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Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

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In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

PREMIER AND CABINET

PC301*

Alteration of Statutory Designations Act 1974

Alteration of Statutory Designations Order (No. 2) 2004

Made by the deputy of the Governor in Executive Council.

1. Citation

This order may be cited as the *Alteration of Statutory Designations Order (No. 2) 2004*.

2. References to “Manager, Shipping and Navigation” altered

(1) Subject to subclause (2), it is directed that a reference contained in —

- (a) any law; or
- (b) any instrument, contract or legal proceedings made or commenced before the coming into operation of this order,

to an office in the Public Service with the designation “Manager, Shipping and Navigation” in the Department for Planning and Infrastructure is to be read and construed as a reference to the office designated “Manager, Operational Safety, Regulatory and Regional Services” in that department.

(2) A reference is not to be read and construed in accordance with subclause (1) if —

- (a) the contrary intention appears in the law, instrument, contract or legal proceedings containing the reference; or
- (b) the context of the reference otherwise requires.

3. References to “Manager, Survey Division” altered

- (1) Subject to subclause (2), it is directed that a reference contained in —
- (a) any law; or
 - (b) any instrument, contract or legal proceedings made or commenced before the coming into operation of this order,

to an office in the Public Service with the designation “Manager, Survey Division” in the Department for Planning and Infrastructure is to be read and construed as a reference to the office designated “Manager, Commercial Vessel Safety, Regulatory and Regional Services” in that department.

- (2) A reference is not to be read and construed in accordance with subclause (1) if —
- (a) the contrary intention appears in the law, instrument, contract or legal proceedings containing the reference; or
 - (b) the context of the reference otherwise requires.

By Command of the deputy of the Governor,

M. TRAVERS, Clerk of the Executive Council.

TREASURY AND FINANCE

TF301*

Railways (Access) Act 1998

Railways (Access) Amendment Code 2004

Made by the Minister under section 4 of the Act.

1. Citation

This Code may be cited as the *Railways (Access) Amendment Code 2004*.

2. Commencement

This Code comes into operation on the day on which it is published in the *Gazette*.

3. The Code amended and transitional provision

- (1) The amendments in this Code are to the *Railways (Access) Code 2000** (the “**principal Code**”).

[* *Published in Gazette 8 September 2000, p. 5123-81.*]

- (2) Sections 9, 14 and 15 and Schedule 4 clause 10(2) and (3) of the principal Code apply in relation to a proposal under that Code received by the railway owner before the commencement of this Code as if sections 7, 8, 9 and 15(7) of this Code had not been made.

4. Section 3 amended

- (1) Section 3 is amended by inserting in the appropriate alphabetical positions the following definitions —

“

“**expansion**”, in relation to a route, means an increase in the capacity of the route by an enhancement or improvement of the railway infrastructure associated with the route;

“**extension**”, in relation to a route, means the addition of railway infrastructure not forming part of the route at the time when the addition is proposed as mentioned in section 8(4) or (5);

”.

- (2) Section 3 is amended in the definition of “railway infrastructure” by deleting “to enable a railway to operate safely” and inserting instead —

“ for the operation of a railway ”.

5. Section 5 amended

After section 5(1) the following subsections are inserted —

“

- (1a) Subsection (1) does not prevent —

- (a) the making of a proposal that involves any extension or expansion, or both, of a route or the associated railway infrastructure, as mentioned in section 8(4); or

- (b) the proposal of such an extension or expansion being made in the course of negotiations under Part 3, as mentioned in section 8(5).

- (1b) If a route or the associated railway infrastructure is extended or expanded pursuant to an access agreement or a determination, this Code also applies to the route and infrastructure as so extended or expanded.

”.

6. Section 8 amended

After section 8(3) the following subsections are inserted —

“

- (4) A proposal may specify any extension or expansion, or both, of the route or the associated railway infrastructure that would be necessary to accommodate the proposed rail operations.
- (5) The fact that an extension or expansion is not specified in a proposal as mentioned in subsection (4) does not prevent the proposal of such an extension or expansion being made in the course of negotiations under Part 3 on the ground that such an extension or expansion would be necessary to accommodate the proposed rail operations.

”.

7. Section 9 amended

- (1) Section 9(1) is amended as follows:

- (a) by inserting after paragraph (b) —
“ and ”;
- (b) after paragraph (c)(iii) by deleting the semicolon and inserting a full stop instead;
- (c) by deleting paragraph (d) and “and” before it.

- (2) Section 9(2) and (3) are repealed and the following subsections are inserted instead —

“

- (2) If section 8(4) applies —
 - (a) the sums notified to the proponent under subsection (1)(c)(i) and (ii) are to be assessed for access to the route and infrastructure as it exists and not for access to any proposed extension or expansion of the route and infrastructure; and
 - (b) the railway owner must, within 30 days after the proposal is received, provide the proponent with —
 - (i) a reasonable preliminary estimate of the costs relating to any extension or expansion specified in the proposal; and
 - (ii) the railway owner’s opinion as to the share of those costs that is likely to be borne by the proponent.
- (3) In any negotiations or arbitration under Part 3 the railway owner is not bound by an estimate or opinion provided to a proponent under subsection (2)(b).

- (3a) The railway owner must give the proponent a draft access agreement not later than —
- (a) if clause 10 of Schedule 4 does not apply —
 - (i) the day that is —
 - (I) the 30th day; or
 - (II) if section 8(4) applies, the 44th day,

after the day on which the proposal was received by the railway owner; or
 - (ii) if section 10 applies to the proposal and the Regulator gives approval under that section, the 23rd day after the Regulator's approval was given;
 - (b) if clause 10 of Schedule 4 applies, the 7th day after the railway owner receives from the Regulator —
 - (i) an approval under subclause (3)(a); or
 - (ii) a determination under subclause (3)(b), of that clause.

”.

8. Section 14 amended

Section 14(1)(b) is deleted and the following paragraph is inserted instead —

“

- (b) it has the necessary financial resources —
 - (i) to carry on the proposed rail operations; and
 - (ii) if section 8(4) applies, to pay the share of costs referred to in section 9(2)(b).

”.

9. Section 15 replaced

Section 15 is repealed and the following section is inserted instead —

“

15. Proponent must show that its operations are within the capacity of the route or expanded route

- (1) The railway owner is entitled to require a proponent to show that, having regard to the capacity of the route and any information provided to the proponent under sections 6 and 7 —
 - (a) the proposed entry time onto and exit time from the route to which the proposal relates; and
 - (b) the speed and length of rolling stock proposed to be used in operations on the route,

either —

- (c) can be accommodated on the route; or
 - (d) if section 8(4) applies, could be so accommodated if the extension or expansion, or both, specified for the purposes of section 8(4) were undertaken by the railway owner.
- (2) If section 8(4) applies, the railway owner is also entitled to require the proponent to provide the railway owner with a preliminary assessment, based on information reasonably available to the proponent, showing that the proposed extension or expansion —
- (a) can be carried out in a technically and economically feasible way; and
 - (b) will be consistent with the carrying on of safe and reliable rail operations on the route.

”

10. Section 33 amended

- (1) Section 33(3)(d) is deleted and the following paragraph is inserted instead —

“

- (d) subject to subsection (4), require the railway owner to extend or expand a route or the associated railway infrastructure, or to do both.

”

- (2) After section 33(3) the following subsection is inserted —

“

- (4) The determination must not require the railway owner to extend or expand a route or the associated railway infrastructure unless the arbitrator determines that the proponent —
 - (a) has the necessary financial resources to pay any costs relating to the extension or expansion for which the proponent is liable; and
 - (b) is able to secure such payment in a way that the arbitrator considers satisfactory.

”

11. Section 34 amended

- (1) Section 34(2) is amended by deleting “The other” and inserting instead —

“ Except as provided by subsection (5), the other ”.

- (2) After section 34(4) the following subsection is inserted —

“

- (5) Subsection (2) does not apply to any provision of a determination that consists of a direction as to, or an award of, costs under section 34(1) or (4) of the

Commercial Arbitration Act 1985, and any such provision binds the other party in the same way as it binds the railway owner.

”

12. Section 36 amended

After section 36(2) the following subsection is inserted —

“

(3) Subsection (2)(a) does not, where —

- (a) section 8(4) applies; or
- (b) an extension or expansion is proposed in the course of negotiations under Part 3, as mentioned in section 8(5),

prevent the making of an access agreement that involves the extension or expansion, or both, of a route or the associated infrastructure.

”

13. Section 47 amended

(1) After section 47(2) the following subsection is inserted —

“

(2a) The over-payment rules may make provision for a scheme under which amounts are to be determined that the railway owner is to pay to any relevant operator for the purpose of giving effect to subsection (2)(b).

”

(2) After section 47(5) the following subsections are inserted —

“

(6) The Regulator may in writing direct the railway owner to pay to an operator any amount determined under a scheme referred to in subsection (2a).

(7) The railway owner must comply with —

- (a) the provisions of the over-payment rules; and
- (b) a direction given to the owner by the Regulator under subsection (6).

”

14. Schedule 1 replaced

Schedule 1 is repealed and following Schedule is inserted instead —

“

Schedule 1 — Routes to which this Code applies

[s. 5]

Standard Gauge Routes

1. The track between Avon and Kalgoorlie, including the loop and the arrival road adjacent to that track at West Kalgoorlie.

2. The track between Forrestfield South and Kewdale.
3. The track between Kalgoorlie and Leonora.
4. The track between West Kalgoorlie West and West Kalgoorlie South.
5. The track between West Kalgoorlie and Esperance.
6. The track between Kambalda and Redmine.
7. The track between Cockburn North and Robb Jetty.
8. All tracks servicing the facilities of Co-operative Bulk Handling Limited on the standard gauge network except private sidings that are excluded by paragraph (h) of the definition of "railway infrastructure" in section 3.
9. All spur line tracks servicing customer facilities on the standard gauge network except private sidings that are excluded by paragraph (h) of the definition of "railway infrastructure" in section 3.

Narrow Gauge Routes

10. The track between Kwinana and Mundijong Junction.
11. The track between Mundijong Junction and Picton Junction.
12. The track between Cockburn North and Robb Jetty.
13. The track between Picton Junction and Lambert.
14. The track between Boyanup and Capel.
15. The track between Picton Junction and Picton East.
16. The track between Picton Junction and Inner Harbour Junction.
17. The track between Picton Junction and Bunbury Terminal.
18. The track between Pinjarra and Alumina Junction.
19. The track between Alumina Junction and Pinjarra South.
20. The track between Brunswick Junction and Premier.
21. The track between Brunswick North and Brunswick East.
22. The track between Worsley and Hamilton including Worsley East to Worsley North.
23. The track between Avon and Albany.
24. The track between York and Quairading.
25. The track between Narrogin and West Merredin.
26. The track between Yilliminning and Kulin.
27. The track between Wagin and Newdegate including Wagin East to Wagin South.
28. The track between Lake Grace and Hyden.
29. The track between Katanning and Nyabing.
30. The track between Katanning East and Katanning South.
31. The track between Tambellup and Gnowangerup.
32. The track between West Merredin and Kondinin.

33. The track between West Merredin and Trayning.
34. The track between Avon Yard and McLevie.
35. The track between Goomalling and Mukinbudin.
36. The track between Amery and Kalannie.
37. The track between Burakin and Beacon.
38. The track between Millendon Junction and Geraldton.
39. The track between Dongara and Eneabba South.
40. The track between Narngulu and Maya.
41. The track between Toodyay West and Miling.
42. All tracks servicing the facilities of Co-operative Bulk Handling Limited on the narrow gauge network except private sidings that are excluded by paragraph (h) of the definition of “railway infrastructure” in section 3.
43. All spur line tracks servicing customer facilities on the narrow gauge network except private sidings that are excluded by paragraph (h) of the definition of “railway infrastructure” in section 3.

Dual Gauge Routes

44. The track between Midland and Avon.
45. The track between Midland and Kwinana and the western leg of the Woodbridge Triangle from Signal 94 to Woodbridge South.
46. The track between Cockburn North and Cockburn East.
47. The track between Cockburn North and Cockburn South.
48. All spur line tracks servicing customer facilities on the dual gauge network except private sidings that are excluded by paragraph (h) of the definition of “railway infrastructure” in section 3.

Urban Network

49. The narrow gauge double tracks between Perth and —
 - (a) Currambine;
 - (b) Fremantle;
 - (c) Armadale; and
 - (d) Midland.
50. The dual gauge track between Robb Jetty and Leighton and the spur line between Leighton and North Fremantle.
51. The narrow gauge mainline track between Armadale and Mundijong Junction.

”.

15. Schedule 4 amended

- (1) Schedule 4 clause 1 is amended, in the definition of “operating costs”, by deleting “being costs that would be incurred were the

infrastructure replaced using modern equivalent assets” and inserting instead —

“

and if, for particular infrastructure, modern equivalent assets are determined to be appropriate for the purposes of clause 2(4)(c)(ii), the operating costs in relation to that infrastructure are to be the costs that would be incurred were that infrastructure replaced using those modern equivalent assets

”.

- (2) Schedule 4 clause 3(1)(a)(i) is amended by deleting “20, 21 and 22” and inserting instead —

“ 49, 50 and 51 ”.

- (3) After Schedule 4 clause 2(2) the following subclause is inserted —

“

- (2a) Despite subclause (2), railway infrastructure is to be taken, for the purposes of this clause, to include a cutting or embankment that is made after the commencement of this Code for any reason, but the value of any such cutting or embankment as railway infrastructure is not to include the value of the land of which it forms part.

”.

- (4) Schedule 4 clause 6 is amended as follows:

- (a) by inserting before “Subject” the subclause designation “ (1) ”;
- (b) by deleting “clauses 7 and 8” and inserting instead — “ this Schedule ”.

- (5) At the end of Schedule 4 clause 6 the following subclause is inserted —

“

- (2) If any extension or expansion of the route or the associated railway infrastructure is to be provided for by an access agreement, the parties must, in negotiating the price to be paid for the provision of access, take into account —
- (a) the costs to be borne by the railway owner or the proponent in respect of the extension or expansion; and
- (b) any economic benefit to the railway owner or the proponent resulting from the extension or expansion.

”.

- (6) Schedule 4 clause 8(2) is repealed and the following subclause is inserted instead —

“

- (2) For the avoidance of doubt it is declared that the calculation of total costs under subclause (1) —
- (a) is for the whole of the route and associated railway infrastructure; and

(b) is to be the same for all operators,

regardless of the extent of the operations or use of the route and infrastructure by any particular operator.

”.

(7) Schedule 4 clause 10(2) and (3) are repealed and the following subclauses are inserted instead —

“

(2) The railway owner is to notify the Regulator of the costs determined under subclause (1) (including the costs for each route section) at the same time as it provides the proponent with the information specified in section 9(1)(c).

(3) The Regulator is to either —

- (a) approve the railway owner’s determination; or
- (b) if he or she is not willing to do so, determine the relevant costs,

and the Regulator is to give that approval or make that determination not later than the 30th day after —

- (c) the day on which he or she receives notice under subclause (2); or
- (d) if —
 - (i) an application is made under section 11(2); and
 - (ii) an approval is given for the purposes of section 10(1),
 the day on which that approval is so given.

”.

(8) Schedule 4 clause 13 is amended as follows:

- (a) in paragraph (e) by deleting the full stop and inserting a semicolon instead;
- (b) by inserting after paragraph (e) the following paragraph —

“

(f) prices should allow a railway owner to recover over the economic life of the railway infrastructure concerned the costs of the owner in respect of any extension or expansion to accommodate the requirements of an operator.

”.

ERIC RIPPER, Treasurer.

— PART 2 —

AGRICULTURE

AG401*

**AGRICULTURAL PRODUCE (CHEMICAL RESIDUES) ACT 1983
VETERINARY PREPARATIONS AND ANIMAL FEEDING STUFFS ACT 1976**

APPOINTMENT

Department of Agriculture,
South Perth WA 6151.

I, the undersigned Minister for Agriculture, Forestry and Fisheries, being the Minister responsible for the administration of the *Agricultural Produce (Chemical Residues) Act 1983* and *Veterinary Preparations and Animal Feeding Stuffs Act 1976*, hereby appoint Candy Tina HUDSON as an Authorised/Inspector pursuant to—

Section 6 of the *Agricultural Produce (Chemical Residues) Act 1983*; and

Section 37 of the *Veterinary Preparations And Animal Feeding Stuffs Act 1976*.

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

AG402*

CHICKEN MEAT INDUSTRY ACT 1977

APPOINTMENTS

Department of Agriculture,
South Perth WA 6151.

Agric. 1152/86 V4

Ref: 21369 and 21045

I, Kim Chance, Minister for Agriculture, Forestry and Fisheries, being the Minister charged with the administration of the *Chicken Meat Industry Act 1977*, acting in accordance with Section 7 of the said Act, appoint the following persons to the positions listed—

Name	Position
Peter Smetana	(Chairman)
Peter James Manning	(Member)
William Ivan Hopkinson	(Deputy)
Rohit Chand	(Member)
Craig Graham Menzie	(Deputy)
Lennard Steve Brajkovich	(Member)
Paul William Jeffrey	(Deputy)
Terrance Edward Packard	(Member)
Justina Byatt	(Deputy)
Joyce Margaret Stowe	(Member)
Jan Trenorden	(Member)

as members of the Chicken Meat Industry Committee for a term of office expiring 30 June 2006.

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

EDUCATION

ED101

PRINTERS CORRECTION
MURDOCH UNIVERSITY ACT 1973
 AMENDING STATUTE

An error occurred in the notice published under the above heading on page 2877 of *Government Gazette* No. 126 dated 16 July 2004 and is corrected as follows.

Before the Schedule, insert the following text—

“ The proposed amendments of Statutes No. 11 and 24 as set out in the Schedule have been approved and ratified by an absolute majority of the members of the Senate in accordance with Section 25(1) of the Murdoch University Act 1973.

The Official Seal of Murdoch University was hereto affixed in accordance with Senate Resolution 63(1)/96.

JOHN YOVICH, Vice Chancellor.
 ANDREW BAIN, University Secretary.

28 May 2004.

By Command of the Lieutenant-Governor and Administrator,

M. TRAVERS, Clerk of the Executive Council. ”

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994
MACKEREL FISHERY (INTERIM) MANAGEMENT PLAN 2004

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FISH RESOURCES MANAGEMENT ACT 1994
MACKEREL FISHERY (INTERIM) MANAGEMENT PLAN 2004

FD 2242/00 [365]

Made by the Minister under section 54.

PART 1—PRELIMINARY**Citation**

1. This plan may be cited as the *Mackerel Fishery (Interim) Management Plan 2004*.

Commencement

2. This plan will commence operation on 1 August 2004.

Cessation

3. This plan will cease to have effect on 31 December 2009.

Interpretation

4. this plan, unless the contrary intention appears—

“ALC” means an automatic location communicator as defined in regulation 55A of the regulations;

“approved directions for use” means the directions for the use of an ALC given by the Executive Director in a notice in writing to the holder of a permit;

“associated primary boat” means, where the term is used in connection with an auxiliary boat, the primary boat which is specified on the same permit as that auxiliary boat;

“authorised boat” means—

(a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified in a permit; or

(b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in (a);

“auxiliary boat” means a licensed fishing boat that is specified on a permit as an auxiliary boat under clause 18;

“Fishery” means the Mackerel Interim Managed Fishery identified in clause 6;

“fishing boat licence” has the same meaning as defined in regulation 3 of the regulations;

“length” means the measured length of the authorised boat as defined by and determined in accordance with the Department of Transport Instruction to Surveyors notice 7/87 (reworked 1994) effective 21 September 1994 as reworked or superseded from time to time;

“licensed fishing boat number” has the same meaning as defined in regulation 3 of the regulations;

“mackerel” means all fish of the genera *Scomberomorus*, *Grammatorcynus* and *Acanthocybium*;

“permit” means an interim managed fishery permit which authorises a person to fish in the Fishery;

“port area” means an area as described in Schedule 3;

“primary boat” means a licensed fishing boat that is specified on a permit as a primary boat;

“regulations” means the *Fish Resources Management Regulations 1995*;

“statutory fishing returns” means—

(a) a written return made under and in accordance with section 18 of the *Fisheries Act 1905*; or

(b) a return made under and in accordance with regulation 64 of the regulations.

Procedure before this Plan may be amended or revoked

5. For the purposes of section 65 of the Act, all the permit holders of the Fishery are the persons to be consulted before this management plan is amended or revoked.

PART 2—THE FISHERY**Identification and declaration of the Fishery**

6. (1) The Fishery to which this plan relates is the fishing for mackerel by any means in the waters described in Schedule 1 and may be referred to as the Mackerel Interim Managed Fishery.

(2) The Fishery is an interim managed fishery.

Areas

7. The Fishery is divided into the three Areas described in Schedule 2.

PART 3—GENERAL REGULATION OF FISHING**Persons prohibited from fishing in the Fishery**

8. (1) Subject to subclause (2), a person must not fish in the Fishery other than—

(a) in accordance with this plan; and

(b) under the authority of a permit.

(2) This plan does not apply to a person fishing for mackerel for a recreational purpose in accordance with the Act.

Closure of areas within the Fishery

9. (1) The Executive Director may, by notice published in the Gazette, prohibit fishing in any part of the Fishery for the period specified in the notice if, in the opinion of the Executive Director, the prohibition is required in the better interests of the Fishery.

(2) A notice made in accordance with subclause (1)—

(a) may only be made after consultation with all the permit holders who are entitled to fish in that part of the Fishery that is the subject of the proposed prohibition;

(b) must take into account any advice received from the Department's Director of Fisheries Research;

(c) may be made to apply at all times or at any specified time; and

(d) revokes any previous notice made under that subclause.

(3) A person must not fish for mackerel in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

(4) The master of an authorised boat must not store or transport any mackerel on board that boat in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

Prohibited fishing in the Fishery

10. (1) A person must not fish for mackerel—

(a) in Area 1 of the Fishery during the period commencing on 1 December in any year and ending on 31 May of the following year;

(b) in Area 2 of the Fishery during the period commencing on 1 October in any year and ending on 31 March of the following year;

(c) in Area 3 of the Fishery during the period commencing on 1 October in any year and ending on 28 February of the following year.

(2) Notwithstanding subclause (1) the Executive Director may, by notice published in the Gazette, permit fishing in any part of the Fishery where fishing is prohibited for the period specified in the notice if, in the opinion of the Executive Director it is in the better interests of the Fishery to do so.

(3) A notice made in accordance with subclause (2)—

(a) may only be made after consultation with all the permit holders who are entitled to fish in that part of the Fishery that will be the subject of the notice;

(b) must take into account any advice received from the Department's Director of Fisheries Research;

(c) may be made to apply at all times or at any specified time; and

(d) revokes any previous notice made under that subclause.

(4) A person must not fish under the authority of a permit in an Area of the Fishery not specified on that permit.

(5) The master of an authorised boat must not store or transport any mackerel on board that boat in any Area of the Fishery where fishing in that Area is prohibited.

Prohibition of fishing methods

11. A person fishing in the Fishery under the authority of a permit must not fish by any means other than—

(a) by hand lining; or

(b) by trolling.

PART 4—PERMITS**Permits**

12. (1) A permit may authorise the holder of that permit, or a person acting on that person's behalf, to fish in Area 1, Area 2 or Area 3 of the Fishery.

(2) A permit may authorise fishing in only one Area of the Fishery.

Criteria for the grant of a permit

13. (1) The criteria to be satisfied before the Executive Director may grant a person a permit to fish in Area 1 of the Fishery are that—

- (a) on 31 July 2004 the person was the holder of a fishing boat licence and in respect of the boat specified on that licence during the period commencing 1 November 1990 and ending 31 October 1997, statutory fishing returns for that period were received by the Department on or before 31 December 1998;
- (b) the returns referred to in paragraph (a) recorded—
 - (i) a catch of one tonne or more of mackerel (whole weight) in each of four different criteria years during the period specified in (a) from the waters described as Area 1; or
 - (ii) a catch of seven tonnes or more of mackerel (whole weight) for the whole of the period specified in (a) from the waters described as Area 1; and
- (c) the person applies for a permit on or before 31 August 2004.

(2) The criteria to be satisfied before the Executive Director may grant a person a permit to fish in Area 2 of the Fishery are that—

- (a) on 31 July 2004 the person was the holder of a fishing boat licence and in respect of the boat specified on that licence during the period commencing 1 November 1990 and ending 31 October 1997, statutory fishing returns for that period were received by the Department prior on or before 31 December 1998;
- (b) the returns referred to in paragraph (a) recorded—
 - (i) a catch of 750 kilograms or more of mackerel (whole weight) in each of four different criteria years during the period specified in (a) from the waters described as Area 2; or
 - (ii) a catch of 5250 kilograms or more of mackerel (whole weight) for the whole of the period specified in (a) from the waters described as Area 2; and
- (c) the person applies for a permit on or before 31 August 2004.

(3) The criteria to be satisfied before the Executive Director may grant a person a permit to fish in Area 3 of the Fishery are that—

- (a) on 31 July 2004 the person was the holder of a fishing boat licence and in respect of the boat specified on that licence during the period commencing 1 November 1990 and ending 31 October 1997, statutory fishing returns for that period were received by the Department on or before 31 December 1998;
- (b) the returns referred to in paragraph (a) recorded—
 - (i) a catch of 500 kilograms or more of mackerel (whole weight) in each of four different criteria years during the period specified in (a) from the waters described as Area 3; or
 - (ii) a catch of 3500 kilograms or more of mackerel (whole weight) for the whole of the period specified in (a) from the waters described as Area 3; and
- (c) the person applies for a permit on or before 31 August 2004.

(4) For the purpose of this clause a "criteria year" is the period commencing on 1 November in any year and ending on 31 October in the following year.

Duration of permits

14. A permit expires on 31 December next following the date of grant or renewal.

Fees

15. (1) The fee set out in Schedule 5 is the fee to be paid in respect of the grant of a permit that will expire on 31 December 2004 .

(2) Where a permit is renewed as provided under section 139(1) of the Act an additional fee of 20% of the fee payable on the issue of the licence is payable by way of penalty.

Items that must be specified on a permit

16. A permit granted or renewed in respect of the Fishery must specify—

- (a) the name and business address of the holder of the permit;
- (b) the name, licensed fishing boat number and the length of any licensed fishing boat which may be used for or in connection with fishing in the Fishery under the authority of that permit;
- (c) which boat is the primary boat and which boat is an auxiliary boat (if applicable);
- (d) the permit number;
- (e) the date on which the permit was granted or renewed;
- (f) the date on which the permit expires;
- (g) the name of the Fishery;
- (h) the Area of the Fishery where the holder of the permit is authorised to fish;
- (i) any conditions imposed on the permit by the Executive Director.

PART 5—USE OF BOATS**Use of boats**

17. (1) A person must not use a boat to fish in the Fishery unless the boat is an authorised boat.
- (2) A person must not be, or act as, the master of an authorised boat unless that person is the holder of the relevant permit or is authorised by the holder of the relevant permit to act on the permit holder's behalf.
- (3) The master of an authorised boat must not permit any mackerel or fillet of fish to be transferred—
- (a) to another boat from; or
 - (b) from another boat to,
- the boat while the boat is at sea in the waters of the Fishery.
- (4) Subclause (3) does not apply when mackerel or fillet of fish is being transferred from an auxiliary boat to the associated primary boat.
- (5) A person must not fish from a boat in the Fishery outside of the Area endorsed on the permit that applies to that boat.
- (6) The master of an authorised boat which has been used to fish for mackerel in the Fishery must not depart the Fishery in that boat unless all fish taken with the use of the boat have first been landed at a nominated port area.
- (7) The master of an authorised boat which has been used to fish for mackerel in an Area of the Fishery must not depart that Area in that boat unless all fish taken with the use of the boat have first been landed at a nominated port area.
- (8) Subclauses (6) and (7) do not apply to the master of a boat that has been used to fish in Area 1 of the Fishery and—
- (a) Darwin is the closest Port to where the boat has been used to fish in the Fishery; and
 - (b) the boat is steaming continuously and directly to Darwin to unload the fish.
- (9) Subclauses (6) and (7) do not apply to the master of a boat that has been used to fish in Area 2 of the Fishery and—
- (a) Broome is the closest Port to where the boat has been used to fish in the Fishery; and
 - (b) the boat is steaming continuously and directly to Broome to unload the fish.
- (10) Subclause (7) does not apply to the master of a boat where—
- (a) the boat is an authorised boat under two or more permits;
 - (b) the permits referred to in paragraph (a) collectively authorise fishing in two adjoining Areas of the Fishery or all three Areas of the Fishery;
 - (c) the boat has been used to fish in at least two adjoining Areas of the Fishery on the same trip; and
 - (d) any mackerel on the boat are landed at a nominated port that relates to one of the Areas of the Fishery in which the boat has been used to fish on that trip.
- (11) The master of an authorised boat must not store or transport any mackerel on board that boat at any time that it is in the waters of the Shark Bay Snapper Fishery other than—
- (a) whole mackerel;
 - (b) mackerel that has had its head removed or has been gutted; or
 - (c) mackerel that has had its head removed and has been gutted.
- (12) For the purposes of this clause the “Shark Bay Snapper Fishery” means the fishery to which the *Shark Bay Snapper Management Plan 1994* relates.

Auxiliary boats

18. (1) A permit granted in accordance with clause 13(1) shall confer an entitlement to use an auxiliary boat in Area 1 of the Fishery where—
- (a) the permit specifies a boat which is equal to or greater than 6.5 metres in length and that boat is specified on the permit as the primary boat;
 - (b) the permit holder of the permit is, at the time the permit is first granted, also the licensee of a fishing boat licence which is endorsed with the details of a boat which is less than 6.5 metres in length and the licensee had, at the time of applying for the permit, applied to have the boat specified on the permit as an auxiliary boat;
 - (c) the fishing boat licence referred to in (b), at the time of the application, is endorsed with—
 - (i) conditions numbered 16, 17 and 18;
 - (ii) conditions numbered 16, 17, 18 and 54; or
 - (iii) any one of, or combination of, conditions numbered 25, 54, 85 or 112.
- (2) A person must not use an auxiliary boat to fish in Area 2 or Area 3 of the Fishery.
- (3) Notwithstanding subclause (2), if the holder of a permit that authorises fishing in Area 1—
- (a) also holds a permit that authorises fishing in Area 2; and
 - (b) the permit that authorises fishing in Area 1 also authorises the use of an auxiliary boat in that Area,
- then that auxiliary boat may be used to fish in Area 2 of the Fishery.

- (4) A person must not use an auxiliary boat in the Fishery if that boat is greater than, or equal to, 6.5 metres in length.
- (5) The master of an auxiliary boat must not permit that boat to be—
- more than 5 nautical miles from the associated primary boat at any time it is being used in the waters of the Fishery; or
 - used in conjunction with any other primary boat other than the associated primary boat.

Requirement to install an Automatic Location Communicator

19. (1) For the purpose of this clause—
- “approved” and “approved person” have the same meaning as provided for in regulation 55A of the regulations;
- “authorised boat” means an authorised boat as defined in clause 4 and—
- for a boat authorised to be operated in Area 1, the primary fishing boat if there is more than one boat specified on the permit; or
 - for a boat authorised to be operated in Area 2 and/or Area 3 but not Area 1, the boat specified on the permit.
- (2) The Executive Director may, by notice in writing to the holder of a permit, prohibit fishing under the authority of that permit unless—
- the authorised boat specified on that permit has an ALC installed in accordance with the approved directions for use and by an approved person; and
 - the ALC has been serviced in accordance with the approved directions for use, by an approved person and at the intervals specified by the Executive Director in the approved directions for use.
- (3) Where, in accordance with subclause (2), an ALC has been fitted to the authorised boat the master of that boat must not use the boat to fish in the Fishery unless a legible copy of the approved directions for use are on board the boat.
- (4) If a notice has been given pursuant to subclause (2) then it is a condition of the permit that—
- the authorised boat must not be used for fishing in the Fishery unless an ALC is fitted to the boat and the ALC is being used in the manner specified in the approved directions for use; and
 - regulation 55C of the regulations are complied with at all times.
- (5) A reference to an Area in the approved directions for use referred to in subclause (2) is a reference to the relevant Area as described in Schedule 2.

PART 6—DETERMINATION OF WHOLE WEIGHT OF MACKEREL

Whole weight of mackerel

20. (1) For the purposes of this plan, where a quantity of mackerel is expressed in terms of a whole weight, the weight shall be taken to be—
- where the mackerel is whole when it is weighed, that weight of mackerel measured in kilograms; or
 - where the mackerel is gilled and gutted only, that weight of mackerel measured in kilograms multiplied by the relevant conversion factor; or
 - where the mackerel is headed and gutted only, that weight of mackerel measured in kilograms multiplied by the relevant conversion factor;
 - where the mackerel is filleted, that weight of mackerel measured in kilograms multiplied by the relevant conversion factor.
- (2) In this clause “relevant conversion factor” means the conversion factor specified in Schedule 4 that corresponds to the condition of the mackerel at the time it is weighed.

PART 7—LANDING OF MACKEREL

Landing of mackerel

21. (1) The master of an authorised boat that has been used to take mackerel—
- in Area 1 only, must not allow any mackerel to be unloaded from that boat other than in a Port Area as described in subclause (1) of Schedule 3;
 - in Area 2 only, must not allow any mackerel to be unloaded from that boat other than in a Port Area as described in subclause (2) of Schedule 3;
 - in Area 3 only, must not allow any mackerel to be unloaded from that boat other than in a Port Area as described in subclause (3) of Schedule 3.
- (2) The master of an authorised boat that has been used to take mackerel in more than one Area of the Fishery on the same trip must not allow any mackerel to be unloaded from that boat other than in a Port Area that applies to one of the Areas of the Fishery in which the boat has been used for fishing on that trip.
- (3) The master of an authorised boat must not allow any mackerel to be unloaded from that boat at the Port areas of Denham, Point Quobba (Blow Holes) or Carnarvon other than—
- whole mackerel;
 - mackerel that has had its head removed or has been gutted; or
 - mackerel that has had its head removed and has been gutted.

PART 8—RECORDS**Record of directions given**

22. (1) The holder of a permit must, at any time when any direction is given to a person that the person is, or is not authorised, to fish on the permit holder's behalf, make a record in a form approved by the Executive Director of the following—

- (a) the full name of the person to whom the direction was given;
- (b) the full business address of the person to whom the direction was given;
- (c) the number of the commercial fishing licence held by the person to whom the direction was given;
- (d) the time and date the direction was given;
- (e) whether the direction was oral or in writing; and
- (f) the terms of the direction.

(2) The holder of a permit must keep safe and secure a record made in accordance with subclause (1) together with a copy of any written direction referred to in that record.

Logbooks

23. (1) The master of an authorised boat must keep a logbook of fishing activity conducted in the Fishery from that boat.

(2) A logbook shall be in a form approved by the Executive Director.

(3) It is a condition of the permit that the master of the boat—

- (a) uses and completes the relevant form as approved by the Executive Director; and
- (b) forwards the completed form to the place and at the times as specified in the form.

(4) A person must not make an entry in accordance with subclause (1) that the person knows to be false or misleading.

PART 9—MISCELLANEOUS**Offences and major provisions**

24. A person who contravenes a provision of—

- (a) clause 8, 9(3), 9(4), 10(1), 10(4), 10(5), 11, 17(3), 17(5), 17(6), 17(7), 19(3), 19(4), 19(5)(a), 21(1), 21(2) and 21(3); or
- (b) clause 17(1), 17(2), 17(10), 18(2), 18(4), 18(5), 19(3), 19(4), 22(1), 22(2), 23(1) and 23(4),

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

SCHEDULE 1**Description of the Fishery**

All the waters of the Indian Ocean and the Timor Sea north of Cape Leeuwin (34° 22.51' south latitude).

SCHEDULE 2**Areas of the Fishery**

Area 1—All Western Australian waters off the north coast of Western Australia on the landward side of the outer boundary of the Australian fishing zone and east of a line commencing at the intersection of the high water mark on the coastline and 121° 00' east longitude and extending north from that point along the meridian to the outer boundary of the Australian fishing zone.

Area 2—All Western Australian waters off the north west coast of Western Australia bounded by a line commencing at the intersection of the high water mark on the coastline and 114° 00' east longitude (Jurabi Point); thence extending north along the meridian to the outer boundary of the Australian fishing zone; thence generally in a north easterly direction along the outer boundary of the Australian fishing zone to where it intersects with 121° 00' east longitude; thence south along the meridian to where it intersects with the high water mark on the coastline of Western Australia; thence generally south westerly along the mean high water mark back to the commencement point.

Area 3—All Western Australian waters off the coast of Western Australia bounded by a line commencing at the intersection of the high water mark on the coastline and 114° 00' east longitude (Jurabi Point); thence extending north along the meridian to the outer boundary of the Australian fishing zone; thence generally in a south westerly; thence southerly; thence in an easterly direction along the outer boundary of the Australian fishing zone to where it intersects with 34°22.51' south latitude; thence extending east along the parallel to where it intersects with the high water mark on the coastline of Western Australia (Cape Leeuwin); thence generally north westerly along the mean high water mark back to the commencement point.

SCHEDULE 3**Port Areas****Area 1**

Darwin

All waters of the Port of Darwin south of a line drawn from the intersection of 12° 26.30' south latitude and 130° 45.90' east longitude; thence north by east along the geodesic to the intersection of 12° 24.87' south latitude and 130° 49.07' east longitude.

Broome

All the waters of the Fishery within 3 nautical miles of the intersection of 18° 00.03' south latitude and 122° 13.11' east longitude.

Area 2**Broome**

All the waters of the Fishery within 3 nautical miles of the intersection of 18° 00.03' south latitude and 122° 13.11' east longitude.

Port Headland

All the waters of the Fishery within 3 nautical miles of the intersection of 20° 18.92' south latitude and 118° 34.62' east longitude.

Port Walcott (Point Samson)

All the waters of the Fishery within 3 nautical miles of the intersection of 20° 38.20' south latitude and 117° 11.53' east longitude.

Port of Dampier

All the waters of the Fishery bounded by a line commencing at the high water mark at the intersection of 116° 39.00' east longitude; thence extending north by west along the geodesic to the high water mark on East Lewis Island at 116° 38.13' east longitude (King Point); thence generally easterly along the high water mark on the southern side of East Lewis Island to the intersection of 116° 39.90' east longitude (Roe Point); thence easterly along the geodesic to the intersection of the high water mark on the coastline at 20° 37.50' south latitude (Phillip Point); thence generally south westerly along the high water mark to the commencement point.

Beadon Creek, Onslow

All the waters of the Fishery within 3 nautical miles of the intersection of 21° 38.28' south latitude and 115° 07.97' east longitude.

Exmouth

All the waters of the Fishery within 3 nautical miles of the intersection of 21° 57.445' south latitude and 114° 08.477' east longitude (Exmouth Marina and associated area).

Area 3**Point Quobba (Blowholes)**

All the waters of the Fishery within 3 nautical miles of the intersection of 24° 29.22' south latitude and 113° 24.57' east longitude.

Carnarvon

All the waters of the Fishery within 3 nautical miles of the intersection of 24° 53.934' south latitude and 113° 39.071' east longitude (T jetty, Fishing Boat Harbour)

Denham

All the waters of the Fishery within 3 nautical miles of the intersection of 25°55.71' south latitude and 113°31.99' east longitude (Service jetty, Denham).

Kalbarri

All the waters of the Fishery within 3 nautical miles of the intersection of 27° 42.50' south latitude and 114° 09.50' east longitude.

Port Gregory

All the waters of the Fishery within 3 nautical miles of the intersection of 28° 11.45' south latitude and 114° 14.94' east longitude.

Geraldton

All the waters of the Fishery within 3 nautical miles of the intersection of 28° 46.47' south latitude and 114° 35.298' east longitude.

Port Denison

All the waters of the Fishery within 3 nautical miles of the intersection of 29° 16.31' south latitude and 114° 55.192' east longitude.

Jurien Bay

All the waters of the Fishery within 3 nautical miles of the intersection of 30° 17.268' south latitude and 115° 02.605' east longitude.

Fremantle

All the waters of the Fishery within 3 nautical miles of the intersection of 32° 03.654' south latitude and 115° 44.611' east longitude.

SCHEDULE 4**Conversion factors**

1. Whole weight = head/gutted weight (kg) x 1.176.
2. Whole weight = gilled/gutted weight (kg) x 1.048.
3. Whole weight = filletweight (kg) x 1.608.

SCHEDULE 5**Fees**

Fees payable for the grant of a permit that expires on 31 December 2004—

(a) For a permit that authorises fishing in Area 1	\$490
(b) For a permit that authorises fishing in Area 2	\$286
(a) For a permit that authorises fishing in Area 3	\$219

Dated this 14th day of July 2004.

KIM CHANCE, Minister for Agriculture,
Forestry and Fisheries.

HERITAGE

HR401***HERITAGE OF WESTERN AUSTRALIA ACT 1990****AMENDMENT OF ENTRY IN THE REGISTER OF HERITAGE PLACES**

In accordance with the requirements of Section 54(1) (3) and (4) of the *Heritage of Western Australia Act 1990*, the Heritage Council gives notice of amendment of the entry in the Register on a permanent basis in relation to the Place being Nulsen Haven, 458-464 Great Eastern Highway, Redcliffe.

The reason for the amendment is to remove from the Register Entry the land that is now situated outside the relevant curtilage as a result of subdivision of the original land parcel. The place covered by the entry in the Register is now described as—

Lot 71 on Deposited Plan 24506 being the whole of the land comprised in Certificate of Title Volume 2205 Folio 858 and

Lot 64 on Deposited Plan 24506 being the whole of the land comprised in Certificate of Title Volume 2205 Folio 851.

Dated this 23rd day of July 2004.

IAN BAXTER, Director,
Office of The Heritage Council of WA,
108 Adelaide Terrace, East Perth WA 6004.

HR402***HERITAGE OF WESTERN AUSTRALIA ACT 1990****AMENDMENT OF ENTRY IN THE REGISTER OF HERITAGE PLACES**

In accordance with the requirements of Section 54(1) and (4) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice of amendment of the entry in the Register on a permanent basis in relation to portion of the Place being Houses at 51-53 Goderich Street.

The reason for the amendment is to give effect to an agreement between the Heritage Council and the owners of the Place to amend the entry in the Register by removing the vacant rear lot created when the original Place the subject of the entry in the Register was subdivided into three lots. The entry in the Register is to be amended in relation to Lot 801 on Plan 29070 being the whole of the land contained in Certificate of Title Volume: 2219 Folio: 240 and the Place covered by the entry in the Register is now described as—

Lot 1 on Strata Plan 41299 being the whole of the land contained in Certificate of Title Volume: 2219 Folio: 242 together with Lot 2 on Strata Plan 41299 being the whole of the land contained in Certificate of Title Volume: 2219 Folio: 243.

Dated this 23rd day of July 2004.

IAN BAXTER, Director,
Office of The Heritage Council of WA,
108 Adelaide Terrace, East Perth WA 6004.

JUSTICE

JU401*

JUSTICES ACT 1902
APPOINTMENT

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following person to the office of Justice of the Peace for the State of Western Australia—

Mr Ronald James Grant of House 27 West Island Cocos (Keeling) Islands

RAY WARNES, A/Executive Director, Court Services.

JU402*

JUSTICES ACT 1902
RESIGNATIONS

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

Mr Barry Walter McLaren of 14 Worlanna Mews, Quinns Rocks

Mr Ronald Joseph Foord of 4 Navarre Row, Mandurah

Mr Patrick Canning Donkin Of 1 Reid Close, Halls Head

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, A/Executive Director, Court Services.

JU403

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
DE NIESE	Marina	AP 0143	21/07/04
O'REILLY-JONES	Kim	AP 0206	21/07/04
CROKE	Roberta	AP 0257	21/07/04

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

BRIAN LAWRENCE, Manager, Prison Services Contracts.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995
Shire of Kalamunda
(BASIS OF RATES)

Department of Local Government
and Regional Development,
15 July 2004.

DLGRD: KM5-4#03

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 Tom Stephens MLC, 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 1st July 2004.

CHERYL GWILLIAM, Director General.

SCHEDULE
ADDITIONS TO GROSS RENTAL VALUE AREA
SHIRE OF KALAMUNDA

All those portions of land comprised in the schedules below—

SCHEDULE “A”

All those portions of land being—

Lot 1 as shown on Diagram 3593;
Lot 15 as shown on Diagram 4334;
Lot 4 as shown on Diagram 4918;
Lot 6 as shown on Diagram 7640;
Lot 2 as shown on Diagram 7936;
Lots 1 to 3 inclusive as shown on Diagram 8064;
Lot 1 and Lot 7 as shown on Diagram 9948;
Lot 1 as shown on Diagram 12735;
Lot 1 as shown on Diagram 13457;
Lot 39 as shown on Diagram 13469;
Lot 1 and Lot 2 as shown on Diagram 14171;
Lot 2 as shown on Diagram 14601;
Lot 40 as shown on Diagram 14609;
Lot 4 as shown on Diagram 14850;
Lot 1 as shown on Diagram 14933;
Lot 4 as shown on Diagram 17750;
Lot 1 as shown on Diagram 3593;
Lot 12 as shown on Diagram 17828;
Lot 37 as shown on Diagram 18143;
Lot 1 as shown on Diagram 3593;
Lots 1 to 4 inclusive as shown on Diagram 18392;
Lot 5 as shown on Diagram 19100;
Lot 2 as shown on Diagram 19625;
Lot 6 as shown on Diagram 19828;
Lot 6 as shown on Diagram 20637;
Lot 5 as shown on Diagram 20919;
Lot 1 as shown on Diagram 21148;
Lot 3 and Lot 4 as shown on Diagram 22019;
Lot 3 as shown on Diagram 22074;
Lot 37 as shown on Diagram 22312;
Lot 1 as shown on Diagram 22395;
Lot 1 as shown on Diagram 23404;
Lot 4 as shown on Diagram 23719;
Lot 6 as shown on Diagram 24455;
Lot 1 as shown on Diagram 25864;
Lot 13 and Lot 14 as shown on Diagram 26124;
Lot 5, Lot 6 and Lot 8 as shown on Diagram 26180;
Lot 14 as shown on Diagram 26182;
Lot 1 as shown on Diagram 26278;
Lot 9 as shown on Diagram 26584;
Lot 11 as shown on Diagram 27519;
Lot 4 as shown on Diagram 27834;
Lot 2 as shown on Diagram 27927;
Lots 10 to 12 inclusive as shown on Diagram 28530;
Lot 2 as shown on Diagram 31283;
Lot 6, Lot 7 and Lot 9 as shown on Diagram 31752;
Lot 2 and Lot 4 as shown on Diagram 32435;
Lot 15 as shown on Diagram 32800;
Lot 3 and Lot 4 as shown on Diagram 35166;
Lot 1 as shown on Diagram 37660;
Lot 6 as shown on Diagram 39287;
Lot 502 as shown on Diagram 40073;
Lot 1 as shown on Diagram 40160;
Lot 2 and Lot 3 as shown on Diagram 41508;
Lot 14 as shown on Diagram 42043;
Lot 500 as shown on Diagram 42071;
Lot 3 as shown on Diagram 42196;
Lot 43 and Lot 45 as shown on Diagram 42353;
Lots 50 to 52 inclusive as shown on Diagram 43709;
Lot 33 and Lot 34 as shown on Diagram 43821;

Lot 21 as shown on Diagram 43863;
Lot 50 and Lot 51 as shown on Diagram 44102;
Lot 4 as shown on Diagram 44338;
Lot 10 as shown on Diagram 44629;
Lot 38 as shown on Diagram 45889;
Lot 12 and Lot 13 as shown on Diagram 47125;
Lot 100 as shown on Diagram 47580;
Lot 39 as shown on Diagram 47670;
Lot 3 as shown on Diagram 47731;
Lot 1 as shown on Diagram 47851;
Lot 4 as shown on Diagram 48048;
Lot 4 as shown on Diagram 48130;
Lot 1 and Lot 2 as shown on Diagram 48362;
Lot 2 as shown on Diagram 49257;
Lot 1 as shown on Diagram 49399;
Lot 502 as shown on Diagram 50763;
Lot 14 as shown on Diagram 50770;
Lot 6 as shown on Diagram 51906;
Lot 800 and Lot 801 as shown on Diagram 52476;
Lot 11 as shown on Diagram 53064;
Lot 16 as shown on Diagram 53311;
Lot 802 as shown on Diagram 53721;
Lot 1 and Lot 2 as shown on Diagram 53878;
Lot 103 and Lot 104 as shown on Diagram 54369;
Lot 503 and Lot 504 as shown on Diagram 54851;
Lot 1 as shown on Diagram 55197;
Lot 8 as shown on Diagram 55371;
Lots 23 to 27 inclusive as shown on Diagram 55820;
Lot 504 and Lot 505 as shown on Diagram 56353;
Lot 10 as shown on Diagram 56712;
Lot 7 as shown on Diagram 56779;
Lot 100 and Lot 101 as shown on Diagram 56818;
Lot 6 as shown on Diagram 56940;
Lot 5 as shown on Diagram 57138;
Lot 21 as shown on Diagram 57547;
Lot 11 and Lot 12 as shown on Diagram 57709;
Lot 500 as shown on Diagram 59398;
Lot 8 as shown on Diagram 59249;
Lot 100 and Lot 101 as shown on Diagram 59477;
Lot 340 and Lot 341 as shown on Diagram 59659;
Lot 54 as shown on Diagram 59909;
Lot 340 as shown on Diagram 60196;
Lot 101 as shown on Diagram 60654;
Lot 100 as shown on Diagram 61005;
Lot 101 as shown on Diagram 61006;
Lot 13 as shown on Diagram 61173;
Lot 10 as shown on Diagram 63268;
Lot 52 and Lot 53 as shown on Diagram 63375;
Lot 3 as shown on Diagram 63393;
Lot 500 as shown on Diagram 64879;
Lot 500 as shown on Diagram 65286;
Lot 7 as shown on Diagram 65578;
Lot 1 and Lot 2 as shown on Diagram 65650;
Lots 55 to 57 inclusive as shown on Diagram 67293;
Lot 100 and Lot 101 as shown on Diagram 68389;
Lot 2 as shown on Diagram 70295;
Lot 64 as shown on Diagram 70989;
Lot 1 as shown on Diagram 72154;
Lot 1 as shown on Diagram 74055;
Lot 2 as shown on Diagram 74056;
Lot 101 and Lot 102 as shown on Diagram 74782;
Lot 21 as shown on Diagram 78284;
Lot 200 and Lot 201 as shown on Diagram 79091;
Lot 501 and Lot 502 as shown on Diagram 79236;
Lot 80 and Lot 81 as shown on Diagram 79239;
Lot 50 and Lot 51 as shown on Diagram 79405;
Lot 1 as shown on Diagram 79628;
Lot 100 and Lot 101 as shown on Diagram 79636;
Lot 41 as shown on Diagram 79763;
Lot 1 and Lot 2 as shown on Diagram 79848;
Lots 30 to 32 inclusive as shown on Diagram 80162;
Lot 1 as shown on Diagram 80194;
Lot 100 and Lot 101 as shown on Diagram 80482;
Lot 100 as shown on Diagram 80637;
Lot 201 and Lot 202 as shown on Diagram 82004;
Lot 11 as shown on Diagram 82143;

Lot 3 and Lot 4 as shown on Diagram 82194;
Lot 11 as shown on Diagram 82389;
Lot 12 and Lot 13 as shown on Diagram 82586;
Lot 9 and Lot 10 as shown on Diagram 82671;
Lot 400 and Lot 401 as shown on Diagram 84038;
Lot 15 as shown on Diagram 84526;
Lot 102 and Lot 103 as shown on Diagram 84595;
Lot 4 as shown on Diagram 85587;
Lot 340 and Lot 341 as shown on Diagram 86226;
Lot 100 as shown on Diagram 86487;
Lot 2 and Lot 10 as shown on Diagram 86614;
Lot 9 as shown on Diagram 87089;
Lot 346 as shown on Diagram 87170;
Lot 1 and Lot 2 as shown on Diagram 87330;
Lot 10 and Lot 11 as shown on Diagram 87848;
Lot 10 as shown on Diagram 89062;
Lot 10 as shown on Diagram 89468;
Lot 10 as shown on Diagram 89749;
Lot 60 and Lot 61 as shown on Diagram 91094;
Lot 200 and Lot 201 as shown on Diagram 93488;
Lot 20 and Lot 21 as shown on Diagram 93713;
Lot 7 as shown on Diagram 95739;
Lot 52 and Lot 53 as shown on Diagram 96967;
Lot 100 and Lot 101 as shown on Diagram 97162;
Lot 98 and Lot 99 as shown on Diagram 98349.

SCHEDULE "B"

All those portions of land being—

Lot 24 and Lot 340 as shown on Plan 3372;
Lot 334 and Lot 340 as shown on Plan 4634;
Lots 101 to 104 inclusive as shown on Plan 12686;
Lot 21, Lot 22, Lots 25 to 30 inclusive as shown on Plan 18826;
Lots 9 to 11 inclusive, Lots 13 to 21 inclusive and Lot 23 as shown on Plan 21936.

SCHEDULE "C"

All those portions of land being—

Lot 110 and Lot 111 as shown on Deposited Plan 25240;
Lot 120 as shown on Deposited Plan 25988;
Lots 101 to 103 inclusive as shown on Deposited Plan 26002;
Lot 3 as shown on Deposited Plan 26158;
Lot 21 as shown on Deposited Plan 28323;
Lot 104 and Lot 105 as shown on Deposited Plan 29400;
Lot 300 as shown on Deposited Plan 30750;
Lot 98 as shown on Deposited Plan 30975;
Lot 500 and Lot 501 as shown on Deposited Plan 31687;
Lot 403 as shown on Deposited Plan 34123;
Lot 644 as shown on Deposited Plan 89946;
Lot 393 as shown on Deposited Plan 100356;
Lot 391 as shown on Deposited Plan 100368;
Lot 91 as shown on Deposited Plan 110072;
Lot 755 and Lot 759 as shown on Deposited Plan 143220;
Lot 628 as shown on Deposited Plan 143378;
Lot 717 and Lot 720 as shown on Deposited Plan 143550;
Lot 53 as shown on Deposited Plan 143626;
Lot 51 as shown on Deposited Plan 143685;
Lot 892 as shown on Deposited Plan 143520;
Lot 896 as shown on Deposited Plan 143731;
Lot 1 as shown on Deposited Plan 156235;
Lot 937 as shown on Deposited Plan 156249;
Lot 961 as shown on Deposited Plan 156655;
Lot 962 as shown on Deposited Plan 156709;
Lot 964 as shown on Deposited Plan 156711;
Lot 367 as shown on Deposited Plan 159226;
Lot 1696 as shown on Deposited Plan 166976;
Lot 1961 as shown on Deposited Plan 170691;
Lot 79 and Lot 80 as shown on Deposited Plan 173957;
Lot 3460 as shown on Deposited Plan 187511;
Lot 734, Lot 735, Lot 739, Lot 748, Lot 749 and Lot 753 as shown on Deposited Plan 202158;
Lot 782 and Lot 783 as shown on Deposited Plan 202164;
Lot 796 as shown on Deposited Plan 202177;
Lot 811 and Lot 812 as shown on Deposited Plan 202178;
Lot 821 and Lot 837 as shown on Deposited Plan 202184;
Lot 844 and Lot 861 as shown on Deposited Plan 202197;
Lot 846 and Lot 870 as shown on Deposited Plan 202198;
Lot 9, Lot 10, Lot 15 and Lot 16 as shown on Deposited Plan 202203;

Lot 22 and Lot 23 as shown on Deposited Plan 205160;
Lot 1848 as shown on Deposited Plan 208872;
Lot 191 as shown on Deposited Plan 250052;
Lot 447 as shown on Deposited Plan 251843;
Lot 325 as shown on Deposited Plan 252549;
Lot 635 as shown on Deposited Plan 252552;
Lot 570 as shown on Deposited Plan 252554;
Lot 1473 as shown on Deposited Plan 252568;
Lot 673 as shown on Deposited Plan 253589;
Lot 430 as shown on Deposited Plan 254939;
Lot 352 as shown on Deposited Plan 255685;
Lot 353 as shown on Deposited Plan 255686;
Lot 354 as shown on Deposited Plan 255708.

SCHEDULE "D"

All those portions of land being—

Portion of Canning Location 506 as shown on Certificate of Title Volume 1507 Folio 280;
Portion of Canning Location 506 as shown on Certificate of Title Volume 1810 Folio 75;
Portion of Canning Location 507 as shown on Certificate of Title Volume 1809 Folio 854;
Portion of Canning Location 838 as shown on Certificate of Title Volume 472 Folio 192A;
Portion of Canning Location 838 as shown on Certificate of Title Volume 1838 Folio 876;
Lot 1 as shown on Certificate of Title Volume 1102 Folio 577;
Lot 2 as shown on Certificate of Title Volume 2004 Folio 435;
Lot 4 as shown on Certificate of Title Volume 1809 Folio 854;
Lot 12 as shown on Certificate of Title Volume 2080 Folio 157.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967

Surrender of Exploration Permit WA-242-P

The surrender of Exploration Permit No. WA-242-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

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

MP402*

State of Western Australia
PETROLEUM ACT 1967

GRANT OF RENEWAL OF EXPLORATION PERMIT NO. EP380 (R2)

Renewal of Exploration Permit EP380 (R2) has been granted to Amadeus Petroleum NL., Level 10, 19 Pier Street, Perth, WA and Jagen Nominees Pty Ltd., 9 Oxford Street, South Yarra, VIC to have effect from and including 19 July, 2004 for a period of five years.

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

MP403

MINING ACT 1978
INSTRUMENT OF EXEMPTION

The Minister for State Development, pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby exempts all areas of land as described in the schedule hereunder (not being private land or land that is the subject of a mining tenement or an application therefor) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Schedule***Location: Doctors Creek—West Kimberley Mineral Field***

Plan	Primary Number	Graticular Sections
Broome	981	f, l, m, q
Formerly comprised in late Exploration Licence 04/1106		

Plan	Primary Number	Graticular Sections
Broome	1053	k
	1054	f, l, m, q, r, s, w, x, y
	1126	c, d, e
	1127	a

Formerly comprised in late Exploration Licence 04/1113

Dated at Perth this 16th day of July 2004.

CLIVE BROWN MLA, Minister for State Development.

MP404**MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Industry and Resources,
Coolgardie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Act 1978 notice is hereby given that the following Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz, failure to meet the minimum expenditure requirement.

R. H. BURTON (SM), Warden.

To be heard in the Warden's Court at Coolgardie on the 13th September, 2004.

COOLGARDIE MINERAL FIELD**Prospecting Licences**

15/4349—Allen, Royce William
15/4350—Allen, Royce William

MP405**MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Industry and Resources,
Coolgardie WA 6430.

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

R. H. BURTON (SM), Warden.

To be heard in the Warden's Court at Coolgardie on the 13th September, 2004.

COOLGARDIE MINERAL FIELD**Prospecting Licence**

15/3607—Scorpion Mining Pty Ltd

PLANNING AND INFRASTRUCTURE

PI401*

MIDLAND REDEVELOPMENT ACT 1999
MIDLAND REDEVELOPMENT SCHEME AMENDMENT NO.1

Public Comment Invited

The Minister for Planning and Infrastructure has approved for advertising the Midland Redevelopment Scheme Amendment No. 1.

Comments are now invited on the scheme amendment, which is available for inspection at the following locations between 9 am and 4:30 pm on weekdays—

- City of Swan Administration Centre, Morrison Road (cnr Old Great Northern Highway), Midland
- Midland Public Library, 45 Helena Street, Midland
- Midland Redevelopment Authority office, Railway Institute Building, cnr Yelverton Drive and Helena Street, Midland.

Copies of the Scheme can be bought for \$10 at the MRA office.

Written submissions should be addressed to—

Chief Executive Officer
Midland Redevelopment Authority
PO Box 1335
MIDLAND WA 6936

The closing date for submissions is 30 July 2004.

PI402*

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

Shire of Augusta-Margaret River

Town Planning Scheme No. 11—Amendment No. 135

Ref: 853/6/3/8 Pt 135

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 15 July 2004 for the purpose of—

1. Rezoning Portion of Lot 100 Cowaramup Bay Road, Cowaramup from “Rural” to “Special Use - Resort.”
2. Adding the following text to Schedule III - Special Use Sites of the Scheme Text—

Schedule III: Special Use Sites	
Lot	Permitted Uses (see Clause 4.8) / Development Requirements
Portion Lot 100 Cowaramup Bay Road, Cowaramup	<p>Development of the land shall be generally in accordance with the Development Guide Plan dated 17 November 2003 and attached to the Scheme Amendment Report.</p> <p>2.1 The following are ‘Permitted Uses’ (‘P’):</p> <ul style="list-style-type: none"> • Hotel. • Caretaker’s Dwelling. • Reception Centre. • Private Recreation. • Health Studio. • Place of Public Worship <p>2.2 Council may only exercise discretion and grant approval of any other uses if such uses are incidental to the predominant use of the land, generally in accordance with the endorsed Development Guide Plan referred to in Clause 1 and the intended use of the site as a tourist resort.</p> <p>2.3 All accommodation on the site (with the exception of a ‘Caretaker’s Dwelling’), in particular the ‘Hotel’ which comprises separate ‘Tourist Accommodation Units’, is restricted to ‘Short Stay’ tourist accommodation. ‘Short Stay’ means the occupation of any tourist accommodation by any individual person for a period not exceeding 3 months in any one 12 month period.</p>

Schedule III: Special Use Sites

Lot	Permitted Uses (see Clause 4.8) / Development Requirements
	<p>3. In considering any proposal for development, the following shall be addressed to the satisfaction of Council—</p> <ul style="list-style-type: none"> • Nutrient management. • Stormwater management. • Effluent disposal. • Water supply. • Vehicle movement, access and parking, including the intended means of entry to the site and arrangements to ensure legal and physical access to the site will be available in perpetuity. • Pedestrian movement and access. • Fire management. • Built form, including building materials, height, setbacks, colours and roof pitch and energy efficient design. • The retention and protection and where possible, the enhancement of native and remnant vegetation. • At the time of development, the proponent is to implement the adopted Fire Management Plan. <p>4. Prior to considering any Application for Planning Approval, the Council may require the submission of the following information to demonstrate how the issues listed in Item 3, above, will be addressed—</p> <ul style="list-style-type: none"> • The location and size of Building Envelopes and Building Zones, to be shown on the Development Guide Plan. • Nutrient Management Plan. • Stormwater Management Plan and Drainage Strategy. • Infrastructure and Servicing Plan. • Landscape Enhancement Plan, showing details of all proposed planting, existing vegetation to be retained and measures to protect existing remnant vegetation. • Building Design Guidelines, including details of building heights, materials, colours, roof pitch and solar design principles. • Compliance with Council's Policy PE 31 – 'Dams and Watercourses', in particular the rehabilitation of watercourses and riparian vegetation. <p>5. Building Height.</p> <p>5.1 All buildings within the proposed development shall comprise a maximum of two storeys or eight metres measured in accordance with Council Policy.</p> <p>5.2 The height of individual buildings, and means of calculating building height, shall be specified in the Building Design Guidelines required to be prepared pursuant to Clause 4, above.</p> <p>6. Building Setbacks.</p> <p>6.1 Notwithstanding the requirement of Special Provisions 3 and 4, above, to address and provide information pertaining to building setbacks, in the case of buildings abutting the north-western boundary of the land, nil setbacks may be permitted.</p> <p>6.2 Elsewhere, building setbacks shall be determined in accordance with Special Provisions 3 and 4.</p> <p>7. Finished Floor Levels</p> <p>All development on the western boundary of the site and located within the 1 in 100 year flood level of the dam shall have a Finished Floor Level of 15.2 metres AHD.</p> <p>8. Building Zones for Short Stay Tourist Accommodation.</p> <p>8.1 The 'Lakeside Tourist Accommodation Units' and 'Bushland Retreat Tourist Accommodation Units' shall be located and wholly contained within the 'Building Zones' shown on the endorsed Development Guide Plan.</p>

Schedule III: Special Use Sites	
Lot	Permitted Uses (see Clause 4.8) / Development Requirements
	<p>8.2 The total number of 'Tourist Accommodation Units' to be built in both the 'Building Zones' shall not exceed 25.</p> <p>8.3 Each 'Tourist Accommodation Unit' may comprise of up to four separate accommodation units providing that the building complies with the Special Provisions of Town Planning Scheme No. 11.</p> <p>9. Council will not support any strata title proposal in accordance with Council's Tourism Policy and as per the undertaking from the proponent not to strata title the development.</p> <p>10. Notwithstanding the requirement to prepare an Infrastructure and Servicing Plan, pursuant to Clause 4, above, the proposed development shall be connected to a reticulated water supply and sewerage system provided by the Water Corporation or by some other approved service provider as determined by the Office of Water Policy.</p>

3. Amending the Scheme Map and Legend accordingly.

N. DORNAN, President.
J. TRAIL, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
Town Planning Scheme No. 11—Amendment No. 138

Ref: 853/6/3/8 Pt 138

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 16 July 2004 for the purpose of rezoning Lot 6 Peake Street Cowaramup from "Residential R10/15" to "Local Shopping" zone as depicted on the amending map adopted by the Council of the Shire of Augusta-Margaret River.

N. DORNAN, President.
J. TRAIL, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Rockingham
Town Planning Scheme No. 1—Amendment No. 367

Ref: 853/2/28/1 Pt 367

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 Rockingham Town Planning Scheme Amendment on 20 July 2004 for the purpose of—

1. Rezoning Lot 11 Clyde Avenue, Baldivis from Rural to Development Zone as depicted on the Scheme Amendment Map.
2. Incorporating Lot 11 Clyde Avenue, Baldivis under Table IX—Environmental Conditions relating to the subject land.
3. Amending the Scheme Map by inserting the symbol EC to demonstrate that Environmental Conditions apply to the subject land and amending the Scheme Map accordingly.

B. SAMMELS, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Wyndham-East Kimberley
 Town Planning Scheme No. 7—Amendment No. 8

Ref: 853/7/5/9 Pt 8

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 Wyndham-East Kimberley Town Planning Scheme Amendment on 15 July 2004 for the purpose of reclassifying a portion of King Location 514 from "Special Foreshore Reserve" to "Rural Agriculture 1" Zone.

B. JOHNSON, President.
 C. ADAMS, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Stirling
 District Planning Scheme No. 2—Amendment No. 445

Ref: 853/2/20/34 Pt 445

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Stirling Town Planning Scheme Amendment on 20 July 2004 for the purpose of rezoning Lot 53, HN 148 Bradford Street, Yokine, from "Business" to "Medium Density Residential R40".

D. C. VALLELONGA, Mayor.
 L. DELAHAUNTY, Chief Executive Officer.

POLICE

PO501*

POLICE ACT 1892
 POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and forfeited property and bicycles will be sold by public auction Ross's Sales & Auctions, 241 Railway Parade, Maylands on Wednesday 11th August 2004 at 10.00 am.

The auction is to be conducted by Mr Brad Buckle, Mr. Craig Edwards, Mr. Kevin Grickage.

K. O'CALLAGHAN, Commissioner of Police,
 Western Australia Police Service.

PREMIER AND CABINET

PC401

PUBLIC SECTOR MANAGEMENT ACT 1994
 CHIEF EXECUTIVE OFFICER APPOINTMENTS

I, Geoffrey Ian Gallop, Minister for Public Sector Management, notify that I have not recommended the reappointment of—

Agency	Title	Name of Current Occupant
Workers' Compensation and Rehabilitation Commission	Executive Director	Mr Harry Neesham

This notice is made in accordance with section 48(2)(b) of the *Public Sector Management Act 1994*.

Dr GEOFF GALLOP MLA, Premier and
 Minister for Public Sector Management.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the 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			
10353	Bibroy Investments Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Yanchep and known as Yanchep Cellars	11/08/2004
10355	Li Hua Viroch Wei and Terry Wei and Lay Huong Heng	Application for the grant of a Restaurant licence in respect of premises situated in City Beach and known as Tamarind Asian Cuisine City Beach	29/07/2004
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
20902	C-Bear Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Kalbarri and known as Kalbarri Cellars.	10/08/2004
20842	Australian Leisure and Hospitality Group Limited	Application for the grant of an extended trading permit – ongoing extended hours, in respect of premises situated in Cannington and known as Foundry Pub Grill.	03/08/2004
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
199981	Fawn Holdings Pty Ltd	Application to vary licence conditions to sell liquor whether or not races or trials are being held in respect of premises situated in East Perth and known as Gloucester Park Trotting Complex.	04/08/2004
199923	Evening Star Investments Pty Ltd	Application to vary trading conditions to remove the condition on the extended trading permit that only authorises the sale of liquor for consumption ancillary to a meal, by patrons who are seated at a table in respect of premises situated in Kalgoorlie and known as The Tower Hotel.	04/08/2004

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

Dated: 21 July 2004.

H. R. HIGHMAN, Director of Liquor Licensing.

TRANSPORT

TR402*

WESTERN AUSTRALIAN MARINE ACT 1982

CLOSURE OF NAVIGABLE WATERS

Shire of Busselton

Geographe Bay

Department for Planning and Infrastructure
Fremantle WA, 23 July 2004.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, the department hereby closes the following waters to navigation by all craft until further notice—

Busselton Snorkel Trail—All the waters of Geographe Bay bounded by lines commencing at a Point A (115° 18.9215'E, 33° 39.1558'S, the northern point of the groyne between Bower Road

and Craig Street), thence northwards for a distance of 50m to Point B (115° 18.9215'E, 33° 39.1288'S), thence eastwards for a distance of 100m to Point C (115° 18.9195'E, 33° 39.1288'S), thence southwards to the foreshore (the High Water Mark), thence generally westwards along the foreshore to the starting Point A. All coordinates based on GDA 94.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS

WATER SKI AREA

Shire of Donnybrook/Balingup

Glen Mervyn Dam

Department for Planning and Infrastructure
Fremantle WA, 23 July 2004.

Acting pursuant to the powers conferred by Section 48A of the Navigable Waters Regulations the department by this notice sets aside the following area of Navigable Water for the purpose of Water Skiing—

GLEN MERVYN DAM: All the waters of Glen Mervyn Dam bounded by lines commencing at a point on the western foreshore 250 metres north of the dam head, extending across the dam to the eastern foreshore at a point 300 metres north of the dam head; thence extending in a northerly direction across the eastern arm of the dam to a point on the foreshore thence following along the foreshore to the start point.

All water skiing within this area shall be in an anti-clockwise direction and no person shall engage in water skiing except between the hours of Sunrise and Sunset. Bathing shall be prohibited therein.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

PUBLIC NOTICES

ZZ101

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 2897 of *Government Gazette* No. 126 dated 16 July 2004 and is corrected as follows.

On page 2898 delete the following entries—

“Piantt, John Raymond, late of Mertome Village Hostel Winifred Road Bayswater, died 21/6/2004, (DE33027830EM32)

Spasheti, Mabel Maude, late of Unit 6/36 King William Street Bayswater, died 12/6/2004, (DE19793621EM15)”

and insert—

“ Pianta, John Raymond, late of Mertome Village Hostel Winifred Road Bayswater, died 21/6/2004, (DE33027830EM32)

Spashett, Mabel Maude, late of Unit 6/36 King William Street Bayswater, died 12/6/2004, (DE19793621EM15) ”.

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their

claims to me on or before the 23rd August 2004 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Collier, Isabel Alice, late of 16A Success Crescent, Salter Point, died 3/7/04, (DE19872581EM34)

Dey, William John, late of Unit 13/56 Moondine Drive, Wembley, died 7/7/04, (DE33029444EM35)

Edmonds, Henry, late of Unit 470, 118-120 Monash Avenue, Nedlands, died 4/7/04, (DE19882398EM26)

Elliott, Lesley Leona, late of Ocean Star Hostel, Ocean Drive, Bunbury, died 15/4/04, (DE19790112EM36)

Gibbs, Norma Winifred, late of 29 Gardner Street, Como, died 7/3/03, (DE30315274EM12)

Ginger, Ruby, late of Yulanya Residential Care Facility, Morgan Street, Port Hedland, died 26/11/00, (DE31055718EM27)

Hepworth, Phyllis Lillian, late of 43 Flinders Street, Yokine, died 11/6/04, (DE19742173EM13)

Hogan, John, late of 201 Grand Promenade, Doubleview, died 20/6/04, (DE19782957EM27)

Jones, Janet Ann, late of 104 Kitchener Road, Alfred Cove, died 18/8/03, (DE33031689EM27)

Knight, John Edward, late of 40 Canavan Crescent, Manning, died 3/7/04, (DE19712762EM12)

McMahon, Kevin James, late of 29 Hughenden Drive, Thornlie, died 24/6/04, (DE19894564EM34)

Pearce, Edward Leslie, late of 95 Adelaide Street, Busselton, died 6/6/04, (DE19880934EM110)

Peters, John Victor, late of 344B Wanneroo Road, Nollamara, died 18/6/04, (DE19872937EM17)

Pratt, Colin Victor, late of 18 Edmund Way, Calista, died 5/5/04, (DE19870828EM110)

Saunders, John Gabour also known as Saunders, John Gabor, late of 5A Lennard Street, Marmion, died 3/6/04, (DE33032165EM42)

Thomas, Billy also known as Thomas, Bit Bit, late of Yulanya Residential Care Facility, Morgan Street, Port Hedland, died 16/5/03, (DE33025115EM17)

Weaver, James Paul, late of Fairholme Hostel, 39 Market Street, Guildford, died 1/10/03, (DE30223455EM16)

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

WESTERN AUSTRALIA

**PUBLIC TRANSPORT AUTHORITY
ACT 2003**

**Price: \$14.20 counter sales
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*Prices subject to change on addition of amendments.

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