



WESTERN AUSTRALIAN GOVERNMENT Gazette

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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*

MINING AMENDMENT ACT 2000

63 of 2000

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 Mining Amendment Act 2000, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the Government Gazette as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 January 2001.

By Command of the Governor,

NORMAN MOORE, Minister for Mines.

GOD SAVE THE QUEEN !

JUSTICE

JM301*

Supreme Court Act 1935

Supreme Court Amendment Rules 2001

Made by the Judges of the Supreme Court.

1. Citation

These rules may be cited as the *Supreme Court Amendment Rules 2001*.

2. The rules amended

The amendments in these rules are to the *Rules of the Supreme Court 1971**.

[* Reprinted as at 1 December 2000.

For amendments to 23 January 2001 see 1999 Index to Legislation of Western Australia, Table 4, pp. 287-8, and Gazette 29 December 2000.]

3. Order 65C inserted

After Order 65B the following Order is inserted —

“

Order 65C**Reviews under the *Electoral Act 1907*****1. Interpretation**

In this Order, unless the contrary intention appears —

“**Electoral Commissioner**” means the Electoral Commissioner appointed under the *Electoral Act 1907*.

2. Application of Order

This Order applies to reviews by the Court of decisions referred to in section 62N(1) of the *Electoral Act 1907*.

3. Application for review

- (1) An application for review to which this Order applies must be instituted within one month or such further period as the Court allows after the decision comes to the notice of the applicant.
- (2) A copy of the notice of originating motion must be served on the Electoral Commissioner.
- (3) If the Electoral Commissioner wishes to be heard at the hearing of the review, the Commissioner must enter an appearance.

4. Title of the notice of review

The notice of originating motion and all subsequent proceedings on reviews to which this Order applies, must be entitled “In the Supreme Court of Western Australia”, “On review of a decision of the Electoral Commissioner, and in the matter of the *Electoral Act 1907*, and in the matter of the application or other proceeding in which such decision was given”.

5. Hearing

- (1) Subject to subrules (2) and (3) and the provisions of the *Electoral Act 1907*, the review must be heard by a Judge sitting in Court.
- (2) A Judge may, at any time before the hearing of a review, direct that the review is to be heard by a Judge sitting in chambers.

- (3) The Judge hearing a review in Court may direct that the further hearing of the review be adjourned into chambers.
- (4) A review directed under subrules (2) and (3) to be heard or further heard in chambers may be adjourned from chambers into Court.

6. Date of hearing

- (1) Unless the Court otherwise orders, a review to which this Order applies must not be heard before the expiration of 21 days from the date when the review was instituted.
- (2) Any party may apply to the Court for an order fixing the date for hearing the review.
- (3) Unless an order under subrule (2) has been made, the day for hearing the review must be fixed by the proper officer in accordance with the practice of the Court.
- (4) The proper officer must send to the applicant and to the Electoral Commissioner, notice of the day fixed for the hearing of the review.
- (5) If the day for hearing the review is fixed by the proper officer it must not be earlier than 7 days after notice has been sent to the applicant and to the Electoral Commissioner under subrule (4).

7. Review book

- (1) The applicant must, not less than 6 clear days immediately preceding the day fixed for hearing the review —
 - (a) prepare to the satisfaction of the Registrar a review book containing all material relevant to the hearing of the review;
 - (b) lodge at the Central Office 2 copies of the review book so prepared, for the use of the Judge upon the hearing; and
 - (c) serve upon the Electoral Commissioner one copy of the review book.
- (2) Unless the Court otherwise orders, the costs of complying with this Rule are to be costs in the cause.

8. Applicant limited to grounds in notice of originating motion

- (1) If the applicant intends to ask for any amendment at the hearing the applicant must give notice of the applicant's intention and of the proposed amendment.

- (2) The Court may allow any amendment which it thinks necessary for the advancement of justice, but except by leave of the Court a ground must not be relied on at the hearing other than a ground set out in the notice of originating motion.

9. Right to be heard in opposition

- (1) On the hearing of the application the Court must hear any person who wants to oppose it, and appears to the Court to be a proper person to be heard, notwithstanding that the person has not been served with the notice of originating motion.
- (2) A person who is heard under this Rule, may, in the discretion of the Court, be ordered to pay costs.

10. Additional affidavits, determination of issue, etc.

- (1) On the hearing of the application the Court may allow the applicant to use further affidavits upon such terms as to adjournment or costs as the Court thinks fit.
- (2) If the applicant intends to ask to be allowed to use further affidavits, the applicant must give reasonable notice of the applicant's intention to the Electoral Commissioner.
- (3) If any question or issue of fact arises upon the affidavits the Court may give such directions as it thinks fit for the determination of the question or issue by trial or inquiry.

11. Order

- (1) The result of the review must be embodied in a formal Order, which must be filed in the Central Office.
- (2) Except where the formal Order is filed by or on behalf of the Electoral Commissioner, the Registrar must send to the Electoral Commissioner, a memorandum of the result of the review.

12. Application of Rules of Court

In so far as the ordinary practice of the Court and the Rules of Court are not inconsistent with the provisions of this Order, they apply to proceedings under this Order with such modifications as the circumstances require.

Dated: 29 January 2001.

DAVID MALCOLM, Chief Justice's signature.

G. A. KENNEDY

A. J. TEMPLEMAN

W. P. PIDGEON

C. A. WHEELER

H. A. WALLWORK

G. P. MILLER

R. J. M. ANDERSON

N. P. HASLUCK

N. J. OWEN

G. F. SCOTT

K. H. PARKER

Judges' signatures.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

City of Canning

CONSOLIDATED LOCAL LAWS AMENDMENT (1) 2000

In pursuance of the powers conferred by the Local Government Act 1995, the Bushfires Act 1954, the Dividing Fences Act 1961 and the Dog Act 1976 and all other powers enabling it the Council of the above-mentioned Local Government hereby records having resolved on 27th June 2000, to amend its Consolidated Local Laws (published in the *Government Gazette* on 31 March 2000) are referred to as the principal Local Laws.

1. By deleting from subclause 6.5.4 the last sentence.
2. By adding to subclause 16.4.1 new paragraphs (p) and (q) as follows—
 - (p) an election sign erected otherwise than on local government property, provided that it is not greater than 2m² in area and is not erected or in place for more than 28 days before or more than 7 days after the relevant election day;
 - (q) an election sign not greater than 2m² in area erected or in place on a polling day on local government property which is used as a polling place on that day.
3. By deleting paragraph (k) from subclause 16.10.1 and by substituting a new paragraph (k) as follows—
 - (k) as an election sign on local government property except as provided in subclause 16.4.1(q).

Dated this 16th January 2001.

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

Dr M. S. LEKIAS, Mayor.

IAN F. KINNER, Chief Executive Officer.

LG302

LOCAL GOVERNMENT ACT 1995

Town of Port Hedland

LOCAL LAW—SIGNS, HOARDINGS AND BILL POSTING

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Town of Port Hedland hereby records having resolved on the 24th January 2001 to amend its Signs, Hoardings and Bill Posting Local Law as gazetted on the 3rd August 2000, by—

“deleting clause 7.2 and clause 7.3”

and

“renumbering clause 7.4 and clause 7.5 to 7.2 and 7.3 respectively”

A. J. FORD, Chief Executive Officer.

LG303***HEALTH ACT 1911****SHIRE OF TAMMIN HEALTH LOCAL LAWS 1999**

Made by the Council of the Shire of Tammin under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*.

Citation

1. These local laws may be cited as the "*Shire of Tammin Health Local Laws 1999*".

Incorporation by Reference

2. (i) In these local laws, "The Shire of Leonora Health Local Laws 1999";

(a) means *The Shire of Leonora Health Local Laws 1999* published in the *Government Gazette*, special edition number 56, on the 9 April 1999; and

(b) does not include any amendments that might be made to those Local Laws

(ii) Subject to the modifications set out in the Schedule, *The Shire of Leonora Health Local Laws 1999* are incorporated with and form part of these Local Laws.

Repeal

3. (1) The Health Local Laws adopted by the Shire of Tammin and published in the *Government Gazette* on the 21 January 1949 and amended from time to time, are repealed; and

(2) The Health Local Laws adopted by the Shire of Tammin on 23 October 1956 and published in the *Government Gazette* on the 25 January 1957 and amended from time to time, are repealed; and

(3) The Health Local Laws adopted by the Shire of Tammin on 16 August 1963 and published in the *Government Gazette* on the 3 December 1963 and amended from time to time, are repealed.

SCHEDULEModifications to *The Shire of Leonora Health Local Laws 1999*

Item	Sections Affected	Description
1.	1.1	Delete Section 1.1 and substitute the following: "1.1 These local laws may be cited as the " <i>Shire of Tammin Health Local Laws 1999</i> "."
2.	1.2	Delete Section 1.2.
3.	1.3(1) and Schedules 1-11	Delete "Shire of Leonora" wherever it occurs and substitute "Shire of Tammin".
4.	2.2.1(2)	Delete subsection 2.2.1(2).
5.	2.2.2(1)(d)	Delete subsection 2.2.2(i)(d).
6.	2.2.4(2)(c)(i)	Delete the word "millilitres" before the word "deep" and substitute the word "millimetres".
7.	2.2.4(4)(a)	After the words "requirements of", insert the words "the Office of Energy and".
8.	2.2.4(5)	Delete the first line and substitute the words "Where mechanical extraction is provided in a kitchen, the exhaust air shall be—".
9.	3.1.1	Insert the missing section title " Dwelling House Maintenance ".
10.	3.1.2(b)	Delete ", street".
11.	3.5.1(2)(c)	Delete the words "prescribed in Schedule (12)" and substitute the words "as fixed from time to time by Council under Section 344C of the Act".
12.	4.2.13	Delete the word "Leonora" and substitute "Tammin".
13.	5.1.3	Make the existing text subsection (1), then delete the first word "An" and substitute "Subject to subsection (2), an". Next insert "smoke," before "dust". Then insert a subsection (2) as follows: "(2) Subsection (1) does not apply to smoke from the chimney of a private dwelling house."
14.	5.2.4(5)(b)	Delete the words "provide a shelter or an enclosure to be" and substitute the words "ensure every shelter and enclosure is".

Item	Sections Affected	Description
15.	5.5.3(1)(a)	Delete the word “slopping” and substitute the word “sloping”.
16.	5.7.1 to 5.7.3	Delete Division 7—Car Parks.
17.	6.2.2(4)	Insert the word “to” before the word “be”.
18.	6.5.2(c)(ii)	Delete the first word “removed” and substitute the word “remove”.
19.	8.1.3(c)(i)	Delete the words “prescribed in Schedule (12)” and substitute the words “as fixed from time to time by Council under Section 344C of the Act”.
20.	8.1.5(b)	Delete the words “prescribed in Schedule (12)” and substitute the words “as fixed from time to time by Council under Section 344C of the Act”.
21.	8.2.2(b)	Delete the word “ <i>Regulation</i> ” and substitute “ <i>Regulations</i> ”
22.	8.2.11(8)(c)	Delete subsection (8)(c) and substitute “(c) a lodger or other person does not smoke in any dormitory, kitchen, dining room or other enclosed public place, within a short term hostel or recreational campsite.”
23.	Schedules 5 & 7	In each schedule delete the prefix “19” in the line provided for entering the date of signature.
24.	Schedule 12	Delete Schedule 12.

Passed at a meeting of the Council of the Shire of Tammin held on 16th December 2000.

The Common Seal of the Shire of Tammin was hereunto affixed in the presence of—
on this 14th day of April 2000.

J. BUTTON, Shire President.

S. A. TAYLOR, Chief Executive Officer.

Consented to—

Dr VIVIENNE DAWES, delegate of Executive Director,
Public Health.

Dated this 7th day of June 2000.

LG304*

LOCAL GOVERNMENT ACT 1995

Shire of Dalwallinu

LOCAL LAW RELATING TO FENCING

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the Shire of Dalwallinu hereby records having resolved at its meeting held Tuesday 25th July 2000 to amend the abovementioned Local Law gazetted on the 17th January 2000 by—

- (a) deleting after the word “to” in line one of subclause 10(2) the words “or allow to remain on or as part of”
- (b) deleting after the word “affix” on line one of subclause 10(3) the words “or allow to remain as part of” and insert the word “to”

- (c) deleting the Third Schedule—"Specification for a Sufficient Fence on a Rural Lot" and inserting—
- "(1) In the case of a non-electrified fence, a sufficient fence on a Rural Lot is a fence of posts and wire construction, the minimum specifications for which are—
- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of five wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent small stock passing through, and connect to posts in all cases.
 - (b) posts shall be indigenous timber or other suitable material including—
 - timber impregnated with a termite and fungicidal preservative;
 - standard iron star pickets; or
 - concrete;cut not less than 1800mm long x 50mm diameter at small end if round or 125mm x 60mm if split or sawn. Posts to be set minimum 600mm in the ground and 1200mm above the ground; and
 - (c) strainer posts shall be not less than 2250mm long and 50mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.
- (2) An electrified fence having four wires only is a sufficient fence if constructed generally in accordance with (1).
- (d) Inserting after clause 19 the following clause—
- 20)** For the purposes of these Local laws all fees and charges applicable to this Local law shall be as determined by the local government from time to time in accordance with section 6.16 of the Local Government Act 1995.

Dated this 23rd day of December 2000.

The Common Seal of the Shire of Dalwallinu was hereunto affixed by authority of a resolution of Council in the presence of—

R. T. ALLAN, Shire President.

W. T. ATKINSON, Chief Executive Officer.

MINERALS AND ENERGY

MN301*

Mining Act 1978

Mining Amendment Regulations 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining Amendment Regulations 2001*.

2. Commencement

These regulations come into operation on the day on which the *Mining Amendment Act 2000* comes into operation.

3. The regulations amended

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

[* Reprinted as at 21 July 2000.

For amendments to 16 January 2001 see Gazette
15 December 2000 and 5 January 2001.]

4. Part IIA inserted

After Part II the following Part is inserted —

“

Part IIA — Permits under section 20A

4A. Definitions

In this Part —

“**date of issue**”, in relation to a permit, means the day on which the permit is issued;

“**issuing officer**” means the mining registrar or the holder of the office referred to in regulation 4B;

“**licensee statement**”, in relation to land, means a statement made in relation to the land under regulation 4H;

“**permit**” means a permit under section 20A;

“**permit holder**”, in relation to a permit, means the person who is or was the holder of the permit;

“**relevant exploration licence**”, in relation to an application for a permit in respect of land, or a permit issued in respect of land, means the exploration licence that was in force for the land when the application was made or the permit was issued.

4B. Prescribed office — section 20A(1)

For the purposes of section 20A(1) the office of Customer Service Coordinator, Mineral Titles Division of the Department is prescribed.

4C. Prescribed depth — section 20A(6)(b)

For the purposes of section 20A(6)(b) the prescribed depth is 2 metres below the natural surface of the land.

4D. Application for permit

- (1) An application for a permit is to be in the form No. 1A in the First Schedule.
- (2) The application is to be accompanied by the relevant application fee set out in item 2 of the Second Schedule.

- (3) The application may be accompanied by a licensee statement.

4E. Area of land to which permit applies

- (1) The area of land in respect of which a permit is issued is to be a block or blocks but is not to exceed 10 blocks.
- (2) If a permit is issued in respect of 2 or more blocks the graticular sections that constitute those blocks are to —
 - (a) constitute a single area; and
 - (b) each have a side in common with at least one other graticular section in that area.
- (3) The area of land in respect of which a permit is issued is to be specified in the permit by reference to the number of the block or each block, as the case requires, on a plan held at the Department.

4F. Permit conditions

- (1) An issuing officer may impose one or more of the following conditions on the issue of a permit in respect of land —
 - (a) a condition relating to the conservation of the land and its environment;
 - (b) where the land is the subject of a pastoral lease within the meaning of the *Land Administration Act 1997*, a condition requiring the permit holder to give a copy of the permit to the holder of the pastoral lease before prospecting for minerals on the land;
 - (c) if the application for the permit is not accompanied by a licensee statement, a condition requiring the permit holder not to prospect on the land before the permit comes into operation under regulation 4I;
 - (d) a condition requiring the permit holder to comply with regulation 4O(1);
 - (e) any other reasonable condition.
- (2) An issuing officer may vary or cancel a condition imposed under subregulation (1) by notice in writing given to the permit holder.

4G. Notice of issue of permit

An issuing officer is to cause a copy of a permit to be given to the holder of the relevant exploration licence as soon as practicable after the date of issue.

4H. Statement by holder of exploration licence

- (1) The holder of an exploration licence for land may make a written statement setting out any comments the license holder wishes to make in relation to prospecting activities proposed to be carried out on the land under a permit.
- (2) A licensee statement may be given to a person who proposes to apply, or has applied, for a permit, or to whom a permit has been issued, in respect of the land.

4I. Commencement of operation of permit

- (1) If a permit holder received a licensee statement before the permit was issued, the permit comes into operation on the date of issue.
- (2) If a permit holder receives a licensee statement after the date of issue, but within 21 days after the date of issue, the permit comes into operation on the day on which the permit holder receives the licensee statement.
- (3) If the permit holder does not receive a licensee statement before the end of the period of 21 days after the date of issue, the permit comes into operation at the end of that 21-day period.

4J. Expiry of permit

A permit stops being in force in respect of land when one of the following happens —

- (a) a notice of the surrender of the permit is lodged under regulation 4K;
- (b) the permit is cancelled under regulation 4L(2)(b);
- (c) the relevant exploration licence stops being in force;
- (d) a mining lease, general purpose lease or retention licence is granted in respect of the land;
- (e) the period of 3 months after the date of issue of the permit ends.

4K. Surrender of permit

- (1) A permit holder may surrender his or her permit by notice in writing lodged at the office of the mining registrar or the Department at Perth.
- (2) A notice under subregulation (1) is to be —
 - (a) signed by the permit holder or each permit holder (if more than one); and
 - (b) where possible, accompanied by the permit.

4L. Powers available to Minister where breach of condition, etc.

- (1) This regulation applies if the Minister is satisfied that a permit holder —
 - (a) has contravened a condition referred to in section 20A(5) or imposed on the permit in accordance with regulation 4F; or
 - (b) has included in the application for the permit information that the permit holder knew was false or misleading in a material respect at the time the application was made.
- (2) The Minister may, subject to regulation 4M, do one or more of the following —
 - (a) order the permit holder to pay a monetary penalty not exceeding \$5 000;
 - (b) cancel the permit;
 - (c) disqualify the permit holder from holding or applying for a permit for such period, not exceeding 3 years from the date of the decision to disqualify, as the Minister thinks fit.
- (3) The Minister may take action under subregulation (2)(a) or (c) whether or not the permit has expired or has been surrendered.
- (4) If there are 2 or 3 permit holders for a particular permit, those permit holders are jointly and severally liable for the payment of a penalty imposed under subregulation (2)(a).
- (5) The Minister may recover a penalty imposed under subregulation (2)(a) in a court of competent jurisdiction as a debt due by the permit holder to the State.

4M. Right of permit holder to make submissions

- (1) The Minister is not to take action under regulation 4L(2) unless the Minister —
 - (a) has caused a notice in accordance with subregulation (2) to be posted to the permit holder at his or her last known address; and
 - (b) has considered any submissions made by the permit holder on or before the date specified in the notice.
- (2) The notice is to specify —
 - (a) the proposed action; and
 - (b) a date on or before which the permit holder may make written submissions to the Minister on the matter.

4N. Prospecting report on recovered minerals

- (1) If a permit holder recovers any minerals from land in the course of prospecting in accordance with the permit, the permit holder is to prepare and lodge a written report in accordance with subregulations (2) and (3).
- (2) The report is to —
 - (a) contain details of each type of mineral recovered from the land;
 - (b) specify the quantity of each type of mineral recovered; and
 - (c) specify, in relation to each type of mineral recovered, the exact location of its recovery.
- (3) The permit holder must, within 14 days after the permit stops being in force —
 - (a) lodge the report, or cause it to be lodged, at the Department at Perth; and
 - (b) give a copy of the report to the holder of the relevant exploration licence.
- (4) A person who contravenes subregulation (1) commits an offence.
- (5) A person who, in a report, gives information that the person knows is false or misleading in a material respect commits an offence.

4O. Prohibition of use of certain hand tools

- (1) A permit holder is not to use powered or hydraulically driven hand tools on the land the subject of the permit.
- (2) A person who contravenes subregulation (1) commits an offence.

4P. Application of regulations 98 and 99

Regulations 98 and 99 apply to a permit holder as if references in those regulations to —

- (a) the holder of a mining tenement included a permit holder; and
- (b) the tenement included the land the subject of a permit.

5. First Schedule amended

The First Schedule is amended by inserting after Form 1 the following form —

“

Form 1A

WESTERN AUSTRALIA

Mining Act 1978

(Sec. 20A Reg. 4D)

APPLICATION FOR PERMIT UNDER SECTION 20A

No.

To: The Mining Registrar/Customer Service
Coordinator, Mineral Titles Division

- (a) Full name, address, telephone number and Miner's Right number of applicant(s) (maximum of 3 applicants)

(a) Applicant 1
Name:
Address:
.....
Telephone No.:
Miner's Right No.:
Applicant 2
Name:
Address:
.....
Telephone No.:
Miner's Right No.:
Applicant 3
Name:
Address:
.....
Telephone No.:
Miner's Right No.:

- (b) Number of relevant exploration licence

(b) Exploration Licence No.....

- (c) Area of Crown land in respect of which permit sought (maximum of 10 blocks)

(c)

- (d) Full name and address of holder of relevant exploration licence

(d)

- (e) Make, model and registration number of vehicle(s) to be used

(e)

DATED this

day of

20

- (f) Signature of applicant(s)

(f)

.....
Applicant 1

.....
Applicant 2

.....
Applicant 3

O F F I C E U S E		Received atm.	Receipt No:
		on	
		with fee of \$.....	
	 (Mining Registrar/Customer Service Coordinator, Mineral Titles Division)	

”.

6. Second Schedule amended

The Second Schedule is amended in item 2 after the subitem beginning “Miscellaneous Licence” by inserting the following subitem —

“ Permit under section 20A..... Reg. 4D(2) 20.00 ”.

By Command of the Governor,

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

MN302*

Mining Act 1978

Mining Amendment Regulations (No. 2) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining Amendment Regulations (No. 2) 2001*.

2. The regulations amended

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

[* *Reprinted as at 21 July 2000.*

For amendments to 16 January 2001 see Gazette 15 December 2000 and 5 January 2001.]

3. Regulations 12, 18, 23C, 25, 34 and 39 repealed

Regulations 12, 18, 23C, 25, 34 and 39 are repealed.

4. Regulation 16A amended

Regulation 16A(1)(b)(ii) is amended by deleting “rent pursuant to regulation 12(b)” and inserting instead —

“ prescribed rent ”.

5. Regulation 23A amended

Regulation 23A(1)(c)(ii) is amended by deleting “rent pursuant to regulation 18(b)” and inserting instead —

“ prescribed rent ”.

6. Regulation 23F amended

Regulation 23F(1)(b)(iv) is amended by deleting “rent pursuant to regulation 23C(b)” and inserting instead —

“ prescribed rent ”.

7. Regulation 29 amended

Regulation 29(1)(b)(ii) is amended by deleting “rent pursuant to regulation 25(b)” and inserting instead —

“ prescribed rent ”.

8. Regulation 36A amended

Regulation 36A(1)(b)(ii) is amended by deleting “rent pursuant to regulation 34(b)” and inserting instead —

“ prescribed rent ”.

9. Regulation 42A amended

Regulation 42A(1)(b)(ii) is amended by deleting “rent pursuant to regulation 39(b)” and inserting instead —

“ prescribed rent ”.

10. Regulation 64 amended

- (1) Regulation 64(1) is amended by deleting “with the prescribed fees and rent”.

- (2) After regulation 64(1a) the following subregulations are inserted —

“

- (1b) The prescribed application fee for a mining tenement is set out in item 2 of the Second Schedule.
- (1c) An application for a mining tenement must be accompanied by ten elevenths of the annual rent set out in item 1 of the Second Schedule for that tenement.

”.

11. Regulation 69A inserted

After regulation 69 the following regulation is inserted —

“

69A. GST to be paid at time of grant of application

- (1) In this regulation —
“**prescribed application**” means an application for a mining tenement that is made after 5 February 2001.
- (2) A prescribed application shall not be granted unless the applicant pays one eleventh of the annual rent that was prescribed for that tenement at the time the application was made.
- (3) Written notice requiring the payment of the amount referred to in subregulation (2) within 30 days of the date of the issue of the notice may be given to the applicant.
- (4) If an applicant does not pay the amount referred to in subregulation (3) as required by such a notice, the prescribed application may be refused.

”.

12. Regulation 93 repealed

Regulation 93 is repealed.

13. Regulation 109 amended

- (1) Regulation 109(1) is amended by deleting “and rents”.
- (2) After regulation 109(2) the following subregulations are inserted —

“

- (3) For the purposes of the Act, the prescribed rent, including GST, for a mining tenement for a year is that set out in item 1 of the Second Schedule for that tenement.

- (4) The prescribed rent for a mining tenement for the second and subsequent years of the term of the tenement shall be paid yearly in advance within one month after the anniversary of the date on which the term commenced.

”.

14. Regulation 109A replaced

Regulation 109A is repealed and the following regulation is inserted instead —

“

109A. GST to be paid on certain applications

- (1) This regulation applies to an application for a mining tenement if —
- (a) the application was made before 5 February 2001;
 - (b) the rent for the first year of the term of the tenement paid in advance at the time the application was made did not include an amount for GST; and
 - (c) the application was not granted before 5 February 2001.
- (2) An application to which this regulation applies shall not be granted unless the applicant pays an amount that is 10% of the rent that was paid at the time the application was made.
- (3) Written notice requiring the payment of the amount referred to in subregulation (2) within 30 days of the date of the issue of the notice may be given to the applicant.
- (4) If an applicant does not pay the amount referred to in subregulation (2) as required by such a notice, the prescribed application may be refused.

”.

15. Second Schedule amended

The Second Schedule is amended in items 1 and 2 by deleting the second column (being the column containing cross references to provisions of the *Mining Regulations 1981*).

By Command of the Governor,

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

WATER

WA301*

Water Agencies (Powers) Act 1984

**Preston Valley Irrigation District Amendment
By-laws 2001**

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

1. Citation

These by-laws may be cited as the *Preston Valley Irrigation District Amendment By-laws 2001*.

2. The by-laws amended

The amendments in these by-laws are to the *Preston Valley Irrigation District By-laws**.

[* *Published in Gazette 19 December 1969, pp. 4201-4.*
For amendments to 10 January 2001 see 1999 Index to Legislation of Western Australia, Table 4, pp. 318-9.]

3. Headings to Division I replaced

The headings “DIVISION I.” and “Preliminary.” are deleted and the following heading is inserted instead —

“

Part 1 — Preliminary

”.

4. By-law 1 replaced

By-law 1 is repealed and the following by-law is inserted instead —

“

1. Citation

These by-laws may be cited as the *Water Agencies (Preston Valley Irrigation Services) By-laws 1969*.

”.

5. By-law 1A replaced

By-law 1A is repealed and the following by-law is inserted instead —

“

2. Application

These by-laws apply to that portion of the South West Region Controlled Area (Irrigation Services) (constituted under the *Water Services Coordination Act 1995*) shown on the plan set out in Schedule 1.

”.

6. By-law 3 amended

(1) By-law 3 is amended as follows:

- (a) in the definition of “Approved Diverter” by deleting “a former Minister, the former Authority or the Corporation,” and inserting instead —
“ the Corporation or the Cooperative ”;
- (b) by deleting the definitions of “District”, and “fauna” and inserting instead the following definition —

“

“**Cooperative**” means the Preston Valley Irrigation Cooperative Ltd;

”.

- (c) in the definition of “Preston River” as follows:
 - (i) by deleting “District” and inserting instead —
“ area referred to in by-law 2 ”;
 - (ii) by deleting “a former Minister, the former Authority or the Corporation,” and inserting instead —

“

the Corporation or the Cooperative;

”;

- (d) by deleting the definition of “the Act”.

7. Headings to Division III replaced

The headings “DIVISION III.” and “Protection of Water, Grounds, Works, etc. from Trespass and Injury.” are deleted and the following heading is inserted instead —

“

Part 2 — Protection of water, grounds and works

”.

8. By-law 7 repealed

By-law 7 is repealed.

9. By-law 10 amended

(1) By-law 10(1) is amended as follows:

- (a) at the end of paragraph (c) by deleting the full stop;
- (b) after paragraph (c) by inserting the following paragraphs —

“

- (d) construct a dam or develop a soak hole within 20 metres of the Preston River banks; or
- (e) construct any permanent structure within the waterway of the Preston River.

”.

(2) By-law 10(2) is repealed.

10. Headings to Division IV replaced

The headings “DIVISION IV.” and “Conditions Governing the Supply and Control of Water.” are deleted and the following heading is inserted instead —

“

Part 3 — Conditions governing the supply and control of water

”.

11. By-law 12 amended

By-law 12 is amended by inserting after “Approved Diverter” —

“ or is authorised to do so under another written law ”.

12. By-law 13 amended

By-law 13 is amended by inserting after “Approved Diverter” —

“ or is authorised to do so under another written law ”.

13. By-law 14 amended

By-law 14(2) and (3) are repealed.

14. By-law 15 amended

By-law 15 is amended as follows:

- (a) in paragraph (a) by deleting “Corporation;” and inserting instead —

“

Cooperative, unless the Approved Diverter is authorised to do so under another written law;

”;

- (b) in paragraph (b) by deleting “by-laws.” and inserting instead —

“

by-laws, unless the Approved Diverter is authorised to do so under another written law.

”;

15. By-law 16 to 18 repealed

By-laws 16, 17 and 18 are repealed.

16. By-law 20 repealed

By-law 20 is repealed.

17. By-law 22 amended

By-law 22(3) is repealed.

18. Headings to Division VI replaced

The headings “DIVISION VI.” and “Miscellaneous.” are deleted and the following heading is inserted instead —

“

Part 4 — Miscellaneous

”.

19. Various references to “Corporation” changed to “Cooperative”

The by-laws are amended by deleting “Corporation” in each place where it occurs that is mentioned in the Table to this by-law and inserting instead —

“ Cooperative ”.

Table

bl. 10(1)	bl. 22(1)
bl. 14(1)	bl. 22(2) (3 places)
bl. 15(b)	bl. 23
bl. 19	bl. 26
bl. 21 (2 places)	bl. 29

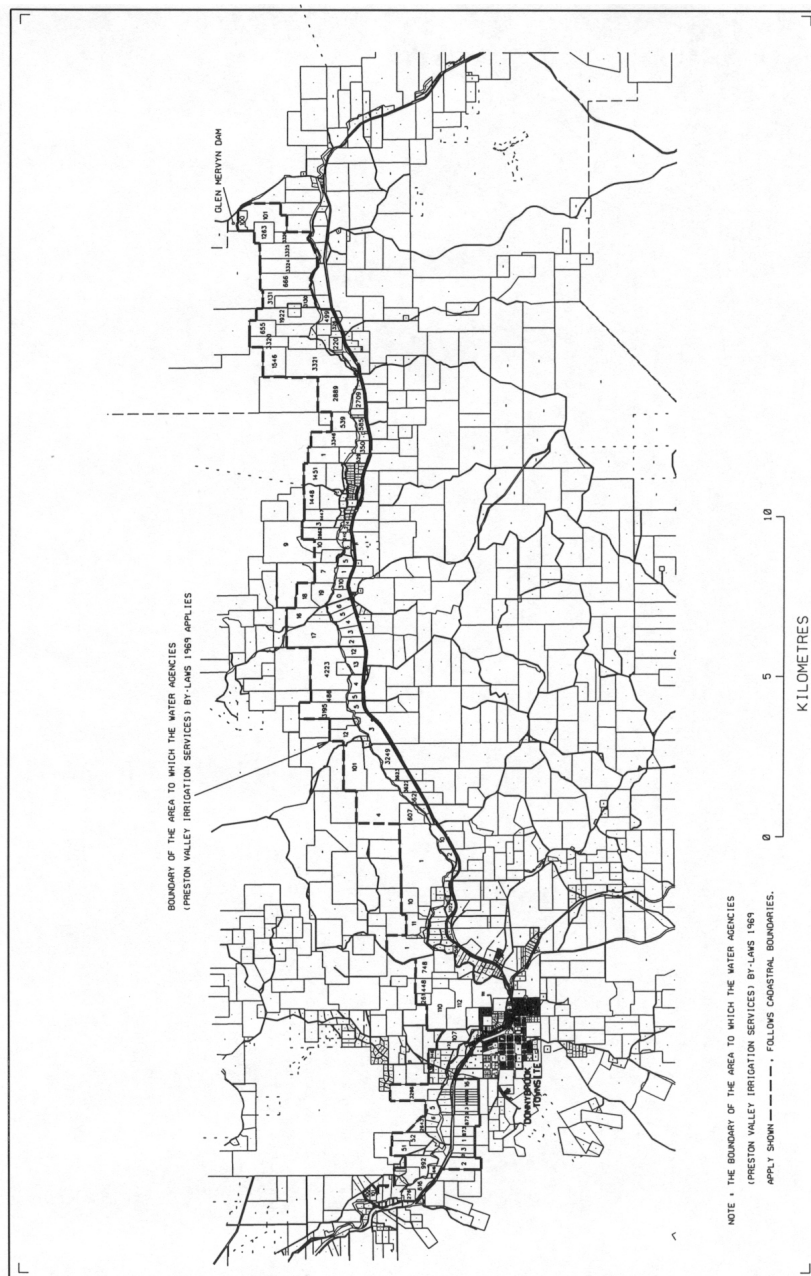
20. Schedule replaced

The Schedule is deleted and the following Schedule is inserted instead —

“

Schedule 1 — Area to which these by-laws apply

[bl. 2]



”

KIM HAMES, Minister for Water Resources.

WA302*

Water Services Coordination Act 1995

Camballin Controlled Area (Water Supply Services) Order 2001

Made by the Governor in Executive Council under section 11.

1. Citation

This order may be cited as the *Camballin Controlled Area (Water Supply Services) Order 2001*.

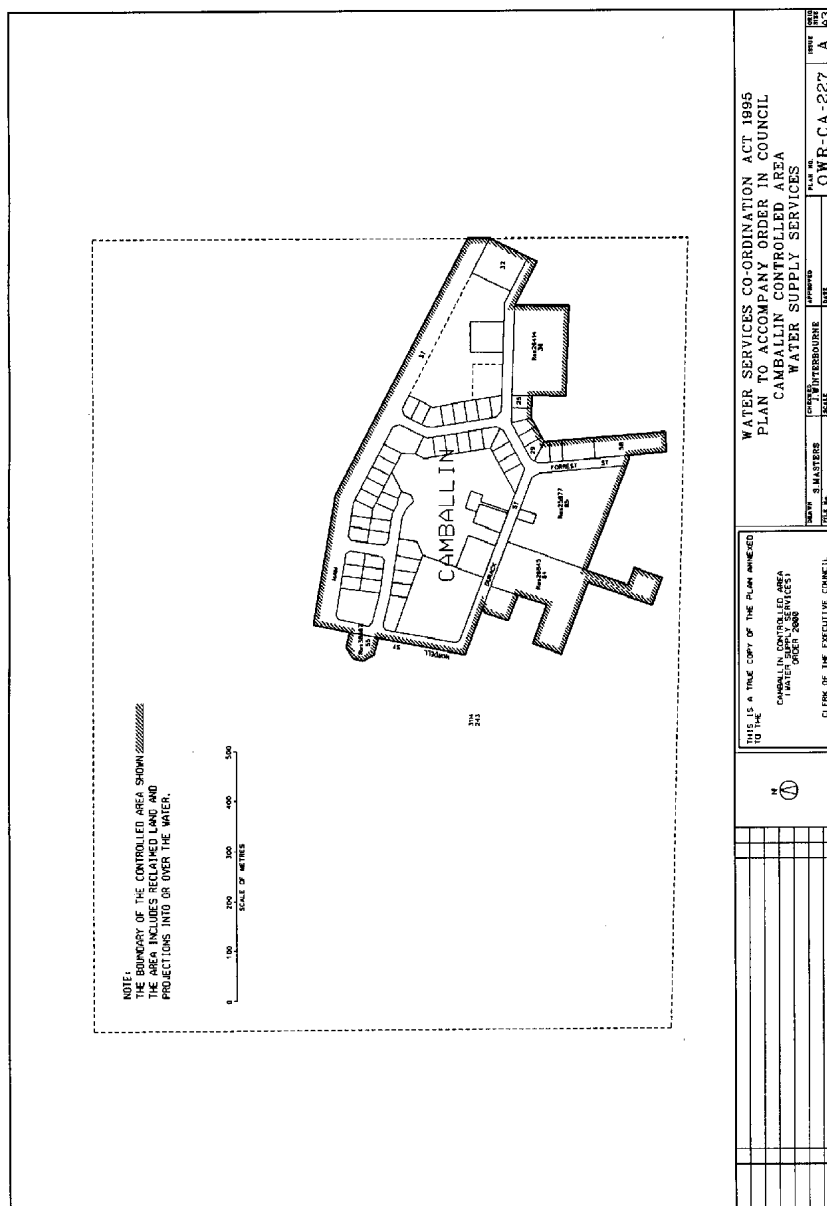
2. Area constituted

The area shown as being bordered by the outline ////////// on the plan set out in Schedule 1 —

- (a) is constituted a controlled area (water supply services);
and
- (b) is to be called the Camballin Controlled Area (Water Supply Services).

Schedule 1 — Plan of Camballin Controlled Area (Water Supply Services)

[cl. 2]



— PART 2 —

ELECTRICITY

EG401*

ENERGY COORDINATION ACT 1994

Notice of Amendment to Gas Distribution Licence GDL 4 and 5

Notice is hereby given, in accordance with section 11W of the *Energy Coordination Act 1994*, that gas distribution licences GDL 4 and GDL 5, which I, Dr Les Farrant, the Coordinator of Energy, granted on 31 August 2000 to Wesfarmers Kleenheat Gas of 276 Leach Highway Myaree WA 6154, was amended by my determination on 25 January 2001.

Clause 23 within gas distribution licences GDL 4 and GDL 5 have been amended consistent with a determination made by the Western Australian Gas Review Board on 11 December 2000 with respect to that provision.

Copies of the amended gas distribution licences GDL 4 and GDL 5 may be inspected at the Office of Energy, Level 9, Governor Stirling Tower, 197 St Georges Terrace, Perth, WA, 6000 between 9 am and 5pm Monday to Friday, or consolidated copies may be accessed on the Office of Energy web site www.energy.wa.gov.au

LES FARRANT, Coordinator of Energy.

EG402*

ENERGY COORDINATION ACT 1994

Notice of Amendment to Gas Distribution Licence GDL 1, 2 and 3

Notice is hereby given, in accordance with section 11W of the *Energy Coordination Act 1994*, that gas distribution licences GDL 1, GDL 2 and GDL 3, which I, Dr Les Farrant, the Coordinator of Energy, granted on 1 July 2000 to the Gas Corporation (subsequently transferred to AlintaGas Networks Proprietary Limited) of Level 7, the Quadrant, 1 William Street, Perth WA 6000, was amended on 20 December 2000 by order of the Western Australian Gas Review Board dated 11 December 2000.

Clause 23, within gas distribution licence GDL 1, clause 22 within gas distribution licence GDL 2 and clause 23 within gas distribution licence GDL 3 have been amended consistent with the Western Australian Gas Review Board's order dated 11 December 2000.

Copies of the amended gas distribution licences GDL 1, GDL 2 and GDL 3 may be inspected at the Office of Energy, Level 9, Governor Stirling Tower, 197 St Georges Terrace, Perth, WA, 6000 between 9 am and 5pm Monday to Friday, or consolidated copies may be accessed on the Office of Energy web site www.energy.wa.gov.au

LES FARRANT, Coordinator of Energy.

EG403*

ENERGY COORDINATION ACT 1994

Notice of Amendment to Gas Trading Licence GTL 1, 2 and 3

Notice is hereby given, in accordance with section 11W of the *Energy Coordination Act 1994*, that gas distribution licences GTL 1, GTL 2 and GTL 3, which I, Dr Les Farrant, the Coordinator of Energy, granted on 1 July 2000 to the Gas Corporation (subsequently transferred to AlintaGas Sales Proprietary Limited) of Level 7, the Quadrant, 1 William Street, Perth WA 6000, was amended on 20 December 2000 by order of the Western Australian Gas Review Board dated 11 December 2000.

Clause 24, within gas trading licence GTL 1, GTL 2 and GTL 3 have been amended consistent with the Western Australian Gas Review Board's order dated 11 December 2000.

Copies of the amended gas distribution licences GTL 1, GTL 2 and GTL 3 may be inspected at the Office of Energy, Level 9, Governor Stirling Tower, 197 St Georges Terrace, Perth, WA, 6000 between 9 am and 5pm Monday to Friday, or consolidated copies may be accessed on the Office of Energy web site www.energy.wa.gov.au

LES FARRANT, Coordinator of Energy.

ELECTORAL COMMISSION

EL401**DECLARATION OF SPECIAL INSTITUTIONS AND HOSPITALS**

Pursuant to section 100 (1) of the *Electoral Act 1907*, I hereby declare the institution below in the electoral district specified to be a special institution for the purposes of the *Electoral Act 1907*.

Dr KENNETH W. EVANS, Electoral Commissioner.

MURRAY-WELLINGTON DISTRICT**RAVENSWOOD—**

Settlers Lakeside Village, Old Mandurah Road.

JUSTICE

JM401**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 persons as Members of the Children's Court of Western Australia—

Mr Donald Russell Atkinson of 66 Railway Road, Mullalyup

Ms Lesley Carole Carroll of 4 Griggs Way, Palm Beach.

GARY THOMPSON, Executive Director, Court Services.

JM402**DECLARATIONS AND ATTESTATIONS ACT 1913**

It is hereby notified for public information that the Attorney General has approved of the appointment of the following persons as Commissioners for Declarations under the Declarations and Attestations Act 1913—

Mr Jamie Andrew Blanchard of 2 Forrest Street, South Perth

Mr Mark Stuart Vernon of 3 Corbett Place, Dianella.

GARY THOMPSON, Executive Director, Court Services.

JM403**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 Ian Arthur Critchley of 27 Westbrook Street, Calista

Mr David Lee of 28 Cerberus Avenue, Parkwood

Mr Thomas Crawford McAllister of 18 O'Connell Street, Albany

Mr Graham George Standley of 10 Crowea Street, Bunbury

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

GARY THOMPSON, Executive Director, Court Services.

MINERALS AND ENERGY

MN401**MINING ACT 1978**

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,
Mt Magnet
23rd January 2001.

In accordance with Regulation 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.

S. WILSON, Warden.

To be heard in the Warden's Court, Mt Magnet on the 19th March, 2001.

YALGOO MINERAL FIELD

L59/26 Normandy Golden Grove Operations Pty Ltd; Normandy Wownaminy Pty Ltd.

MN402**MINING ACT 1978**

Department of Minerals and Energy,
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A(1) and 97(1) of the Mining Act 1978 that the undermentioned mining tenements are forfeited for breach of covenant viz; non payment of rent.

NORMAN MOORE, MLC, Minister for Mines.

Number	Holder	Exploration Licences	Mineral Field
08/1108	Slayed Pty Ltd		Ashburton
59/825	Westland Gold NL		Yalgoo
		Mining Lease	
09/71	Kunievski, Angelo; Kunievski, Lena		Gascoyne

MN403**MINING ACT 1978**

Department of Minerals and Energy,
Perth WA 6000.

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

NORMAN MOORE, MLC, Minister for Mines.

Number	Holder	Mineral Field
37/517	Southstar Resources NL	Mt Margaret

MN404*

COMMONWEALTH OF AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT 1967
 (SECTION 119)

PROHIBITION OF ENTRY INTO A SAFETY ZONE

I, William Lee Tinapple, the Director Petroleum Division of the Department of Minerals and Energy of the State of Western Australia, by instrument of delegation dated 4 June 1998, and pursuant to Section 119 of the above Act, hereby prohibit all vessels other than vessels under control of the registered holders of Production Licence WA-20-L from entering or remaining in the area of the safety zone without the consent in writing of the Director, Petroleum Division. This safety zone extends to a distance of five hundred metres, measured from—

1. The Calm Buoy and the stern of the outer edge of the Floating Storage and Offloading facility "Karratha Spirit" (244m in length) as it vanes around the Calm Bouy (latitude 19° 41' 16.71155" South, longitude 116° 43' 32.04749" East.*); and
2. the "Ocean Legend" Subsea Production Facility (latitude 19° 42' 14.13239" South, longitude 116° 42' 31.21814" East.*).

* note: the above are GDA94 coordinates

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against Section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to Section 119(3) of the Act.

Dated this 31st day of January 2001.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

WILLIAM LEE TINAPPLE, Director Petroleum Division.

PLANNING

PD401*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF COCKBURN

DISTRICT ZONING SCHEME No. 2—AMENDMENT No. 207

Ref: 853/2/23/19 Pt 207

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 Cockburn Town Planning Scheme Amendment on 4 January 2001 for the purpose of—

1. Rezoning Lot 202 Russell Road, Lot 412 Gaebler Road, Pt Lot 8, Pt Lot 9, Pt Lot 10, Pt Lot 11, Pt Lot 203, Lot 208 and Pt Loc 458 Barfield Road from Rural to Development zone.
2. Adding to the Ninth Schedule Development Area No 9 - Gaebler Road (DA9) including the following provisions—

NINTH SCHEDULE
DEVELOPMENT AREAS

REF NO.	AREA	PROVISIONS
DA9	Gaebler Road	<ol style="list-style-type: none"> 1. An adopted Structure Plan together with all adopted amendments shall apply to the land in order to guide subdivision and development. 2. The provisions of the Scheme shall apply to the land use areas created under the Structure Plan. 3. The local government may adopt Design Guidelines for any development precincts as defined on the Structure Plan. All development in such precincts is to have regard to the adopted guidelines in addition to any other requirements of the Scheme, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail.

REF NO.	AREA	PROVISIONS
		<p>4. No subdivision or development of incompatible use will be supported within the generic buffer area associated with the kennels on Pt Lot 11 Barfield Road or the piggery on Pt Lot 15 Lyon Road until the use of the land ceases or the buffer area is scientifically determined and approved by the Department of Environmental Protection. Buffer requirements associated with the market gardens on Lot 37 Gaebler Road to be determined in consultation with the local government and Department of Environmental Protection. Buffer areas are to be shown on the Structure Plan.</p> <p>5. Development of Shops (retail uses) within the Development Area shall be a maximum of 5000m² NLA within the neighbourhood centre immediately south of Russell Road and 200m² NLA maximum in other centres.</p>

3. Adding to the Tenth Schedule Development Contribution Area No 3—Gaebler Road (DCA 3) including the following provisions—

TENTH SCHEDULE

DEVELOPMENT CONTRIBUTION PLANS

REF NO.	AREA	PROVISIONS
DCA 3	Gaebler Road	<p>All landowners within DCA3 shall make a proportional contribution to the cost of common infrastructure.</p> <p>The proportional contribution is to be determined in accordance with the provisions of Part 12 and outlined on the Development Contribution Plan.</p> <p>Contributions shall be made towards the following items—</p> <ol style="list-style-type: none"> 1. Land and works for Hammond Road/Frankland Avenue between Russell Road and Gaebler Road; and 50% of Russell Road between Hammond Road/Frankland Avenue and Kwinana Freeway. This comprises the following— <ul style="list-style-type: none"> • Land reserved for Hammond and Russell Roads under the Metropolitan Region Scheme; • Full earthworks; • Construction of a two-lane road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway shall be provided; • Dual use path (one side only); • Pedestrian crossings (where appropriate at the discretion of the local government); • Drainage; • Costs to administer cost sharing arrangements—preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs; • Servicing infrastructure relocation where necessary. 2. The cost of a set of traffic signals at the intersection of Russell and existing Hammond Road. 3. In the event that a high school site is included on the Southern Suburbs District Structure Plan within the area south of Gibbs Road and east of the Kwinana Freeway, a proportional contribution shall be made to the provision of a pedestrian/cyclist bridge across the Freeway in the vicinity of Gaebler Road.

4. Amending the Scheme Maps accordingly.

J. DONALDSON, Chairman of Commissioners.
R. W. BROWN, Chief Executive Officer.

PD402***TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT****CITY OF COCKBURN****DISTRICT ZONING SCHEME No. 2—AMENDMENT No. 206**

Ref: 853/2/23/19 Pt 206

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 Cockburn Town Planning Scheme Amendment on 4 January 2001 for the purpose of—

1. Rezoning Lot 501, Loc 458, Lots 1, 4, 5, 6, 7, 8, Pt 9, 500, 10, 11, 42, 19, 20, 21 and JAA Lot 261 Hammond Road, Ptn JAA Lot 202, CSL Loc Pt 458, JAA Ptn Lot 212 and Pt 214 Russell Road from Rural to Development zone, Lot 14 Hammond Road, Lot 258 Russell Road and Lot 13 Bartram Road from Lakes and Drainage to Development zone and Portion of Russell and Bartram Roads from Local Road, POW, PAW to Development zone.
2. Adding to the Ninth Schedule Development Area No 8 - Success Lakes (DA8) including the following provisions—

**NINTH SCHEDULE
DEVELOPMENT AREAS**

REF NO.	AREA	PROVISIONS
DA8	Success Lakes	<ol style="list-style-type: none"> 1. An adopted Structure Plan together with all adopted amendments shall apply to the land in order to guide subdivision and development. 2. The provisions of the Scheme shall apply to the land use areas created under the Structure Plan. 3. The local government may adopt Design Guidelines for any development precincts as defined on the Structure Plan. All development in such precincts is to have regard to the adopted guidelines in addition to any other requirements of the Scheme, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail. 4. No subdivision or development of incompatible use will be supported within the generic buffer area associated with the poultry farm on Lot 19 Hammond Road and the piggery on Pt Lot 15 Lyon Road until the use of the land ceases or the buffer area is scientifically determined and approved by the Department of Environmental Protection. Buffer areas are to be shown on the Structure Plan. 5. No residential development will be supported within the midge buffer area or Water Corporation treatment plant buffer area. 6. Development of Shops (retail uses) within the Development Area shall be a maximum of 1000m² NLA for the local centre associated with the railway precinct and 200m² NLA maximum in other centres. 7. As and when required, the local government shall initiate procedures to close portion of the existing Russell Road upon construction of the deviation of Russell Road in accordance with the Metropolitan Region Scheme and shall recommend to the Department of Land Administration that the land be amalgamated with the adjoining Lot 202 and transferred free of cost to that land owner.

3. Adding to the Tenth Schedule Development Contribution Area No 2—Success Lakes (DCA 2) including the following provisions—

**TENTH SCHEDULE
DEVELOPMENT CONTRIBUTION PLANS**

REF NO.	AREA	PROVISIONS
DCA 2	Success Lakes	<p>All landowners within DCA 2, with the exception of Lot 500 Hammond Road, shall make a proportional contribution to the cost of common infrastructure.</p> <p>The proportional contribution is to be determined in accordance with the provisions of Part 12 and outlined on the Development Contribution Plan.</p>

REF NO.	AREA	PROVISIONS
		Contributions shall be made towards the following items—
		1. Land and works for Hammond Road between Bartram Road and Russell Roads; and 50% of Russell Road between Hammond Road/Frankland Avenue and Kwinana Freeway. This comprises the following—
		<ul style="list-style-type: none"> • Land reserved for Hammond and Russell Roads under the Metropolitan Region Scheme; • Full earthworks; • Construction of a two-lane road and where the reserve width is less than 40 metres wide, kerbing to the verge side of the carriageway should be provided; • Dual use path (one side only); • Pedestrian crossings (where appropriate at the discretion of the local government); • Drainage; • Costs to administer cost sharing arrangements—preliminary engineering design and costings, valuations, annual reviews and audits and administrative costs; • Servicing infrastructure relocation where necessary.
		4. Amending the Scheme Maps accordingly.

J. DONALDSON, Chairman of Commissioners.
R. W. BROWN, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF COCKBURN

DISTRICT ZONING SCHEME No. 2—AMENDMENT No. 193

Ref: 853/2/23/19 Pt 193

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 Cockburn Town Planning Scheme Amendment on 23 January 2001 for the purpose of—

- (1) Inserting a new part to the Scheme text titled PART 12—DEVELOPMENT CONTRIBUTION AREAS and inserting the following—

Part 12 Development Contribution Areas (DCA)

12.1 Purpose—

- (a) To identify areas (DCA) requiring Cost Contributions that relate to subdivision and development;
- (b) To provide for the equitable sharing of costs of Infrastructure between Owners, and in particular, to ensure that Cost Contributions are only required towards such Infrastructure as is reasonably required as a result of the subdivision and development of land in the Development Contribution Area; (DCA)
- (c) To co-ordinate the timely provision of Infrastructure.

12.2 Interpretation

In *Part 12*, unless the context otherwise requires—

“Cost Contribution” means the contribution to the cost of Infrastructure payable by an Owner under *Part 12* and the applicable Development Contribution Plan;

“Infrastructure” means services and facilities which, in accordance with the Commission’s policy, it is reasonable for Owners to make a Cost Contribution towards; and

“Owner” means an owner of land that is located within a Development Contribution Area.

12.3 Development Contribution Plan Pre-requisite to Subdivision and Development—

- (a) Where a Development Contribution Area is prescribed in the Scheme, all Owners within that Development Contribution Area are required to make a Cost Contribution in accordance with the applicable Development Contribution Plan contained in the Tenth Schedule and the provisions of *Part 12*,

- (b) The Development Contribution Plan for any Development Contribution Area does not have effect until it has been incorporated in the Tenth Schedule as part of the Scheme;
- (c) Subject to *clause 12.3(e)*, the local government is not to support subdivision or approve development in a Development Contribution Area until a Development Contribution Plan is in effect and the Owner who has applied for subdivision or development approval has made arrangements in accordance with *clause 12.6(a)* for the payment of the Owner's Cost Contribution;
- (d) *Clause 12.3(c)* does not apply to the development of a single house or outbuildings associated with a single house on a lot which has not been subdivided since the coming into operation of *Part 12*;
- (e) Where a Development Contribution Plan is necessary but is not in effect, the local government may support subdivision or approve development where the Owner has made other arrangements satisfactory to the local government with respect to the Owner's contribution towards the provision of Infrastructure in the Development Contribution Area.

12.4 Content and Principles of Development Contribution Plans

- (a) The Development Contribution Plan is to specify—
 - (i) the Development Contribution Area to which the Development Contribution Plan applies;
 - (ii) the Infrastructure to be funded through the Development Contribution Plan; and
 - (iii) the method of determining the Cost Contribution of each Owner towards the Infrastructure to be funded through the Development Contribution Plan;
- (b)
 - (i) A Development Contribution Plan is to specify the period during which it is to operate, but in any event, is not to operate for a period of more than 5 years.
 - (ii) The period during which a Development Contribution Plan is to operate may be extended and the Development Contribution Plan may, with the approval of the Minister for Planning, be amended accordingly.
- (c) The Development Contribution Plan for any Development Contribution Area is to be prepared in accordance with the following principles—
 - (i) it is to provide for Cost Contributions to only the cost of such Infrastructure as fairly and reasonably relates to, and is reasonably required as a result of, the subdivision and development of land in the Development Contribution Area;
 - (ii) it is to provide for Cost Contributions generally in accordance with the Commission's policies on developer contributions for Infrastructure;
 - (iii) matters requiring land contribution, such as public open space, are to be treated as the cost of Infrastructure with any necessary adjustments to establish, where appropriate, a money equivalent;
 - (iv) the Cost Contribution for the Owners' land for which a contribution is to be made shall be the proportion that the land the subject of the contribution bears to the total area of land within the Development Contribution Area for which Cost Contributions have yet to be made;
 - (v) the Cost Contribution is to take into account the highest and best uses attainable for the Owners' land in accordance with an approved Structure Plan; and
 - (vi) the cost of Infrastructure is to be based on amounts expended, but when an expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government.
- (d) For the purposes of *clause 12.4(c)(iv)*, in calculating both the area of an Owner's land and the total area of land in a Development Contribution Area, the area of land provided or required in that Development Contribution Area for—
 - (i) roads designated under the Metropolitan Region Scheme as Primary Regional Roads and Other Regional Roads;
 - (ii) existing public open space;
 - (iii) government primary and secondary schools; and
 - (iv) such other land as is set out in the Development Contribution Plan;
 is to be excluded.
- (e)
 - (i) Where a Development Contribution Plan contains estimated costs, such estimated costs are to be reviewed at least annually by the local government in accordance with the best and latest information available to the local government until the expenditure on the relevant item of Infrastructure has occurred.
 - (ii) An Owner, at their own cost, may request the local government to have such estimated costs independently certified by an appropriate qualified person.

- (f) Where any Cost Contribution has been calculated on the basis of an estimated cost for Infrastructure, the local government may—
 - (i) adjust the Cost Contribution of any Owner in accordance with the revised estimated costs or the final expenditure; or
 - (ii) accept a Cost Contribution based upon estimated costs as a final Cost Contribution and may enter into an agreement with an Owner accordingly.
- (g) Where an Owner's Cost Contribution is adjusted under *clause 12.4(f)*, the local government, on receiving a request in writing from an Owner, is to provide the Owner with a copy of estimated costs and the calculation of adjustments.

12.5 Liability for Cost Contributions

An Owner's liability to pay the Owner's Cost Contribution to the local government arises on the earlier of—

- (a) the local government confirming to the Commission that conditions of subdivision approval supervised by the local government and imposed on an application to subdivide the Owner's land within the Development Contribution Area have been complied with;
- (b) prior to the Commission endorsing its approval on the Diagram or Plan of Survey of the subdivision of the Owner's land within the Development Contribution Area;
- (c) at the time of carrying out any development or commencing any new or extended use on the Owner's land within the Development Contribution Area;
- (d) at the time of applying to the local government or Commission for approval of any new or extended use, or any other development on the Owner's land within the Development Contribution Area; or
- (e) on the expiry of the Development Contribution Plan.

12.6 Collection and Enforcement

- (a)
 - (i) The Owner, with the agreement of the local government, may pay the Owner's Cost Contribution by—
 - (aa) cheque or cash;
 - (bb) transferring to the local government land to the value of the Cost Contribution;
 - (cc) some other method acceptable to the local government; or
 - (dd) any combination of these methods.
 - (ii) the Owner, with the agreement of the local government, may pay the Owner's Cost Contribution in a lump sum, by instalments or in such other manner as agreed with the local government.
- (b)
 - (i) The amount of any Cost Contribution for which an Owner is liable under *clause 12.5*, but has not paid, is a charge on the Owner's land to which the Cost Contribution relates, and the local government may lodge a caveat against the Owner's title to that land.
 - (ii) The local government may, at the Owner's expense and subject to such other conditions as the local government thinks fit, withdraw a caveat lodged under *clause 12.6(b)(i)* to permit a dealing and then re-lodge the caveat to prevent further dealings.
 - (iii) If the Cost Contribution is paid in full, and if requested to do so by the Owner, the local government shall, at the expense of the Owner, withdraw any caveat lodged in accordance with *clause 12.6(b)*.

12.7 Administration of Funds

- (a) The local government is to establish and maintain a reserve account in accordance with the Local Government Act 1995 for each Development Contribution Area into which Cost Contributions for that Development Contribution Area will be credited and from which all payments for the cost of Infrastructure within that Development Contribution Area will be paid.
- (b) The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that Development Contribution Area.
- (c) The local government is to provide to every Owner an audited annual statement of accounts for that Development Contribution Area as soon as practicable after the audited annual statement of accounts becomes available.
- (d) The local government is to only expend funds collected in the Development Contribution Area to which the Development Contribution Plan relates.

12.8 Shortfall or Excess in Cost Contributions

- (a) If there is a shortfall in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government may—
 - (i) make good the shortfall from its municipal fund;
 - (ii) enter into agreements with Owners to fund the shortfall; or

- (iii) raise loans or borrow from a financial institution; but nothing in *clause 12.8(a)(i)* restricts the right or power of the local government to impose a differential rate to a specified Development Contribution Area in that regard.
- (b) If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government is to use the excess funds for the provision of additional facilities in that Development Contribution Area.

12.9 Valuation

- (a) (i) Unless Part 10 of the Land Administration Act 1997 applies, *clause 12.9* applies if it is necessary to ascertain the Value of any land for the purposes of *Part 12*.
- (ii) In *clause 12.9*—
 - “Value” means the capital sum which an unencumbered estate in fee simple of the land might reasonably be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require—
 - (aa) on the basis that there are no buildings, fences or other improvements of a like nature on the land;
 - (bb) on the assumption that any rezoning necessary for the purpose of the development has come into force; and
 - (cc) taking into account the added value of all other improvements on or appurtenant to the land.
 - “Valuer” means a licensed valuer agreed by the local government and the Owner, or where the local government and the Owner are unable to reach agreement, a valuer appointed by the President for the time being of the Western Australian Division of the Australian Property Institute;
- (b) If any Owner objects to a valuation made by the Valuer, the Owner may give notice to the local government requesting a review of the amount of the Value, at the Owner's expense, within 28 days after being informed of the Value.
- (c) If the Valuer does not change the Value of the land to a figure acceptable to the Owner, the Value is to be determined under *clause 12.9(f)*.
- (d) (i) At the request of the local government or the Owner, the Value placed upon the land of an Owner may be revised from time to time by a Valuer.
- (ii) The Valuer may—
 - (aa) reconsider the Values placed on other land in the Development Contribution Area; and
 - (bb) make such revisions as considered just and equitable to those Values; if the Valuer considers this is necessary as a result of a revaluation made under *clause 12.9(b)*.
- (e) The date of valuation is the date that the Owner's liability to pay the Owner Cost Contribution to the local government arises under *clause 12.5*, or such other date as is agreed between the local government and the Owner.
- (f) (i) where there is a dispute or difference between the local government and the Owner regarding a Value, the dispute or difference is to be resolved as follows—
 - (aa) by any method agreed upon by the local government and the Owner; or
 - (bb) if the local government and the Owner cannot agree, by arbitration in accordance with the Commercial Arbitration Act 1985;
- (ii) in any case, mediation of the dispute is to be attempted without prejudice to the rights of either the local government or the Owner.

12.10 Land Acquisition

The local government may acquire land for the carrying out of any Infrastructure works either by agreement or compulsorily under the powers conferred by section 13 of the Act.

12.11 Arbitration

Subject to *clause 12.9(f)*, any dispute between any Owner and the local government in connection with the Cost Contribution required to be made by an Owner under *Part 12* is to be resolved by arbitration in accordance with the Commercial Arbitration Act 1985.

- (2) Inserting the Tenth Schedule into the Scheme Text—

TENTH SCHEDULE DEVELOPMENT CONTRIBUTION PLANS

REF NO.	AREA	PROVISIONS

- (3) Adding to the legend on the Scheme Map the reference to Development Contribution Areas (DCA).

J. DONALDSON, Chairman of Commissioners.
R. W. BROWN, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF GOSNELLS

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 533

Ref: 853/2/25/1 Pt 533

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 Gosnells Town Planning Scheme Amendment on 24 January 2001 for the purpose of—

1. Rezoning Reserve No. 28180 Ladywell Street, Beckenham, from Parks and Recreation Reserve to Residential A (R17.5) zone.
2. Amending the Scheme Map accordingly.

P. M. MORRIS, Mayor.
S. HOLTBY, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF KALGOORLIE-BOULDER

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 26

Ref: 853/11/3/6 Pt 26

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 Kalgoorlie-Boulder Town Planning Scheme Amendment on 23 January 2001 for the purpose of—

1. Removing Clause 8.9—Delegation and inserting Clause 8.9 as follows:
8.9 Delegation of Powers
 - 8.9.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.
 - 8.9.2 The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under Clause 8.9.1.
 - 8.9.3 The exercise of the power of delegation under Clause 8.9.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.
 - 8.9.4 Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in Section 5.46 apply to a delegation made under this Clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.
2. Amending Schedule 1 by modifying the definition of Lodging House as follows—
Lodging House has the meaning given to it under the Health Act 1911.
NOTE:
Section 3(1) of the Health Act defines 'lodging house' to mean any building or structure, permanent or otherwise and any part thereof, in which provision is made for lodging or boarding of more than 6 persons, exclusive of family or the keeper thereof, for hire or reward; but the term does not include—
 - (a) Premises licensed under a publican's general licence, limited hotel licence, or way side house licence, granted under the Liquor Licensing Act 1988;
 - (b) Premises used as a boarding school approved under the Education Act 1928; or
 - (c) Any building comprising residential flats.

P. ROBSON, Mayor.
P. A. ROB, Chief Executive Officer.

PD406***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF NEDLANDS

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 135

Ref: 853/2/8/4 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 Hon Minister for Planning approved the City of Nedlands Town Planning Scheme Amendment on 23 January 2001 for the purpose of deleting Clause 5.11 and substituting a new Clause 5.11 as follows—

5.11 Maximum Building Height

No site shall be developed or building constructed—

- (i) to contain more than two storeys directly above each other in the case of residential use or three storeys in the case of other uses, excluding areas for plant and equipment, storage, toilets and the parking of wheeled vehicles;
- (ii) with the height of any part of an exterior wall greater than 8.5m from mean natural ground level at the base of the walls;
- (iii) to exceed 8.5m in overall height facing the primary street frontage, measured from the mean level of the lot boundary at the primary street frontage; and
- (iv) so that any point of the building exceeds a height of 10m, measured from the mean natural ground level around the base of the building or from such other level determined by Council.

J. PATERSON, Mayor.
S. SILCOX, Chief Executive Officer.

PD407***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF SWAN

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 372

Ref: 853/2/21/10 Pt 372

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 Swan Town Planning Scheme Amendment on 23 January 2001 for the purpose of—

1. Rezoning Lot 100 Great Eastern Highway, Bellevue from Service Station Zone to Highway Service Zone.
2. Adding Part Lot 150 Great Eastern Highway, Bellevue to Appendix 6B—Schedule of Additional or Restricted Uses as follows—

Locality	Street Particulars	Additional or Restricted Uses & Conditions
Bellevue	Part Lot 150 Great Eastern Highway	The following use is an additional use 'P' use—Motor Repair Station

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

PD408***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF MANJIMUP

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 94

Ref: 853/6/14/20 Pt 94

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 Shire of Manjimup Town Planning Scheme Amendment on 23 January 2001 for the purpose of—

1. Amending Appendix 2, "Area No. 2—Warren River Resort (Lot 1 of Nelson Location 1216)", Special Provision (i) by substituting "Development Plan No. 2" with "Development Plan No. 3", and adding the following sentence—
"Development Plan No. 3 (which forms part of Amendment No. 94) may only be varied with the consent of Council and the Western Australian Planning Commission."

2. Substituting "Development Plan No. 2" with "Development Plan No. 3".
3. Amending Appendix 2, "Area No. 2—Warren River Resort (Lot 1 of Nelson Location 1216)", Special Provision (ii) by deleting the reference to "Caravan Park".
4. Amending Appendix 2, "Area No. 2—Warren River Resort (Lot 1 of Nelson Location 1216)" by adding a new Special Provision (xiv) to read—
"The intersection of the proposed access road and the Pemberton-Northcliffe Road to be designed to Main Roads Western Australia specifications."

K. D. LIDDELOW, President.
V. McKAY, Chief Executive Officer.

PD409***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF MURRAY

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 145

Ref: 853/6/16/7 Pt 145

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 Shire of Murray Town Planning Scheme Amendment on 24 January 2001 for the purpose of—

1. Rezoning Lot 6 and Pt Lot 64 Lloyd Avenue, Ravenswood, from Caravan Chalet Park and Residential R10 to Caravan Chalet Park, Residential (R15) and Public Recreation/Conservation Reserve.
2. Rezoning portion of Lot 6 and Pt Lot 64 Lloyd Avenue, Ravenswood from Caravan Chalet Park to Special Use.
3. Including the following in Schedule 5 of the Scheme Text—

(A) Specified Land	(B) Special Provisions Relating to (A)
Portion Lot 6 Lloyd Avenue, Ravenswood	<p>(a) The land and buildings may only be used for a Cafe. A Microbrewery can also be given planning approval if it can be demonstrated to the Council and the Department of Environmental Protection that impacts from the Microbrewery on adjoining sensitive land uses are acceptable.</p> <p>(b) Existing Ravenswood Barn listed as a place of Heritage Value with Heritage Council WA advice required on any redevelopment proposals.</p>

4. Amending the Scheme Maps accordingly.

N. H. NANCARROW, President.
N. LEACH, Chief Executive Officer.

PD410***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

TOWN OF VICTORIA PARK

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 3

Ref: 853/2/32/2 Pt 3

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Town of Victoria Park Town Planning Scheme Amendment on 23 January 2001 for the purpose of—

1. Amending the Town Planning Scheme Text by introducing a new definition in Schedule 1 following the existing definition of "net floor area" of "nightclub" to read as follows—
"nightclub" means premises in respect of which a cabaret licence is required pursuant to the Liquor Licensing Act 1988 in order to trade and includes any land or other premises associated with the licensed premises;

2. Amending the Town Planning Scheme Text Zoning Table to include a new use class "Nightclub" preceding the existing use class of "Office" such that the use class within each of the respective zones reads as follows—

Zone	Residential	Residential/ Commercial	Office/Residential	Local Centre	District Centre	Commercial	Industrial (1)	Industrial (2)	Special Use
Use Class	1.	2.	3.	4.	5.	6.	7.	8.	9.
Nightclub	X	X	X	X	X	X	X	X	Refer to provisions in Precinct Plan

P-Permitted Use**AA-Discretionary Use****X-Prohibited Use**

3. Amending Precinct Plan Nos P1-P13 (inclusive) by amending each extract of the Zoning Table appearing in those Precinct Plans to include a new use class "Nightclub" preceding the existing use class of "Office" such that the use class within each of the Zones excluding the "Special Use" Zone is an "X" use.
4. Amending Precinct Plan P2 by modifying the "Use Area" Table included in the text of the "Special Use Zone" to include a new use class "Nightclub" preceding the existing use class of "Office" such that it is an "AA" use within each of the Use Areas as follows:

Use Area	Residential R80	Tourist/Residential R160	Hotel/Tourist	Office/Residential R160	Mixed Use
Use Class	AA	AA	AA	AA	AA
Nightclub					

J. A. LEE, Mayor.
J. BONKER, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401**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 Liquor Licensing Division, 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			
7739	Murray John Hugh Cass and Targaze Pty Ltd	Application for the grant of a Whole- saler's Licence in respect of the premises situated in Margaret River and known as Casas Wines	20/2/01

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
8101	Sime Darby Resorts Pty Ltd	Application for the grant of a Special Facility Licence in respect of the premises situated in Pemberton and known as Karri Valley Resort	27/2/01
8126	Philip Charles Bruce & Judy Ann Bruce	Application for the grant of a Producer-Wine Licence in respect of the premises situated in Manjimup and known as Timbara Wines	11/2/01
8147	Swancross Corporation Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Hillarys and known as Sharky's Fish & Chips	27/2/01
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
6622	D Club Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Northbridge and known as Metropolis City Concert Club	16/2/01

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

HUGH HIGHMAN, Director of Liquor Licensing.

TRANSPORT

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982

WATER SKI AREA

DAMPIER CREEK

BROOME

Department of Transport,
Fremantle WA, 2 February 2001

Acting pursuant to the powers conferred by Section 48A of the Navigable Waters Regulations the Department of Transport by this notice defines and sets aside the following area of Navigable Water for the purpose of Water Skiing between the hours of Sunrise and Sunset.

Dampier Creek

All of the waters of the eastern branch of Dampier Creek generally south from a line between points **A** 17° 56.2719'S 122° 15.2026'E and **B** 17° 56.2876'S 122° 15.2187'E to a line between points **C** 17° 56.7163'S 122° 15.1477'E and **D** 17° 56.7499'S 122° 15.2344'E and generally west of a line between points **E** 17° 56.7107'S 122° 15.2743'E and **F** 17° 56.6780'S 122° 15.2857'E. Not including any offshoots from this branch (all coordinates based on the GDA94 datum).

This area has been set aside for use by the Western Australian Water Ski Association (Inc) and is under the control of the Broome Water Ski Club.

Direction of ski is anti clockwise.

Water skiing is prohibited in Dampier Creek when the tide height is less than 6.5 metres as indicated on tide poles situated the western shore of the water ski area.

MICHAEL LINLAY HARRIS, Director General of Transport.

WORKCOVER

WC401**WORKERS' COMPENSATION AND REHABILITATION ACT 1981****NOTICE**

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

Notice of Exemption

1. Notice is given that on 23 January 2001, the Governor, acting under section 164 of the *Workers' Compensation and Rehabilitation Act 1981* and with the advice and consent of Executive Council, exempted Coles Myer Ltd from the obligation to insure pursuant to that Act, except for the obligation to insure against liability to pay compensation under that Act for any industrial disease of the kinds referred to in section 151 (a) (iii) of the Act.

BRIAN THOMAS BRADLEY, Chairman of the Commission.

PUBLIC NOTICES

ZZ101**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 2nd March 2001 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Atwell, Phyllis Martha, Late of Room 45, Moline House, 7 Deanmore Road, Karrinyup, died 16/11/2000 (DEC331179DP2)

Bateman, Arthur Leslie, Late of Margaret Hubery House Nursing Home, 36 Fifth Avenue, Shelley, formerly of 11 Queens Crescent, Mt Lawley, died 15/1/2001 (DEC331213DS3)

Culpeper, Eva Elvira, Late of Undercliffe Nursing Home, 22 Coongan Avenue, Greenmount, died 9/1/2001 (DEC331184DG2)

Donoghue, Kevin Joseph, Late of 28 Wheatley Drive, Bull Creek, died 11/12/2000 (DEC331242DG2)

Everard, Mary Beatrice, Late of Windsor Park Aged Care, 110 Star Street, Carlisle, died 4/7/2000 (DEC330393DL4)

Groessler, Jean Eileen, Late of Applecross Nursing Home, River Way, Applecross, died 14/1/2001 (DEC331204DP3)

Marshall, Phyllis Grace, Late of 208/7 Anstey Street, South Perth, died 14/12/2000 (DEC331190DA3)

Martin, Robert Allan, Late of 23 Della Road, Noranda, formerly of 5 Wentworth Grove, Morley, died 9/1/2001 (DEC331275DS2)

McGowan, Dulcie Margaret, Late of 11 French Street, Joondanna, died 9/1/2001 (DEC331180DP3)

Parker, Arthur John, Late of 37 Peebles Road, Floreat, died 25/12/2000 (DEC331117DS4)

Seivwright, Ronald Patrick, Late of 176 Railway Road, Cue, died 19/1/2001 (DEC331199DG3)

Sharp, Frederick, Late of 100 Gardiner Street, Belmont, died 15/12/2000 (DEC331088DG3)

Woodford, Mary Irene, Late of Unit 7/125 Drummond Street, Bedford, died 21/1/2001 (DEC331260DC4)

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

ZZ201**TRUSTEES ACT 1962**

George Edward Nicholson, late of 'ERRA', PO Box 209, Three Springs, WA, 6519

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 2nd September, 2000, are required by the applicant for grant of representation, Eric Tan of Robertson Hayles, Barristers and Solicitors, 4th Floor, 33 Barrack Street, Perth WA, 6000 to send particulars of their claims to him by the 5th day of March 2001, after which date the applicant for grant of representation may convey or distribute the assets, having regard only to the claims of which he then has notice.

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 2001

All subscriptions are for the period from 1 January to 31 December 2001. 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.

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