



WESTERN AUSTRALIAN GOVERNMENT Gazette

ISSN 1448-949X



PERTH, TUESDAY, 23 MARCH 2004 No. 50

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher
P.O. Box 8448,
Perth Business Centre 6849

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2003 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.80

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$50.85

Other articles in Public Notices Section—\$50.85 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$10.15

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Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

SPECIAL PUBLICATION NOTICE

GOVERNMENT GAZETTE—EASTER 2004

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 2004.

EASTER ISSUES:

THURSDAY 8 APRIL (Copy closes Tuesday 6 April at 12.00 noon)

There will be no edition for **TUESDAY 13 APRIL**.

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

— PART 1 —

PROCLAMATIONS

AA101*

CARBON RIGHTS ACT 2003

38 of 2003

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 *Carbon Rights Act 2003*, 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 16 March 2004.

By Command of the Governor,

JUDY EDWARDS, Minister for the Environment.

GOD SAVE THE QUEEN !

JUSTICE

JU301*

Supreme Court Act 1935

Supreme Court (Mental Health) Repeal Rules 2004

Made by the Judges of the Supreme Court.

1. Citation

These rules may be cited as the *Supreme Court (Mental Health) Repeal Rules 2004*.

2. The rules repealed

The *Supreme Court (Mental Health) Rules, 1965* are repealed.

Dated: 6 February 2004.

DAVID K. MALCOLM, Chief Justice.

MURRAY (J)	McLURE (J)
OWEN (J)	PULLIN (J)
STEYTLER (J)	HEENAN (J)
TEMPLEMAN (J)	BARKER (J)
WHEELER (J)	JOHNSON (J)
MILLER (J)	LEMIERE (J)
McKECHNIE (J)	JENKINS (J)
HASLUCK (J)	SIMMONDS (J)
ROBERTS-SMITH (J)	

Judges.

LOCAL GOVERNMENT

LG301*

CEMETERIES ACT 1986

LOCAL GOVERNMENT ACT 1995

Shire of Donnybrook/Balingup

CEMETERIES (AMENDMENT) LOCAL LAW 2003

Under the powers conferred by the *Cemeteries Act 1986* and all other powers, the Council of the Shire of Donnybrook/Balingup resolved on 22 December 2003, to amend the Shire of Donnybrook/Balingup Cemeteries Local Law gazetted on 27 November 1998 as follows—

1 By the inclusion of clause 6.2

6.2 Vaults and Mausoleums

- (1) a person other than those approved by Council shall not construct a brick grave, crypt, vault or mausoleum within a cemetery;
- (2) the Council may, upon receipt of an application in writing by any person and upon payment of the set fee, approve the construction of a vault or mausoleum within a cemetery, which vault or mausoleum shall at all times remain the property of Council;
- (3) a mausoleum must be—
 - (a) constructed of brick, stone, concrete or similar durable material;
 - (b) be adequately ventilated and drained;
 - (c) vermin proof;
 - (d) capable of being secured against entry by vandals or other unauthorised persons.
- (4) a person shall not place a dead body in a mausoleum except—
 - (a) in an enclosed coffin; and
 - (b) in a soundly constructed chamber; and
 - (c) in accordance with sub clause (5)

- (5) the number of burials in a chamber must not exceed the number for which the chamber was designed
- (6) the applicant shall ensure that as soon as possible after a dead body is placed in a mausoleum, the front of the chamber is sealed with a slab of impervious material and faced with a substantial stone, slate or other material approved by the Council.

Dated this 17th day of March 2004.

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

WALTER BRUCE HEARMAN, Shire President.
JOHN ROWLAND ATTWOOD, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

LOCAL LAWS RELATING TO FENCING

The Shire of Roebourne Local Laws Relating to Fencing 2003 published in the *Government Gazette* on Friday, 29 August 2003, is hereby amended in the following manner—

PART 1—PRELIMINARY

3. Interpretation

- “dangerous”—the words ‘Part 6’ are deleted and substituted with ‘Part 5’
- “frontage”—insert the following after abuts. ‘Frontage on a corner block will be the boundary nominated by the Building Surveyor;’
- “notice of breach”—the words ‘clause 16(1)’ are deleted and substituted with ‘clause 15(1)’
- “sufficient fence”—the words ‘clause 6’ are deleted and substituted with ‘clause 5’

PART 3—GENERAL

6. Fences Within Front Setback Areas

Clause 6(3)(b) is deleted

9. General Discretion of the Local Government

- (1) the words ‘clause 6’ are deleted and substituted with ‘clause 5’

PART 5—ELECTRIFIED AND RAZOR WIRE FENCES

12. Requirements of a Licence

- (2)(a) the numbers ‘3016:1994’ are deleted and substituted with ‘3016:2002’

14. Cancellation of a Licence

- (a) the words ‘clause 13(2) or 13(3)’ are deleted and substituted with ‘clause 12(2) or 12(3)’

FIRST SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

Item A.(e) is deleted.

SECOND SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL LOT
AND AN INDUSTRIAL LOT

Item C. is deleted

Dated this 16th day of March 2004.

The Common Seal of the Shire of Roebourne was affixed in the presence of—

K. J. RICHARDS, President.
A R MOLES, Chief Executive Officer.

LG303*

LOCAL GOVERNMENT ACT 1995*City of Melville*

STANDING ORDERS AMENDMENT LOCAL LAW 2003

Under the power conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Melville resolved on 17 February 2004 to make the following amendment to the Standing Orders Local Law 2003 published in the *Government Gazette* on 12 May 2003—

CLAUSE 9.11 BE AMENDED AS FOLLOWS—

- 9.11(1) Where a Member, during debate, tables any document relevant to the motion, that document shall become a part of the records of the City of Melville and a copy thereof shall be made available to any Member of the Council upon request.
- 9.11(2) the content of the document tabled under 9.11(1) shall be included in the minutes of the meeting only if so decided by an absolute majority of the Council. The motion to adopt shall be moved and seconded after the document has been described or read and then voted on without further debate or amendment.
- 9.11(3) No documents are to be tabled except during debate.

The above amendments come into operation 14 days after the date of publication in the *Government Gazette*.

Dated this 18th day of March 2004.

The Common Seal of the City of Melville was hereunto affixed in the presence of—

KATHERINE JACKSON, Mayor.
JOHN McNALLY, Chief Executive Officer.

TREASURY AND FINANCE

TF301*

State Trading Concerns Act 1916

**State Trading Concerns (Authorisation)
Amendment Regulations (No. 9) 2003**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *State Trading Concerns (Authorisation) Amendment Regulations (No. 9) 2003*.

2. The regulations amended

The amendments in these regulations are to the *State Trading Concerns (Authorization) Regulations 1998**.

[* Reprinted as at 15 September 2000.

For amendments to 25 November 2003 see Western Australian Legislation Information Tables for 2002, Table 4, p. 364, and Gazette 28 March, 13 June, 1 July, 30 September, and 24 and 28 October 2003.]

3. Schedule 1 amended

- (1) Schedule 1 Part 1 is amended by deleting the entry “Department of Land Administration” and inserting the following entry instead —
“ Department of Land Information ”.
- (2) Schedule 1 Part 2 is amended in the item commencing “Department of Land Administration” by deleting “Administration” in the 4 places where it occurs (including the item heading) and inserting instead in each place —
“ Information ”.

By Command of the Lieutenant-Governor and
deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
REVOCATIONS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of Justice has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Bramley	Derek Raymond	CS2-161	15/03/2003
Holden	Joseph Desmond	CS2-192	15/03/2003
McCarthy	Victor	CS2-209	15/03/2003

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN YEARWOOD, Director, Custodial Contracts.

LOCAL GOVERNMENT

LG401

SHIRE OF TRAYNING
Appointments

It is hereby notified for public information that pursuant of the provisions of the *Dog Act 1976* the following persons have been appointed as Dog Registration Officers—

Kevin Dickson
Jason Flynn
Jenna Fensome
Belinda Taylor

The following persons have been appointed as Authorised Officers under the provisions of the *Dog Act 1976*—

Raymond Adams
Kevin Dickson
Robert Maley
Jason Flynn
Michael Sredojevic

Mr Raymond Adams has been appointed as an Authorised Officer to enforce the provisions of the following—

Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995
Caravan Parks and Camping Grounds Act 1995
Dog Act 1976 and Regulations
The Litter Act 1979
Control of Vehicles (Off Road Areas) Act 1978 and Regulations
And applicable Shire Local Laws

All previous Authorisations for the above with the Shire of Trayning are hereby cancelled.

KEVIN DICKSON, Chief Executive Officer.

LG402**DOG ACT 1976***Shire of Cuballing*

Appointments

It is hereby notified for public information that Carol Anne McQueen has been appointed as a Dog Registration Officer for the Shire of Cuballing.

P. T. NAYLOR, Chief Executive officer.

LG403***LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Shire of Kalamunda*

Inspection of Private Swimming Pools

Council resolved at its meeting of 15 December 2003 to fix the following fee to be imposed on each owner or occupier of land within the Shire of Kalamunda on which there is a swimming pool for the 2003/2004 financial year—

Swimming Pool Inspection \$37

The fee will become effective from 1 April 2004.

LG701**HEALTH ACT 1911***Shire of Brookton*

PROPOSED SEWER EXTENSION

Pursuant to Section 57(1) of the Health Act 1911 (as amended) it is hereby provided for public information that the Shire of Brookton has made application to the Executive Director Public Health for approval to extend the Brookton sewerage scheme to service an aged grouped dwelling development at Lot 456 Whittington Street Brookton.

The application and general plan may be viewed at the Shire of Brookton Administration Office, 14 White Street Brookton between the hours of 8.00 am and 4.15 pm Monday—Friday.

For further information please contact Council's Environmental Health Officer/Building Surveyor Matthew Trichet on 9642 1106.

PLANNING AND INFRASTRUCTURE

PI401***METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**

METROPOLITAN REGION SCHEME

Notice of Resolution—Clause 27

Chamberlain Street and Southern River Road, Gosnells
City of Gosnells

Amendment No. 1091/27

File No.: 812-2-25-25

Notice is hereby given that in accordance with Clause 27 of the Metropolitan Region Scheme, the Perth Region Planning Committee for and on behalf of the Western Australian Planning Commission and acting under delegated powers, resolved on 9 March 2004 to transfer land from the Urban Deferred zone to the Urban zone as shown on Plan Number 4.1500.

This amendment is effective from the date of publication of this notice in the *Government Gazette*.

The plan may be viewed at the offices of—

- Department for Planning and Infrastructure, Wellington Street, Perth
- J S Battye Library, Francis Street, Northbridge
- Municipal office of the City of Gosnells

P. M. MELBIN, Secretary,
Western Australian Planning Commission.

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Dardanup

Town Planning Scheme No. 3—Amendment No. 117

Ref: 853/6/9/6 Pt 117

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 16 March 2004 for the purpose of—

1. Replacing Clauses 2.2.3 and 2.2.4 of the Scheme Text and replacing them with the following—
 - 2.2.3 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.
 - 2.2.4 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may —
 - (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
 - (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 7.2.2 in considering an application for planning approval; or
 - (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.
2. Deleting sub clauses 2.2.4.1 to 2.2.4.4 of the Scheme Text.
3. Inserting Section 7.12 “Delegation of Functions” and the following clauses into the Scheme Text—

7.12 DELEGATION OF FUNCTIONS

- 7.12.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to committee or the CEO, within the meaning of those expressions under the *Local Government Act 1995*, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.
 - 7.12.2 The CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under clause 7.12.1.
 - 7.12.3 The exercise of the power of delegation under clause 7.12.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.
 - 7.12.4 Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.
4. Replacing Clause 7.2.2 of the Scheme Text and replacing it with the following—

7.2.2 The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways—

 - (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;
 - (b) notice of the proposed use or development published in a newspaper circulating in the Scheme Area stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is published;
 - (c) a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.
 5. Inserting the following clause into the Scheme Text—

7.3.5 A written request may be made to the local government for an extension of the term of the planning approval at any time prior to the expiry of the approval period in clause 7.3.3.

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

PI403

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Manjimup

Town Planning Scheme No. 2—Amendment No. 96

Ref: 853/6/14/20 Pt 96

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 Manjimup Town Planning Scheme Amendment on 16 March 2004 for the purpose of—

1. Including Lot 377 Perup Road, Manjimup in the Residential, and Special Rural zones and Reserve for Parks & Recreation Area as depicted on the amending map adopted by the Council of the Shire of Manjimup.
2. Amending the Scheme Text by adding to 'Appendix 1—Schedules relating to additional requirements and modifications to the provisions of the Scheme Text for Specific Special Rural Zones' the following—

Location	Special Provision
Area No 24 Perup Road Manjimup	<ol style="list-style-type: none"> 1 The objective of Special Rural Area No. 24 is to allow for rural residential living and appropriate rural uses adjacent to the Manjimup Townsite. These uses are to be compatible with the designation of the land within the buffer of the Manjimup Waste Water Treatment Plant; and the uses are not to conflict with any other adjacent residential development. 2 The following uses are permitted "P" within Special Rural Area No. 24— <ul style="list-style-type: none"> Dwelling House Outbuilding <p>The following uses are not permitted unless approval is granted by Council "AA"—</p> <ul style="list-style-type: none"> Ancillary Accommodation Cottage Industry Dog Kennel Home Occupation Rural Use Stables Public Utility Private Recreation <p>All other uses not mentioned above are not permitted "X". In considering any application for an "AA" use the Council will have consideration of the objective of Special Rural Area No. 24 and may impose such conditions as it considers necessary to ensure that this objective is complied with.</p> 3 In considering approving any use listed above the Council shall have specific regard to how the proposed use and development may impact upon the adjacent residential areas. It may impose conditions upon such use and development to ensure that there is no adverse impact on the adjoining areas including conditions— <ul style="list-style-type: none"> — restricting the area and/or location of the use; — requiring the establishment of landscape buffers/screen plantings; — restricting the hours of operation; and — requiring specific management measures to be implemented. 4 No development or use within Special Rural Area 24 shall cause injury to or prejudicially affect the amenity of the locality by reason of appearance or the emission of smoke, fumes, noise, vibration, odour, vapour, dust, waste water, waste products or otherwise.

Location	Special Provision
	5 Where the Council considers that a development or use does prejudicially affect the amenity of the locality it may serve a notice on the owner or occupier of the land pursuant to this cause, requiring such activity to cease or to modified to Council's satisfaction.
	6 Subdivision of Special Rural Area 24 shall be generally in accordance with the Subdivision and Development Guide Plan No. 98072P-11 attached to the Scheme Amendment Report (Amendment 96) and dated September 2003.
	7 In accordance with Clause 5.2.9 (iii)1 of Town Planning Scheme No. 2, building envelopes for each lot shall be shown on the proposed plan of subdivision. All envelopes shall be located outside of the WWTP Buffer Area as shown on the Subdivision and Development Guide Plan.
	8 The landscaping areas shown on the Subdivision and Development Guide Plan shall be established by the subdivider, to the satisfaction of Council prior to clearance of the subdivision being given.
	9 In approving any development the Council may in accordance with Clause 5.2.9 (iii) 21.3 of Town Planning Scheme No. 2, require landscaping around proposed buildings.
	10 The landscape areas shown on the Subdivision and Development Guide Plan shall be maintained in perpetuity by the owner of the lot within which the landscaping area (or part of it) is located.
	11 The subdivider shall prepare and implement a Landscaping Plan to the satisfaction of Council for the landscape areas shown on the Subdivision and Development Guide Plan.
	12 The Council may request the Western Australian Planning Commission to impose a condition, at the time of subdivision, requiring the subdivider to prepare and implement a Fire Management Plan to ensure adequate fire protection.
	13 No indigenous tree or substantial vegetation located outside of an approved building envelope may be felled or removed without the prior approval of Council. In considering an application Council will have regard to whether— <ul style="list-style-type: none"> — The trees are dead, diseased or dangerous; — The clearing is for the purpose of a firebreak or for fuel reduction purposes; and — The clearing is required for any approved development works.
	14 All proposed lots shown on the Subdivision and Development Guide Plan shall be connected to a reticulated water supply.

PI404

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Mosman Park

Town Planning Scheme No. 2—Amendment No. 29

Ref: 853/2/18/4 Pt 29

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 Town of Mosman Park Town Planning Scheme Amendment on 16 March 2004 for the purpose of—

- A. Deleting Part VI—CONSERVATION AND PRESERVATION OF PLACES OF NATURAL BEAUTY AND HISTORIC BUILDINGS AND OBJECTS OF HISTORIC OR SCIENTIFIC INTEREST and inserting a new Part VI—HERITAGE PROTECTION as follows—

PART VI—HERITAGE PROTECTION

6.1 Purpose

- 6.1.1 To facilitate the conservation of places of heritage value and to ensure as far as possible that development occurs with due regard to heritage values.

6.2 Heritage List

- 6.2.1 The Council shall establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.

- 6.2.2 In the preparation of the Heritage List the Council shall—

- (a) have regard to the Municipal Inventory prepared by the Council under Section 45 of the *Heritage of Western Australia Act 1990*; and
- (b) include on the Heritage List such of the entries on the Municipal Inventory as it considers to be appropriate.

- 6.2.3 In considering a proposal to include a place on the Heritage List the Council shall—

- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description referred to in sub-clause 6.2.1 and the reasons for the proposed entry;
- (b) invite submissions on the proposal from the owner of the place within 21 days of the date specified in the notice;
- (c) carry out such other consultations as it thinks fit; and
- (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal.

- 6.2.4 Where a place is included on the Heritage List, the Council shall give notice of the inclusion to the Western Australian Planning Commission, the Heritage Council of Western Australia and to the owner of the place.

- 6.2.5 The Council shall keep a copy of the Heritage List with the Scheme documents for public inspection.

- 6.2.6 The Council may remove or modify the entry of a place on the Heritage List by following the procedures set out in clause 6.2.3.

- 6.2.7 Notwithstanding the provisions of clauses 6.2.1 to 6.2.3, the Council may establish the Heritage List by adopting any or all of the places that were incorporated in Appendix D—Schedule 1 of the Scheme as Places of Natural Beauty and Historic Buildings and Objects of Historic or Scientific Interest, prior to the approval of Amendment No. 29.

6.3 Designation of a heritage precinct

- 6.3.1 If, in the opinion of the Council, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, the Council may, by resolution, designate that area as a heritage precinct.

- 6.3.2 The Council shall—

- (a) adopt for each heritage precinct a Local Planning Policy which is to comprise—
 - (i) a map showing the boundaries of the heritage precinct;
 - (ii) a record of places of heritage significance; and
 - (iii) objectives and guidelines for the conservation of the heritage precinct; and
- (b) keep a copy of the Local Planning Policy for any designated heritage precinct with the Scheme documents for public inspection.

- 6.3.3 Where it is proposed to designate a heritage precinct, the Council shall—

- (a) notify in writing each owner of land affected by the proposed designation and provide the owner with a copy of the proposed Local Planning Policy for the heritage precinct;
- (b) advertise the proposal by—
 - (i) publishing a notice of the proposed designation once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area;

- (ii) erecting a sign giving notice of the proposed designation in a prominent location in the area that would be affected by the designation; and
 - (iii) such other methods as the Council considers appropriate to ensure widespread notice of the proposal; and
 - (c) carry out such other consultation as the Council considers appropriate.
- 6.3.4 Notice of a proposal under clause 6.2.3 (b) is to specify—
- (a) the area subject of the proposed designation;
 - (b) where the proposed Local Planning Policy which will apply to the proposed heritage precinct may be inspected; and
 - (c) in what form and in what period (being not less than 21 days from the day the notice is published or the sign is erected, as the case requires) submissions may be made.
- 6.3.5 After the expiry of the period within which submissions may be made, the Council shall—
- (a) review the proposed designation in the light of any submissions made; and
 - (b) resolve to adopt the designation with or without modification, or not to proceed with the designation.
- 6.3.6 If the Council resolves to adopt the designation, it shall forward a copy of the designation to the Heritage Council of Western Australia, the Western Australian Planning Commission and each owner of land affected by the designation.
- 6.3.7 The Council may modify or revoke a designation of a heritage precinct and Clauses 6.3.3 to 6.3.6 shall apply to any amendment of a designation of a heritage precinct.

6.4 Heritage agreements

- 6.4.1 The Council may, in accordance with the *Heritage of Western Australia Act 1990*, enter into a heritage agreement with an owner or occupier of land or a building for the purpose of binding the land or affecting the use of the land or building insofar as the interest of that owner or occupier permits.

6.5 Heritage assessment

- 6.5.1 Notwithstanding any existing assessment on record, the Council may require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage precinct or in respect of a heritage place listed on the Heritage List.

6.6 Application for Planning Approval

- 6.6.1 For the purposes of Clause 7.1 of the Scheme, the term 'development' shall have the meaning as set out in the Town Planning and Development Act (as amended) but shall also include, in relation to any place entered in the List of Heritage Places or contained in a heritage precinct, any act or thing that is likely to significantly change the external character of the building object, structure or place.
- 6.6.2 In addition any formalities or requirements associated with applications for Planning Approval contained in any of the provisions of the Scheme, the Council may require an application for Planning Approval, where the proposed development may affect a place of cultural heritage significance or heritage precinct, to provide one or more of the following to assist the Council in its determination of the application—
- (a) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land subject of the application, and drawn as one continuous elevation;
 - (b) a plan of the proposed development site showing existing and proposed ground levels over the whole of the land the subject of the application and the location, type and height of all existing structures and of all existing vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed. Such plan shall be drawn to the same scale as the site plan;
 - (c) a detailed schedule of all finishes including materials and colours of the proposed development and, unless the Council exempts the applicant from the requirement or any part of it, the finishes of the existing developments on the subject lot and on each lot immediately adjoining the subject lot; and
 - (d) any other information which the Council indicates that it considers relevant.

6.7 Variations to Scheme Provisions.

- 6.7.1 Where desirable to facilitate the conservation of a heritage place or to enhance heritage values, the Council may vary any provision of the Scheme provided that, where in the Council's opinion the variation of a provision is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for variation, the Council shall—
- (a) consult the affected parties by following one or more of the provisions dealing with advertising uses pursuant to Clause 7.1.5; and
 - (b) have regard to any expressed views prior to making its decision to grant the variation.

- 6.7.2 In granting variations under subclause 6.7.1 the Council may enter into a heritage agreement under Part 4 of the Heritage of Western Australia Act 1990 with an owner who would benefit from the variation. The agreement may specify the owner's obligations and contain memorials noted on relevant Certificates of Title.
- B. Deleting "CONSERVATION AND PRESERVATION" from PART IV of clause 1.7 and inserting "HERITAGE PROTECTION".
- C. Deleting all references to Appendix D—Schedule 1.
- D. Inserting, after the definition of "Petrol Filling Station", a new definition "Place" as follows—
"Place" in Part VI (Heritage Protection) has the same meaning as it has in the *Heritage of Western Australia Act 1990*.

B. H. MOORE, Mayor.
T. J. HARKEN, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Dardanup

Town Planning Scheme No. 3—Amendment No. 120

Ref: 853/6/9/6 Pt 120

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 16 March 2004 for the purpose of—

1. Rezoning a portion of Lot 352 Moore Road, Dardanup West from "General Farming" to "Restricted Use Zone" as depicted in the Scheme Amendment Map.
2. Inserting into the Scheme Text under "Interpretations" in Clause 1.8.1, the following definition—
"Timber Related Industry" means the carrying out of a process for and incidental to—
 - (a) the processing, or treatment of timber and timber-related products, including chipping, milling, sawing and other processes reasonably associated with this activity;
 - (b) the manufacture of timber and timber-related products, including pallets, furniture, crates, fencing materials and other articles reasonably associated with this activity,
 and includes the use of land and buildings for these activities, including a woodchipper, sawmill, machining workshop, stockpile yard, and any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process.
3. Inserting into Appendix V "Restricted Use Zones" of the Scheme Text the following—

NO.	STREET	PARTICULARS OF LAND	ONLY USE PERMITTED
8	Moore Road	Portion of Lot 352	<p>Timber related Industry subject to development complying with the General Industry Zone Standards in the Development Table.</p> <p>Development shall have regard to the Industry 2030 Study and the Preston Industrial Park Land Use and Port Access Study (WAPC 2000).</p> <p>In the determination of any development application Council's primary consideration will be to provide for development without adversely impacting on the amenity of the nearby properties. Applications for Planning Consent will be required to address the following—</p> <ul style="list-style-type: none"> • That there will be no adverse impacts (including the combined impact from other industries in the immediate locality) in terms of dust, noise or odour in the immediate locality in accordance with the limits established by current Environmental Legislation. In order to achieve this all development applications should

NO.	STREET	PARTICULARS OF LAND	ONLY USE PERMITTED
			<p>address dust suppression, noise emissions, odour emission, chemical storage, uncontaminated stormwater management, oily and solvent wastewater treatment measures and waste management from operations;</p> <ul style="list-style-type: none"> • Building bulk, height and appearance to be designed to minimise any adverse impacts on the nearby premises; • Traffic movements (amount of and time of) to be managed to minimise any conflicts (especially along the northern section of Moore Road and along the northern section of Picton-Boyanup Road) with the existing industries and nearby non-industrial lots; • Management of any risks associated with the proposed development and containment of these on site; and • A fire management plan to be completed and implemented to the satisfaction of the Council at the Development Application and Building Licence stage; and • Certification from the Water Corporation that arrangements have been made with that body so that measures relating to protection of drainage assets have been undertaken. These measures are to be consistent with the Water Corporation's policy and planning for the locality and may involve the resolution of land matters and the payment of financial contributions to the satisfaction of the Water Corporation. <p>Development shall be restricted to the type which is predicted to generate wastewater intended for disposal on site at a daily volume not exceeding 540 litres per 2000m² lot size.</p>

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

PI501*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENTS:

NO. 1080/33—PIONEER PARK, GOSNELLS TOWN CENTRE
NO. 1081/33—LOTS 1608 AND 1609 LAKEY STREET, SOUTHERN RIVER

Call for Public Submissions

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the City of Gosnells. Public comment is invited.

1080/33—Pioneer Park, Gosnells Town Centre

The purpose of the amendment is to transfer land adjoining the Gosnells Town Centre between the Parks and Recreation reservation and the Urban zone.

The proposal will allow for significant improvements to Pioneer Park and the Canning River foreshore reservation as well as have benefits for the town centre in general.

1081/33—Lots 1608 and 1609 Lakey Street, Southern River

This amendment proposes to rezone Lots 1608 and 1609 Lakey Street, Southern River from the Rural zone to the Urban zone as part of the City of Gosnells 'Southern River Precinct 1' Outline Development Plan.

The proposal will facilitate future development for residential and associated uses.

Display Locations

Full details of the proposals can be found in the Commission's explanatory *Amendment Reports*. A separate report exists for each amendment. These documents, along with the amending plans and other supporting documentation showing the proposed change to the zones and reservations of the Scheme, will be available for public inspection from Tuesday 23 March 2004 to Friday 25 June 2004 at the following locations—

- Department for Planning and Infrastructure, Wellington Street, Perth;
- JS Battye Library, Francis Street, Northbridge;
- City of Perth, St George's Terrace, Perth; and
- City of Fremantle, William Street, Fremantle.
- City of Gosnells, Albany Highway, Gosnells
- City of Armadale, Orchard Avenue, Armadale

Some documents may also be viewed at the Commission's Internet Site www.wapc.wa.gov.au.

Submissions

Any person who desires to make a submission either supporting, objecting or providing comment on any provisions of the proposed Amendments should do so on a Form 6A. This submission form is available from the display locations, the relevant *Amendment Report* and the Internet.

Submissions must be lodged with the—

Secretary
Western Australian Planning Commission
469 Wellington Street
Perth WA 6000

on or before 5.00pm Friday, 25 June 2004. Late submissions will not be considered.

P. M. MELBIN, Secretary,
Western Australian Planning Commission.

POLICE

PO501**POLICE ACT 1892**
POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by Public Auction at South West Auctioneering Company, Lot 51 Strelley Street, Busselton on 27/3/2004.

B. MATTHEWS, Commissioner of Police.

PO502***POLICE ACT 1892**
POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by Public Auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Wednesday 7th April 2004 at 10.00 am.

The Auction is to be conducted by Mr. Jules Antenucci.

B. MATTHEWS, Commissioner of Police,
Western Australia Police Service.

PO503**POLICE ACT 1892**
POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by Public Auction at the premises of Bob Van Den Berg, trading as Snowball Auctions, Auctioneer of 89 Frederick Street, Albany at approximately 9.00 am on Friday 30th April 2004.

Auction will be conducted by Bob Van Den Berg, Auctioneer.

B. MATTHEWS, Commissioner of Police.

WORKCOVER

WC401

WORKERS' COMPENSATION AND REHABILITATION ACT 1981**LOCAL GOVERNMENT ACT 1960****EXEMPTION NOTICE**

Given by the Commission for the purposes of section 164 of the *Workers' Compensation and Rehabilitation Act 1981*.

Notice of Exemption

1. Notice is given that on 2 March 2004, the Lieutenant-Governor and Administrator, acting under section 164 of the *Workers' Compensation and Rehabilitation Act 1981* and with the advice and consent of Executive Council, exempted the Geraldton-Greenough Regional Council from the obligation to insure pursuant to that Act, except for the obligation to insure against liability to pay compensation under that Act for any industrial disease of the kinds referred to in section 151(a) (iii) of the Act.

BRIAN BRADLEY, Chairman of the Commission.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984**OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996****EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13**

(No. 3 of 2004)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to Australian Railroad Group Pty Ltd from the requirements of Regulation 6.3 of the *Occupational Safety and Health Regulations 1996* insofar as they require rigging and dogging work associated with dual-crane lifts to be undertaken by a person certified as competent in intermediate rigging under the National Occupational Health and Safety Certification Standard for Users and Operators of Industrial Equipment [NOHSC: 1006(2001)].

I further grant an exemption to Australian Railroad Group Pty Ltd from the requirements of Regulation 4.54(7)(c) to ensure that multi-crane hoisting is supervised by a competent person who is not an operator of one of the cranes.

The above exemptions apply only in relation to the use of two fifty tonne remote controlled cranes to undertake dual lifting to transfer locomotives and railcars at the Forrestfield maintenance facility operated by Australian Railroad Group Pty Ltd.

This exemption is subject to the following conditions—

- when undertaking dual-crane lifting, the two cranes are controlled with a single dual control pendant;
- all crane motions are synchronised by one operator;
- written procedures, specific to the work undertaken at the facility, are developed for the dual-crane lifting; and
- the operator of the cranes holds a certificate of competency in dogging issued in accordance with NOHSC: 1006(2001), and is also competent in the operation of the cranes concerned.

This exemption is valid until 17 September 2004.

Dated this 16th day of March 2004.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS402*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
 EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 8 of 2004)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to the City of Joondalup from the requirements of the following regulations of the *Occupational Safety and Health Regulations 1996*—

- Regulation 4.53(2)(a) through to Regulation 4.53(2)(e), inclusive,

insofar as the above require a person suspended from a crane to be accommodated in a workbox, and the requirements therefore, in relation to suspending aerial performers from a crane during forthcoming City of Joondalup Festival performances.

I further grant an exemption from the requirements of Regulation 4.54(3) in relation to the use of a crane in the abovementioned performance.

The following conditions shall apply with respect to use of the crane—

- the crane operator shall remain at the controls of the crane at all times during the performance;
- no crane motion is permitted whilst a person is suspended from the crane hook which must be fitted with a safety catch;
- a means of lowering the person in the event of an emergency or failure of the power supply to the crane is provided and is fitted with a safety catch;
- communication is maintained between the person who is controlling the self-braking descender device and the suspended persons for the period they are suspended;
- the crane not to be operated if wind speed exceeds 20 knots;
- the crane has a minimum SWL of 1000kg or twice the total load being lifted; and
- the preparation of a Job-Safety Analysis in regard to the Act to be performed.

This exemption is valid from 17 to 21 March 2004 inclusive.

This exemption revokes exemption No. 6 of 2004

Dated this 16th day of March 2004.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962
 DECEASED ESTATES

Notice to Creditors and Claimants

Ian Keith Davidson, late of 10 Robinson Terrace, Daglish in the State of Western Australia, Company Director, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on 29 January 2004 are required by the personal representatives to send particulars of their claims to them care of Talbot & Olivier, Barristers & Solicitors, Level 10, 55 St George's Terrace, Perth by 30 April 2004 after which date the personal representatives may convey or distribute the assets having regard to the claims of which they then have notice.

TALBOT & OLIVIER as Solicitors for the personal representative.

ZZ202

TRUSTEES ACT 1962
 DECEASED ESTATES

Notice to Creditors and Claimants

Rose, Helen Coventry, late of Chrystal Halliday Homes, Jeanes Road, Karrinyup, in the State of Western Australia, died 16/9/03.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the abovementioned deceased person are required to send particulars of their claims to me on or before the 23rd April 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

SUSANNE SUTHERLAND,
37 Lilacdale Road,
Innaloo WA 6018.

WESTERN AUSTRALIA

**PUBLIC TRANSPORT AUTHORITY
ACT 2003**

**Price: \$13.75 counter sales
Plus postage on 200 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**PUBLIC INTEREST DISCLOSURE
ACT 2003**

**Price: \$8.50 counter sales
Plus postage on 107 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

CARBON RIGHTS ACT 2003

**Price: \$3.20 counter sales
Plus postage on 30 grams**

*Prices subject to change on addition of amendments.



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