white colourbond are not permitted on all new buildings.</p> <p>25. When clearing of vegetation occurs monitoring must be undertaken to identify and where necessary protect archaeological sites of significance to Aboriginal heritage.</p> <p>26. For the purposes of interpreting the Special Provisions the word "new" relates to any development or action within the subdivision guide plan area approved after the gazettal date of the scheme amendment.</p>

2. Adding the following in "Appendix No. 4—Additional Use Right.

Street	Particulars of Land	Additional Use Permitted and any Special Conditions of Operation
Kangaridge Guesthouse Devon Drive, Busselton	Existing Lot 2 also being proposed Lot 109 Devon Drive	Guesthouse providing up to 2 bedrooms for guests.
Margaret House cnr Guernsey Gully and Devon Drive, Basildene	Existing Lot 5 also being proposed Lot 110 Devon Drive	Guesthouse providing up to 2 bedrooms for guests.

R. WATT, President.
M. T. EASTCOTT, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG401

GAMING COMMISSION ACT 1987

SECTION 104

PERMIT FOR THE CONDUCT OF A TRADE PROMOTION LOTTERY

A trade promotion Lottery is a lottery conducted to promote the sale of goods or the use of services, in which every participant takes part—

- (a) without cost to him; or
- (b) by reason of the purchase of goods or the use of services, the cost of which is no more than the cost would be without the opportunity to take part in the lottery.

The GAMING COMMISSION of WESTERN AUSTRALIA hereby authorises the conduct of Trade Promotion Lotteries, which are deemed to be permitted lotteries, provided that the following conditions are complied with in respect of the conduct of Trade Promotion Lotteries—

1. There shall be no cost to enter the lottery.
2. If the entry is via a telephone call or other electronic medium, the cost of the call shall not exceed 55 cents.
3. If entry is via the Internet, there shall be no additional cost to the participant to register his/her name other than the cost paid by the participant to access the web site via the internet service provider.
4. The lottery may be conducted for a maximum of twelve months.
5. The draw must be conducted within one month of the closure of the lottery.
6. Where entry to the trade promotion lottery is by an entry form or coupon—
 - (a) a description of the prize/s must be printed on the entry form/coupon;
 - (b) the terms or conditions of entry to the lottery must be printed—
 - (i) on the entry form/coupon; or
 - (ii) in a newspaper that is published nationally (for trade promotion lotteries originating outside of Western Australia) and/or Statewide (for trade promotion lotteries conducted within Western Australia); and
 - (c) where the rules and/or conditions of the trade promotion lottery are published in a newspaper, reference to such publication is to be included on the entry form or coupon.
7. Where the trade promotion lottery is conducted by audio or visual media—
 - (a) a description of the prize/s is to be included in the broadcast; and
 - (b) the terms and conditions of entry to the trade promotion lottery are to be included in the broadcast, or the broadcast must direct contestants to where the terms and conditions are to be found.
8. Where the trade promotion lottery is conducted by electronic media (other than audio or visual) all advertising of the promotion shall provide a description of the prizes and shall direct contestants to where the terms or conditions of entry are to be found.
9. The method for determining the winner shall be clearly stated in the terms or conditions of entry to the trade promotion lottery.
10. Where a trade promotion lottery is conducted by audio, visual or other electronic media a copy of the terms or conditions of entry shall be lodged with the Gaming Commission prior to the commencement of the promotion.
11. Once the trade promotion lottery has commenced the published rules and conditions of the lottery cannot be amended without written approval of the Gaming Commission.

12. Records relating to the lottery shall be maintained for a period of twelve months and shall be made available to an authorised officer of the Gaming Commission or a Police Officer upon request.
13. Where practicable, members of the public must be afforded the opportunity to witness the draw. Where not practicable, audit records confirming the prize draw must be made available to an authorised officer of the Gaming Commission or a Police Officer upon request.

Dated 15 March 2002.

This gazettal notice replaces the notice gazetted on 26 June 2001.

BARRY A. SARGEANT, Chairman.

RG402

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
8762	Albany Speedway Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Albany and known as Albany Speedway Club Inc	9/4/02
8824	Lucie-Annabelle Abbotts and Neville Stewart Abbotts	Application for the grant of a Special Facility licence in respect of premises situated in Derby and known as Mt Hart Wilderness Lodge	16/4/02
8830	Douglas Ian Farrant and Julie Elisabeth Farrant	Application for the grant of a Liquor Store licence in respect of premises situated in South Perth and known as Essentials Supermarket	14/4/02
8837	Chalice Bridge Estate Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Margaret River and known as Chalice Bridge Estate Ltd	16/4/02
APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
11483	Bianchi Corporation Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in West Perth and known as Onyx Bar	5/4/02

This notice is published under section 67(5) of the Liquor Licensing Act 1988.

HUGH HIGHMAN, Director of Liquor Licensing.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 22nd April 2002, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bertoli, Marcelle Joy, late of Unit 6/122 Terrace Road, Perth, died 20/9/01, (DE30335254EM32)
Clark, Elizabeth, also known as Bessie Clark, late of 20 Hubert Street, Gullford, died 15/2/02, (DE19892360EM45)
Creamer, Charles Francis, late of 14 Langley Street, Rockingham, died 6/3/02, (DE19863045EM27)
Donaghue, Doreen Marie, late of 110 Star Street, Carlisle, died 4/3/01, (DE30315065EM16)
Evans, Norma, late of Unit 440 Mertome Village, 30 Winifred Road, Bayswater, died 3/3/02, (DE19661177EM37)
Foss, Minnie Thelma, late of Embleton Care Facility, 46 Broun Avenue, Embelton, died 22/1/02, (DE19862257EM32)
Fraser, Joyce, late of 117 Read Street, Rockingham, died 7/8/01, (DE33012254EM37)
Glasson, Margaret Florence, late of 95 Lakes Road, Mandurah, formerly of 25 Tanjiin Street, Mandurah, died 13/2/02, (DE19793419EM43)
Harrington, Claude, late of Unit 5/57 Saunders Street, Como, died 10/2/02, (DE19893561EM16)
Lavery, Gertrud Anna, late of Rowethorpe, Hayman Road, Bentley, died 20/2/02, (DE19850673EM16)
Marshall, Edith Mary, late of McDougall Park Nursing Home, Ley Street, Como, died 7/2/02, (DE19883288EM35)
Mather, Muriel Gladys, late of Belmont Nursing Home, 5 Kemp Street, Rivervale formerly of 50 Brady Street, Mt Hawthorn, died 7/3/02, (DE19970951EM35)
Ridolfo, Basilia Antonina, late of 24B Mather Road, Beaconsfield, died 26/9/2000, (DE30330641EM33)
Rush, Frederick Foskett, late of 18 Epsom Avenue, Ascot, died 26/2/02, (DE19942625EM33)
Whyte, Peter, late of Carinya Nursing Home, 20 Plantation Street, Mount Lawley, died 18/2/02, (DE19560671EM14)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.
Telephone 9222 6777.

WESTERN AUSTRALIA

THE CRIMINAL CODE

(Reprinted as at 9 February 2001)

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