



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

ISSN 1448-949X

513



**PERTH, FRIDAY, 3 FEBRUARY 2006 No. 24**

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

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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).

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.
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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**ABORIGINAL COMMUNITIES ACT 1979**

## PROCLAMATION

Western Australia

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

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Aboriginal Communities Act 1979* section 4(1)(b) with the advice and consent of the Executive Council and on the advice of the Minister for Indigenous Affairs, declare Bayulu Community Incorporated, an incorporated Aboriginal community, to be an Aboriginal community to which the *Aboriginal Communities Act 1979* applies.

Given under my hand and the Public Seal of the State on 31 January 2006.

By Command of the Governor,

J. C. KOBELKE, Minister for Indigenous Affairs.

GOD SAVE THE QUEEN !

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AA102\*

**MINING AMENDMENT ACT 1996**

No. 54 of 1996

## PROCLAMATION

Western Australia

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

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Mining Amendment Act 1996* section 2 and with the advice and consent of the Executive Council, fix 11 February 2006 as the day on which sections 3, 4, 6, 8, 11, 12 and 14 to 22 of that Act come into operation.

Given under my hand and the Public Seal of the State on 31 January 2006.

By Command of the Governor,

A. J. CARPENTER, Minister for State Development.

GOD SAVE THE QUEEN !

AA103\*

**MINING AMENDMENT ACT 2002**

No. 15 of 2002

## PROCLAMATION

Western Australia

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

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Mining Amendment Act 2002* section 2 and with the advice and consent of the Executive Council, fix 10 February 2006 as the day on which section 12 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 31 January 2006.

By Command of the Governor,

A. J. CARPENTER, Minister for State Development.

GOD SAVE THE QUEEN !

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AA104\*

**MINING AMENDMENT ACT 2004**

No. 39 of 2004

## PROCLAMATION

Western Australia

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

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Mining Amendment Act 2004* section 2 and with the advice and consent of the Executive Council, fix 10 February 2006 as the day on which the provisions of that Act, other than Part 9, come into operation.

Given under my hand and the Public Seal of the State on 31 January 2006.

By Command of the Governor,

A. J. CARPENTER, Minister for State Development.

GOD SAVE THE QUEEN !

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AA105\*

**MINING AMENDMENT ACT 2005**

No. 27 of 2005

## PROCLAMATION

Western Australia

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

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Mining Amendment Act 2005* section 2(1) and with the advice and consent of the Executive Council, fix 10 February 2006 as the day on which the provisions of that Act, other than sections 5, 8, 9 and 11, come into operation.

Given under my hand and the Public Seal of the State on 31 January 2006.

By Command of the Governor,

A. J. CARPENTER, Minister for State Development.

GOD SAVE THE QUEEN !

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**ENERGY**


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EN301\*

**ELECTRICITY INDUSTRY ACT 2004****ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY MARKET)  
REGULATIONS 2004****WHOLESALE ELECTRICITY MARKET RULES**

## Amending Rules

I, Alan Carpenter, Minister for Energy for the State of Western Australia, acting in accordance with regulation 6(2) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004* hereby make these amending rules to implement the following amendments to Appendix 8 of the *Wholesale Electricity Market Rules*—

- (1) rule 1.1 is amended by inserting “ or clause A2.24” at the end of the definition of “auditor”;
- (2) rule 5.16 is amended as follows—
  - (a) by deleting the full stop at the end of paragraph (e) and inserting a semicolon followed by the word “and” instead; and
  - (b) after paragraph (e) by inserting—
 

“

(f) curtailments of *trading electricity* enforced under rule 3.21.

”;
- (3) rule 5.17 is deleted and the following rule is inserted instead—
 

“

5.17 To avoid doubt, the *residual imbalance tariffs* contained in the *residual imbalance tariff list* published by the *market service provider* under rule 4.3 will not be audited under rule 5.16.

”;
- (4) rule 5.18 is amended by deleting “rule 5.17” and inserting instead “rule 5.16”;
- (5) after clause A2.23 in Appendix 2 to Appendix 8 the following clause is inserted—
 

“

A2.24 Without limiting the *market service provider’s* obligations under clause A2.1, the *Minister* may request the *market service provider* to appoint an *auditor*, in accordance with clause A2.3, to undertake an interim *negative assurance audit* of—

  - (a) the *market service provider’s* compliance since the last *negative assurance audit* with those provisions listed in rule 5.16 as specified by the *TUAS consultation group*; and
  - (b) any other matters recommended to the *Minister* by the *TUAS consultation group* for the auditor’s attention.

Subject to this clause, an interim *negative assurance audit* will be conducted in the same manner as a *negative assurance audit* conducted under clause A2.1.

”;
- (6) Appendix 2 to Appendix 8 is amended by deleting “rule 5.17” in the explanatory note before the heading “Audit of the market service provider” and inserting instead “rule 5.16”; and
- (7) clause A2.1 in Appendix 2 to Appendix 8 is amended by deleting “rule 5.17” and inserting instead “rule 5.16”.

The amendments specified in this notice are to come into force on the day after the date that this notice is published in the *Government Gazette*.

ALAN CARPENTER MLA, Minister for Energy.

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**HEALTH**

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HE301\*

Hospitals and Health Services Act 1927

**Hospitals (Services Charges) Amendment  
Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Hospitals (Services Charges) Amendment Regulations 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Hospitals (Services Charges) Regulations 1984\**.

[\* *Reprint 4 as at 3 December 2004.*

*For amendments to 23 December 2005 see Gazettes 11 March, 19 April, 28 June and 14 October 2005.]*

**3. Schedule 1 amended**

Schedule 1 Division 3 item 5 is amended as follows:

- (a) in paragraph (b) by deleting “\$4.60” and inserting instead —  
“ \$4.70 ”;
- (b) in paragraph (c)(i)(I) by deleting “\$28.60” and inserting instead —  
“ \$29.50 ”;
- (c) in paragraph (c)(i)(II) by deleting “\$22.90” and inserting instead —  
“ \$23.60 ”;
- (d) in paragraph (c)(ii) by deleting “\$22.90” and inserting instead —  
“ \$23.60 ”.

By Command of the Governor,

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

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**MINERALS AND PETROLEUM**

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MP301\*

Mining Act 1978

**Mining Amendment Regulations (No. 3) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Mining Amendment Regulations (No. 3) 2006*.

**2. Commencement**

These regulations come into operation on 11 February 2006.

**3. The regulations amended**

The amendments in these regulations are to the *Mining Regulations 1981*\*.

[\* *Reprint 5 as at 16 July 2004.*

*For amendments to 23 December 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 259, and Gazette 28 January, 20 May and 24 June 2005.]*

**4. Regulation 27 amended**

Regulation 27(d) is amended by deleting “assign, underlet or part with possession of” and inserting instead —

“ transfer or mortgage a legal interest in ”.

**5. Regulation 36 amended**

Regulation 36(c) is amended by deleting “assign, underlet or part with possession of” and inserting instead —

“ transfer or mortgage a legal interest in ”.

**6. Regulation 41 amended**

Regulation 41(c) is amended by deleting “assign, underlet or part with possession of” and inserting instead —

“ transfer or mortgage a legal interest in ”.

**7. Regulation 51B amended**

- (1) Regulation 51B is amended by inserting before “A notice” the subregulation designation “(1)”.

- (2) At the end of regulation 51B the following subregulation is inserted —

“

- (2) A person who lodges a notice of objection referred to in subregulation (1) shall serve a copy of the notice on the applicant.

”.

**8. Regulation 55 amended**

- (1) Regulation 55 is amended by inserting before “A person” the subregulation designation “(1)”.
- (2) At the end of regulation 55 the following subregulation is inserted —

“

- (2) A person who lodges an objection referred to in subregulation (1) shall serve a copy of the objection on the applicant.

”.

**9. Regulation 64 amended**

Regulation 64(6) is amended by inserting after “the miscellaneous licence” —

“ within 14 days after lodging the application ”.

**10. Regulation 69 amended**

Regulation 69 is amended by deleting “at the office of the mining registrar”.

**11. Regulation 76 replaced**

Regulation 76 is repealed and the following regulation is inserted instead —

“

**76. Lodgment of caveats**

- (1) For the purposes of section 122A a caveat shall be —
- (a) in the form No. 24 in the First Schedule; and
  - (b) accompanied by the prescribed fee.
- (2) A separate caveat shall be lodged in respect of each mining tenement affected.

”.

**12. Regulation 76B amended**

Regulation 76B is amended as follows:

- (a) by deleting “120A” and inserting instead —
- “ 122 ”;



- (b) by deleting “a notice of the registration of the surrender sent, by or on behalf of the Minister, by certified mail” and inserting instead —  
“ sent by registered post ”.

**13. Regulation 77 replaced**

Regulation 77 is repealed and the following regulation is inserted instead —

“

**77. Mortgage**

A mortgage shall be —

- (a) lodged in the form No. 25 in the First Schedule; and  
(b) accompanied by the prescribed fee.

”

**14. Regulation 78 repealed**

Regulation 78 is repealed.

**15. Part V Division 4A inserted**

After regulation 84 the following Division is inserted —

“

**Division 4A — Lodgment of instruments and the register**

**84A. Lodgment of instruments**

An instrument to which section 103C applies shall be —

- (a) lodged for registration at the office of the mining registrar or at the Department at Perth; and  
(b) accompanied by the prescribed fee.

**84B. Provisional lodgment**

(1) In this regulation —

“**allowed period**” means —

- (a) the period referred to in subregulation (4); or  
(b) if an extension of that period is granted under subregulation (8), the extended period.

(2) This regulation applies to the following instruments —

- (a) an instrument accepted for provisional lodgment under section 103D(1); and  
(b) a caveat accepted for provisional lodgment under section 122B(1).

- (3) The time and date of lodgment of the instrument shall be entered in the register as the time and date at which registration was effected but the word “provisional” shall be entered in the register next to the entry specifying that time and date.
- (4) An authorised officer shall, by notice in writing to the person who lodged the instrument, direct the person to ensure that the error or defect in the instrument is corrected within the period specified in the notice.
- (5) Where a direction is given under subregulation (4) in relation to an instrument —
  - (a) if the direction is complied with within the allowed period, the word “provisional” shall be deleted from the register; or
  - (b) if the direction is not complied with within the allowed period, the instrument shall be taken to have been rejected and the register shall be so endorsed.
- (6) If the word “provisional” is entered in the register next to an entry specifying a time and date in relation to a time and date of lodgment of an instrument, the instrument shall be taken not to have been registered.
- (7) If the word “provisional” is deleted from the register under subregulation (5)(a), the instrument shall be taken to have been registered from and including the time and date specified in the register under subregulation (3).
- (8) An authorised officer —
  - (a) may, for reasonable cause, extend the period specified in the notice for the correction of any error or defect provided the request to extend is made, in writing by or on behalf of the person who lodged the instrument, before the expiry of that period; and
  - (b) shall, by notice in writing to the person who requested the extension, advise whether an extension has been granted.

**84C. Content of register**

The register is to contain the following particulars —

- (a) in relation to an application for a mining tenement —
  - (i) the particulars shown on the prescribed form of application; and
  - (ii) the approval of the application and the terms and conditions of that approval, or

- the refusal or withdrawal of the application, as the case may be;
- (b) in relation to a mining tenement —
    - (i) all rental payments;
    - (ii) moneys expended or deemed to be expended in mining on or in connection with mining on the tenement;
    - (iii) particulars of exemptions;
    - (iv) particulars of dealings and other instruments affecting the tenement that are required to be entered in the register under the Act;
    - (v) the name of the registered holder and the number of shares held; and
    - (vi) the surrender, forfeiture or other cancellation of the tenement;
  - (c) such other particulars relating to a mining tenement or an application for a mining tenement as the Director General of Mines considers necessary.

**84D. Fees for copies of entries, dealings, etc.**

For the purposes of section 103F(4) the fees set out in item 3 of the Second Schedule are prescribed.

**84E. Amendment of register**

An application to amend particulars in the register shall be —

- (a) made in the form No. 30 in the First Schedule; and
- (b) lodged at the office of the mining registrar or the Department at Perth.

**84F. Inclusion of information in register despite late lodgment of report**

- (1) In this regulation —

“**prescribed period**”, in relation to a report, means the period within which the report is required to be filed or lodged under regulation 16, 22, 23E or 32, as the case requires.
- (2) An officer of the Department may extract information from a report referred to in regulation 16, 22, 23E or 32 for the purpose of including it in the register despite the fact that the report was received at the Department after the expiry of the prescribed period.

**16. Regulations 103, 106, 107, 107A, 107AA and 110 repealed**

Regulations 103, 106, 107, 107A, 107AA and 110 are repealed.

**17. First Schedule amended**

- (1) The amendments in this regulation are to the First Schedule.
- (2) Form 8 is amended in item 4 by deleting “assign, underlet or part with possession of” and inserting instead —  
 “ transfer or mortgage a legal interest in ”.
- (3) Form 10 is amended in item 3 by deleting “assign, underlet or part with possession of” and inserting instead —  
 “ transfer or mortgage a legal interest in ”.
- (4) Form 16 is amended as follows:
  - (a) by deleting “(f)” in both places where it occurs and inserting instead —  
 “ (g) ”;
  - (b) by inserting after item (e) the following item —  
 “  
 (f) Insert date on which copy of (f)  
 application for mining tenement  
 received (See Note 1)  
 ”.
  - (c) by inserting at the end of the form —  
 “  
 Note 1: To be completed if the objection is in respect  
 of an application for a mining tenement that  
 relates to private land.  
 ”.
- (5) Forms 23, 24 and 24A are deleted and the following forms are inserted instead —

“

Form 23	WESTERN AUSTRALIA <i>Mining Act 1978</i> (Regs. 75, 81, 84 & 134)	<b>STAMP DUTY</b>
	<b>TRANSFER</b>	No.
INTEREST BEING TRANSFERRED (a) Type of tenement (b) Number (c) Mineral Field (d) Number of shares	Details of Mining Tenement and Interest (a) (b) (c) (d)	
TRANSFEROR (e) Full name and address	(e)	
CONSIDERATION (f) In words — see Note 1	(f)	
TRANSFEREE (g) Full name and address	(g)	

”

(h) Mortgage number and Mortgagee or "NIL" (See Note 2)

(h)
-----

THE TRANSFEROR for the consideration expressed HEREBY TRANSFERS TO THE TRANSFEREE the interest specified in the abovementioned mining tenement, and the TRANSFEREE accepts the said interest subject to any mortgage shown hereon and to all the terms and conditions under which it is now held.

\*See Note 3

\*  
DATED this            day of            20            .

(i) Signature of transferor

(j) Signature of transferee

(k) Signature of witness

TRANSFERORS sign here Signed (i) in the presence of (k) Signed (i) in the presence of (k) Signed (i) in the presence of (k)	TRANSFEREES sign here Signed (j) in the presence of (k) Signed (j) in the presence of (k) Signed (j) in the presence of (k)
--	--

LODGING PARTY  
(l) Full name and address (for return of documents)

(l)
-----

O F F I C E  U S E	Received at ..... a.m./p.m. on ..... with fee of \$ .....  ..... (Mining Registrar)
---	--

- Notes: 1. Where the stamp duty shown on the transfer is not in respect of the full amount of the consideration stated then the documents indicating the full stamp duty must accompany the transfer.
2. If a mortgage is registered with the Department of Industry and Resources and will continue after the transfer, insert the required details.  
If no mortgage, or a mortgage is to be discharged prior to or on the transfer, insert "nil".  
The consent of the mortgagee to the transfer must be lodged with this form.
3. If section 122A(1)(b) of the Act applies, insert "THE TRANSFEROR and THE TRANSFEREE acknowledge that this transfer is subject to the interest claimed by the caveator in caveat no." and the relevant caveat number.

Form 24

WESTERN AUSTRALIA  
*Mining Act 1978*  
(Sec. 122A Reg. 76)

**CAVEAT** No.

(a) Type  
(b) Number  
(c) Mineral Field

Details of Mining Tenement	
(a)	(b)
(c)	

(d) Specify "the whole" or the number of shares being caveated  
(e) Full name of holder of shares being caveated

Interest being caveated
(d)
(e)

(f)	Full name and address of caveator	Caveator (f)
(g)	Specify the grounds on which the claim is made. (See Note 1)  *See Note 2	THE CAVEATOR claims an interest as specified in the abovementioned mining tenement BY VIRTUE OF (g)  and whilst this caveat remains in force FORBIDS the registration of any transfer or other instrument affecting such tenement or interest* and appoints (h)
(h)	Address within the State for service of notices	as the place at which notices and proceedings relating to this caveat may be served  DATED this                  day of                  20
(i)	Signature of caveator	Caveator or agent signs here Signed (i) ..... as agent (delete if not applicable)
(j)	Signature of witness	
(k)	Full name and address (for return of documents)	(k)

O F F I C E  U S E		Received at ..... a.m./p.m. on ..... with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

- Notes: 1. If the caveat is lodged pursuant to section 122A(2) of the Act the term of the caveat (if any) must be stated and a copy of the agreement attached.
2. If the caveat is lodged pursuant to section 122A(1)(b) of the Act, insert "unless the instrument is expressed to be subject to the interest claimed in this caveat".

Form 24A    WESTERN AUSTRALIA  
*Mining Act 1978*  
(Sec. 122E Reg. 76A)

**WITHDRAWAL OF CAVEAT**                  No.(s)

(a)	Full name & Address of Caveator	Caveator (a)
(b)	Specify caveat(s) to be withdrawn and mining tenement(s) affected	Caveat Number(s) and mining tenement(s) affected (b)

THE CAVEATOR HEREBY WITHDRAWS the abovementioned caveat(s) against the interest in the mining tenement(s) described above  
DATED this                  day of                  20

(c) Signature of caveator	Caveator or agent signs here  Signed (c) ..... as agent (delete if not applicable)
(d) Signature of witness	Witness signs here in the presence of (d) .....
(e) LODGING PARTY Full name and address (for return of documents)	(e)

O F F I C E  U S E		Received at ..... a.m./p.m. on .....  with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

”

(6) Form 25 is amended by deleting all of the form after “3. \*” and inserting instead —

“

\*\*See Note 1

\*\*

DATED this            day of            20

(a) Signature of Mortgagor(s)	MORTGAGOR(S) sign here Signed (a) ..... in the presence of (b) .....
(b) Signature of witness	Signed (a) ..... in the presence of (b) .....

\*\*\*See Note 2

\*\*\*

LODGING PARTY (c) Full name and address (for return of documents)	(c)
--	-----

O F F I C E  U S E		Received at ..... a.m./p.m. on .....  with fee of \$ .....  ..... (Mining Registrar)	
---	--	--	--

- Notes: 1. If section 122A(1)(b) of the Act applies, insert “THE MORTGAGOR AND THE MORTGAGEE acknowledge that this mortgage is subject to the interest claimed by the caveator in caveat no.” and the relevant caveat number.
2. If the words set out in Note 1 are inserted in the mortgage the mortgage must also be signed by the mortgagee(s) and that signature or those signatures duly witnessed.

”

- (7) Form 28 is amended by deleting “applicant” in both places where it occurs and inserting instead —

“ executor or administrator ”.

- (8) Form 30 is amended in the heading by deleting “107” and inserting instead —

“ 84E ”.

**18. Second Schedule amended**

- (1) The amendments in this regulation are to the Second Schedule.

- (2) Item 3 is deleted and the following item is inserted instead —

“

3.	Copy of —		
	Entry in the register (per tenement) .....	Reg. 84D	6.50
	Dealing or other instrument (per tenement) .....	Reg. 84D	6.50

”.

- (3) Item 10 is amended as follows:

- (a) by deleting “of dealings” and inserting instead —

“ or recording of instruments ”;

- (b) by deleting “Agreement .....Reg. 110 82.00”;

- (c) in the entry beginning “Caveat” by deleting “Sec. 121” and inserting instead —

“ Reg. 76 ”;

- (d) in the entry beginning “Discharge/Withdrawal” by deleting “, 110”;

- (e) in the entry beginning “Judgment/Order” by deleting “110” and inserting instead —

“ 109 ”;

- (f) by deleting “Sub-lease of Mining Tenement...Reg. 110 82.00”.

By Command of the Governor,

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



MP302\*

Mining Act 1978

## Mining (Reversion Licence Application Scheme) Order 2006

Made by the Governor in Executive Council.

### 1. Citation

This order is the *Mining (Reversion Licence Application Scheme) Order 2006*.

### 2. Commencement and operation of order

- (1) This order comes into operation on 10 February 2006.
- (2) This order has effect for the period of 5 years beginning on the commencement day.

### 3. Terms used in this order

- (1) In this order, unless the contrary intention appears —  
“**commencement day**” means the day referred to in clause 2(1);  
“**granted**” means granted under the Act;  
“**licence**” means a prospecting licence or an exploration licence;  
“**relevant lease application**”, in relation to a reversion licence application, means the lease application or lease applications in respect of the reversion land;  
“**reversion land**” means the land to which a reversion licence application applies.
- (2) If this order uses a term that is given a meaning in section 120AA(1) of the Act, the term has that meaning in this order.

### 4. Purpose

The purpose of this order is to establish a scheme for and in relation to the making of reversion licence applications.

### 5. Procedure for reversion licence applications

Subject to this order, the provisions of the Act and the *Mining Regulations 1981* apply to and in relation to the making and determination of a reversion licence application in the same way as they apply to and in relation to the making and determination of any other application for a licence under the Act.

**6. Persons who can make reversion licence applications**

- (1) A person who, on or before the commencement day, has made a lease application or lease applications in respect of land may, subject to subclause (2), make one or more reversion licence applications in respect of that land.
- (2) If the relevant lease application in respect of land was made by 2 or more persons, any reversion licence application in respect of that land has to be made by those persons jointly.

**7. Period for making reversion licence applications**

A reversion licence application has to be made within 12 months after the commencement day.

**8. Reversion licence applications may include other land**

- (1) Subject to subclause (2), a reversion licence application may include land that is not the subject of the relevant lease application.
- (2) If —
  - (a) a reversion licence application is an application for an exploration licence;
  - (b) there is a continuing licence over the reversion land; and
  - (c) the continuing licence is an exploration licence,

the reversion licence application may only include a block the subject of the continuing licence if the block or a part of the block is the subject of the relevant lease application.

- (3) In subclause (2) —  
“**block**” has the same meaning as it has in Part IV Division 2 of the Act.

**9. Applicant where continuing licence transferred**

If, after a reversion licence application is made, there is a change in the person or persons making the relevant lease application because of the operation of section 49(3), 67(3) or 70L(3) of the Act, the same change is to be made in relation to the reversion licence application.

**10. No requirement for marking out in certain cases**

- (1) If —
  - (a) a reversion licence application is an application for a prospecting licence; and
  - (b) the boundaries of the reversion land are identical to the boundaries of the land the subject of the relevant lease application,

the reversion land does not have to be marked out before the reversion licence application is made.

- (2) If —
- (a) a reversion licence application is an application for a prospecting licence;
  - (b) there is a continuing licence over the reversion land;
  - (c) the continuing licence is a prospecting licence; and
  - (d) the boundaries of the reversion land are identical to the boundaries of the continuing licence,

the reversion land does not have to be marked out before the reversion licence application is made.

**11. Objections to certain reversion licence applications**

If the boundaries of the reversion land are identical to, or located entirely within, the boundaries of the land the subject of the relevant lease application, a notice of objection to the granting of the reversion licence application may only be lodged by a person who has already lodged a notice of objection in relation to the relevant lease application.

**12. Priority for certain reversion licence applicants**

If the boundaries of the reversion land are identical to, or located entirely within, the boundaries of the land the subject of the relevant lease application, the person making the reversion licence application has the same right in priority to the grant in respect of the reversion land of the licence to which the reversion licence application relates as that person has to the grant in respect of that land of the mining lease or mining leases to which the relevant lease application relates.

**13. Effect of reversion licence application**

The making of a reversion licence application does not affect —

- (a) the relevant lease application; or
- (b) the operation of any continuing licence that has effect in relation to the land the subject of the relevant lease application.

**14. Reversion licence application to lapse if relevant lease application withdrawn**

If the relevant lease application is withdrawn, a reversion licence application lapses when the withdrawal is registered.

**15. Effect of grant of licence**

- (1) This clause applies if a licence is granted as a result of a reversion licence application.
- (2) If the licence is granted in respect of part of the land the subject of the relevant lease application —
  - (a) the relevant lease application; and

- (b) any continuing licence to which the relevant lease application relates,

cease to apply to that part of the land on the day on which the licence is granted.

- (3) If the licence is granted in respect of the whole of the land the subject of the relevant lease application —
  - (a) the relevant lease application lapses; and
  - (b) for the purposes of sections 49(2), 67(2) and 70L(2) of the Act the relevant lease application is to be taken to have been determined,

on the day on which the licence is granted.

#### **16. Refund of rent**

- (1) A person to whom a licence is granted as a result of a reversion licence application is entitled to a refund of rent paid in respect of the relevant lease application.
- (2) The amount of the refund is to bear the same proportion to the amount of rent paid in respect of the relevant lease application as the area of licence land bears to the area of land the subject of the relevant lease application when it was made.
- (3) In subclause (2) —  
“**licence land**” means land in respect of which the licence is granted that, immediately before the grant, was land the subject of the relevant lease application.

#### **17. Caveat taken to be lodged against licence granted as a result of reversion licence application**

- (1) If a caveat has been lodged against a continuing licence and a licence (the “**later licence**”) is granted as a result of a reversion licence application in respect of land that, immediately before the grant, was land to which the continuing licence applied, the caveat is to be taken to have been lodged against the later licence and a memorial to that effect is to be entered in the register.
- (2) A caveat to which subclause (1) applies has effect, in relation to the later licence, on and from the day on which the later licence is granted.

By Command of the Governor,

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

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## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

**CHARITABLE COLLECTIONS ACT 1946**

## REVOCATION OF LICENCES

I, John Kobelke being the Minister administering the Charitable Collections Act 1946, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisations listed below—

- Anglo Indian Association of Western Australia (Inc)
- Allergy Research Foundation (Inc)
- The Open House Community Life Inc

Dated this 25th day of January 2006.

JOHN KOBELKE MLA, Minister for Consumer and  
Employment Protection.

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### ENERGY

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EN401\*

**ELECTRICITY INDUSTRY ACT 2004**

## NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS

Notice is given that the following Generation Licence has been granted—

Licensee:	Walkaway Wind Power Pty Ltd
Issue Date:	27 January 2006
Address of Licensee:	Level 39, The Chifley Tower 2 Chifley Square Sydney NSW 2000
Classification:	Generating Works
Term of Licence:	Up to and including 26 January 2036
Area Covered:	30 km south east of Geraldton in the Shire of Greenough on Victoria Locations 1853, 1854, 2026, 2416, 3503, 7115, 7902, 8193, 9738, 9818, Lot 1 Diagram 78794, Lot 1 Plan 9024, Lot 2 on Diagram 78794 and Lot 123 Diagram 3416. (Plan No. ERA-EL-066)
Inspection of Licence:	Economic Regulation Authority 6th Floor 197 St Georges Terrace Perth WA 6000 <a href="http://www.era.wa.gov.au">http://www.era.wa.gov.au</a>

LYNDON G. ROWE, Chairman.

## JUSTICE

JU401\*

### PRISONS ACT 1981 PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Director General of the Department of Justice has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
GOLDING	LEON GEORGE	AP0236	30/01/06

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 1 February, 2006.

BRIAN LAWRENCE, Manager, Acacia Prison Contract.

JU402\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999 PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Burkett	Gregory Thomas	CS6-565	24/01/2006	13/01/2006	30/07/2008
Ainscough	Christopher Mark	CS6-566	19/01/2006	9/01/2006	30/07/2008
Bain	Audra Marie	CS6-567	25/01/2006	9/01/2006	30/07/2008
Bennett	Amy Kate	CS6-568	19/01/2006	9/01/2006	30/07/2008
Butler	Andrea Marie	CS6-569	25/01/2006	9/01/2006	30/07/2008
Croft	Michael Angelo	CS6-570	10/01/2006	9/01/2006	30/07/2008
Davidson	Dean Raymond	CS6-571	19/01/2006	9/01/2006	30/07/2008
Diggins	Jeffrey William	CS6-572	19/01/2006	9/01/2006	30/07/2008
Grant	Stuart	CS6-573	19/01/2006	9/01/2006	30/07/2008
Heuer	Storm Iti	CS6-574	19/01/2006	9/01/2006	30/07/2008
Jupp	Gary Francis	CS6-575	19/01/2006	9/01/2006	30/07/2008
McCready	Thomas	CS6-576	25/01/2006	9/01/2006	30/07/2008
McDade	Louise	CS6-577	19/01/2006	9/01/2006	30/07/2008
Prosser	Graham Bruce	CS6-578	25/01/2006	9/01/2006	30/07/2008
Richardson	John Andrew	CS6-579	19/01/2006	9/01/2006	30/07/2008
Rowe	Jasmin Ann	CS6-580	25/01/2006	9/01/2006	30/07/2008
Sansalone	Joseph John	CS6-581	19/01/2006	9/01/2006	30/07/2008
Schober-Rowe	Kristian Ryan	CS6-582	30/01/2006	9/01/2006	30/07/2008
Wharton	Corey Allan	CS6-583	20/01/2006	9/01/2006	30/07/2008
Wilkes	Luke Michael	CS6-584	19/01/2006	9/01/2006	30/07/2008
Williams	Richard Mason	CS6-585	19/01/2006	9/01/2006	30/07/2008
Bailey	Evette	CS6-586	16/01/2006	16/01/2006	30/07/2008
Seymour	Lionel Charles	CS6-587	16/01/2006	16/01/2006	30/07/2008
Lester	Marian Ruth	CS6-588	30/01/2006	9/01/2006	30/07/2008
Natt	Warren James	CS6-589	25/01/2006	9/01/2006	30/07/2008
Henderson	Leonard Douglas	CS6-591	30/01/2006	9/01/2006	30/07/2008
Richards	Cameron David	CS6-592	30/01/2006	9/01/2006	30/07/2008
Grey	Jeremy Martin	CS6-593	30/01/2006	27/01/2006	30/07/2008
Cooper	Neale	CS6-594	30/01/2006	27/01/2006	30/07/2008

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Grey	Jeremy Martin	CS6-016	27/01/2006
Cooper	Neale	CS6-216	27/01/2006

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

ANTHONY DEBARRO, A/CSCS Contract Manager.

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## LOCAL GOVERNMENT

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LG401\*

### LOCAL GOVERNMENT ACT 1995

#### ESTABLISHMENT OF A REGIONAL COUNCIL

In accordance with section 3.61 of the Local Government Act, I, John Bowler, being the Minister for Local Government, hereby declare the establishment of a regional council to be known as the Tamala Park Regional Council.

The purpose of the regional council is primarily to undertake the rezoning, subdivision, development, marketing and sale of the land described in the establishment agreement, such land including part of Lot 118 on Deposited Plan 28300, for the benefit of the communities of the participants.

The regional council shall be established effective from the date of the publication of this notice in the *Government Gazette*.

JOHN BOWLER JP MLA, Minister for Local Government  
and Regional Development.

LG402\*

### LOCAL GOVERNMENT ACT 1995

#### *Shire of Capel*

#### (BASIS OF RATES)

Department of Local Government  
and Regional Development,  
9 January 2006.

DLGRD: CP5-4#05

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon John Bowler MLA, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 9 January 2006.

CHERYL GWILLIAM, Director General.

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### SCHEDULE

#### ADDITIONS TO GROSS RENTAL VALUE AREA

#### SHIRE OF CAPEL

All those portions of land being Lots 50 to 56 inclusive as shown on Deposited Plan 46332.

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## MINERALS AND PETROLEUM

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MP101\*

*CORRECTION*

Commonwealth of Australia

**PETROLEUM (SUBMERGED LANDS) ACT 1967**

## GRANT OF EXPLORATION PERMIT

The notice at page 502 of the *Government Gazette* dated 31 January 2006 should read as follows—

Exploration Permit No. WA-374-P has been granted to Chevron Australia Pty Ltd of Level 24, QV1 Building 250 St Georges Terrace Perth WA, Mobil Australia Resources Company Pty Limited of 12 Riverside Quay Southbank Victoria and Shell Development (Australia) Proprietary Limited of QV1 Building, 250 St Georges Terrace Perth WA to have effect for a period of six (6) years from 25 January 2006.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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MP102

*CORRECTION***MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

The notice at page 487 of the *Government Gazette*, WA, dated 27 January 2006 to be corrected as follows—

Wornbola Gold Pty Ltd

TO

Wombola Gold Pty Ltd

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MP401

**MINING ACT 1978**

## FORFEITURE

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the Mining Act 1978 that the undermentioned mining tenement is forfeited for breach of covenant viz; non payment of rent.

ALAN CARPENTER, MLA Minister for State Development.

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Number	Holder	Exploration Licence	Mineral Field
08/1102	UDU Resources Ltd		Ashburton

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MP402

**MINING ACT 1978**

## FORFEITURES

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the Mining Act 1978 that the undermentioned exploration licences are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

ALAN CARPENTER, MLA Minister for State Development.



Number	Holder	Mineral Field
80/2782	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2783	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2784	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2785	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2786	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2798	Australian Gold and Diamonds Pty Ltd	Kimberley

**MP403**

**MINING ACT 1978**  
**FORFEITURES**

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the Mining Act 1978 that the undermentioned exploration licences are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

ALAN CARPENTER, MLA Minister for State Development.

Number	Holder	Mineral Field
80/2788	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2789	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2793	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2796	Australian Gold and Diamonds Pty Ltd	Kimberley
80/2797	Australian Gold and Diamonds Pty Ltd	Kimberley

**MP404**

**MINING ACT 1978**  
**FORFEITURE**

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the Mining Act 1978 that the undermentioned exploration licence is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

ALAN CARPENTER, MLA Minister for State Development.

Number	Holder	Mineral Field
69/1725	Tyson Resources Pty Ltd	Warburton

**MP405**

**MINING ACT 1978**  
**FORFEITURE**

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the Mining Act 1978 that the undermentioned exploration licence is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

ALAN CARPENTER, MLA Minister for State Development.

Number	Holder	Mineral Field
80/2637	Great Gold Mines NL; Gel Resources Pty Ltd	Kimberley

**MP406**

**MINING ACT 1978**  
**CANCELLATION OF FORFEITURE**

Department of Industry and Resources,  
 Perth WA 6000.

In accordance with section 97A(8) of the Mining Act 1978, I hereby cancel the forfeiture on the undermentioned exploration licence previously declared forfeited for breach of covenant viz; automatic forfeiture for non payment of penalty imposed on the licence and restore the licence to its former holder.

ALAN CARPENTER, MLA Minister for State Development.

Number	Holder	Mineral Field
04/1155	Waterford Bay Pty Ltd	West Kimberley

**MP407\***

**MINING ACT 1978**  
**INSTRUMENT OF EXEMPTION OF LAND**

The Minister for State Development pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby exempts the parcels of land described hereunder (not being private land or land that is the subject of a mining tenement or application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978* for the maximum period of two years.

**Description**

Land designated S19/235 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Rabbit Hill

**Area**

117.25 hectares

**Description**

Land designated S19/236 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Trigonometrical Survey Station YRY 97

**Area**

37.50 hectares

**Description**

Land designated S19/237 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Trigonometrical Survey Station YRY 100

**Area**

61.75 hectares

**Description**

Land designated S19/238 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Burkett

**Area**

23.75 hectares

**Description**

Land designated S19/239 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Trigonometrical Survey Station YRY 105

**Area**

25.38 hectares

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**Description**

Land designated S19/240 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Minga Bore

**Area**

21.50 hectares

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**Description**

Land designated S19/241 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Minga Bore

**Area**

25.81 hectares

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**Description**

Land designated S19/242 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Neemarabada Bore

**Area**

28.00 hectares

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**Description**

Land designated S19/243 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Minilya

**Area**

153.75 hectares

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**Description**

Land designated S19/244 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Manilya

**Area**

47.25 hectares

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**Description**

Land designated S19/245 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Manilya

**Area**

51.00 hectares

**Description**

Land designated S19/246 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Manilya

**Area**

127.38 hectares

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**Description**

Land designated S19/247 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Manilya

**Area**

2.50 hectares

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**Description**

Land designated S19/248 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Trigonometrical Survey Station WPL 111.

**Area**

28.13 hectares

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**Description**

Land designated S19/249 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Marrila

**Area**

30.00 hectares

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**Description**

Land designated S19/250 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Marrila

**Area**

25.22 hectares

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**Description**

Land designated S19/251 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Marrila

**Area**

45.00 hectares

---

**Description**

Land designated S19/252 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Marrila

**Area**

30.53 hectares

**Description**

Land designated S19/253 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Manilya

**Area**

44.13 hectares

---

**Description**

Land designated S19/254 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Gnargoo Range

**Area**

52.25 hectares

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**Description**

Land designated S19/255 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Gnargoo Range

**Area**

52.50 hectares

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**Description**

Land designated S19/256 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Lyndon River

**Area**

52.50 hectares

---

**Description**

Land designated S19/257 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Lyndon River

**Area**

27.00 hectares

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**Description**

Land designated S19/258 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Giralia Range

**Area**

50.00 hectares

---

**Description**

Land designated S19/259 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Giralia Range

**Area**

26.00 hectares

**Description**

Land designated S19/260 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

60.25 hectares

---

**Description**

Land designated S19/261 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

106.00 hectares

---

**Description**

Land designated S19/262 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

65.00 hectares

---

**Description**

Land designated S19/263 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

65.00 hectares

---

**Description**

Land designated S19/264 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

29.75 hectares

---

**Description**

Land designated S19/265 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

51.75 hectares

---

**Description**

Land designated S19/266 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

25.00 hectares

**Description**

Land designated S19/267 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

25.08 hectares

---

**Description**

Land designated S19/268 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

50.00 hectares

---

**Description**

Land designated S19/269 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

26.00 hectares

---

**Description**

Land designated S19/270 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

25.00 hectares

---

**Description**

Land designated S19/271 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

41.75 hectares

---

**Description**

Land designated S19/272 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

26.25 hectares

---

**Description**

Land designated S19/274 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

28.50 hectares

**Description**

Land designated S19/275 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Airey Hill Bore

**Area**

26.00 hectares

---

**Description**

Land designated S19/276 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

30.00 hectares

---

**Description**

Land designated S19/277 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

25.00 hectares

---

**Description**

Land designated S19/278 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

26.00 hectares

---

**Description**

Land designated S19/279 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

106.50 hectares

---

**Description**

Land designated S19/280 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

77.00 hectares

---

**Description**

Land designated S19/281 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Cardabia

**Area**

59.50 hectares



**Description**

Land designated S19/282 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Farnham Bore

**Area**

82.75 hectares

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**Description**

Land designated S19/283 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Farnham Bore

**Area**

158.25 hectares

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**Description**

Land designated S19/284 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

George Bore

**Area**

122.06 hectares

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**Description**

Land designated S19/285 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Madges Bore

**Area**

37.50 hectares

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**Description**

Land designated S19/286 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Madges Bore

**Area**

33.03 hectares

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**Description**

Land designated S19/287 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Rough Range

**Area**

47.50 hectares

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**Description**

Land designated S19/288 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Bay of Rest

**Area**

52.50 hectares

**Description**

Land designated S19/289 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Badjirrajirra Creek

**Area**

77.25 hectares

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**Description**

Land designated S19/290 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Qualing Pool

**Area**

372.75 hectares

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**Description**

Land designated S19/291 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Qualing Pool

**Area**

103.75 hectares

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**Description**

Land designated S19/292 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

West Base

**Area**

77.75 hectares

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**Description**

Land designated S19/293 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Yellow Hill

**Area**

54.50 hectares

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**Description**

Land designated S19/294 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

View Hill

**Area**

107.00 hectares

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**Description**

Land designated S19/295 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Stanley Hill

**Area**

25.00 hectares

**Description**

Land designated S19/296 in Tengraph. A geospatial description is filed at pages 120 to 130 of Department of Industry and Resources File No A0412/200501

**Locality**

Warroora

**Area**

62.75 hectares

Dated at Perth this 25th day of January 2005.

ALAN CARPENTER, MLA, Minister for State Development.

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## PLANNING AND INFRASTRUCTURE

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PI401\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Shire of Augusta-Margaret River*  
 Town Planning Scheme No. 11—Amendment No. 139

Ref: 853/6/3/8 Pt 139

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Augusta-Margaret River town planning scheme amendment on 25 January 2006 for the purpose of—

1. Rezoning Lot 5 of Sussex Location 3069 Sebbes Road, Boranup, from 'Rural' to 'Special Use'.
2. Amending Schedule III of the Scheme to include reference to Lot 5 of Sussex Location 3069 Sebbes Road, Boranup as follows—

9.1.1.1 SCHEDULE III—SPECIAL USE SITES

9.1.1.2 Lot and Location	Permitted Uses (See Clause 4.8)
Lot 5 of Sussex Location 3069 Sebbes Road, Boranup	<ol style="list-style-type: none"> <li>1. Development is to be in accordance with the Development Guide Plan. However, minor variations may be approved by the Council if deemed necessary and if in accordance with the objectives of the Scheme.</li> <li>2. Except for the purposes of fire management stipulated in an adopted Fire Management Plan, approval for clearing on the site must be obtained from Council to ensure that no flora or fauna habitats are destroyed.</li> <li>3. The uses permitted in this Special Use zone are—               <ul style="list-style-type: none"> <li>• Five single storey two bedroom chalets for short stay and overnight accommodation;</li> <li>• One two storey master suite for short stay and overnight accommodation;</li> <li>• Natural therapy centre and Managers Residence;</li> <li>• Recreational facilities; and</li> <li>• Ancillary and incidental uses.</li> </ul> </li> <li>4. All development shall be consistent with Council's Visual Management Guidelines as endorsed by Council at the development approval stage.</li> <li>5. In considering any proposal for development, the following shall be addressed to the satisfaction of Council—               <ul style="list-style-type: none"> <li>• Effluent disposal including a geo-technical report prepared to the satisfaction of the WA Health Department demonstrating the site's suitability for on-site effluent disposal;</li> </ul> </li> </ol>

9.1.1.2 Lot and Location	Permitted Uses (See Clause 4.8)
	<ul style="list-style-type: none"> <li>• Water Supply;</li> <li>• Means to prevent vehicle accessing the unconstructed portion of Sebbes Road to enable a through link between Caves Road and Bussell Highway;</li> <li>• Revegetation areas identified on a detailed landscaping and rehabilitation plan at the Development Application stage;</li> <li>• A Flora and Fauna survey for the portion of Sebbes Road to be cleared for access;</li> <li>• Access to the site via Sebbes Road from Caves Road and Bussell Highway for possible Manager's residence use only;</li> <li>• Fire protection measures to the satisfaction of the Fire and Emergency Service Authority, Department of Conservation and Land Management and Council, and such measures shall form a Fire Management Plan to be adopted by Council for any development on the lot and implemented at the development stage; and</li> <li>• Built form including building materials and building bulk in accordance with Council's Visual Management Policy.</li> </ul> <p>6. All buildings within the lot shall comply with AS3959-1999—Construction of Buildings in Bushfire Prone Areas.</p> <p>7. Development as may be approved by Council is to be located in such a manner as to minimise disturbance to existing vegetation.</p> <p>8. Applications for strata titling will not be supported by the Council.</p> <p>9. Notwithstanding the Scheme definition of 'Chalet', Chalet development on Lot 5 Sebbes Road, Boranup shall not exceed 125m<sup>2</sup> in gross area.</p>

S. HARRISON, President.  
J. TRAIL, Chief Executive Officer.

PI402\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Gingin*

Town Planning Scheme No. 8—Amendment No. 86

Ref: 853/3/8/10 Pt 86

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Gingin town planning scheme amendment on 25 January 2006 for the purpose of—

1. Rezoning portion of Lot 9001 of 3203 Pt Perth/Lancelin Road, Lancelin from "Rural" to "Rural Residential" and "Parks and Recreation" reserve.
2. Reclassifying portion of Lot 9008 Seaview Drive (2.7ha) from "Parks and Recreation" reserve to "Rural Residential".
3. Amending the Scheme Text Appendix 6 (Rural Residential Zone—Provisions Relating to Specified Areas, Part 7—Seaview Park) by including a Portion of Lot 9001 of 3203 Perth/Lancelin Road, Lancelin.

F. A. GIFFORD, President.  
S. D. FRASER, Chief Executive Officer.

PI403\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Mandurah*

Town Planning Scheme No. 3—Amendment No. 44

Ref: 853/6/13/12 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 Minister for Planning and Infrastructure approved the City of Mandurah town planning scheme amendment on 25 January 2006 for the purpose of making modifications to the Scheme Maps, which propose to undertake the following—

1. removing all unnecessary Residential Planning Code boundaries;
2. making additions to ensure that all necessary Residential Planning Code boundaries are on the Scheme Maps;
3. reclassifying local recreation reserves and road reserves that are currently zoned;
4. ensuring that zoning boundaries are consistent with cadastral boundaries; and
5. ensuring that the Scheme Maps are consistent with the Scheme Text;

as detailed in the amending documents.

P. CREEVEY, Mayor.  
M. NEWMAN, Chief Executive Officer.

PI404\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Sandstone*

Town Planning Scheme No. 1—Amendment No. 3

Ref: 853/9/2/2 Pt 3

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Sandstone town planning scheme amendment on 25 January 2006 for the purpose of:

**1 IN THE SCHEME TEXT—**

- 1.1 generally throughout the Scheme Text deleting the words “planning consent” wherever they occur and inserting therein “planning approval”.
- 1.2 generally throughout the Scheme Text deleting the words “Residential Planning Codes” wherever they occur including wherever underlined and inserting therein “Residential Design Codes”.
- 1.3 deleting the heading “ARRANGEMENT” and inserting therein “TABLE OF CONTENTS”.
- 1.4 in the TABLE OF CONTENTS—
  - (a) In 1.7 deleting “Interpretation” and inserting therein “Definitions”.
  - (b) Deleting the heading for 3.6 and inserting therein “Home Business and Home Occupation”.
  - (c) Deleting the heading for 4.5 and inserting therein “Destruction of Non-Conforming Use Buildings”.
  - (d) In 6.2 and 6.3 changing “Application” to “Applications”.
  - (e) In Part 6 renumbering 6.4 as 6.9, and inserting in numerical order—
    - “6.4 Form and Date of Determination
    - 6.5 Term of Planning Approval
    - 6.6 Temporary Planning Approval
    - 6.7 Scope of Planning Approval
    - 6.8 Approval Subject to Later Submission of Details”
  - (f) In 7.1 changing “Scheme” to “Council”.
  - (g) Deleting the heading for 7.2 and inserting therein “Person Must Comply with Provisions of Scheme”.
  - (h) Deleting the heading for 7.3 and inserting therein “Notice for Removal of Certain Buildings”.
  - (i) In Part 7 inserting after 7.6, “7.7 Delegation of Functions”.
  - (j) Deleting the heading for Schedule 1 and inserting therein “Definitions”.
- 1.5 in clause 1.4 deleting all of paragraph (b) and inserting “(b) the Scheme Map Sheets 1 to 4”.
- 1.6 in clause 1.5 deleting “PART 5—HERITAGE AND ITS ASSESSMENT” and inserting therein “PART 5—HERITAGE—PRECINCTS AND PLACES OF CULTURAL SIGNIFICANCE”

- 1.7 in clause 1.7 deleting the heading "Interpretation" and inserting therein "Definitions".
- 1.8 in clause 1.7.3 changing "notwithstanding" to "despite".
- 1.9 deleting clause 2.1.3.
- 1.10 deleting clauses 2.2.2 to 2.2.5 inclusive and 2.3 and inserting therein—
- “2.2.2 The symbols used in the cross reference in the Zoning Table have the following meanings—
- “P” means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.
- “D” means that the use is not permitted unless the Council has exercised its discretion by granting planning approval.
- “A” means that the use is not permitted unless the Council has exercised its discretion by granting planning approval after giving special notice in accordance with clause 6.2.
- “X” means a use that is not permitted by the Scheme.
- 2.2.3 A change in the use of land from one use to another is permitted if—
- (a) the Council has exercised its discretion by granting planning approval;
- (b) the change is to a use which is designated with the symbol 'P' in the cross-reference to that Zone in the Zoning Table and the proposed use complies with all the relevant development standards and requirements of the Scheme;
- (c) the change is an extension of a use within the boundary of a lot which does not change the predominant use of the lot; or
- (d) the change is to an incidental use that does not change the predominant use of the land.
- Note: 1. The planning approval of the Council is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.
2. The Council will not refuse a 'P' use because of the unsuitability of the use for the Zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.
3. The Council must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.”
- 2.2.4 Interpretation of the Zoning Table
- (a) 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.
- (b) 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 the Council may—
- (i) determine that the use is consistent with the objectives of the particular Zone and is therefore permitted;
- (ii) determine that the proposed use may be consistent with the objectives of the particular Zone and thereafter follow the advertising procedures of clause 6.2 in considering an application for planning approval; or
- (iii) determine that the use is not consistent with the objectives of the particular Zone and is therefore not permitted.
- 2.3 Special Use Zones
- 2.3.1 Special Use Zones are set out in Schedule 2 and are in addition to the Zones in the Zoning Table.
- 2.3.2 A person shall not use any land or any structure or buildings on land, in a Special Use Zone except for the purpose set out against that land in Schedule 2 and subject to compliance with any conditions set out in Schedule 2 with respect to that land.”
- 1.11 deleting the Zoning Table and inserting therein

“TABLE 1  
ZONING TABLE

		TOWNSITE	RECREATION AND COMMUNITY	INDUSTRIAL	PASTORAL AND MINING
<b>USES</b>					
1	aged or dependent persons dwelling	D	X	X	X
2	caretaker's dwelling	D	D	D	D

		TOWNSITE	RECREATION AND COMMUNITY	INDUSTRIAL	PASTORAL AND MINING
	USES				
3	civic building	D	D	X	X
4	consulting rooms	D	X	X	X
5	fuel depot	X	X	D	D
6	grouped dwelling—mining	D	X	D	D
7	grouped dwelling—pastoral	X	X	X	P
8	home business	D	X	X	P
9	home occupation	D	X	D	D
10	hotel	P	X	X	X
11	industry—extractive	X	X	X	P
12	industry—general	X	X	D	X
13	industry—noxious	X	X	X	D
14	motel	P	X	X	X
15	office	D	X	D	X
16	public recreation	D	P	D	D
17	residential building	D	X	X	X
18	rural home business	X	X	X	P
19	service station	D	X	D	D
20	shop	P	X	X	X
21	single house	P	X	X	P
22	transport depot	X	X	D	D

1.12 in clause 3.1.2 renumbering (a) to (d) as (b), (d), (e), and (f) respectively, and inserting in alphabetic order—

“(a) the erection of a single house including any extension, ancillary outbuildings and swimming pools, except where the proposal requires the exercise of a discretion by the Council under the Scheme to vary the provisions of the Residential Design Codes;

(c) a home office;”

1.13 in clause 3.2 changing “notwithstanding” to “despite”.

1.14 in clause 3.3.1 changing “Appendix 2” to “Appendix 1”.

1.15 deleting clause 3.3.4 and inserting therein—

“3.3.4 The Residential Design Code density applicable to land within the Scheme Area is to be determined by reference to the Residential Design Code density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Design Code density, as being contained within the area defined by the centre line of those borders.”

1.16 in clause 3.4.2 changing “WAWA” to “Water Corporation”.

1.17 in clauses 3.4.3.1 (b) and (c) changing “Department of Environmental Protection” to “Department of Environment”.

1.18 deleting clauses 3.4.4 (a) and (b) and inserting therein—

“3.4.4 Pastoral and Mining Zone

(a) In considering applications for planning approval for “grouped dwelling—mining” the Council will be mindful of its objective for controlling such developments which is to ensure that all residential development associated with mining projects, (especially single persons' quarters) that is, or is proposed to be, within 40 kilometres of Sandstone townsite, is located within the town boundary. The intention is to help consolidate all existing development within the Shire and to help offset the costs of servicing isolated communities. The Council will consider applications for extensions to existing developments within the 40 kilometre distance, and where the applicant can justify, to the Council's satisfaction, that such sitings within a townsite would not be appropriate or feasible.

(b) Where the Council permits development of grouped dwelling—mining not within a townsite, it shall require the applicant to survey the area to enable the site to be properly defined to allow the Valuer General's Office to impose a Gross Rental Value on that portion of the lot.”

- 1.19 deleting clause 3.5 and inserting therein—

“3.5 Site Requirements

The site requirements for land in the various Zones shall be as set out in Table 2—

“TABLE 2

ZONE	SETBACKS		
	FRONT	SIDE	REAR
TOWNSITE	AS IN THE RESIDENTIAL DESIGN CODES		
RECREATION AND COMMUNITY	AT THE DISCRETION OF COUNCIL		
INDUSTRIAL	7.5m*	0	7.5m
PASTORAL AND MINING	AT THE DISCRETION OF COUNCIL		

NOTE: \* Where a lot has frontage to 2 streets the Council may reduce the setback to one only of those streets to not less than 3.5 metres.”

- 1.20 deleting clause 3.6 and inserting therein—

“**3.6 Home Business or Home Occupation**

Planning approval to conduct a home business or home occupation is issued to a specific occupier of a particular parcel of land, it shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which planning approval for a home business or home occupation is issued the planning approval is cancelled.”

- 1.21 in clause 4.3 changing “Notwithstanding” to “Despite”.

- 1.22 deleting clause 4.5 and inserting therein—

“**4.5 Destruction of Non-Conforming Use Buildings**

When a building used for a non-conforming use is destroyed to 75% or more of its value, the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of the Council.”

- 1.23 in clauses 5.2.2 and 5.6.2 deleting “Heritage of Western Australia Act 1990 (as amended)” and inserting therein “*Heritage of Western Australia Act 1990*”

- 1.24 in clause 5.4.3 changing “notwithstanding” to “despite”.

- 1.25 in clause 6.2.1 changing “an “AA” use” to “a “D” use”.

- 1.26 in clauses 6.2.2 (a) and (c) and 6.2.3 changing “twenty-one” to “21”.

- 1.27 deleting clause 6.3, renumbering clause 6.4 as 6.9, and inserting new clauses as follows—

“**6.3 Determination of Applications**

In determining an application for planning approval the Council may—

- (a) grant its approval with or without conditions; or
- (b) refuse to grant its approval.

**6.4 Form and date of determination**

- 6.4.1. As soon as practicable after making a determination in relation to the application, the Council is to convey its determination to the applicant and the date of determination is to be the date given in the notice of the Council’s determination.
- 6.4.2. Where the Council refuses an application for planning approval the Council is to give reasons for its refusal.

**6.5 Term of planning approval**

- 6.5.1. Where the Council grants planning approval for the development of land—
  - (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and
  - (b) the approval lapses if the development has not substantially commenced before the expiration of that period.
- 6.5.2. A written request may be made to the Council for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 6.5.1.

**6.6 Temporary planning approval**

Where the Council grants planning approval, the Council may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the Council grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.



**6.7 Scope of planning approval**

Planning approval may be granted—

- (a) for the use or development for which the approval is sought;
- (b) for that use or development, except for a specified part or aspect of that use or development; or
- (c) for a specified part or aspect of that use or development.

**6.8 Approval Subject to Later Approval of Details**

- 6.8.1. Where an application is for a development that includes the carrying out of any building or works, the Council may grant approval subject to matters requiring the subsequent planning approval of the Council. These matters may include the siting, design, and external appearance of the buildings, means of access, landscaping, and such other matters as the Council thinks fit.
- 6.8.2. In respect of an approval requiring subsequent planning approval, the Council may require such further details as it thinks fit prior to considering the application.
- 6.8.3. Where the Council has granted approval subject to matters requiring the later planning approval of the Council, an application for approval of those matters must be made not later than 2 years after the date of the determination of the first approval, or such other period as is specified in the approval."

1.28 in new clauses 6.9.1 and 6.9.3 changing "sixty" to "60" wherever it occurs.

1.29 in new clauses 6.9.2 and 6.9.3 changing "ninety" to "90" wherever it occurs.

1.30 in new clause 6.9.3 changing "notwithstanding" to "despite"; and "6.4.1 or 6.4.2" to "6.9.1 or 6.9.2";.

1.31 changing the heading of clause 7.1 from "Powers of the Scheme" to "Powers of the Council".

1.32 deleting clause 7.2 and inserting therein—

**"7.2 Person Must Comply With Provisions of Scheme**

A person must not—

- (a) contravene or fail to comply with the provisions of the Scheme;
- (b) use any land or commence or continue to carry out any development within the Scheme Area—
  - (i) otherwise than in accordance with the Scheme;
  - (ii) unless all approvals required by the Scheme have been granted and issued;
  - (iii) otherwise than in accordance with any conditions imposed upon the grant and the issue of any approval required by the Scheme; and
  - (iv) otherwise than in accordance with any standards laid down and any requirements prescribed by the Scheme or determined by the local government under the Scheme with respect to that building or that use.

Note: Section 10(4) of the Town Planning Act provides that a person who—

- (a) contravenes or fails to comply with the provisions of a town planning scheme; or
- (b) commences or continues to carry out any development which is required to comply with a town planning scheme otherwise than in accordance with that scheme or otherwise than in accordance with any condition imposed with respect to the development by the responsible authority pursuant to its powers under that scheme,

is guilty of an offence.

Penalty: \$50 000, and a daily penalty of \$5 000."

1.33 changing the heading of clause 7.3 from "Act—Removal of Certain Buildings etc" to "Notice for Removal of Certain Buildings".

1.34 in clause 7.3.1 deleting "(28)".

1.35 in clause 7.4 changing "six (6)" to "6".

1.36 in clause 7.6 changing "Town Planning Scheme Policies" and "Town Planning Scheme Policy" wherever the terms occur to "Planning Policies" and "Planning Policy" respectively.

1.37 in clause 7.6.2(a) changing "two" to "2", and "twenty-one" to "21".

1.38 inserting the following after clause 7.6—

**"7.7 Delegation of functions**

7.7.1. The Council may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a 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.

7.7.2. The CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 7.7.1.

- 7.7.3. The exercise of the power of delegation under clause 7.7.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.
- 7.7.4. 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."
- 1.39 changing the heading of Schedule 1 from "INTERPRETATIONS" to "DEFINITIONS", and in Schedule 1 deleting "(as amended)" from the definition of "Act".
- 1.40 in Schedule 1 changing "grouped dwellings—mining" and "grouped dwellings—pastoral" to "grouped dwelling—mining" and "grouped dwelling—pastoral" respectively
- 1.41 in the heading of Schedule 1 changing "Interpretations" to definitions", and in the Schedule deleting the definitions of—
- "aquaculture",
  - "building envelope"
  - "camping area",
  - "caravan park",
  - "caretaker's dwelling",
  - "Commission",
  - "consulting rooms",
  - "cultural heritage significance",
  - "home occupation",
  - "hotel",
  - "industry-noxious",
  - "motel",
  - "piggery",
  - "potable water";
  - "poultry farm",
  - "rural pursuit",
  - "tavern",
  - "transport depot",
  - "veterinary hospital",
- 1.42 in Schedule 1 inserting the following in alphabetic order—
- "agriculture—extensive** means premises used for the raising of stock or crops but does not include agriculture—intensive or animal husbandry—intensive;
- agriculture—intensive** means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following—
- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
  - (b) the establishment and operation of plant or fruit nurseries;
  - (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
  - (d) aquaculture;
- animal husbandry—intensive** means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;
- ancillary tourist use** means premises used for—
- (a) recreation or entertainment,
  - (b) consumption of food and / or beverages,
  - (c) the sale of produce,
  - (d) the sale of arts and crafts, and / or
  - (e) conducting excursions for tourists,
- where such use is incidental to and directly related to the predominant use of the land;
- aquaculture** has the same meaning given to the term in the *Fish Resources Management Act 1994*;
- building envelope** means an area of land within a lot marked on a plan approved by the Council within which all buildings and effluent disposal facilities on the lot must be contained;
- caravan park** has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;
- caretaker's dwelling** means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant;
- Commission** means the Western Australian Planning Commission constituted under the *Western Australian Planning Commission Act 1985*
- consulting rooms** means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care;

**cultural heritage significance** has the same meaning as in the *Heritage of Western Australia Act 1990*;

**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;

**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;

**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—

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

**hotel** means premises providing accommodation the subject of a hotel licence under the *Liquor Licensing Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;

**industry—extractive** means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry—mining;

**industry—mining** means land used commercially to extract minerals from the land;

**industry—noxious** means an industry in which the processes involved constitute an offensive trade within the meaning of the *Health Act 1911*;

**minerals** has the same meaning as in the *Mining Act 1978*;

**motel** means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the *Liquor Licensing Act 1988*;

**piggery** has the same meaning as in the *Health Act 1911*;

**poultry farm** means any land or buildings used for the hatching, rearing or keeping of poultry for either egg or meat production;

**premises** means land or buildings;

**rural 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 200 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 more than 3 vehicles, with vehicles not being more than 25 tonnes gross weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

**rural pursuit** means any premises used for—

- (a) the rearing or agistment of animals;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- (d) the sale of produce grown solely on the lot, but does not include agriculture—extensive or agriculture—intensive;

**stables** means premises used for the housing, keeping, and feeding of horses, asses, and mules and associated incidental activities;

**storage yard** means any land used for the storage of goods;

**tavern** means premises licensed as a tavern under the *Liquor Licensing Act 1988* and used to sell liquor for consumption on the premises;

**telecommunications infrastructure** means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;

**tourist accommodation** means accommodation specifically catering for tourists and includes bed and breakfast accommodation, chalets, farmstay, guesthouses, caravan parks, etc. but does not include hotels, or motels;

**transport depot** means premises used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles, and may include overnight accommodation on-site for the transport workers;

**veterinary centre** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;”

1.43 deleting Schedule 2 and inserting therein—

**“SCHEDULE 2  
SPECIAL USE ZONES**

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS
1	Part of Reserve 11714 (“Common”) Leinster-Mt Magnet Road, Sandstone	Rural pursuit	<ol style="list-style-type: none"> <li>1. Despite any other provision of the Scheme a dwelling is not to be developed on any land in the Special Use Zone. The Council may grant planning approval for the development of storage sheds and/or stables, incidental to the rural pursuit on the land and subject to conditions.</li> <li>2. The minimum building setbacks are— Front: 15.0m Rear: 10.0m Side: 10.0m</li> <li>3. A person who keeps an animal or animals or who uses any land for the exercise or training of an animal or animals is to be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of the Council.</li> <li>4. With the intention of preventing overstocking, erosion, and any practice detrimental to the amenity of the locality the Council may take any action which in the opinion of the Council is necessary to reduce or eliminate adverse effects on amenity caused wholly or partly by the stocking of animals. Any costs incurred by the Council in taking such action are to be recoverable by the Council from the landowner in a Court of competent jurisdiction.</li> </ol>
2	Lots 149 to 152 and 157 to 160 Griffith and Rowe Streets, and unnamed road, Sandstone.	Mining camp	<ol style="list-style-type: none"> <li>1. For the purpose of this Special Use Zone “mining camp” means the temporary accommodation of workers in relocatable accommodation units.</li> <li>2. The Council may grant planning approval subject to conditions for the development of a mining camp.</li> </ol>

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS
3	Lot 539 Griffith and Oroya Streets, and unnamed road, Sandstone.	Mining camp and mining equipment storage	<ol style="list-style-type: none"> <li>1. For the purpose of this Special Use Zone— “light equipment” means equipment not exceeding a tractor (prime mover type) and semi-trailer as defined in the <i>Road Traffic Act 1974</i> to the satisfaction of the Council. “mining camp” means the temporary accommodation of workers in relocatable accommodation units; “mining equipment storage” means the storage of light equipment which is used in mining in the district, but does not include the servicing, maintenance or repair of such equipment.</li> <li>2. The Council may grant planning approval subject to conditions for the development of a mining camp.</li> <li>3. The Council may grant planning approval for mining equipment storage subject to conditions including the separation and screening of the mining equipment storage from a mining camp whether on the subject land or adjoining land, to the satisfaction of the Council.</li> <li>4. The Oroya Street frontage of Lot 539 is to be screened by tree planting to the satisfaction of the Council.</li> </ol>

2 On the Scheme Map as depicted on the Scheme Amendment Map—

- 2.1 on the Scheme Map Legend inserting “Road” designated as a blank space.
- 2.2 inserting Scheme Map sheets 1, 2, and 3 for those parts of the district outside the Sandstone townsite and environs.
- 2.3 rezoning Crown Reserves on Scheme Map sheets 1 and 2 from Pastoral and Mining Zone to Recreation and Community Zone.
- 2.4 rezoning Lots 185-188, 193-196, 202-204, 210-212, and 266-268 from Recreation and Community Zone to Industrial Zone.
- 2.5 rezoning part of Reserve 14178 and Unallocated Crown Land from Industrial Zone and Recreation and Community Zone to “Road” for extension of Thaduna Street.
- 2.6 rezoning Unallocated Crown Land that is the extension of Griffith Street from Recreation and Community Zone to “Road”.
- 2.7 rezoning part of Reserve 14178 and Unallocated Crown Land from Industrial Zone to Recreation and Community Zone and Road.
- 2.8 rezoning part of Reserve 11714 on the eastern side of the Sandstone townsite from Recreation and Community Zone and Pastoral and Mining Zone to Special Use Zone.
- 2.9 rezoning part of Reserve 14178 and Unallocated Crown Land from Townsite, Industrial, and Recreation and Community Zones to “Road” for the Leinster-Mt Magnet Road.
- 2.10 rezoning part of Reserve 14178 and Unallocated Crown Land from Townsite Zone to Recreation and Community Zone.
- 2.11 modifying the Scheme Area boundary to coincide with the local government boundary and to include land so incorporated in the Scheme Area in the Pastoral and Mining Zone or the Community Zone as appropriate.

B. L. WALTON, President.  
W. T. ATKINSON, Chief Executive Officer.

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the cancellation of the Hon F. M. Logan MLA and the Hon

J. B. D'Orazio MLA temporarily acting in the office of Minister for Community Development; Culture and the Arts; Women's Interests in the absence of the Hon S. M. McHale MLA, effective on and from 23 January 2006.

(Refer to previous notice published in *Government Gazette* Number 227 on 9 December 2005.)

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon J. Bowler MLA to act temporarily in the office of Minister for the Environment; Science in the absence of the Hon Dr J. M. Edwards MLA for the period 26 January to 3 February 2006 (both dates inclusive).

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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## RACING, GAMING AND LIQUOR

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RG401

### LIQUOR LICENSING ACT 1988 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 Department of Racing, Gaming and Liquor, 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			
11182	Manju Estate Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Rosa Brook and known as Manju Estate	13/2/06
11181	CLB No.1. Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Subiaco and known as Wagamama Noodle Bar	26/2/06

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

Dated: 1 February 2006.

P. MINCHIN, Director of Liquor Licensing.

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## TREASURY AND FINANCE

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TF401\*

### FINANCIAL ADMINISTRATION AND AUDIT ACT TREASURER'S INSTRUCTIONS

Department of Treasury and Finance,  
Perth, 3 February 2006.

It is notified for general information that, pursuant to section 58 of the *Financial Administration and Audit Act 1985*, the Treasurer has issued the following amended Treasurer's Instructions to be effective from the date this notice is published in the *Government Gazette*—

Treasurer's Instruction	Topic
825	Risk Management and Security
826	Managing Foreign Exchange Risk

The full suite of Financial Administration Legislation (including the Treasurer's Instructions) may be purchased from the State Law Publisher and is also available for download from the Department of Treasury and Finance's homepage [www.dtf.wa.gov.au](http://www.dtf.wa.gov.au) and click on Financial Legislation—FAAA & Tis under the item Treasury.

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## DECEASED ESTATES

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ZX101

*PRINTERS CORRECTION***TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

An error occurred in the notice published under the above heading on page 493 of *Government Gazette* No. 22 dated 27 January 2006 is corrected as follows.

On page 494 delete—

McKenzie, Rome Constance

and insert—

McKenzie, Roma Constance

ZX401

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

In the matter of the Estate of Phyllis Jean Milne, late of 6 Swan Road, Middle Swan, in the State of Western Australia, Widow, 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 the 18th day of November 2005, are required by the Executor, David John Holthouse, to send particulars of their claim to Messrs Taylor Smart Solicitors of Level 8, 50 St Georges Terrace, Perth in the State of Western Australia, by the 6th day of March 2006, after which date the said Executor may convey or distribute the assets having regard only to the claims of which he then has had notice.

Dated the 31st day of January 2006.

GARRY E. SAME, Taylor Smart.

ZX402

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Glenn Arthur McEvoy, late of 5 Carthage Street, Falcon in the State of Western Australia, Retired Transport Operator, 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 the 26th December 2005 are required by the personal representatives to send particulars of their claims to them care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 3rd March 2006, after which date the personal representatives may convey or distribute the assets having regard to the claims of which they then have notice.

CLEMENT & CO, as Solicitors for the personal representatives.

ZX403\*

**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 3rd March 2006 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Griffin, Eleri Doreen, late of Joseph Cooke Hostel, Room 12/2 Houtmans Street, Shelley, died 02.01.2006, (DE19510568EM35)

Herrmann, Peter Maxwell, late of 7/418 Beaufort Street, Highgate, died 10.05.2003, (DE33046988EM26)

Hodgson, Mavis Evelyn, late of Royal Air Force Memorial Estate, Bull Creek Drive, Bull Creek, died 29.09.2005, (DE19903936EM36)

Jones, William Aled, late of Unit 13/70 Vellgrove Avenue, Parkwood, died 10.01.2006, (DE19952912EM13)

Mitchell, George Benjamin, late of 4 Oakover Turn, Greenfields, died 23.01.2006, (DE33040270EM34)

O'Malley, Kevin Patrick, late of Royal Air Force Memorial Estate, Unit 111/19 Hughie Edwards Drive, Merriwa, died 06.11.2005, (DE33029663EM36)

Riley, Beryl, late of Sunshine Park Hostel, 10 Brady Road, Lesmurdie, died 10.01.2006, (DE19962659EM27)

Smith, Henry Oliver, late of 155 Herbert Street, Doubleview, died 09.01.2006, (DE19832991EM22)

Wells, Peter Henry, late of 77 Fernhurst Crescent, Balga, died 25.12.2005, (DE19660991EM36)

SHAUN WILLIAM CONLIN, A/Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone: 9222 6777

ZX404\*

**PUBLIC TRUSTEE ACT 1941**  
ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the Public Trustee Act 1941 and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 1st day of February 2006.

S. W. CONLIN, A/Public Trustee,  
565 Hay Street, Perth WA 6000.

Name of Deceased; Address; Date of Death; Date Election Filed.

Wilson, Clement Henry (DE19934007EM27); Menora; 20 October 2005; 17 January 2006.

WESTERN AUSTRALIA  
**RETIREMENT VILLAGES ACT 1992**  
Price: \$9.05 counter sales  
Plus postage on 105 grams

**RETIREMENT VILLAGES REGULATIONS 1992**  
\*Price: \$5.30 counter sales  
Plus postage on 55 grams

\* Prices subject to change on addition of amendments.

