

**WESTERN
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Gazette**



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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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- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

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JOHN A. STRIJK, Government Printer.

— PART 1 —

ENERGY

EG301*

Gas Corporation Act 1994

Gas Corporation (Waiver of Obligations) Notice 2000

Made under section 96A(2) by the Minister for Energy.

1. Citation

This notice may be cited as the *Gas Corporation (Waiver of Obligations) Notice 2000*.

2. Certain obligations of board waived

The board of directors of the Gas Corporation is relieved from compliance with its obligations under —

- (a) section 44 of the *Gas Corporation Act 1994*; and
- (b) section 53 of the *Gas Corporation Act 1994*.

3. Certain obligations of corporation waived

The Gas Corporation is relieved from compliance with its obligations under —

- (a) section 62 of the *Gas Corporation Act 1994*;
- (b) the former Schedule 6 clause 5(1)(c) and (d) of the *Gas Corporation Act 1994* as continued by the *Gas Pipelines Access (Western Australia) Act 1998* Schedule 3 clause 31;
- (c) section 92(c) and (d) of the *Gas Corporation Act 1994*, which were substituted for Schedule 6 clause 5(1)(c) and (d) when they were repealed; and
- (d) the former *Gas Distribution Regulations 1996* regulation 19(1)(b) as continued by the *Gas Pipelines Access (Western Australia) Act 1998* Schedule 3 clause 31.

C. J. BARNETT, Minister for Energy.

LAND ADMINISTRATION

LA301*

Strata Titles Act 1985

**Strata Titles General Amendment
Regulations 2000**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Strata Titles General Amendment Regulations 2000*.

2. Schedule 3 amended and transitional provision

- (1) Schedule 3 to the *Strata Titles General Regulations 1996** is amended by deleting Form 28 and inserting the following form instead —

“

FORM 28**DISCLOSURE STATEMENT****SALE OF STRATA TITLED LOT OR PROPOSED STRATA TITLED LOT**Section 69 *Strata Titles Act 1985***FOR SELLER'S INFORMATION**

1. The information incorporated in this statement —
 - must be given to a prospective purchaser of a strata titled lot before the prospective purchaser makes an offer to purchase, accepts an offer to sell or enters into a contract to purchase the strata titled lot; and
 - may be given in the form of this statement or may be incorporated in the contract of sale of the strata titled lot.
2. This statement applies to the sale of a lot on a strata plan or a survey-strata plan.
3. If certain changes occur in relation to the strata company, the strata/survey-strata plan or the common property (as set out in section 69C(3) of the *Strata Titles Act 1985* and mentioned in Form 29), before settlement, you must give notice in writing of those changes to the prospective purchaser as soon as you become aware of those changes.
4. Failure to give this statement or incorporate the information in the contract of sale or failure to notify of any changes may give the prospective purchaser the right to terminate the contract. Exercise of this right by the prospective purchaser is restricted if this statement or notification of any changes was given at any time before settlement.

Parts 1 and 3 must be completed in every sale of a strata titled lot or proposed strata titled lot.

Part 2 must be completed where the strata titled lot or proposed strata titled lot is being sold by the original proprietor, in any of the cases listed in Part 2.

FOR PURCHASER'S INFORMATION

1. The land to which this statement relates, and any ensuing contract of sale, is part of a strata titled scheme which is governed by the *Strata Titles Act 1985*.
2. You should read the information incorporated in this statement as it —
 - identifies the lot which you are proposing to purchase; and
 - sets out what your rights and obligations will be in relation to the lot if you purchase the lot.
3. You may have a right to terminate the contract to purchase the lot if —
 - before entering into the contract, you were not given this statement or the information in this statement was not incorporated into the contract; or
 - certain changes occur in relation to the strata company, the strata/survey-strata plan or the common property (as set out in section 69C(3) of the *Strata Titles Act 1985* and mentioned in Form 29) before settlement and you have not been given notice in writing of those changes.
4. Your right to terminate the contract is restricted if this statement or notification of any changes was given at any time before settlement.
5. If you are uncertain as to any of these matters you should obtain independent advice from a lawyer or other expert before signing any offer to purchase, accepting an offer to sell or entering into a contract to purchase the lot.

**PART 1 — COMPULSORY DISCLOSURE OF INFORMATION
BY EVERY VENDOR**

Particulars of purchaser and strata company

Description of lot to be sold: loton *strata/survey-strata plan no. ...

Street address of lot.....

Name of prospective purchaser(s)

Purchaser's address.....

Name of Scheme (Building)

*Address of strata company / name and address of agent
(for obtaining section 43 certificate or inspection of records of strata company)

.....

.....

Contact person (if known) Telephone.....

(* Delete whichever is inapplicable)

Information in relation to Lot, Strata/Survey-strata scheme

The following documents must be attached to this statement:

1. A copy of Form 29 entitled "Buying and Selling a Strata Titled Lot".
The standard by-laws are set out in or attached to Form 29.
See Attachment No. 1.
2. A copy of the registered or proposed strata/survey-strata plan with the lot to be purchased clearly identified and drawing attention to any information on the plan which relates especially to the lot.
See Attachment No. 2.
3. A statement of the unit entitlement or proposed unit entitlement of all lots in the scheme or proposed scheme and the aggregate or proposed aggregate unit entitlement. This statement may be —
 - included in the attached copy of the registered or proposed strata/survey-strata plan — see Attachment No. 2; or
 - a separate statement — see Attachment No. 3.
4. A copy of all non-standard strata company by-laws —
 - in the case of an existing scheme, that have been recorded on the strata/survey-strata plan or have been passed by the strata company within the previous 3 months and not yet recorded on the strata/survey-strata plan; or
 - in the case of a proposed scheme, that are proposed to apply to the scheme,
including, where applicable, a Schedule 2A Management Statement.
See Attachment No.

**PART 2 — DISCLOSURE BY ORIGINAL PROPRIETOR
WHEN STRATA LOT SOLD FOR FIRST TIME**

Part 2 must be completed only where the original proprietor is the vendor and —

- *the strata titled lot being purchased is on a strata/survey-strata plan that has not been registered; or*
- *if the first annual general meeting of the strata company has not been held by the original proprietor; or*
- *if the original proprietor is the owner of 50% or more of the lots in the strata/survey-strata scheme; or*
- *if the original proprietor has 50% or more of the aggregate unit entitlement in the strata/survey-strata scheme.*

Additional information in relation to strata/survey-strata scheme

1. Agreements for provision of amenities, management or other services

Have either of the strata company or the original proprietor entered into, or propose to enter into, any management agreement, service or maintenance agreement or other agreement for the provision of any amenity or service to the strata company or to any part of the common property or any lot?

YES [] NO []

If yes —

- give details of the terms and conditions of every such agreement, the consideration for it and the estimated costs to the proprietor of the lot.

.....
.....

OR

- attach copies of the agreements — see Attachment No.

2. Pecuniary interest in agreements

Does the original proprietor have any direct or indirect pecuniary interest, other than as a proprietor of a lot, in any of the agreements referred to in question 1?

YES [] NO []

If yes —

- give details of the pecuniary interest(s)

.....

OR

- attach details — see Attachment No.

3. Estimated strata company receipts and expenditure

Attach a copy of the estimated receipts and expenditure of the strata company for the 12 month period from the later of —

- the day of registration of the strata/survey-strata plan; or
- the day of the last Annual General Meeting or, if none has been held during the 15 months preceding the date of the contract, from the settlement date stated in the contract.

See Attachment No.

4. Administrative Fund of the strata company

Is there an administrative fund or proposed administrative fund?

YES [] NO []

If yes, the contribution or proposed contribution for the Lot, under section 36(1) of the *Strata Titles Act 1985*, is \$ per annum, which is payable —

- [] annually
 [] by half-yearly instalments of \$
 [] by quarterly instalments of \$
 [] otherwise (please specify)

5. Reserve fund of the strata company

Is there a reserve fund or a proposed reserve fund?

YES [] NO []

If yes, the amount of the contribution or proposed contribution for the Lot, under section 36(2) of the *Strata Titles Act 1985*, is \$ per annum, which is payable —

- [] annually
 [] by half-yearly instalments of \$
 [] by quarterly instalments of \$
 [] otherwise (please specify)

6. Proposed lease, licence, exclusive use or special privilege

Have either of the strata company or the original proprietor granted or propose to grant any lease, licence, right of exclusive use or special privilege over the common property or any part of it to the purchaser or any other person?

YES [] NO []

If yes —

- give details of each lease, licence, right of exclusive use or special privilege, or proposed lease, licence, right of exclusive use or special privilege.

.....

OR

- attach copies of each lease, licence, right of exclusive use or special privilege or proposed lease, licence, right of exclusive use or special privilege — see Attachment No.....

PART 3 — ACKNOWLEDGMENT OF RECEIPT OF NOTIFIABLE INFORMATION

Statement by Vendor(s)

Name(s)

.....

Address(es).....

.....

*I/We, the Vendor(s), hereby certify that the notifiable information in relation to the Strata lot as described in Part 1 of this form, as required by section 69 of the *Strata Titles Act 1985*, has been given to —

- * the prospective purchaser(s); or
- * the listing agent to provide it to the prospective purchaser(s),

before the offer or contract to purchase this property was signed by the purchaser.

*I/We authorize the prospective purchaser(s) to inspect the records of the strata company.

Vendor(s) signature(s)

Date

(* Delete whichever is inapplicable)

Acknowledgment by prospective purchaser(s)

*I/We, the prospective purchaser(s) described in Part 1 of this form, acknowledge that *I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a strata titled lot, but only provides information to *me/us.

Prospective purchaser(s) signature(s).....

Date

(* Delete whichever is inapplicable)

Statement by selling agent

I, (name of agent),

of (name of firm),

as selling agent, hereby certify that the notifiable information for this property, as provided by the vendor, has been given to the prospective purchaser(s).

Selling agent's signature

Date

(2) Despite subregulation (1) the Form 28 deleted by that subregulation is taken to continue to be prescribed for the purposes of section 69 of the Act until the day 3 months after these regulations commence.

”

[* Reprinted as at 11 February 1997.
For amendments to 10 March 2000 see 1998 Index to
Legislation of Western Australia, Table 4, p. 294, and
Gazette 18 June 1999.]

By Command of the Governor,

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

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

City of Geraldton

DOGS LOCAL LAW

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the City of Geraldton, resolved on 22 February 2000, to make the following Local Laws.

The Shire of Moora Dogs Local Law as published in the *Government Gazette* on 29 November 1999, is adopted as a Local Law of the City of Geraldton with the modifications which follow—

1. Preliminary

Wherever the Shire of Moora is mentioned in the Local Law substitute “City of Geraldton”.

2. Clause 1.2—Repeal

Delete Clause 1.2 and substitute—

“1.2 The By-laws relating to dogs adopted on 12 July 1972 and amended from time to time are hereby repealed”.

3. Clause 5.1—Places where Dogs are Prohibited Absolutely

Insert the following paragraph—

“(e) the following breached—

(i) Swan Drive north to Triton Place—

Pages Beach, east to groyne to and including the wharf and yacht club”.

4. Clause 5.2—Places which are Dog Exercise Areas

In clause 5.2(i) delete paragraphs (a), (b) and (c) and substitute—

“(a) North from Triton Place carpark to Council boundary; north of Elphick Avenue to Chapman River mouth; and lighthouse to 150m north of Surf Lifesaving Club.

(b) Eadon Clarke Reserve”.

Dated at Geraldton this 29th day of February 2000.

The Common Seal of the City of Geraldton was affixed by the Authority of a resolution of the Council in the presence of—

P. G. COOPER, Mayor.
N. W. WILSON, Acting Chief Executive Officer.

MINERALS AND ENERGY

MN301*

Mining Act 1978

Mining Amendment Regulations (No. 3) 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining Amendment Regulations (No. 3) 2000*.

2. The regulations amended

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

[* Reprinted as at 18 March 1996.

For amendments to 13 March 2000 see 1998 Index to Legislation of Western Australia, Table 4, pp. 215-16, and Gazette 11 June, 18 June and 19 November 1999 and 21 January and 8 February 2000.]

3. Regulation 86AA amended

Regulation 86AA(5a) and (5b) are repealed.

4. Regulation 86F replaced

Regulation 86F is repealed and the following regulation is inserted instead —

“

86F. Royalty relief

(1) Despite anything in regulation 86 or 86AA, if the Minister is satisfied in a particular case that there are circumstances justifying royalty relief, the Minister may determine that in that case the rate of royalty payable —

- (a) under regulation 86, for any mineral produced or obtained while the determination is expressed to apply; or
- (b) under regulation 86AA, for gold metal produced while the determination is expressed to apply,

is to be on the basis of a portion only, as specified in the determination, of the royalty base.

(2) Despite regulation 86A, a determination under subregulation (1) may also specify the time and manner of payment of royalties.

- (3) In this regulation —
- “**circumstances justifying royalty relief**” means circumstances that meet criteria for the giving of royalty relief that the Minister has published in the *Gazette*;
- “**gold metal**” has the same meaning as it has in regulation 86AA(11);
- “**royalty base**” means —
- (a) in the case of gold metal, the realized value of the gold metal in respect of which the rate of royalty is payable;
 - (b) in the case of any other mineral, anything by reference to which regulation 86 fixes the rate of royalty payable for that mineral.

”.

By Command of the Governor,

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

PARLIAMENT

PA301*

LOCAL GOVERNMENT ACT 1995

DISALLOWANCE OF LOCAL LAWS

City of Kalgoorlie-Boulder—Sewerage and Drainage Local Laws

It is hereby notified for public information that the Legislative Council has disallowed the following Local Laws made under the *Local Government Act 1995*—

City of Kalgoorlie-Boulder—Sewerage and Drainage Local Laws, published in the *Gazette* on October 27 1999, and tabled in the Legislative Council on November 9 1999 under the *Local Government Act 1995*.

Disallowance is effective on and from Wednesday, April 5 2000.

Dated 11 April 2000.

L. B. MARQUET, Clerk of the Parliaments.

STATE REVENUE

SX301*

Land Tax Assessment Act 1976

Land Tax Assessment Amendment Regulations 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Land Tax Assessment Amendment Regulations 2000*.

2. Regulation 8 amended

After regulation 8(d) of the *Land Tax Assessment Regulations 1976** the following paragraph is inserted —

“

- (da) the Broome Port Authority established by section 4 of the *Port Authorities Act 1999*;

”.

[* Reprinted as at 26 November 1999.]

By Command of the Governor,

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

WATER

WA301*

Water Agencies (Powers) Act 1984

Country Areas Water Supply Amendment By-laws 2000

Made by the Minister for Water Resources under section 34(1) of the Act.

1. Citation

These by-laws may be cited as the *Country Areas Water Supply Amendment By-laws 2000*.

2. The by-laws amended

The amendments in these by-laws are to the *Country Areas Water Supply By-laws 1957**.

3. By-law 78 amended

By-law 78 is amended by inserting after “meter” in both places where it occurs —

“ , pipe or fitting ”.

[* Reprinted as authorized 1 May 1968.

For amendments to 22 February 2000 see 1998 Index to Legislation of Western Australia, Table 4, pp. 317-23, and Gazette 29 June 1999.]

KIM HAMES, Minister for Water Resources.

— PART 2 —

FISHERIES

FI401**FISH RESOURCES MANAGEMENT ACT 1994****WEST COAST PURSE SEINE FISHERY MANAGEMENT PLAN 1989 (NOTICE)**

Clause 10 Prohibition on Fishing for Pilchards in any part of the Fishery

I, Peter Rogers, Executive Director, in accordance with clause 10 of the West Coast Purse Seine Management Plan 1989, hereby prohibit all licensed commercial fishermen from fishing for pilchards (*Sardinops neopilchardus*) in the waters of the Fishery, for the period commencing from the date of publication of this notice to the date of the proclamation of an amendment to the Plan which apportions the allowable take of pilchards by persons holding licences pursuant to the Plan, or until 1 June 2000, whichever is the sooner.

Dated this 12th day of April 2000.

P. P. ROGERS, Executive Director.

INDUSTRIAL RELATIONS

IR401**INDUSTRIAL RELATIONS ACT 1979****NOTICE OF APPOINTMENT OF INDUSTRIAL MAGISTRATE**

His Excellency the Governor has been pleased to appoint—

Stephen McKenzie Wilson

as an industrial magistrate under section 81B (2) of the Industrial Relations Act 1979 as from and including 4 April 2000.

C. L. EDWARDES, Minister for Labour Relations.

JUSTICE

JM401**JUSTICES ACT 1902**

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

Mr Andrew Bailey of 377 Barry Street, Halls Creek

Mrs Kathleen Norma Colegate of 8 Hall Street, Three Springs

Mr John Wesley Matten of Lot 1383 Preston Street, Exmouth

Mr Robert Michael Minniecon of 29 Lemonwood Way Lakeside, Kununurra

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

RICHARD FOSTER, Executive Director, Court Services.

JM402**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

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

Mr Vincent Calleja of 2 Vine Street, Albany

Mr Robert Michael Minniecon of 29 Lemonwood Way Lakeside, Kununurra

Mrs Olga Potter of Lot 204 Lynas Road, Marble Bar

Mr James Frederick Woodward of 285B Bohemia Street Marble Bar

RICHARD FOSTER, Executive Director, Court Services.

JM403*EX OFFICIO* JUSTICE OF THE PEACE

It is hereby notified for public information that Anthony Wayne Lennon has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Perth during his term of office as Shire President.

RICHARD FOSTER, Executive Director, Courts Division.

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***CITY OF COCKBURN*

INSPECTION OF BUILDINGS

Notice is hereby given pursuant to Section 420 of the Local Government (Miscellaneous Provisions) Act 1960 that the following persons are authorised to enter and inspect buildings within the City of Cockburn—

Edwin Roy O'Meara
Mario Lomma

The following persons are no longer authorised to enter and inspect buildings within the City of Cockburn—

Christopher Paul Paton
Vance Thompson
Yvonne Thuys

V. GREEN, Principal Building Surveyor.

LG402**LOCAL GOVERNMENT ACT 1995***City of Melville*

Authorised Person

It is hereby notified for public information that Craig Dominic Joakim has been appointed as an Authorised Person at the Garden City Shopping Centre Parking Station No. 10 (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Sections 9.10, 9.13 and 9.15 of the Local Government Act 1995.

JOHN McNALLY, Chief Executive Officer.

LG403**LOCAL GOVERNMENT ACT 1995***City of Melville*

Authorised Person

It is hereby notified for public information that Mark Armando Larini has been appointed as an Authorised Person at the Garden City Shopping Centre Parking Station No. 10 (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Sections 9.10, 9.13 and 9.15 of the Local Government Act 1995.

JOHN McNALLY, Chief Executive Officer.

LG404**LOCAL GOVERNMENT ACT 1995***City of Albany*

Basis of Rates

Department of Local Government,
Perth, 14 April 2000.

LG: AL 5-4.

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedules hereunder shall be gross rental values for the purposes of rating with effect from 1 July 2000.

JOHN LYNCH, Executive Director,
Department of Local Government.

SCHEDULE A

All those portions of land the subject of Office of Titles Plans 23287 and 23128.

SCHEDULE B

All those portions of land the subject of Office of Titles Diagrams 95089, 96525 and 98150.

SCHEDULE C

All those portions of land as shown below—

Lot No.	Office of Titles Plan/Diagram No.	Certificate of Title No. (Volume/Folio)
901 to 910 (incl.) Part 241	Plan 20475	2182/624

LG405

DOG ACT 1976

Shire of Cue

It is hereby notified for public information that the following persons have been appointed to administer the provisions of the Dog Act 1976 and the Dog Act Regulations 1976.

Registration Officers

Simon John Levinge Hawkins
Dianne Margaret Daniels
Christine Kay Jolly

All previous appointments are hereby cancelled.

S. J. L. HAWKINS, Chief Executive Officer.

MINERALS AND ENERGY

MN401*

PETROLEUM (SUBMERGED LANDS) ACT 1967

SURRENDER OF EXPLORATION PERMIT WA-258-P

The surrender of exploration permit WA-258-P has been registered and will take effect on the date this notice appears in the *Government Gazette*.

RICHARD CRADDOCK, Acting Director Petroleum Division.

PLANNING

PD401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF BOYUP BROOK

TOWN PLANNING SCHEME NO. 2—AMENDMENT NO. 3

Ref: 853/6/19/2, Pt 3.

Notice is hereby given that the local government of the Shire of Boyup Brook has prepared the abovementioned Scheme Amendment for the purpose of rezoning Lot 34 Bridge Road, Boyup Brook from the Residential (R15) zone to the Commercial zone.

Plans and documents setting out and explaining the Scheme Amendment have been deposited at the Council Offices, Abel Street, Boyup Brook and at the Western Australian Planning Commission, 469 Wellington Street, Perth and will be available for inspection during office hours up to and including 26 May 2000.

Submissions on the Scheme Amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 26 May 2000.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. WINTON, Chief Executive Officer.

PD402**TOWN PLANNING AND DEVELOPMENT ACT 1928**
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF SWAN

TOWN PLANNING SCHEME NO. 9—AMENDMENT NO. 367

Ref: 853/2/21/10, Pt 367.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on 5 April 2000 for the purpose of—

1. adding a new clause 2.3.17 to read as follows—

Amending or revoking a Development Approval

The Council may, on written application from the owner of land in respect of which development approval has been granted, revoke or amend the development approval, prior to the commencement of the use or development subject of the development approval.

2. deleting clause 2.3.9.1.

3. adding a new clause 2.3.9.1 to read as follows—

In determining an application for development approval the Council may—

- (c) grant its approval with or without conditions; or
- (d) refuse to grant its approval.

4. adding a new clause 2.3.18 to read as follows—

Term of development approval**2.3.18**

Where the Council grants development 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 determination; and
- (b) the approval lapses if the development has not been substantially commenced before the expiration of that period.

A written request may be made to the Council for an extension of the term of development approval at any time prior to the expiry of the approval period in subclause 2.3.18. (a)

5. adding a new clause 2.3.19 to read as follows—

Temporary development approval**2.3.19**

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

6. adding a new clause 2.3.20 to read as follows—

Approval subject to later approval of details**2.3.20**

(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 development approval of the Council. These matters may include the siting, design, external appearance of buildings, means of access, landscaping, and such other matters as the Council thinks fit.

(2) In respect of an approval requiring subsequent development approval, the Council may require such further details as it thinks fit prior to considering the application.

(3) Where the Council has granted approval subject to matters requiring the later development approval of the Council, an application for approval of these 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.

7. deleting clause 2.3.5. 1.

8. adding new clauses 2.3.5.1, 2.3.5.2 and 2.3.5.3 to read as follows, and renumbering existing clause 2.3.5.2 to 2.3.5.4—

2.3.5.1

Subject to subclause 2.3.5.2, an application for development approval is deemed to be refused if a determination in respect of that application is not conveyed to the applicant by the Council within 60 days of the receipt of the application by the Council, or within such further time as is agreed in writing between the applicant and the Council.

2.3.5.2

An application for development approval which is the subject of a notice under clause 2.3.7.2 is deemed to be refused if a determination in respect of that application is not conveyed to the applicant by the Council within 90 days of the receipt of the application by the Council, or within such further time as is agreed in writing between the applicant and the Council.

2.3.5.3

Despite an application for development approval being deemed to have been refused, the Council may issue a determination in respect of that application at any time after the expiry of the period specified in subclause 2.3.5.1 or 2.3.5.2, as the case requires, and that determination is as valid and effective from the date of determination as if it had been made before the period expired.

C. M. GREGORINI, President.
E. W. LUMSDEN, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF BOYUP BROOK

TOWN PLANNING SCHEME NO. 2—AMENDMENT NO. 1

Ref: 853/6/19/2, Pt 1.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Boyup Brook Town Planning Scheme Amendment on 9 April 2000 for the purpose of—

1. Amending the Table of Contents by deleting the word “Residences” where it occurs at 5.17 and substituting it with the word “Dwellings”.
2. Deleting existing clause 5.17 ‘Resited/Transportable Residences’ and substituting it with a new clause 5.17 ‘Resited/Transportable Dwellings’ as follows—

5.17 Resited/Transportable Dwellings

- 5.17.1 A relocated dwelling may not be transported to and placed on a lot within the district and thereafter occupied as a residential dwelling (whether in whole or in part) except with the approval of Council and in accordance with any conditions contained in such an approval.
- 5.17.2 In considering whether or not to grant approval for a relocated dwelling the Council shall have special regard to—
 - (i) the appearance and external materials of the dwelling, and any proposed alterations thereto;
 - (ii) the amenity of the locality;
 - (iii) the visual prominence of the site; and
 - (iv) all applicable statutes, local laws and regulations relating to dwelling houses applicable to both the relocated dwelling and the lot upon which it is to be located following transportation.
- 5.17.3 In granting an approval for a relocated dwelling the Council may impose conditions including conditions which—
 - (i) require the applicant or owner to obtain a special building licence in accordance with Section 399 of the Local Government Act; and/or
 - (ii) require the applicant or owner to provide a bond or bank guarantee to Council as surety for the completion of the relocated dwelling to a standard of presentation acceptable to Council within a specified time frame. Should Council require the provision of a bond, such monies so received shall be deposited in an Interest Bearing Trusts Account and upon the satisfactory completion of the necessary works, such monies owing shall be refunded.

T. J. GINNANE, President.
G. WINTON, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF BOYUP BROOK

TOWN PLANNING SCHEME NO. 2—AMENDMENT NO. 7

Ref: 853/6/19/2, Pt 7.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Boyup Brook Town Planning Scheme Amendment on 9 April 2000 for the purpose of amending the Additional Use Schedule in the Scheme Text by the addition of the following—

- Amending Schedule 3 (Special Rural Zone, Special Provisions) of the Scheme Text by the addition to clause (iv) of the Special Rural Zones Nos. 5 and 6 the following permitted use—
 “Rural Pursuit” (AA)

T. J. GINNANE, President.
G. WINTON, Chief Executive Officer.

PD405*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
 METROPOLITAN REGION SCHEME AMENDMENT NO. 999/33A
 NORTHBRIDGE URBAN RENEWAL
 NOTICE OF APPROVED AMENDMENT

File: 833-2-1-33.

The Hon Minister for Planning has approved, with modification, the abovementioned amendment to the Metropolitan Region Scheme. The Amendment (as modified) is shown on Western Australian Planning Commission plan 3.1161/2 and is effective from the date of publication of this notice in the *Government Gazette*.

The Amendment incorporates environmental conditions which have been set by the Minister for the Environment. Pursuant to section 33H of the Scheme Act, the environmental conditions have been set out, as shown below, in Schedule 1 of the Metropolitan Region Scheme Text. A copy of the complete environmental conditions entitled "Statement that a Scheme may be Implemented" No. 000542 is available from the head office of the Ministry for Planning in Perth.

The modified Amendment and incorporated environmental conditions are available for public inspection during normal office hours at the offices of the—

- Ministry for Planning
- City of Perth
- Town of Vincent
- State Reference Library

SCHEDULE 1
ENVIRONMENTAL CONDITIONS

Amendment No. and Gazettal Date	Location	Environmental Conditions
Metropolitan Region Scheme Amendment No. 999/33A (Northbridge Urban Renewal) Effective Date: 14/4/2000 Gazettal Date: 14/4/2000	Northbridge Urban Renewal Area, generally bounded by Lord Street to the east, Aberdeen Street to the south, Newcastle Street to the north and Fitzgerald Street to the west, as per MRS Amendment No. 999/33A.	Environmental Management Plans and requirements shall be prepared in accordance with the specifications set out in the Minister for the Environment's "Statement that a Scheme may be Implemented" No. 000542 published on 7 April 2000, for— <ul style="list-style-type: none"> • Soil Contamination Management Plan(s); • Soil Remediation Validation Report(s); • Groundwater Contamination Investigations; • Contaminated Groundwater Management; and • Contaminated Site Schedule. These Environmental Management Plans and requirements shall be prepared and implemented in accordance with the provisions of the Plans, to the requirements of the Western Australian Planning Commission, with the concurrence of the Department of Environmental Protection and the Water and Rivers Commission, where required by the "Statement that a Scheme may be Implemented" No. 000542.

PETER MELBIN, Secretary,
Western Australian Planning Commission.

PREMIER AND CABINET

PR401

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 following temporary appointment in the place of the Hon H. J. Cowan MLA in the period 10 to 15 April 2000 inclusive:

Minister for Commerce and Trade; Regional Development; Small Business Hon M. G. House MLA

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

PR402**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 following temporary appointment in the place of the Hon M. J. Criddle MLC in the period 11 to 19 April 2000 inclusive:

Minister for Transport Hon M. G. House MLA

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

PR403**RETENTION OF TITLE**

It is hereby notified for public information that the Governor, on behalf of Her Majesty the Queen, has approved of the retention of the title 'Honourable' by Stanley John Halden who served continuously as a member of the Legislative Council for a period in excess of thirteen years.

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

WATER

WA401**RIGHTS IN WATER AND IRRIGATION ACT 1914**

Notice under Section 13 of the Act (Regulation 14(1))

The Water and Rivers Commission has received the applications listed below to take and use surface water:

Any owner or occupier of land within 4.8 kilometres of the applicant's land and contiguous to the watercourse may object to that application.

Objections should be sent to reach myself at the Water & Rivers Commission, PO Box 261, Bunbury WA 6231 prior to 20th April 2000 by certified mail.

Any queries regarding this application should be referred to Neville Welsh on telephone 08 9721 0666, Water Resources Officer, South West Region, Water and Rivers Commission.

W. F. TINGEY, Regional Manager, South West Region.

Schedule

1. Applicant—P & M Thompson.
Property—Lot 11 Location 2287 Osmington Road, Margaret River.
Watercourse—Tributary of Margaret River.
2. Applicant—W & J Buckenara.
Property—Proposed lots 10 and 11 Sussex Location, 3049 Osmington Road, Margaret River.
Watercourse—Tributary of Margaret River.
3. Applicant—R D Harris.
Property—Sussex Location, 2914 Rosa Brook Road, Margaret River.
Watercourse—Tributary of Mowen River.

WA402**METROPOLITAN WATER AUTHORITY ACT 1982**

NOTICE OF ALTERATION OF DECLARED DRAINAGE AREA
Ellenbrook 2000 Addition

File: CV1 1999 01983 VO1

Made by the Hon Minister for Water Resources pursuant to Section 104(3).

1. The area formerly known as Metropolitan Main Drainage District No. 1, deemed, pursuant to Section 104(7) of the Metropolitan Water Authority Act 1982, to have been declared a drainage area, is referred to in this notice as "the declared drainage area".

2. Notice is hereby given that the boundaries of the declared drainage area, as altered, are, as from 14 June, 2000 to be further altered by the addition of the land shown shaded in the Schedule hereto and more particularly delineated on plan FL81-0, Sheets 3 and 4.

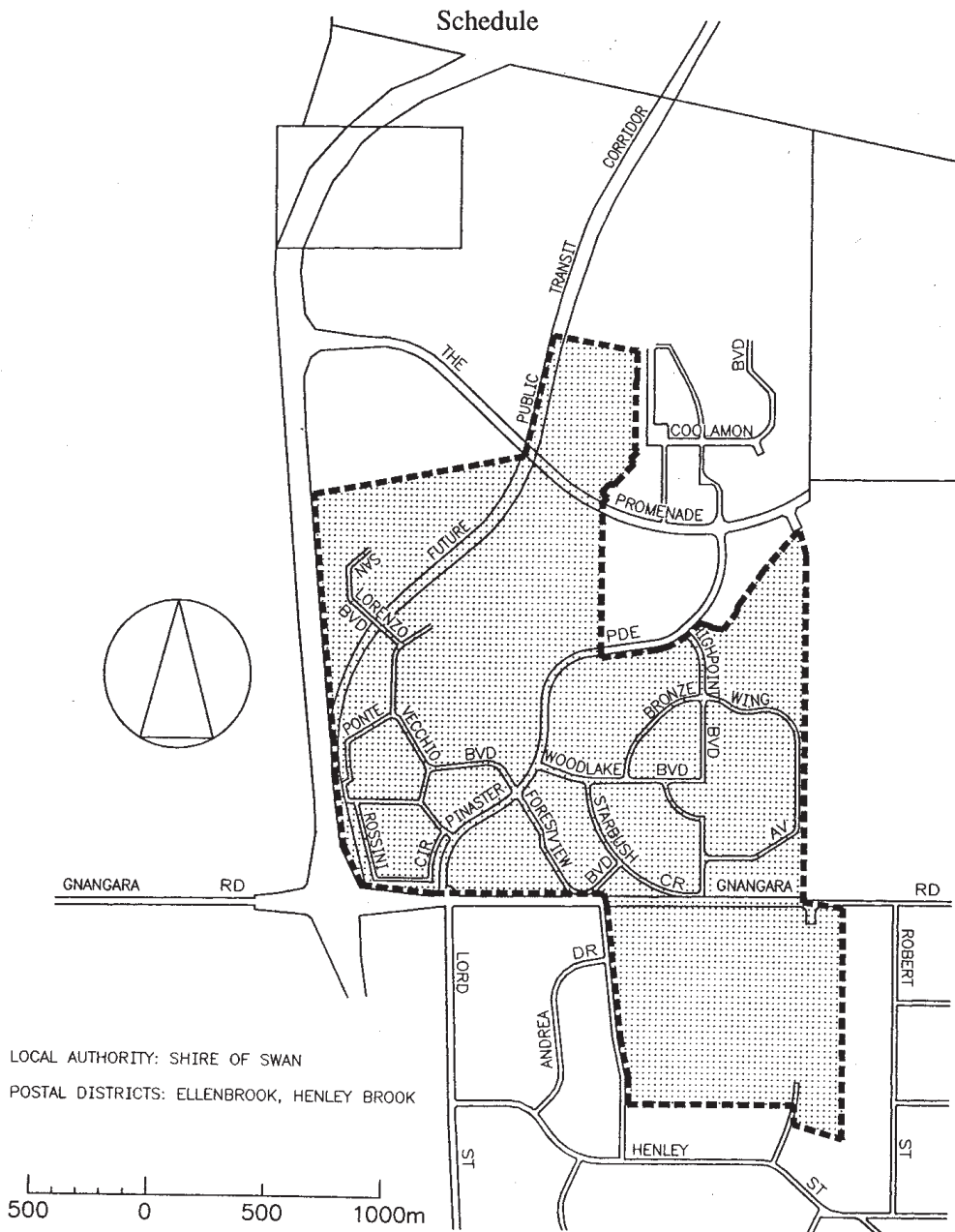
3. A person who is aggrieved by this proposal or who alleges that any land is not land which will—

- (a) benefit from; or
- (b) contribute to the need for;

the main drains as delineated on plan FL81-0, Sheet 2 may, pursuant to Section 104(4) of the Metropolitan Water Authority Act 1982, by notice in writing to the Minister within one month of the publication of this notice, object to the proposal contained herein.

Dr KIM HAMES, Minister for Water Resources.

Note: Plan FL81-1 may be inspected at the Water Corporation's Business Office at 13 South St, Canning Vale between the hours of 8.15am and 4.30pm on any working day.



In accordance with the provisions of the M.W.A. Act 1982, it is hereby notified that all rateable land situated within such portions of the declared area as altered by this Notice, shall be rated for main drainage from 1 July 2000.

J. I. GILL, Managing Director, Water Corporation.

PUBLIC NOTICES

ZZ101**PUBLIC TRUSTEE ACT 1941**

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 7th day of April 2000.

A. R. McLAREN, Public Trustee,
565 Hay Street, Perth WA 6000.

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

Feeney, Erma Gladys (DEC 323704 DP4); Como; 28/10/99; 17/3/00.
Lapham, Frank (DEC 325745 DG4); Redcliffe; 13/2/00; 17/3/00.
Mehinovic, Endy (DEC 322942 DS4); Bunbury; 10/10/99; 17/3/00.
Berryman, Michael Anthony (DEC 320366 DS4); Merredin; 27/4/99; 17/3/00.
Evennett, Leila Violet Attwood (DEC 325854 DC4); Bentley; 22/2/00; 23/3/00.
Bisco, Gino (DEC 325404 DL4); Rivervale; 17/12/99; 23/3/00.
Mehinovic, Meho (DEC 325361 DS4); Collie; 21/5/90; 23/3/00.
Fattal, Asman (DEC 324942 DG4); Tuart Hill; 13/12/99; 24/3/00.
Stroie, Teodor (DEC 320134 DP4); Kalgoorlie; 24/4/99; 27/3/00.
Stuber, Glynn (DEC 325993 DC4); Meadow Springs; 20/2/00; 27/3/00.

ZZ102**TRUSTEES ACT 1962**

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 15th May 2000 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Blay, Neville Wyndham, late of 36 Karoonda Road, Booragoon, died 16/3/2000. (DEC 326363 DP1)
Bubnich, John Peter, late of 7 Mallion Street, Embleton, died 14/3/2000. (DEC 326360 DC3)
Calver, Michael Robin, late of 198 Midland Road, Hazelmere, died 26/3/2000. (DEC 326393 DP3)
Dunstan, Peter John, late of Single Persons Quarters, Leinster, died 16/7/1999. (DEC 323000 DS3)
Fattal, Asman, late of 4/153 Banksia Street, Tuart Hill, died 14/12/1999. (DEC 324942 DG4)
Harrison, Jack, late of Craigmont Waters, Third Avenue East, Maylands, formerly of Unit 2, 72-87 Leake Street, Bayswater, died 21/3/2000. (DEC 326384 DL4)
James, Ivy, late of Bran Nue Dae Centre, Broome, died 24/10/1994. (DEC 319791 DP4)
Jetter, Peter John, late of 3 Niagara Place, Greenfields, Mandurah, died 20/12/1996. (DEC 325521 DG3)
Kerr, Gladys, late of The Second Avenue Nursing Home, 53 Second Avenue, Mount Lawley, died 7/2/2000. (DEC 325645 DG4)
Lapham, Frank, late of Lakeside Nursing Home, 68 Lyall Street, Redcliffe, died 13/2/2000. (DEC 325745 DG4)
McGregor, Margaret Gertrude, late of 42 Sanderling Drive, Thornlie, died 19/3/2000. (DEC 326306 DG2)
Nottle, Yvonne Annie, late of 27 Collier Street, Wembley, died 17/3/2000. (DEC 326365 DG3)
O'Dea, John David, late of 178 Durlacher Street, Geraldton, died 10/3/2000. (DEC 326459 DA2)
Outram, Reginald Irvine, late of 34 Tamar Street, Palmyra, died 22/3/2000. (DEC 326412 DS3)
Richards, Joyce, late of 46 Youngenup Road, Gnowangerup, died 23/3/2000. (DEC 326470 DC2)
Savage, Lucy, late of Alfred Carson Nursing Home, 30 Bay Road, Claremont, formerly of 65B North Beach Road, North Beach, died 24/2/2000. (DEC 326163 DL2)
Smith, Florence Edith, late of Howard Solomon Homes, 91 Hybanthus Road, Ferndale, formerly of Edina, Third Avenue, Kelmscott, died 15/3/2000. (DEC 326394 DS4)
Townsend, Graham Paul, late of 19 Tarongo Way, City Beach, died 14/2/2000. (DEC 326338 DA3)
Walters, Hilda Beatrice, late of Unit 5/11 Galian Way, Spearwood, died 28/3/2000. (DEC 326413 DC4)
Williams, Kathleen Vera, late of 4/49 Joseph Street, Maylands, died 23/12/1999. (DEC 324591 DG4)
Worthington, Maureen Adair, late of 11 Unwin Crescent, Salter Point, died 26/3/2000. (DEC 326383 DL3)

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

Telephone: 9222 6777.

ZZ201**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Caterina Coniglio, late of 74 Central Avenue, Maylands 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 31 January 2000 are required by the personal representative Tarquinio Salvatore Coniglio to send particulars of their claims to him care of Talbot & Oliver Barristers & Solicitors, Level 10, 55 St George's Terrace, Perth by the 26 May 2000 after which date the personal representative may convey or distribute the assets having regard to the claims of which he than has notice.

TALBOT & OLIVIER, as Solicitors for the Personal Representative.

ZZA01**PARTNERSHIP ACT 1895****NOTICE OF CHANGE IN CONSTITUTION OF PARTNERSHIP****"Burlington Hotel"**

Notice is hereby given that the partnership previously subsisting between Barnard John Cooper and Coral Elizabeth Cooper of the one part and William Ernest Mayne and Jennifer May Mayne of the other part under the style or firm name "Burlington Hotel" has been dissolved by mutual consent as from 25 February 2000. The interest of Barnard John Cooper and Coral Elizabeth Cooper in the previous partnership has been transferred to Plaza Court Pty Ltd (ACN 053 739 576) and a new partnership has been constituted between the said William Ernest Mayne and Jennifer May Mayne of the one part and Plaza Court Pty Ltd of the other part who will continue to carry on the business of the Burlington Hotel under the firm name "Burlington Hotel".

WESTERN AUSTRALIA**VICTIMS OF CRIME ACT 1994**

Price: \$2.55 Counter Sales

Plus Postage on 30 grams

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA**MINES SAFETY AND INSPECTION
ACT 1994**

Price: \$12.35 Counter Sales

Plus Postage on 350 grams

*Prices subject to change on addition of amendments.

CLAIMS FOR MISSING ISSUES (SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER

SUBSCRIPTION CHARGES 2000

All subscriptions are for the period from 1 January to 31 December 2000. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include postage by surface mail unless stated otherwise.

PLEASE NOTE: A Goods and Services charge (GST) will be applicable to all goods and services supplied after 30 June 2000. Clients will be sent an additional invoice for these charges when details are finalised.

GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically.

All Gazettes	\$
Within WA	649
Interstate	673
Overseas (airmail)	1012
Bound Volumes of full year	894

Electronic Gazette Online

(includes all Gazettes from Jan 1998)

Existing hard copy subscriber	150
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<i>1999 Gazettes on CD ROM</i>	600
<i>1998 Gazettes on CD ROM</i>	600

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	261
Interstate	311
Overseas (airmail)	435

<i>1999 Gazettes on CD ROM</i>	260
<i>1998 Gazettes on CD ROM</i>	260

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	416
Interstate	514
Overseas (airmail)	557

Bound Volumes of Hansard

Within WA	502
Interstate	535
<i>1999 Hansards on CD ROM</i>	500

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA	224
Interstate	247
Overseas	252
Half Calf Bound Statutes	615

<i>1999 Bound Volumes on CD ROM</i>	223
<i>1998 Bound Volumes on CD ROM</i>	223

Loose Statutes

Statutes are posted weekly as they become available

	\$
Within WA	239
Interstate	247
Overseas (airmail)	354

Sessional Bills

Bills are posted weekly as they become available

	\$
Within WA	330
Interstate	344
Overseas (airmail)	515

Electronic Statutes Online

Includes all Acts, Regulations, Bills, Acts by year, Index to Statutes, Hansard, etc

	\$
1 st user	600
2 nd and each additional user	300

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

