

WESTERN AUSTRALIAN GOVERNMENT Gazette

4983



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ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2000 (Prices include GST).

Deceased Estate notices, (per estate)—\$19.91

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$46.53

Other articles in Public Notices Section—\$46.53 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$9.24

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

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

PUBLISHING ALTERATIONS

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

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

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 —

PROCLAMATIONS

AA101*

BAIL AMENDMENT ACT 1998

No. 54 of 1998

PROCLAMATION

WESTERN AUSTRALIA
John Sanderson,
Governor.
[L.S.]

} By His Excellency Lieutenant General John Murray
Sanderson, Companion of the Order of Australia,
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Bail Amendment Act 1998*, and with the advice and consent of the Executive Council, fix 1 September 2000 as the day on which section 12 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 22 August 2000.

By Command of the Governor,

PETER FOSS, Attorney General.

GOD SAVE THE QUEEN !

—————

Note for information:

The commencement of section 12 of the *Bail Amendment Act 1998*, as fixed by the above proclamation, also brings into operation the *Bail Amendment Regulations 2000* as published in the *Gazette*.

JUSTICE

JM301*

Bail Act 1982

Bail Amendment Regulations 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Bail Amendment Regulations 2000*.

2. Commencement

These regulations come into operation on the day on which section 12 of the *Bail Amendment Act 1998* comes into operation.

3. Regulation 11 inserted

After regulation 10 of the *Bail Regulations 1988** the following regulation is inserted —

“

11. Persons and programmes prescribed for Schedule 1 Part D clause 2(2b)

- (1) For the purposes of clause 2(2b)(c) of Part D of Schedule 1 to the Act a person who —
- (a) is a registered psychologist (as defined in the *Psychologists Registration Act 1976*); and
 - (b) is employed in, or providing services under contract to, the department,
- is a prescribed person.
- (2) For the purposes of clause 2(2b)(d) of Part D of Schedule 1 to the Act each of the departmental programmes mentioned in the Table to this subregulation is a prescribed programme.

Table

Anger Management Programme (Skills Training for Aggression Control)

Domestic Violence Programme

Warminda Programme (Chance of Going Straight)

- (3) In this regulation —

“department” means the department of the Public Service of which the CEO (Justice) is chief executive officer;

“departmental programme” means a programme conducted by a person employed in, or providing services under contract to, the department.

”.

[* *Published in Gazette 30 December 1988, pp. 5043-80. For amendments to 8 August 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 18, and Gazette 7 March 2000.*]

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

JM302*

Local Courts Act 1904

Local Court Amendment Rules 2000

Made by the Administrator in Executive Council.

1. Citation

These rules may be cited as the *Local Court Amendment Rules 2000*.

2. Commencement

These rules take effect one month after their publication in the *Gazette*.

3. The rules amended

The amendments in these rules are to the *Local Court Rules 1961**.

[* *Reprinted as at 26 February 1996.*
For amendments to 6 June 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 165, and Gazette 24 March 2000.]

4. Order 5 amended

- (1) Order 5, rule 8 is repealed.
- (2) Order 5, rule 9 is repealed and the following rule is inserted instead —

“

9. Time to be limited for notice of defence

- (1) The time to be limited in a summons in a personal action for giving notice of defence is —
 - (a) where the place of service is within Western Australia, 14 days;
 - (b) where the place of service is outside Western Australia but within the Commonwealth —
 - (i) 21 days; or
 - (ii) such shorter period as the magistrate, on application, allows;and
 - (c) where the place of service is outside the Commonwealth, such time as is directed by the magistrate.

-
- (2) For the purposes of subrule (1)(b)(ii), the matters that the magistrate must take into account in determining an application to allow a shorter period include —
- (a) urgency;
 - (b) the places of residence or business of the parties; and
 - (c) whether a related or similar proceeding has been commenced against the person to be served with the summons or another person.

”.

By Command of the Administrator,

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

— PART 2 —

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994 WEST COAST ROCK LOBSTER FISHERY MANAGEMENT PLAN AMENDMENT 2000

FD 1461/00 [302]

Made by the Minister under section 54(2).

Citation

1. This amendment may be cited as the *West Coast Rock Lobster Fishery Management Plan Amendment 2000*.

Principal Plan

2. In this amendment the *West Coast Rock Lobster Management Plan 1993** is referred to as the principal Plan.

Clause 13 deleted and substituted

3. The principal Plan is amended by deleting clause 13 and substituting the following—

“Licences

13. (1) The criteria that are to be satisfied before the Executive Director may grant a licence to a person are that—

- (a) the person is fit and proper to hold a licence;
- (b) the person is the holder of a fishing boat licence; and
- (c) the person satisfies the Executive Director that immediately upon being granted a licence—
 - (i) an application would be made under section 140 of the Act to transfer units of total pot entitlement to the licence from another licence;
 - (ii) the application referred to in subparagraph (i) would be in respect of a total of not less than 63 and not more than 150 units of total pot entitlement; and
 - (iii) the Executive Director would, pursuant to the application referred to in subparagraph (i), transfer the units of total pot entitlement to the licence.

(2) For the purposes of subparagraph (1)(c)(i) a reference to another licence shall be taken to be a reference to a number of other licences only where each of those other licences authorises fishing in the same zone of the fishery.

(3) For the purposes of subclause (1)(c) a reference to an application to transfer units of total pot entitlement shall be taken to include an application made in connection with the surrender of a licence pursuant to clause 14A.

Duration of a licence

13A. A licence expires on 31 August next following the date of grant or renewal.

Items specified on a licence

13B. A licence shall specify the following things—

- (a) the name and business address of the licence holder;
- (b) the name, licensed fishing boat number and length of the licensed fishing boat that may be used for fishing in the Fishery under the authority of the licence;
- (c) the licence number;
- (d) the date of issue or renewal;
- (e) the date on which the licence expires;
- (f) the zone in which the licence may be operated;
- (g) the normal pot entitlement;
- (h) the temporary pot entitlement; and
- (i) any conditions imposed on the licence by the Executive Director.”.

Clauses 14A and 14B inserted

4. The principal Plan is amended by inserting after clause 14 the following—

“Surrender of licence and reallocation of entitlement

14A. (1) Subject to subclauses (2) and (3), the Executive Director may increase the entitlement conferred by a licence where—

- (a) the holder of the licence has applied for the increase;

- (b) another licence has been surrendered under section 144 of the Act;
 - (c) the fishing boat licence specified in the surrendered licence has been surrendered under section 144 of the Act; and
 - (d) the holder of the surrendered licence has consented to the application referred to in paragraph (a).
- (2) The total pot entitlement of a licence must not be increased—
- (a) by more than the extent of the total pot entitlement conferred by the surrendered licence; and
 - (b) to more than 150 units of total pot entitlement.
- (3) Subclause (1) applies once in connection with the surrender of any licence.
- (4) For the purposes of subclause (1)(a) a reference to a licence includes a reference to a licence which has been applied for in accordance with clause 13.

Authority of licence of no effect where total pot entitlement is less than 63

14B. The authority conferred by a licence is of no effect at any time when the total pot entitlement of the licence is less than 63.”.

Clause 15 amended

5. Clause 15 of the principal Plan is amended by inserting after subclause (2) the following—

- “(3) The Executive Director may refuse to transfer a part of an entitlement under a licence to another licence on the grounds that—
- (a) the Executive Director is of the opinion that the holder of the first-mentioned licence may be liable to prosecution for an offence which has been prescribed for the purposes of section 224 of the Act; or
 - (b) the licences do not authorise fishing in the same zone of the fishery.”.

Clause 15A deleted and substituted

6. The principal Plan is amended by deleting clause 15A and substituting the following—

“Grounds to cancel a licence

15A. The Executive Director may cancel a licence where—

- (a) the total pot entitlement conferred by and specified on the licence is nil; or
- (b) the licence was granted in accordance with clause 13 and the relevant units of pot entitlement have not been transferred to the licence.”.

Clause 21 deleted

7. The principal Plan is amended by deleting clause 21.

*[*Published in the Gazette of 2 November 1993. For amendments to 30 June 2000 see Notice No. 684 published in the Gazette of 25 November 1994, Notice No. 688 published in the Gazette of 13 December 1994, Notice No. 706 published in the Gazette of 12 May 1995, Notice No. 731 published in the Gazette of 29 September 1995, the West Coast Rock Lobster Management Plan Amendment 1996 published in the Gazette of 5 November 1996, the West Coast Rock Lobster Management Plan Amendment 1997 published in the Gazette of 21 February 1997, the West Coast Rock Lobster Management Plan Amendment (No. 2) 1997 published in a Special Gazette of 30 September 1997, the West Coast Rock Lobster Management Plan Amendment 1998 published in the Gazette of 13 November 1998 and the West Coast Rock Lobster Management Plan Amendment (No. 2) 1999 published in the Gazette of 12 November 1999.*

See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices made under the Fisheries Act 1905 immediately before the commencement of those regulations.]

Dated this 6th day of August 2000.

MONTY HOUSE, Minister for Fisheries.

FI402

FISH RESOURCES MANAGEMENT ACT 1994

SHARK BAY PRAWN MANAGED FISHERY MANAGEMENT PLAN 1993

Clause 10 Closures of Areas Within the Fishery

GA 102/99

I, Norman Austin, Executive Director of Fisheries Western Australia, in accordance with the *Shark Bay Prawn Management Plan 1993* hereby give notice that I have cancelled *Determination No. 2 of 2000* which set out the dates and times that fishing is prohibited in the Shark Bay Prawn Managed Fishery.

I hereby give notice that a new determination (*Determination No. 3 of 2000*) has been made in accordance with clause 10 of the *Shark Bay Prawn Management Plan 1993* of the times and dates that fishing is prohibited in the Shark Bay Prawn Managed Fishery during the period commencing from 29 August 2000 and ending on 1 April 2001.

A copy of this determination which is signed by me may be obtained from, or inspected at, the Head Office of the Department located at 168 St Georges Terrace, Perth, or the office of the Department at 82 Olivia Terrace, Carnarvon, or Knight Terrace, Denham.

Dated this 25th day of August 2000.

N. B. AUSTIN, Executive Director.

HOUSING

HM401

HOUSING ACT 1980

DETERMINATION OF STANDARD RATES OF INTEREST

Ministry of Housing
(The State Housing Commission),
Perth 23 August 2000.

Pursuant to Sections 33 and 42 being loans under Section 36 of the Housing Act 1980, The State Housing Commission by this determination which was approved by the Honourable Minister for Housing fixes the following maximum standard rates of interest to apply in respect of the various classes of loan granted by it.

1. Keystart Loans, Income Based Loans, pre 1985 Variable Interest Schemes and Wisechoice under Sections 33 and 36 to 8.25% per annum.
2. In respect of Shared Equity 1994 (Real Start) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% per annum rising by 1.0% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 8.25% per annum.
3. In respect of Share Equity 1994 (Aboriginal) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% per annum rising 0.5% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 8.25% per annum.
4. In respect of Shared Equity 1994 (Access) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% per annum rising 0.5% per annum on every June 30 subsequent to the date from which interest is to be calculated until the rate of interest is 8.25% per annum.
5. In respect of Shared Equity 1994 (Real Start) (Unsubsidised Rate) Loans the standard rate of interest shall be 8.25% per annum.
6. In respect of Shared Equity 1997 (Goodstart) (Subsidised Rate) Loans the standard rate of interest shall be 6.5% fixed per annum, until the borrowers' income exceeds Homeswest's maximum rental income eligibility limits. The rate will then move to the Commonwealth Bank standard home loan variable interest rate subject to a minimum interest rate of 6.5% per annum.

This determination shall take effect from August 1, 2000.

GREG JOYCE, Managing Director.

INSPECTOR OF CUSTODIAL SERVICES

IT401

OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES CONFLICT OF INTEREST GUIDELINES

These guidelines are issued pursuant to regulation 87 of the *Prisons Regulations 1982*.

The purpose is to prevent the Inspector and any member of the Inspector's staff from performing a function of the Inspector under Part XA of the *Prisons Act 1981*, if that person has or acquires an interest, pecuniary or otherwise, in relation to the function that could conflict with the proper performance of the function.

All staff members must perform the duties of office impartially, uninfluenced by fear or favour whilst exercising reasonable care and skill in the best interests of the Office of the Inspector of Custodial Services. They must actively avoid situations in which private interest, whether pecuniary or otherwise, conflicts or might reasonably be thought to conflict with any public duty.

A potential or actual conflict of interest exists when commitments and obligations to the public duty are likely to be comprised by a staff member's other interests, particularly if those interests are not disclosed.

Any situation which is likely to adversely influence a staff member's objectivity and sense of fairness and relates to the performance of a function under Part XA of the *Prisons Act 1981* will be considered as a conflict of interest.

A staff member who has directly performed a duty under the *Prisons Act 1981* as a prison officer, a superintendent or officer with direct contact with prisoners within the preceding three years must not be permitted to inspect a prison or review a prison service relating to that work.

A staff member must not use information obtained in the course of official duties to gain directly or indirectly a pecuniary advantage.

A staff member must be scrupulous in the use of public property and services, and not permit their misuse by other persons.

A staff member must not allow the pursuit of private interest to interfere with the proper discharge of public duties.

The Inspector of Custodial Services must disclose in writing to the Governor all areas of interest that might reasonably be construed as being in conflict with official duties. All other staff members are required to disclose to the Inspector of Custodial Services, in writing, all areas of interest that might reasonably be construed as being in conflict with their official duties. Should circumstances change after an initial disclosure has been made, so that new or additional facts become material, the staff member must disclose the further information.

In situations where a written statement is provided all reasonable measures must be taken to resolve the conflict. In doing so, the public interest must be made paramount and the reality or the perception of any declared conflict of interests must be minimised or eliminated.

Care must be taken to ensure both the security of the statements and the protection of the privacy of the person submitting the statement.

In cases where there is a request for access to a statement by a third party, the request must be dealt with according to the law.

LAND ADMINISTRATION

LA401

LAND ACT 1933 FORFEITURES

Department of Land Administration.

The following licences together with all rights, title and interest therein have this day been forfeited to the Crown under the Land Act, 1933 for the reasons stated.

A. A. SKINNER, Chief Executive Officer.

Date: 22 August, 2000

Name	Licence	District	Reason	Corres. Number	Plan
O'Brien, Desmond Michael	345B/2596	Sandstone Lot 518	Non Compliance with Conditions	01664-1988-01ro	Sandstone Townsite

LA402

LAND ACT 1933 FORFEITURES

Department of Land Administration.

The following licences together with all rights, title and interest therein have this day been forfeited to the Crown under the Land Act, 1933 for the reasons stated.

A. A. SKINNER, Chief Executive Officer.

Date: 22 August, 2000

Name	Licence	District	Reason	Corres. Number	Plan
Caudwell, Peter Robert	345B/3276	Moorine Rock Lot 59	Non Compliance with Conditions	01419-1997-01RO	BM36(2)7.14

LOCAL GOVERNMENT

LG401

SHIRE OF DUMBLEYUNG

Authorised Officers

It is hereby notified for public information that the following persons have been appointed by Council as officers to enforce the provisions of the following;

Local Government Act 1995 and related local laws

Local Government (Miscellaneous Provisions) Act 1960

Caravan and Camping Act 1995

Central Off Road Vehicles Act

All of Council's local laws and other legislation Council of empowered to enforce.

A. J. Bowman

D. Archer

P. Gillis

M. Wiley

Bushfire Act 1954

A. J. Bowman

P. Gillis

These two officers be restricted under S38 of the Bushfire's Act to write permits only.

Litter Act 1979

Dog Act 1976

A. J. Bowman

P. Gillis

M. Wiley

G. Cronin

J. Beecroft

S. J. Moran

B. C. Squires

A. Chesson

M. Merrick

All previous appointments are hereby cancelled

A. J. BOWMAN, Chief Executive Officer.

LG402***DOG ACT 1976***Shire of Gnowangerup*

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 as Registration/Authorised Officers for the Municipality of the Shire of Gnowangerup.

REGISTRATION OFFICERS

Miss J Gordon

Miss T Jolly

Miss J Lesk

Miss T O'Neill

AUTHORISED OFFICERS

Mr J Morton

Mr R Desando

Mr S Kingston

Mr A Rogers

Mr J Phillips

F. B. LUDOVICO, Chief Executive Officer.

LG403***CEMETERIES ACT 1986**

GERALDTON PUBLIC CEMETERY

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Geraldton Cemetery Board hereby records having resolved on 16th August 2000 to substitute the following fees and charges, effective from 1st October 2000 for the fees and charges detailed in Schedule 'A' of the Geraldton Public Cemetery By-Laws. The fees shall be payable upon application for services detailed hereunder.

SCHEDULE OF FEES & CHARGES

Includes 10% Goods and Services Tax

Unless otherwise stated

GENERAL CEMETERY

A: Burial Fees —Including Registration and Tablet Fee	
Interment in grave any depth to 2.1m (up to 3 interments)	\$575.00
Interment of child under 13 years of age (Including Stillborn in ground not set aside for such purpose)	\$440.00
Interment of any stillborn child in ground set aside for that purpose	\$125.00
Interment in a brick grave as detailed in By-Law No 34	\$680.00
For every other 0.3 metre	\$75.00
B: Lot Fees	
A "Grant or Right of Burial" (Title Deed) being issued for each Lot And shall be additional to those fees prescribed in paragraphs (A) above:	
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery	\$610.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep where directed by cemetery (child under 13 years of age)	\$240.00
Pre-need purchase—Land selected by applicant or land reserved in Advance.	\$725.00
C: Re-opening Fees	
For each interment in grave to depth of 2.1m	\$575.00
For each interment of a child under 13 years of age	\$440.00
For exhumation	\$690.00
For reburial after exhumation	\$575.00
D: Extra Charges	
For each Interment on a Saturday, Sunday, or Public Holiday	\$340.00
For each interment not in usual hours as prescribed in By-law No 15	\$305.00
For late arrival of a funeral at Cemetery gates as per By-law No 16	\$70.00
For late departure of funeral from Cemetery gates as per By-law No 17	\$70.00
Interment without due notice	\$305.00

LAWN CEMETERY

A: Burial Fees —including Registration and Tablet Fee	
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by Cemetery (2 interments)	\$855.00
Interment in grave 2.1m long x 0.75m wide x 2.1m deep (3 interments)	\$925.00
Interment of a Stillborn child	\$610.00
Interment in a brick grave as detailed in By-Law 34 2.4m long x 1.2m wide x 1.8m deep	\$970.00
B: Lot Fees	
A "Grant or Right of Burial" (Title Deed) being issued for each Lot And shall be additional to those fees prescribed in paragraphs (A) above:	
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery	\$610.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep where directed by cemetery (child under 13 years of age)	\$240.00
Pre-need purchase—Land selected by applicant or land reserved in Advance.	\$725.00
C: Re-opening Fees	
For each interment in a grave to depth of 2.13m	\$610.00
For Exhumation	\$970.00
Reburial after Exhumation	\$575.00
D: Extra Charges	
For each Interment on a Saturday, Sunday, or Public Holiday	\$340.00
For each interment not in usual hours as prescribed in By-law No 15	\$305.00
For late arrival of a funeral at Cemetery gates as per By-law No 16	\$70.00
For late departure of funeral from Cemetery gates as per By-law No 17	\$70.00
Interment without due notice	\$305.00

CREMATORIUM

A: Cremation Fees —including registration	
Cremation of Person thirteen years and over	\$600.00
Cremation of Child under 13 years of age	\$375.00
Cremation of Stillborn without memorial service	\$160.00
Cremation of Stillborn with memorial service	\$345.00
B: Extra Charges	
Cremation without due notice	\$305.00
Cremation not in usual hours as prescribed in By-law No 15	\$305.00
Cremation on a Saturday, Sunday or Public Holiday	\$340.00
Late Arrival/Commencement Penalty Fee	\$70.00

C: Disposal of Ashes

Niche single—Brick Wall	\$105.00
Niche double—Brick Wall	\$210.00
Niche single—Tiled Wall	\$135.00
Niche double—Tiled Wall	\$275.00
Niche single—Marble Wall	\$170.00
Niche double—Marble Wall	\$345.00
Pre-need niche site (reservation fee only)	\$ 50.00
Plaque site in Memorial Garden	\$210.00
Plaque site at foot of shrub	\$660.00
Plaque site on kerbing in Memorial Gardens	\$105.00
Pre-need memorial site (reservation fee only)	\$100.00
Scatter Ashes as to Winds (with issue of certificate)	\$70.00
Scatter Ashes on Memorial Garden (with issue of certificate)	\$70.00
Interment of Ashes in a family grave	\$105.00
Post Ashes overseas	\$120.00
Post Ashes within Australia	\$90.00
Hold Ashes in Safe Custody after six months (per month)	\$15.00
Collection of Ashes from safe custody	\$70.00

MISCELLANEOUS CHARGES

For Permit to erect a headstone, monument or rail in General Cemetery	exempt	\$190.00
N.B. War Grave monuments—costs waived		
For Permit to place a plaque in Old Lawn Cemetery (LC)	exempt	\$190.00
For Permit to place a plaque/headstone/monument in Lawn Nos 1 & 2 (LCS & LCM)	exempt	\$220.00
Purchase of small raised headstone		\$90.00
Purchase of large raised headstone		\$170.00
Copy of Grant or Right of Burial		\$50.00
Transfer of Grant or Right of Burial		\$50.00
Copy of By-laws and Regulations		\$20.00
Funeral Director's Annual Licence Fee	exempt	\$220.00
Grave Dresser's Annual Licence Fee	exempt	\$110.00
Single Monument Work Permit (Permit fee also payable)	exempt	\$105.00
Single Funeral Permit (Funeral Director's only)	exempt	\$105.00

RESEARCH SERVICES

Location Query per name	exempt	\$2.00
Photocopy of Cemetery Records per page		\$1.00

The Fees and Charges in the above schedule were set by resolution at a duly convened meeting of the Geraldton Cemetery Board held on 16 August 2000.

MAX CORREY, Chairman.

JENNIFER HALL, Administrator.

MINERALS AND ENERGY

MN401*

PETROLEUM PIPELINES ACT 1969

NOTICE OF VARIATION OF PIPELINE LICENCE

Pipeline Licence PL12 held by New World Oil & Developments Pty Ltd, Kufpec Australia Pty Ltd, Apache Northwest Pty Ltd, Tap (Harriet) Pty Ltd, Apache Varanus Pty Limited, Apache Harriet Pty Limited, Apache UK Limited and British-Borneo Australia Limited, has been varied by instrument of Variation 7P/99-0, to authorise the Licensee to construct and operate a new process control and field support building within the licence area, including the relocation of the existing DCS control system from the existing control room and fitting-out and testing of the relocated DCS control system within the building, with effect from 8 August 2000.

W. L. TINAPPLE, Director,
Petroleum Division.

MN402***PETROLEUM PIPELINES ACT 1969**

NOTICE OF VARIATION OF PIPELINE LICENCE

Pipeline Licence PL27 held by Southern Cross Pipelines Australia Pty Limited, has been varied by instrument of Variation 1P/00-1, to authorise the construction and operation of a new emergency response training facility at Kalgoorlie South metering station, with effect from 8 August 2000.

W. L. TINAPPLE, Director, Petroleum Division.

MN403**MINING ACT 1978**

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,
Marble Bar, WA 6760.

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

P. NICHOLLS SM, Warden.

To be heard in the Warden's Court, Marble Bar on 12th September 2000.

PILBARA MINERAL FIELD

Marble Bar District

P45/2405—Nowland, Phillip John
P45/2392-S—Ducas, Graeme Wilfred
P45/2250—Elazac Mining Pty Ltd
P45/2251—WMC Resources Ltd
Haoma Mining NL
Elazac Mining Pty Ltd
L45/60—Haomo Mining NL

PILBARA MINERAL FIELD

Nullagine District

P46/1058—Parkwood Enterprises Pty Ltd

PLANNING

PD401***TOWN PLANNING AND DEVELOPMENT ACT 1928**

SHIRE OF AUGUSTA-MARGARET RIVER

INTERIM DEVELOPMENT ORDER NO 14

Ref: 26/6/3/1 Vol 2

Notice is hereby given that in accordance with the provisions of sub-section (2) of section 7B of the Town Planning and Development Act, 1928 (as amended), and by direction of the Hon Minister for Planning a summary as set out hereunder of the Shire of Augusta-Margaret River Interim Development Order No 14 made pursuant to the provisions of section 7B of that Act is published for general information.

The Hon Minister for Planning has made copies of this Order available for inspection by any person free of charge at the offices of the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and at the office of the Augusta-Margaret River Shire Council, Town View Terrace, Margaret River during normal office hours.

SUMMARY

1. The Shire of Augusta-Margaret River Interim Development Order No 14 contains provisions inter alia—

- (a) That the Order applies to the whole of the Shire of Augusta-Margaret River as specified in the Order.

- (b) That, subject as therein stated, the Augusta-Margaret River Shire Council is the authority responsible for its administration.
 - (c) That, subject as therein stated, certain development is exempt from the need to obtain planning approval from the Council.
 - (d) That the Order is to be read in conjunction with the Augusta-Margaret River Town Planning Scheme No 11.
 - (e) That where the Augusta-Margaret River Town Planning Scheme No 11 is inconsistent with the Order, the Order will preside.
 - (f) Relating to certain development permitted by this Order.
 - (g) Relating to the continuance of the lawful use of land and buildings.
 - (h) Relating to appeals against refusal of approval for development or against conditions subject to which approval to carry out development is granted.
2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.
Date: 11 August 2000.

M. EASTCOTT, Chief Executive Officer.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF FREMANTLE

TOWN PLANNING SCHEME NO 3—AMENDMENT NO 50

Ref: 853/2/5/6 Pt 50

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Fremantle Town Planning Scheme Amendment on 22 August 2000 for the purpose of—

1. Recoding Fremantle Town lots Part 265, 262, 263, 264, 305, Part 306 and 307 (Nos 26-34) Queen Victoria Street, Fremantle from R35 to R60.
2. Amending Scheme Map 2 by placing a dotted black line around lots Part 265, 262, 263, 264, 305, Part 306 and 307 and placing within the boundary 'R60' as shown on the amending Scheme Map.
3. Amending Scheme Map 2 by placing a dotted black line around lots Part 265, 262, 263, 264, 305, Part 306 and 307 and placing within the boundary 'DP15' as shown on the amending Scheme Map.
4. Adding Development Plan No 15 to Appendix A of the Scheme Text as follows—
Appendix A. 15—Development Plan No 15 Queen Victoria Street, Fremantle

1.0 GENERAL

- 1.1 This plan applies to lots Part 265, 262, 263, 264, 305, Part 306 and 307 Queen Victoria Street, Fremantle.
- 1.2 The use and development of land within the development plan area is to be developed in accordance with the provisions of this development plan.
- 1.3 Notwithstanding the above, Council may, at its discretion, approve variations to the Development Plan, where consistent with the objectives of the Development Plan.
- 1.4 Development shall generally be in accordance with the design and form indicated in the figure attached to the amending documents.
- 1.5 If development is not substantially commenced within a five year period from gazettal of Amendment 50 then the residential coding of the site shall revert to Residential R35 and development plan number 15 shall be deleted.

2.0 OBJECTIVES

The objectives of the Plan are to—

- (i) Facilitate the comprehensive redevelopment of the subject lots for residential use.
- (ii) Retain and reuse existing buildings identified on site as part of an integrated redevelopment solution for the site.
- (iii) Strengthen and where necessary, reinstate appropriate building form along the streetscapes of Queen Victoria Street and Beach Street.
- (iv) Provide for a variety of residential dwelling types, including aged persons dwellings, to cater for a mixture of social housing needs within the Fremantle region.

R. UTTING, Mayor.
R. GLICKMAN, Chief Executive Officer.

PD403**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF STIRLING

TOWN PLANNING SCHEME NO 38—AMENDMENT NO 1

Ref: 853/2/20/40 Pt 1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 22 August 2000 for the purpose of—

1. Amending the definition of Scheme Net Land Area in Clause 3.1 Interpretation by deleting the phrase “43.0534 hectares” at the end of the definition and including the phrase “41.4290 hectares, or 42.2726 hectares if Precinct 5 is not used for wetland replacement and the provisions of Clause 5.9A apply.”
2. Amending sub-clause 3.5.3 by replacing the phrase “Contribution Table No. 1” in line three with the phrase “Contribution Table No. 1 A or 1B, as the case may be”.
3. Amending sub-clause 3.6.5 by deleting both tables and inserting the following tables in their place.
 - “(a) Precinct 1—28.33% or 11.7346 hectares
 - (b) Precinct 2—10.49% or 4.3466 hectares
 - (c) Precinct 3—09. 18% or 3.8010 hectares
 - (d) Precinct 4—22.41 % or 9.2842 hectares
 - (e) Precinct 5—00.00% or 0.0000 hectares
 - (f) Precinct 6—04.54% or 1.8821 hectares
 - (g) Precinct 7—02.93% or 1.2141 hectares
 - (h) Precinct 8—16.47% or 6.8243 hectares
 - (i) Precinct 9—05.65% or 2.3421 hectares”
 - “(a) Precinct 1—27.76% or 11.7346 hectares
 - (b) Precinct 2—10.28% or 4.3466 hectares
 - (c) Precinct 3—08.99% or 3.8010 hectares
 - (d) Precinct 4—21.96% or 9.2842 hectares
 - (e) Precinct 5—02.00% or 0.8436 hectares
 - (f) Precinct 6—04.45% or 1.8821 hectares
 - (g) Precinct 7—02.87% or 1.2141 hectares
 - (h) Precinct 8—16.15% or 6.8243 hectares
 - (i) Precinct 9—05.54% or 2.3421 hectares”
4. Altering Table 1—Car Parking Requirements by:
 - 4.1 substituting the term “net lettable area” for the term “gross floor area”, where it appears in the columns headed “Minimum Car Parking Spaces Required” and “Maximum On-Site Parking Allowed” in the row where the “Development” reads “Shop, convenience store, betting agency, liquor store, garden centre, dry cleaning premises, laundromat”.
 - 4.2 Deleting the last row of the table which contains the “Development”— “Fast Food Outlet”.
5. Altering Contributions Table No.1 of Schedule 4 “DISTRIBUTION OF GENERAL COSTS BY PRECINCTS” by—
 - 5.1 Renumbering the Table “1A”.
 - 5.2 Adding the words “, IF PRECINCT 5 IS USED AS THE REPLACEMENT WETLAND” after the words “PRECINCT % CONTRIBUTION OF NET GENERAL COSTS TO TOTAL NET SCHEME AREA COSTS”.
 - 5.3 Adjusting all percentages in columns numbered 1 to 9 inclusive to match those in the first table of clause 3.6.5.
 - 5.4 Altering Footnote 1 by deleting the phrase “, or the wetland is replaced elsewhere.”
6. Including the following Table after Contribution Table No. 1 in Schedule 4—

CONTRIBUTION TABLE No. 1B
DISTRIBUTION OF GENERAL COSTS BY PRECINCTS

PRECINCT % CONTRIBUTION OF NET GENERAL COSTS OF TOTAL NET SCHEME AREA COSTS, IF PRECINCT 5 IS NOT USED AS THE REPLACEMENT WETLAND										
GENERAL COST ITEM	PRECINCTS									TOTAL
	1	2	3	4	5	6	7	8	9	
1 Scheme Preparation Costs	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
2 Scheme Legal Costs	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
3 Scheme Administration Costs	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%

CONTRIBUTION TABLE No. 1B—*continued*
DISTRIBUTION OF GENERAL COSTS BY PRECINCTS—*continued*

PRECINCT % CONTRIBUTION OF NET GENERAL COSTS OF TOTAL NET SCHEME AREA COSTS,
IF PRECINCT 5 IS NOT USED AS THE REPLACEMENT WETLAND

GENERAL COST ITEM	PRECINCTS									TOTAL
	1	2	3	4	5	6	7	8	9	
4 Scheme Administration Costs Contracted	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
5 Scheme Advertising and Gazettal Costs	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
6 Consultants Fees (Planning, Surveying, Engineering, Valuation)	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
7 Landscaping, Entry Statements, upgrading of POS Reserves and General Beautification (other than where identified as specific Precinct Costs)	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
8 Main Drain Relocation south of underpass road	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
9 Interest Costs incurred on any loan raised for the purpose of implementing Scheme Works by the payment of General Costs	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
10 Interest payable on any prefunded works by owners as provided in Clause 3.7.4	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
11 New Road between Oswald Street and Stirling Link Road	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
12 Extension/Upgrading of Twyford Place public Open Space Reserve	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%
13 Enhancement of Relocated Wetlands	27.76	10.28	8.99	21.96	2.00	4.45	2.87	16.15	5.54	100%

7. Amending the Scheme Map by adjusting the boundary of Precincts 1, 3 and 4 to reflect the Scheme Text.

D. C. VALLELONGA, Mayor.
M. WADSWORTH, Chief Executive Officer.

PD404***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF GERALDTON

TOWN PLANNING SCHEME NO 3—AMENDMENT NO 5

Ref: 853/3/2/7 Pt 5

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Geraldton Town Planning Scheme Amendment on 22 August 2000 for the purpose of—

- Rezoning portion of Duke Street road reserve on the northern boundary of Lots 76 and 77 Duke Street/North West Coastal Highway, Wonthella, from Residential to Special Use Service Station, as more clearly defined in the Amendment Map.
- Rezoning the portion of Lot 120 Gale Road, Wonthella zoned Residential to Industry - Light, as more clearly indicated on the Amendment Map.
- Rezoning Lot 86 Brand Highway and Lot 85 Elva Street, Mount Tarcoola, from Residential to Special Use—

Betting Agency	P
Restaurant	P
Grouped Dwelling	AA
Car Park	P
Club-Premises	P
Hotel	P
Motel	P
Office	AA
Public Amusement	P
Recreation	P
Public Utility	P
Tavern	P

Symbols used are those referred to in Clause 4.2.2

4. Inserting Lots 36 and 37 Broadhead Avenue, Tarcoola Beach, in Schedule 3 as Special Use Resort, Motel, Caravan and Chalet Park, and modifying the Scheme Maps accordingly.
5. Inserting Lot 41 Marine Terrace in Schedule 2 with an additional use of Motor Vehicle Sales/Service.
6. Reserving Lots 1, 2 and 3 Kempton Street, Bluff Point for Reserve for Landscape and Coastal Protection.
7. Zoning portion of Reserve 27317 Bosley Street presently identified as Recreation to Special Use Caravan Park, Chalets and Park Home Park.
8. Deleting reference to Lot 31 Cunningham Street from Schedule 2.
9. Adding the following to Schedule 3—Special Uses of the Scheme Text:

SPECIAL USES

SITE	PERMITTED USE	
Lot 76 Duke Street/NW Coastal Hwy, Wonthella	Service Station	
Lot 77 Duke Street, Wonthella	Service Station	
Lot 85 Elva Street, Mount Tarcoola)	Betting Agency	P
Lot 86 Brand Highway, Mount Tarcoola)	Restaurant	P
	Grouped Dwelling	AA
	Car Park	P
	Club-Premises	P
	Hotel	P
	Motel	P
	Office	AA
	Public Amusement	P
	Recreation	P
	Public Utility	P
	Tavern	P
	Symbols used are those referred to in Clause 4.2.2	
Lot 36 Broadhead Avenue, Tarcoola Beach	Resort, Motel, Caravan and Chalet Park	
Lot 37 Broadhead Avenue, Tarcoola Beach	Resort, Motel, Caravan and Chalet Park	
Portion Reserve 27317 Bosley Street, Sunset Beach	Caravan Park, Chalets and Park Home Park	

10. Deleting the following from Schedule 3—Special Uses of the Scheme Text:

SPECIAL USES

SITE	PERMITTED USE
Lot 34 Broadhead Avenue, Tarcoola Beach	Caravan and Chalet Park

11. Adding the following to Schedule 2—Additional Uses of the Scheme Text:

ADDITIONAL USES

SITE	USES
Lot 41 Marine Terrace, Geraldton	Motor Vehicle Sales/Service

12. Deleting the following from Schedule 2—Additional Uses of the Scheme Text:

ADDITIONAL USES

SITE	USES
Lot 26 Marine Terrace/Cunningham Street	Motor Vehicle Sales/Service
Lot 31 Cunningham Street	Fish Processing

P. G. COOPER, Mayor.

N. WILSON, Acting Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
TOWN OF PORT HEDLAND
 TOWN PLANNING SCHEME NO 4—AMENDMENT NO 56

Ref: 853/8/4/5 Pt 56

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Town of Port Hedland Town Planning Scheme Amendment on 22 August 2000 for the purpose of—

1. Adding the following definition to Schedule 1—Interpretations—

Transient Workforce Accommodation

Dwellings intended for the temporary accommodation of transient workers which may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes demountable sleeping quarters and ancillary residential facilities.

2. Inserting the following clauses in Part V—Planning Consent—

5.6 Temporary Planning Consent

- 5.6.1 Where the Council grants planning consent, it may impose conditions limiting the period of time for which the development is permitted.

5.7 Retrospective Planning Consent

- 5.7.1 The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.
- 5.7.2 Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.

G. J. L. BLACKMAN, Mayor.
 A. J. FORD, Chief Executive Officer.

PD406*

WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985
 NOTICE OF DELEGATION
 AMENDMENT TO DEVELOPMENT CONTROL POWERS UNDER THE
 METROPOLITAN REGION SCHEME TO LOCAL GOVERNMENT

File: 970-1-1-3

Notice is hereby given that the Western Australian Planning Commission acting pursuant to the provisions of section 20 of the Western Australian Planning Commission Act 1985 has resolved to amend its delegation of powers and functions with respect to the Metropolitan Region Scheme as set out in its Notice of Delegation published in the *Government Gazette* of 30 June 2000 (pages 3450-3453) by—

amending clause 2 (a)(v) of that notice by deleting—

“(v) except in respect of development by public authorities;”

and replacing it with—

“(v) except in respect of public works undertaken by public authorities;”

PETER MELBIN, Secretary,
 Western Australian Planning Commission.

POLICE

PE501

POLICE ACT 1892
 POLICE AUCTION

Under the provisions of the Police Act 1892-1982 unclaimed and stolen property will be sold by Public Auction at South West Auctioneering Company, Lot 51 Strelley Street, Busselton on 30th September 2000.

B. MATTHEWS, Commissioner of Police.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

NOTICE TO CREDITORS AND CLAIMANTS

Claims against the estate of Rauha Dagmar Fox late of 45 Lion Street, Albany, Western Australia should be lodged with the Executors, c/- PO Box 485, Albany, Western Australia before 26 September 2000, after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

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