

**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

765



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JOHN A. STRIJK, Government Printer.

# — PART 1 —

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## PROCLAMATIONS

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AA101

**ROAD TRAFFIC AMENDMENT ACT 2000**

39 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 *Road Traffic Amendment Act 2000*, and with the advice and consent of the Executive Council, fix 2 April 2001 as the day on which sections 19 to 22, 25, 26, 28, 45, 60, 61 and 62 of the Act, and Schedule 1 clauses 3 and 5 to the Act, come into operation.

Given under my hand and the Public Seal of the State on 6 February 2001.

By Command of the Governor,

MURRAY CRIDDLE, Minister for Transport

GOD SAVE THE QUEEN !

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## LOCAL GOVERNMENT

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LG301\*

**LOCAL GOVERNMENT ACT 1995***Shire of Wongan-Ballidu*

## FENCING LOCAL LAWS

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Wongan-Ballidu resolved on 22nd day of December 2000 to make the following local laws.

The Shire of Toodyay Local Laws Relating to Fencing as published in the *Government Gazette* on 1 November 1999 are adopted as local laws of the Shire of Wongan-Ballidu, with the modifications which follow—

**1. Preliminary**

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the Shire of Toodyay is mentioned in the local laws substitute Shire of Wongan-Ballidu.

1.3 Wherever "Local Laws Relating to Fencing" is mentioned in the local laws substitute "Fencing Local Laws".

**2. Clause 2—Repeal**

Delete the whole of clause 2 and insert—

'The Shire of Wongan-Ballidu By-Laws Relating to Fencing published in the *Government Gazette* on 5 May 1989 are repealed.'

**3. Clauses renumbered**

Renumber clauses 3 to 4

4 to 6

5 to 7

6 to 8

7 to 9

and

in the First, Second and Third Schedules delete the references to 'clause 4(2)(a)', 'clause 4(2)(b)' and 'clause 4(2)(c)' and substitute 'clause 6(2)(a)', 'clause 6(2)(b)', and 'clause 6(2)(c)' respectively.

**4. Clause 3—Inserted**

Insert the following clause—

**“3. Application of Local Laws**

These Local Laws apply throughout the district.”

**5. Clause 4—Interpretation**

5.1 Insert the following definition in the appropriate alphabetical position—“local government” means the Shire of Wongan-Ballidu.

5.2 Delete the entire definition of “Special Rural Lot”.

5.3 Insert the following definition in the appropriate alphabetical position—“Rural Residential Lot” means a lot where a Rural Residential use—

(a) is or may be permitted under the town planning scheme; and

(b) is or will be the predominant use of the lot.

5.4 In the definition of “sufficient fence” delete “4” and substitute “6”.

**6. Clause 5 Inserted**

Insert to following clause—

**“5. Licence Fees and Charges**

All licence fees and charges applicable under these Local Laws shall be as determined by the local government from time to time in accordance with section 6.16 of the *Local Government Act 1995*.”

**7. Clause 6—Sufficient Fences**

7.1 Delete “A” at the beginning of subclause 6(1) and substitute “Unless by agreement between the owners of adjoining properties, a”.

7.2 In subclause 6(2)(c) delete “Special Rural” and substitute “Rural Residential”.

7.3 In subclause 6(3) paragraphs (d) and (e) delete “Special Rural” where it appears and substitute “Rural Residential”.

**8. Fences within Front Setback Areas**

Delete clauses 7 (Dividing Fences), 8 (Fences Within Front Setback Areas) and 9 (Fences on a Rural Lot) and substitute the following—

**“7. Fences Within Front Setback Areas**

(1) A person shall not, without the written consent of the Building Surveyor, erect a freestanding fence greater than 1200mm in height within the front setback area of a Residential Lot within the district.

(2) The Building Surveyor may approve the erection of a fence of a height greater than 1200mm in the front setback area of a Residential Lot only if the fence on each side of the driveway into the Lot across the front boundary is to be angled into the Lot for a distance of not less than 1500mm along the frontage to a distance of not less than 1500mm from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.

(3) The provision of sub-clause (2) shall not apply to a fence—

(a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or

(b) that does not adjoin a footpath.”

**9. Clause 9—General Discretion of the Local Government**

In subclause (1) delete “The” and substitute “Notwithstanding clause 6, the”

**10. Clause 10—Fencing Materials**

In subclause (1) after “colour bonded” insert “ or “zincalume”.

**11. Clause 11—Barbed wire and Broken Glass Fences**

11.1 In subclause (2) delete “or allow to remain on or as part of”.

11.2 In subclause (3)—

- (a) delete “or allow to remain as part of” and substitute “on”; and
- (b) delete “bent back into the lot from the boundary”.

11.3 Renumber subclauses ‘(4)’ and ‘(5)’ to ‘(5)’ and ‘(6)’ respectively.

11.4 Insert a new subclause (4) as follows—‘(4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence, the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.’

11.5 Delete subclause (6).

#### **12. Clause 12—Requirements for a Licence**

12.1 In clause 12(1) after “Rural Lot” insert “or a Rural Residential Lot”.

12.2 In clause 12(1)(b) delete “have a fence constructed” and substitute “construct a fence”.

#### **13. Clause 13—Transfer of a Licence**

Delete clause 13 and substitute the following—

“A licence referred to in clause 12 shall transfer with the land to any new occupier or owner of the lot.”

#### **14. “Local Laws” substituted for “local laws”**

In clauses 17(1) and (2) and 18 delete “local laws” in the three places that it appears and substitute “Local Laws”.

#### **15. First Schedule – Specifications for a Sufficient Fence on a Residential Lot**

15.1 In item A paragraph (g)—

- (a) delete “a minimum of” and substitute “be”; and
- (b) after “1800mm” insert “except with respect to the front set back area for which there is no minimum height but which is subject to clause 7”

15.2 In item B—

- (a) insert “or steel” after “cement”;
- (b) in paragraph (a) after “600mm” insert “unless supported on posts and rails with posts spaced at maximum 2400mm centres and sunk at least 600mm into the ground”.
- (c) in paragraph (b) insert “or steel” after “cement”;
- (d) in paragraph (d) delete “a minimum of” ; and
- (e) in paragraph (d) after “1800mm” insert “except with respect to the front set back area for which there is no minimum height but which is subject to clause 7”;

15.3 In item C paragraph (d)—

- (a) delete “a minimum of”; and
- (b) after “1800mm” insert “except with respect to the front set back area for which there is no minimum height but which is subject to clause 7” ; and

15.4 In item D after “composite fence” insert “having a minimum overall height of 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7”.

#### **16. Second Schedule—Specifications For a Sufficient Fence on a Commercial Lot and an Industrial Lot**

16.1 In item B insert “or steel sheeting” after “cement sheet”.

16.2 Delete item C and insert the following—

“C. A fence constructed of aluminum sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm.”

#### **17. Third Schedule—Specifications for a Sufficient Fence on a Rural Lot**

Delete the Third Schedule and substitute the following—

##### **“ Third Schedule Clause 6(2)(c)**

##### **SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT**

(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 smaller stock passing through, and connected to posts in all cases.

- (b) posts shall be of indigenous timber or other suitable material including—
- timber impregnated with a termite and fungicidal preservative;
  - standard fencing pickets; or
  - concrete;
- cut not less than 1800mm long x 50mm diameter at small end if round or 25mm 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 not be less than 2000mm 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 750mm in the ground.
- (2) An electrified fence having four wires only is a sufficient fence if constructed generally in accordance with (1).”

Dated this 22nd day December of 2000.

The Common Seal of the Shire of Wongan-Ballidu was affixed by authority of a resolution of its Council in the presence of—

DAVID G HOOD, President.

ALLAN R MOLES, Chief Executive Officer.

**LG302\***

Local Government Act 1995

## **Shire of Augusta-Margaret River (Appointment of Commissioners) Amendment Order 2001**

Made by the Governor in Executive Council.

### **1. Citation**

This order may be cited as the *Shire of Augusta-Margaret River (Appointment of Commissioners) Amendment Order 2001*.

### **2. Clause 6 amended**

Clause 6 of the *Shire of Augusta-Margaret River (Appointment of Commissioners) Order 2000\** is amended by deleting “1 September 2001” and inserting instead —

“ 5 September 2001 ”.

[\* *Published in Gazette 7 September 2000, pp. 5121-2.*]

By Command of the Governor,

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

LG303\*

Local Government Act 1995

## District of Koorda (Change of Wards and Representation) Order 2001

Made by the Governor in Executive Council.

### 1. Citation

This order may be cited as the *District of Koorda (Change of Wards and Representation) Order 2001*.

### 2. Abolition of existing wards (section 2.2(1)(d) of the Act)

All the wards in the district of Koorda are abolished immediately before the first ordinary elections day after the commencement of this order.

### 3. New wards created (section 2.2(1)(b) of the Act)

- (1) On and after the first ordinary elections day after the commencement of this order, the district of Koorda is divided into 4 wards, named respectively —
  - (a) the South Ward;
  - (b) the Central Ward;
  - (c) the North Ward; and
  - (d) the Town Ward.
- (2) The North Ward consists of the land described in Part 1 of the Schedule.
- (3) The Central Ward consists of the land described in Part 2 of the Schedule.
- (4) The South Ward consists of the land described in Part 3 of the Schedule.
- (5) The Town Ward consists of the land described in Part 4 of the Schedule.

### 4. Number of councillors changed (s. 2.18(3) of the Act)

On and after the first ordinary elections day after the commencement of this order —

- (a) the number of offices of councillor on the council of the Shire of Koorda is 8 instead of 9; and
- (b) the number of offices of councillor for each ward created under clause 3 is 2.

**5. Declaration of vacant offices (s. 2.35 and 9.62 of the Act)**

All the offices of member of the council of the Shire of Koorda become vacant immediately before the first ordinary elections day after the commencement of this order.

**6. Election to fill vacancies (s. 4.11 and 9.62 of the Act)**

- (1) An election is to be held to fill the offices of councillor specified in clause 4.
- (2) Any poll needed for an election to fill the offices is to be held on the first ordinary elections day after the commencement of this order.
- (3) Part 4 of the Act applies to preparing for and conducting the election as if the changes effected by clauses 2, 3, 4 and 5 had taken effect on the day on which this order commenced.
- (4) For the purposes of subclause (3) —
  - (a) Part 4 of the Act is modified to the extent necessary to give effect to subclauses (1), (2) and (3); and
  - (b) without limiting paragraph (a), a reference in Part 4 of the Act to a ward, in relation to the district of Koorda, is to be read as a reference to a ward created under clause 3 as it is or will be, as a result of the operation of clause 3, on the first ordinary elections day after the commencement of this order.

## **Schedule 1 — Ward descriptions**

[cl. 3]

### **Part 1 — Description of land in North Ward**

All that portion of land bounded by lines starting from the intersection of the centreline of Longmuir Road with the prolongation northerly of the eastern boundary of Ninghan Location 767, a point on a present eastern boundary of the district of Koorda and extending westerly along that centreline to the prolongation southeasterly of the centreline of Kulja-Mollerin Rock Road; thence northwesterly to and generally northwesterly, generally northerly and generally westerly along that centreline to the prolongation easterly of the centreline of Vine Road; thence westerly to an along that centreline and onwards to the centreline of Hollins Road; thence generally northwesterly along that centreline and onwards to the centreline of Booralaming-Kulja Road; thence generally westerly along that centreline and westerly along the centreline of Burakin East Road to the line in prolongation northerly of the eastern boundary of Location 3792, a point on a present western boundary of the district and thence generally northerly, generally easterly and generally southerly along boundaries of the district to the starting point.



## **Part 2 — Description of land in Central Ward**

All that portion of land bounded by lines starting from the intersection of the centreline of Longmuir Road with the prolongation northerly of the eastern boundary of Ninghan Location 767, a point on a present eastern boundary of the district of Koorda and extending westerly along that centreline to the prolongation southeasterly of the centreline of Kulja-Mollerin Rock Road; thence northwesterly to and generally northwesterly, generally northerly and generally westerly along that centreline to the prolongation easterly of the centreline of Vine Road; thence westerly to and along that centreline and onwards to the centreline of Hollins Road; thence generally northwesterly along that centreline and onwards to the centreline of Booralaming-Kulja Road; thence generally westerly along that centreline and westerly along the centreline of Burakin East Road to the prolongation northerly of the eastern boundary of Location 3792, a point on a present western boundary of the district and thence generally southerly and generally easterly along that boundary to the northeastern corner of the western severance of Avon Location 20657; thence northerly along the prolongation northerly of the northernmost eastern boundary of that severance to the centreline of Koorda-Wongan Hills Road; thence generally easterly, generally southerly and again generally easterly along that centreline to a western side of East Boundary Road, a point on a present eastern boundary of the district and thence generally northerly along boundaries of the district to the starting point.

## **Part 3 — Description of land in South Ward**

All that portion of land bounded by lines starting from the northeastern corner of the western severance of Avon Location 20657, a point on a present western boundary of the district of Koorda and extending northerly along the prolongation northerly of the northernmost eastern boundary of that severance to the centreline of Koorda-Wongan Hills Road; thence generally easterly, generally southerly and again generally easterly along that centreline to the prolongation northeasterly of the westernmost northwestern boundary of Koorda Lot 287; thence southwesterly to and along that boundary to its southwestern corner; thence northwesterly to the northernmost southeastern corner of Avon Location 20984 (Reserve 16245); thence generally westerly, generally southerly and southeasterly along boundaries of that location to the southernmost southwestern corner of Lot 255 (Reserve 32470); thence southeasterly along the southernmost southwestern boundary of that lot and onwards to a northwestern side of Railway Street; thence generally southwesterly along sides of that street and southwesterly along the northwestern boundary of Lot 32, as shown on Office of Titles Diagram 64293, to a northern side of Dowerin-Koorda Road; thence easterly along that side and onwards to the western boundary of Lot 17, as shown on Office of Titles Diagram 8882; thence southerly and easterly along boundaries of that lot and easterly along the southern boundary of Lot 18 to a southwestern corner of Part Avon Location 16386; thence northerly and northeasterly along boundaries of that part location and onwards to and along the southeastern side of Brooks Street to a

southern side of Marriott Street; thence generally easterly along sides of that street to the prolongation southerly of the eastern boundary of Koorda Town Lot 57; thence northerly to and along that boundary and northerly along the eastern boundaries of Lots 58 and 59 to the easternmost southeastern corner of Avon Location 25353 (Reserve 20135); thence northerly and westerly along boundaries of that location and onwards to the centreline of the Wyalkatchem-Mt Marshall Railway; thence generally northeasterly and generally easterly along that centreline to a western side of East Boundary Road, a point on a present eastern boundary of the district and thence generally southerly, generally southwesterly and generally northerly along boundaries of the district to the starting point.

#### **Part 4 — Description of land in Town Ward**

All that portion of land bounded by lines starting from the intersection of the centreline of Koorda-Wongan Hills Road with the prolongation northeasterly of the westernmost northwestern boundary of Koorda Lot 287; thence southwesterly to and along that boundary to its southwestern corner; thence northwesterly to the northernmost southeastern corner of Avon Location 20984 (Reserve 16245); thence generally westerly, generally southerly and generally southeasterly along boundaries of that location to the southernmost southwestern corner of Lot 255 (Reserve 32470); thence southeasterly along the southernmost southwestern boundary of that lot to a northwestern side of Railway Street; thence generally southwesterly along sides of that street and southwesterly along the northwestern boundary of Lot 32, as shown on Office of Titles Diagram 64293, to a northern side of Dowerin-Koorda Road; thence easterly along that side and onwards to the western boundary of Lot 17, as shown on Office of Titles Diagram 8882; thence southerly and easterly along boundaries of that lot and easterly along the southern boundary of Lot 18 to a southwestern corner of Part Avon Location 16386; thence northerly and northeasterly along boundaries of that location and onwards to and along the southeastern side of Brooks Street to a southern side of Marriott Street; thence generally easterly along side of that road to the prolongation southerly of the eastern boundary of Koorda Town Lot 57; thence northerly to and along that boundary and northerly along the eastern boundaries of Lots 58 and 59 to the easternmost southeastern corner of Avon Location 25353 (Reserve 20135); thence northerly and westerly along boundaries of that location and onwards to the centreline of the Wyalkatchem-Mt Marshall Railway; thence generally southwesterly along that centreline to the centreline of the Koorda-Wongan Hills Road and thence northwesterly along that centreline to the starting point.

By Command of the Governor,

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

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**PREMIER AND CABINET**

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**PR301\***

Public Sector Management Act 1994

**Public Sector Management (SES Organisations)  
Regulations 2001**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Public Sector Management (SES Organisations) Regulations 2001*.

**2. Schedule 2 to the Public Sector Management Act 1994 amended**

Item 18 of Schedule 2 to the *Public Sector Management Act 1994\** is amended by deleting —

“ Regional College of ”.

[\* Reprinted as at 9 June 2000.

*For subsequent amendments see Acts Nos. 24, 25 and 36 of 2000 and Gazette 11 August, 15 September, 19 and 29 December 2000.]*

By Command of the Governor,

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

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**TRANSPORT**

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**TR301\***

Road Traffic Act 1974

**Road Traffic (Drivers' Licences) Amendment  
Regulations (No. 4) 2001**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2001*.

## 2. Commencement

These regulations come into operation on 2 April 2001.

## 3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Drivers' Licences) Regulations 1975\**.

[\* Reprinted as at 18 February 2000.

For amendments to 24 January 2001 see Gazette 17 May, 8 September and 1 December 2000.]

## 4. Regulation 2 amended

Regulation 2 is amended as follows:

- (a) by deleting the full stop at the end of the definition of “seniors’ card” and inserting instead a semicolon;
- (b) inserting in the appropriate alphabetical positions the following definitions —

“

“**axle**” means the axis of rotation of any of the wheels on which a vehicle is or may be driven, regardless of whether the wheel is power driven or freely rotating and regardless of the number of wheels rotating on that axis, and if 2 or more wheels have substantially the same axis of rotation, or intersecting axes of rotation, when the vehicle is being driven in a straight line those wheels are to be regarded as being on the same axle;

“**drive**” includes ride;

“**GVM**” (which stands for “gross vehicle mass”) means the maximum loaded mass of a vehicle —

- (a) as specified by the manufacturer; or
- (b) as specified by the relevant authority if —
  - (i) the manufacturer has not specified a maximum loaded mass;
  - (ii) the manufacturer cannot be identified; or
  - (iii) the vehicle has been modified to the extent that the manufacturer’s specification is no longer appropriate;

“**learner’s permit**” means a permit under section 48C of the Act;

“**moped**” means a motor cycle that —

- (a) has a propelling engine with an engine capacity not exceeding 50 ml; and
- (b) is designed so as not to be capable of a speed exceeding 60 km/h,

whether or not it is also capable of being propelled by pedalling, except that it does not include a power assisted pedal cycle;

“**motor carrier**” has the meaning given by the First Schedule to the Act;

“**motor cycle**” has the meaning given by the First Schedule to the Act;

“**motor vehicle**” means a self-propelled vehicle that is not operated on rails but does not include a power assisted pedal cycle, and the expression does not include a trailer attached to the vehicle;

“**prime mover**” means a motor vehicle having 2 or more axles and a GVM greater than 8 t, that is built to tow a semi-trailer;

“**relevant authority**”, in relation to a vehicle, means —

- (a) if the vehicle has never been licensed or registered but the vehicle is used or is intended to be used in this State — the Director General;
- (b) if the vehicle was last licensed in this State — the Director General; or
- (c) if the vehicle was last licensed or registered in another State or a Territory — the authority in that State or Territory whose functions most nearly correspond to those of the Director General;

“**semi-trailer**” means a trailer (including a pole-type trailer) that has —

- (a) one axle group or single axle to the rear; and
- (b) a means of attachment to a prime mover that results in some of the load being imposed on the prime mover;

“**trailer**” means a vehicle that is built to be towed, or is towed, by a motor vehicle, whether by attachment to the motor vehicle directly or to another trailer towed by the motor vehicle, but does not include a motor vehicle that is being towed.

”.

## 5. Regulation 3 replaced

Regulation 3 is repealed and the following regulation is inserted instead —

“

### 3. Driver’s licence vehicle classifications

- (1) For the purposes of Part IVA of the Act, a motor vehicle described in Schedule 1 column 2 is classified as specified in column 1 opposite that description.

- (2) When Schedule 1 column 2 describes a motor vehicle, it means a motor vehicle of the kind described, whether or not it is attached to a trailer that the motor vehicle may be used to tow according to Schedule 7.

”.

## 6. Regulation 4 replaced

Regulation 4 is repealed and the following regulations are inserted instead —

“

### 4. Classes of vehicles covered by driver’s licence

A person who holds a driver’s licence for a motor vehicle of a class specified in Schedule 2 column 1 is entitled to drive on a road a motor vehicle of that class and any motor vehicle specified in column 2 opposite that class.

#### 4A. Motor vehicles used to demonstrate an ability to control a class

- (1) A person who demonstrates an ability to drive a motor vehicle of a kind described in Schedule 3 column 2 is to be taken to have demonstrated an ability to control the class of motor vehicle specified in column 1 opposite that description.
- (2) A person may use a moped to demonstrate an ability to control class R motor vehicles, however a driver’s licence granted on the basis of that demonstration is to be endorsed as of class N.
- (3) A person may use a motor cycle with an engine capacity of at least 100 ml but not exceeding 250 ml to demonstrate an ability to control class R motor vehicles, however a driver’s licence granted on the basis of that demonstration is to be endorsed as of class E.

#### 4B. Prerequisite driver’s licences

- (1) A person is not to be granted a driver’s licence appropriate to a motor vehicle of a class specified in Schedule 4 column 1 unless the person has held the driver’s licence specified in column 2 opposite that class for the period specified in column 3 opposite that class.
- (2) Subregulation (1) does not apply to the issuing of a driver’s licence appropriate to class R that is endorsed as of class N or class E.

**4C. Driver's licences under sections 48D and 48E**

Despite regulation 4B, if an applicant for a driver's licence was, immediately before the application —

- (a) regarded as the holder of a driver's licence applicable to a particular type or class of motor vehicle under section 48D of the Act; or
- (b) authorised to drive a motor vehicle of a particular type or class under section 48E of the Act,

the person is to be granted a licence to drive a motor vehicle of that type or class.

**4D. Minimum age for moped licence**

For the purposes of section 42(2)(a) of the Act, the minimum age for a person to qualify for a Class R driver's licence that is endorsed as of class N is 16 years.

”.

**7. Regulation 5 replaced**

Regulation 5 is repealed and the following regulation is inserted instead —

“

**5. Carrying passengers for reward**

- (1) The authority given by a driver's licence does not include the authority to drive a motor vehicle for the purpose of carrying passengers for reward unless the licence is endorsed under this regulation to confer that authority.
- (2) For the purposes of this regulation —
  - (a) a person does not carry passengers for reward if the amount received by the person for carrying those passengers is not intended to exceed the running costs of the motor vehicle; and
  - (b) an amount is not intended to exceed the running costs of the motor vehicle if it does not exceed an amount calculated according to the relevant rate per kilometre specified in Schedule 5.
- (3) A driver's licence may be endorsed —
  - (a) as of class F, in which case the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward except as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*; or

- (b) as of class T, in which case the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward, whether or not as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*.
- (4) The Director General may, on an application by a person and on payment of the relevant fee prescribed in Schedule 11 item 5, endorse a driver's licence held by the person as of class F or class T if the Director General is satisfied that the person —
  - (a) has reached the age of 21 years;
  - (b) has held the licence for a period of, or periods amounting in the aggregate to, 4 years;
  - (c) does not hold the licence on probation;
  - (d) is of good character;
  - (e) is mentally and physically fit to drive a motor vehicle for the purposes of carrying passengers for reward; and
  - (f) in the case of a class T endorsement, has successfully completed a training course or test approved by the Director General.
- (5) The holder of a driver's licence endorsed as of class F or class T is to submit himself or herself to a medical examination —
  - (a) at intervals of 5 years until reaching the age of 45 years;
  - (b) at intervals of 2 years after reaching the age of 45 years until reaching the age of 65 years;
  - (c) annually after reaching the age of 65 years.
- (6) A driver's licence endorsement under this regulation is to have effect for a period determined by the Director General having regard to the intervals at which the holder of the licence is required to submit himself or herself to a medical examination under subregulation (5).

**8. Regulation 5A replaced**

Regulation 5A is repealed and the following regulations are inserted instead —

**5A. Period of licence**

- (1) Unless subregulation (2) applies, a driver's licence may be issued or renewed to have effect for —
  - (a) if paragraph (b) does not apply, a period of 12 months or 5 years, as elected by the applicant for the licence; or



- (b) if a driver's licence is issued to a person who holds a corresponding licence in another State or a Territory —
  - (i) a period equal to the period for which the corresponding licence still has effect; or
  - (ii) a period of 5 years,whichever is the lesser.
- (2) A driver's licence which is subject to any condition or limitation under section 44 or section 48(5) or (6) of the Act is to be issued or renewed to have effect for a period, not exceeding 5 years, determined by the Director General, being a period that the Director General considers appropriate having regard to the grounds on which any such condition or limitation was imposed.
- (3) If a driver's licence is issued to a person who holds a corresponding licence in another State or a Territory, the period determined under subregulation (2) cannot be more than the period for which the corresponding licence still has effect.

**5B. Prescribed classes of licence conditions or limitations**

For the purposes of section 43(1)(ab) of the Act, a condition or limitation set out in Schedule 6 column 2 has the classification specified in column 1 opposite that description.

**5C. Prescribed notations**

- (1) A licence may be endorsed with the notation "X" to show that the licence is subject to conditions or limitations set out in a notice under section 44(3)(a) of the Act.
- (2) If the notice is to the effect that the licence holder must not drive a motor vehicle unless it is fitted with certain appliances as set out in a notice under section 44(3)(a) of the Act, the licence may instead be endorsed with the notation "V".

**5D. Trailer towing limits**

The authority given by a driver's licence appropriate to a class of motor vehicle includes the authority to drive a motor vehicle of that class while towing a trailer but only if the trailer is one that the motor vehicle may be used to tow according to Schedule 7.

**9. Regulation 8 amended**

Regulation 8(2) is amended by deleting “First Schedule” and inserting instead —

“ Schedule 8 ”.

**10. Regulation 8A inserted**

After regulation 8 the following regulation is inserted —

“

**8A. Proof of identity and residential address in this State of applicant for issue or renewal of a licence**

An application for the issue or renewal of a driver’s licence is to be accompanied by such proof of the applicant’s identity and residential address in this State as the Director General may require.

”.

**11. Regulation 9A amended**

Regulation 9A is amended as follows:

- (a) by deleting “and” after paragraph (b);
- (b) in paragraph (c), by deleting “\$7.00,” and inserting instead —

“

\$10.00; and

- (d) the provision of the photograph and signature referred to in section 42B of the Act,

”.

**12. Regulation 9B inserted**

After regulation 9A the following regulation is inserted —

“

**9B. Director General may issue or renew a driver’s licence without a photograph or signature in certain circumstances**

The Director General may issue or renew a driver’s licence even though the applicant for the licence has not provided the Director General with a photograph as described in section 42B(2) of the Act if, as at 2 April 2001, the applicant has reached 60 years of age.

”.

**13. Regulation 10 amended**

Regulation 10(1) is amended by deleting “the Second Schedule” and inserting instead —

“ Schedule 9 ”.

**14. Regulations 12A and 12B inserted**

After regulation 12 the following regulations are inserted —

“

**12A. Service of notice of disqualification**

For the purposes of section 103(4a)(b) of the Act, a person is served with a notice of disqualification in the prescribed manner if the person is given the notice either —

- (a) personally; or
- (b) by a form of mail that involves the person taking personal delivery of the notice and acknowledging in writing having taken delivery of it.

**12B. Learner's permit**

- (1) If a licence for a particular class of motor vehicle would authorise the holder to drive on a road a motor vehicle of another class, a learner's permit for the particular class also authorises the holder to drive on a road, in the course of driving instruction, a motor vehicle of that other class for which the holder of the learner's permit does not hold a driver's licence.
- (2) A learner's permit may authorise the driving of a motor vehicle in the course of driving instruction by —
  - (a) in the case of a moped and no other motor vehicle, a person who has for 2 years held a driver's licence authorising the person to drive a moped; or
  - (b) in any other case, a person who has for 4 years held a driver's licence authorising the person to drive the motor vehicle.
- (3) A person has to have reached the age of 16 years if the person is to be granted a learner's permit, other than under section 48C(1a) of the Act, to drive —
  - (a) a motor vehicle of class C; or
  - (b) a motor vehicle of class R.
- (4) A person is not to be granted a learner's permit appropriate to a motor vehicle of a class specified in Schedule 10 column 1 unless the person has satisfied the prerequisite specified in column 2 opposite that class.
- (5) Subregulation (4) does not apply to a driver's licence appropriate to a motor vehicle of class R where the licence is endorsed as of class N or class E.

”

**15. Regulation 14A amended**

Regulation 14A(1) is repealed and the following regulation is inserted instead —

“

- (1) The fees specified in Schedule 11 are payable in respect of the matters set out in that Schedule.

”.

**16. Regulation 14B amended**

- (1) Regulation 14B(2) is amended by deleting “fees prescribed in items 1(a) or 2 of regulation 14A” and inserting instead —

“ fee prescribed in Schedule 11 item 1(a) or 2 ”.

- (2) Regulation 14B(5) is amended by deleting “item 2 of regulation 14A” and inserting instead —

“ Schedule 11 item 2 ”.

**17. Regulation 15B amended**

- (1) Regulation 15B(4) is amended as follows:

- (a) by deleting “item 3 of regulation 14A” and inserting instead —

“ Schedule 11 item 4(a) ”;

- (b) by deleting “item 4 of regulation 14A” and inserting instead —

“ Schedule 11 item 4(b) ”.

- (2) Regulation 15B(5) is amended by deleting “item 4 of regulation 14A” and inserting instead —

“ Schedule 11 item 4(b) ”.

- (3) Regulation 15B(6) is repealed and the following subregulation is inserted instead —

“

- (6) If the applicant is a person to whom this regulation applies, the fee payable under Schedule 11 item 4(c) is to be calculated as if “the fee under paragraph (b)” referred to the fee under Schedule 11 item 4(b) as reduced under subregulation (5).

”.

**18. Schedules 1 to 7 inserted**

After regulation 16 the following Schedules are inserted —

“

**Schedule 1 — Classification of motor vehicles**

[r. 3]

*Column 1*    *Column 2*

**Class**        **Motor vehicle description**

R                A motor cycle or a motor carrier.

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Motor vehicle description</b>
C	A motor vehicle, other than a motor cycle or motor carrier, that has a GVM not exceeding 4.5 t and that is equipped to seat not more than 12 adults including the driver.
LR	A motor vehicle, other than a motor cycle or motor carrier, that — <ul style="list-style-type: none"> <li>(a) has a GVM not exceeding 4.5 t and that is equipped to seat more than 12 adults including the driver; or</li> <li>(b) has a GVM exceeding 4.5 t but not exceeding 8 t.</li> </ul>
MR	A motor vehicle, other than a motor cycle or motor carrier, that has 2 axles and a GVM exceeding 8 t.
HR	A motor vehicle, other than a motor cycle or motor carrier, that has 3 or more axles and a GVM exceeding 8 t.
HC	A motor vehicle that is attached to — <ul style="list-style-type: none"> <li>(a) a semi-trailer; or</li> <li>(b) a trailer that has a GVM exceeding 9 t.</li> </ul>
MC	Any other motor vehicle.

### Schedule 2 — Scope of a driver's licence

[r. 4]

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Other motor vehicles licence holder is entitled to drive</b>
MC	A motor vehicle of class HC, HR, MR, LR or C or a moped.
HC	A motor vehicle of class HR, MR, LR or C or a moped.
HR	A motor vehicle of class MR, LR or C or a moped.
MR	A motor vehicle of class LR or C or a moped.
LR	A motor vehicle of class C or a moped.
C	A moped.

### Schedule 3 — Motor vehicles used to demonstrate an ability to control a class

[r. 4A]

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Motor vehicle description</b>
R	A motorcycle with an engine capacity exceeding 250 ml.
C	A motor vehicle of class C.
LR	A motor vehicle of class LR.
MR	A motor vehicle of class MR except a prime mover.
HR	A motor vehicle of class HR, except a prime mover, that has 3 or more axles and a GVM exceeding 15 t.

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Motor vehicle description</b>
HC	<p>A prime mover that —</p> <p>(a) has 3 axles and a GVM exceeding 15 t; and</p> <p>(b) is attached to one semi-trailer that has at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 10 m.</p> <p>OR</p> <p>A motor vehicle, other than a prime mover, that —</p> <p>(a) has 3 or more axles and a GVM of more than 15 t; and</p> <p>(b) is attached to a trailer that has an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 7 m.</p>
MC	<p>A prime mover —</p> <p>(a) that —</p> <p>(i) has 3 axles and a GVM exceeding 15 t;</p> <p>(ii) is attached to a semi-trailer and a trailer that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 10 m;</p> <p>or</p> <p>(b) that —</p> <p>(i) has 3 axles and a GVM exceeding 15 t; and</p> <p>(ii) is attached to 2 semi-trailers that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t; and</p> <p>(iii) together with the semi-trailers has a length of not less than 22 m.</p> <p>OR</p> <p>A motor vehicle of class HR that —</p> <p>(a) has 3 axles and a GVM of more than 15 t; and</p> <p>(b) is attached to 2 trailers that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 7 m.</p>

#### **Schedule 4 — Prerequisite driver's licences**

[r. 4B]

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<b>Class</b>	<b>Prerequisite licence</b>	<b>Period</b>
R	A licence that is appropriate to a motor cycle (other than a moped) that has an engine capacity not exceeding 250 ml.....	one year
LR	A licence that is appropriate to a motor vehicle of class C.....	one year
MR	A licence that is appropriate to a motor vehicle of class C.....	one year

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<b>Class</b>	<b>Prerequisite licence</b>	<b>Period</b>
HR	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class C .....	2 years
HC	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class C .....	3 years
	AND	
	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class MR or HR .....	one year
MC	A licence that is appropriate to a motor vehicle of class HR or HC.....	one year

**Schedule 5 — Vehicle running costs**

[r. 5(2)(b)]

<b>Description of vehicle</b>	<b>Rate per kilometre</b>
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity that does not exceed 1 600 cm <sup>3</sup> ; or	
(b) a rotary engine with a capacity that does not exceed 800 cm <sup>3</sup> .....	45.9 cents
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity exceeds 1 600 cm <sup>3</sup> but does not exceed 2 600 cm <sup>3</sup> ; or	
(b) a rotary engine with a capacity that exceeds 800 cm <sup>3</sup> but does not exceed 1 300 cm <sup>3</sup> .....	54.9 cents
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity that exceeds 2 600 cm <sup>3</sup> ; or	
(b) a rotary engine with a capacity that exceeds 1 300 cm <sup>3</sup> .....	55.8 cents

**Schedule 6 — Prescribed classes of licence conditions or limitations**

[r. 5B]

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Condition or limitation</b>
A	The holder of a driver’s licence appropriate to a motor vehicle may drive the motor vehicle if and only if it is fitted with automatic transmission.

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Condition or limitation</b>
B	The holder of a driver's licence appropriate to a motor vehicle may drive the motor vehicle if and only if it is fitted with automatic or synchromesh transmission.
E	The holder of a driver's licence appropriate to a motor cycle may drive the motor cycle if and only if it has an engine capacity not exceeding 250 ml.
N	The holder of a driver's licence appropriate to a motor cycle may drive the motor cycle if and only if it is a moped.
S	The holder of a driver's licence is not to drive a motor vehicle to which the licence is appropriate unless the licence holder wears corrective eye lenses while driving.
Z	The holder of a driver's licence may drive a motor vehicle to which the licence is appropriate if and only if the licence holder has a blood alcohol concentration less than 0.02%.

## Schedule 7 — Trailer towing limits

[r. 5D]

1. **Motor vehicles of class C**
  - (1) A motor vehicle of class C may be used to tow one trailer that has a GVM specified in this clause, and no other trailer.
  - (2) The GVM of the trailer is not to exceed that recommended by the manufacturer of the motor vehicle as the maximum laden mass of a trailer that may be towed by the motor vehicle.
  - (3) If no such mass has been recommended by the manufacturer, or if that recommended mass is not ascertainable, the GVM of the trailer is not to exceed the unladen mass of the motor vehicle, unless the trailer is equipped with brakes, in which case —
    - (a) if an aggregate mass is prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed the GVM of the motor vehicle;
    - (b) if an aggregate mass is not prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed 1.5 times the unladen mass of the motor vehicle.
2. **Motor vehicles of class LR**
  - (1) A motor vehicle of class LR may be used to tow one trailer that has the GVM specified in this clause, and no other trailer.



- (2) The GVM of the trailer is not to exceed that recommended by the manufacturer of the motor vehicle as the maximum laden mass of a trailer that may be towed by the motor vehicle.
- (3) If no such mass has been recommended by the manufacturer, or if that recommended mass is not ascertainable, the GVM of the trailer is not to exceed the unladen mass of the motor vehicle, unless the trailer is equipped with brakes, in which case —
- (a) if an aggregate mass is prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed the GVM of the motor vehicle;
- (b) if an aggregate mass is not prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed 1.5 times the unladen mass of the motor vehicle.

**3. Motor vehicles of class MR**

A motor vehicle of class MR may be used to tow one trailer that has a GVM not exceeding 9 t, and no other trailer.

**4. Motor vehicles of class HR**

A motor vehicle of class HR may be used to tow one trailer that has a GVM not exceeding 9 t, and no other trailer.

**5. Motor vehicles of class HC**

A motor vehicle of class HC may be used to tow one, but no more than one, trailer in addition to the trailer or semi-trailer because of which it is classified as of class HC if the additional trailer —

- (a) has a gross vehicle mass not exceeding 9 t; or
- (b) is an unladen converter dolly trailer as defined in the *Road Traffic (Vehicle Standards) Regulations 1977*.

”.

**19. First Schedule amended**

The First Schedule is amended by deleting the heading and inserting instead —

“ **Schedule 8 — Forms** ”.

**20. Second Schedule amended**

The Second Schedule is amended by deleting the heading and inserting instead —

“

**Schedule 9 — Offences prescribed for section 103 of the Act**

[r. 10]

”.

**21. Schedules 10 and 11 inserted**

After Schedule 9 the following Schedules are inserted —

“

**Schedule 10 — Prerequisites for the grant of a learner's permit**

[r. 12B(4)]

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Prerequisite</b>
R	The person is to hold a driver's licence appropriate to a class R motor vehicle with a class E endorsement.
LR	The person is to hold a driver's licence appropriate to a class C motor vehicle.
MR	The person is to hold a driver's licence appropriate to a class C.
HR	The person is to have held a driver's licence appropriate to a class C motor vehicle for a period of one year.
HC	The person is to have held a driver's licence appropriate to a class C motor vehicle for a period of 2 years.
	AND
	The person is to hold a driver's licence appropriate to a class MR or HR motor vehicle.
MC	The person is to hold a driver's licence appropriate to a class HR or HC motor vehicle.

**Schedule 11 — Fees**

[r. 14A(1)]

\$

1. Application for a driver's licence —
  - (a) including one driving test to satisfy the Director General that the applicant is able to control a motor vehicle of the appropriate class —
    - (i) where the motor vehicle is not of class HC or MC ..... 47.30
    - (ii) where the motor vehicle is of class HC or MC ..... 135.95
  - (b) where the motor vehicle is of class MC (in which case a driving test is conducted by someone other than the Director General) or where a driving test is not required to satisfy the Director General that the applicant is able to control a motor vehicle of the appropriate class ..... 36.95

	\$
2. Each additional driving test required to satisfy the Director General that an applicant is able to control a motor vehicle of the appropriate class, or that a condition or limitation endorsed on a driver's licence should be revoked —	
(a) where the motor vehicle is not of class HC or MC.....	24.25
(b) where the motor vehicle is of class HC or MC.....	99.00
3. For each duplicate tax invoice provided in respect of fees paid for any additional driving tests referred to in item 2 .....	6.50
4. Grant or renewal of a driver's licence —	
(a) where the licence is granted or renewed for a period of 12 months .....	30.65
(b) where the licence is granted or renewed for a period of 5 years .....	97.10
(c) for a period determined under regulation 5A(2), not being a period provided for by paragraph (a) or (b) .....	for each year or part of a year to which the licence relates, $\frac{1}{5}$ of the fee under paragraph (b)
5. Application for the endorsement of a driver's licence as of class F or class T under regulation 5 —	
(a) where the application is made within 15 days of the expiry of an endorsement of that class on the licence .....	nil
(b) in any other case.....	71.70

**22. Transitional and saving**

Schedules 1 and 2 have effect.

**Schedule 1 — Transitional and saving**

[r. 22]

**1. Interpretation**

In this Schedule —

“**commencement day**” means the day on which these regulations come into operation;

**“continuing driver’s licence”** means a driver’s licence granted before the commencement day that would have continued after the beginning of that day had these regulations not come into operation;

**“continuing learner’s permit”** means a learner’s permit granted before the commencement day that would have continued after the beginning of that day had these regulations not come into operation;

**“learner’s permit”** means a permit under section 48C of the Act.

## 2. Transition of drivers’ licences

- (1) A continuing driver’s licence that, immediately before the commencement day, was appropriate to a motor vehicle of a class specified in Schedule 2 column 1 continues as if these regulations had not come into operation, but as a driver’s licence —
  - (a) for a motor vehicle of a class specified in column 2 opposite the class specified in column 1;
  - (b) subject to any condition or limitation specified in column 3 opposite the class specified in column 2 (in addition to any condition or limitation to which the licence may have been subject before the commencement day); and
  - (c) endorsed with any class of authorisation specified in column 4 opposite the class specified in column 2.
- (2) If the driving authorised by a continuing driver’s licence is, as a result of subclause (1), more restricted than it would have been if these regulations had not come into operation, the licence also authorises driving that the licence authorised before the commencement day, but that authorisation is limited to the transitional period.
- (3) The transitional period for a driver’s licence is the period during the year commencing on the commencement day while the licence, or the licence as renewed, continues in force.

## 3. Applications to vary continuing driver’s licences

- (1) A person whose driver’s licence authorises additional driving under clause 2(2) may, at any time while the additional driving is authorised, apply to the Director General for the licence to be varied as necessary to authorise the additional driving without the limitation referred to in clause 2(2).
- (2) An application under subclause (1) is to be —
  - (a) in a form approved by the Director General; and
  - (b) accompanied by such proof of the applicant’s driving experience as the Director General may require, verified by statutory declaration.
- (3) On an application under subclause (1), the Director General is to grant the variation if the Director General is satisfied that the applicant has demonstrated his or her ability to control a motor vehicle to which the variation applies and satisfied any requirements prescribed in relation to a licence for the vehicle.
- (4) The Director General may, in satisfaction of the requirement that the applicant demonstrate an ability to control the motor vehicle, accept evidence other than that obtained from a driving test.

**4. Transition of learner's permits**

- (1) A continuing learner's permit that, immediately before the commencement day, was appropriate to a motor vehicle of a class specified in Schedule 2 column 1 continues as if these regulations had not come into operation, but as a learner's permit —
- (a) for a motor vehicle of a class specified in column 2 opposite the class specified in column 1; and
  - (b) subject to any condition or limitation specified in column 3 opposite the class specified in column 2 (in addition to any condition or limitation to which the permit may have been subject before the commencement day).
- (2) Regulation 4B of, and Schedule 4 to, the *Road Traffic (Drivers' Licences) Regulations 1975* do not apply to the holder of a continuing learner's permit.

**Schedule 2 — Table of motor vehicle classes, limitations and endorsements**

[r. 22]

<i>Column 1</i> <b>Former class</b>	<i>Column 2</i> <b>Present class</b>	<i>Column 3</i> <b>Condition or Limitation</b>	<i>Column 4</i> <b>Authorisation</b>
A	C		
B	HR		
C	HC		
E	C	class A	
F	MR		class F
H	LR		
I	C	The holder of the licence or permit may drive a tractor (not prime mover type) that has a GVM not exceeding 4 500 kg, but no other motor vehicle of class C.	
J	MR	The holder of the licence or permit may drive a tractor (not prime mover type) that has a GVM exceeding 4 500 kg and that has 2 axles, but no other motor vehicle of class MR.	
K	R		
L	R	class E	
M	R	The holder of the licence or permit may drive a motor cycle with an engine capacity not exceeding 100 ml and that is not fitted with a hand or foot operated clutch, but no other motor cycle.	

---

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<b>Former class</b>	<b>Present class</b>	<b>Condition or Limitation</b>	<b>Authorisation</b>
N	R	class N	
T	C		class T

By Command of the Governor,

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

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## — PART 2 —

**CONSERVATION AND LAND MANAGEMENT****CM401****CONSERVATION AND LAND MANAGEMENT ACT 1984****CONSERVATION AND LAND MANAGEMENT (REVOCATION OF STATE FOREST)  
ORDER (No. 1) 2001**

Made by the Governor in Executive Council under section 9(2) of the *Conservation and Land Management Act 1984*.

**1. Citation**

This order may be cited as the *Conservation and Land Management (Revocation of State Forest) Order (No. 1) 2001*.

**2. Background to this order**

(1) In accordance with section 9(2) of the Act, a proposal dated 14 November 2000 that, among other things, six separate areas (totaling 52.3660 hectares) be revoked from State forest Nos. 4, 7, 54 and 65 was laid before both Houses of Parliament.

(2) Resolutions that the proposal referred to in subclause (1) be carried out were passed by the Legislative Assembly on 22 November 2000 and by the Legislative Council on 23 November 2000.

(3) The lands referred to in subclause (1) have been surveyed and are now described in Schedules 1-4.

**3. Parts of State forest Nos. 4, 7, 54 and 65 revoked**

The lands described in Schedules 1-4 are declared to be no longer State forest.

**Schedule 1—Land no longer part of State forest No. 4**

Wellington Location 5829 (road and road widenings) as surveyed and shown on Land Administration Act Plans 19924 and 19925.

Area—32.3584 hectares.

DOLA Map Sheets—Muja NW and SW (2131-11 NW and SW).

**Schedule 2—Land no longer part of State forest No. 7**

Swan Location 12913 (road widenings) as surveyed and shown on Land Administration Act Plan 19958.

Area—3.2630 hectares.

DOLA Map Sheets—Perth BG 34(2) 32.30 and 33.30.

**Schedule 3—Land no longer part of State forest No. 54**

Canning Location 4378 (Quicke Road) as surveyed and shown on Land Administration Act Plan 20608.

Area—3.3203 hectares.

DOLA Map Sheet—Perth BG 34(10) 6.5.

**Schedule 4—Land no longer part of State forest No. 65**

A. Swan Location 13534 (road widenings) as surveyed and shown on Department of Land Administration Plan 19117.

Area—1.7270 hectares.

DOLA Map Sheets—Swan BG 35(10) 2.5, 3.4 and 3.5.

B. Four areas being land marked ROAD WIDENING on—

Department of Land Administration Diagram 93177	0.0517 hectares
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Department of Land Administration Diagram 93178	0.1260 hectares
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and	0.1831 hectares
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Department of Land Administration Diagram 93444	0.0469 hectares
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TOTAL	0.4077 hectares.
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DOLA Map Sheets—Swan BG 35(10) 1.5 and 2.5.

C. Swan Location 12925 (road) as surveyed and shown on Land Administration Act Miscellaneous Diagram 93591.

Area—11.2896 hectares.

DOLA Map Sheets—Moore River NW (2035-111 NW) and Guilderton Environs BF 36(10) 7.4 and 8.4.

By Command of the Governor,

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

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## FAIR TRADING

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**FT401**

Western Australia

**REAL ESTATE AND BUSINESS AGENTS ACT 1978**

## NOTICE OF ELECTION

(Regulation 3)

Notice is hereby given that an election of the Elective Member and a deputy member of the Real Estate and Business Agents Supervisory Board, as constituted under section 7 of the Real Estate and Business Agents Act 1978, will take place as the office of the Returning Officer at 222 Broome Street, Cottesloe WA 6011, on Tuesday, 3 April 2001, closing at 6 pm in the afternoon on such date.

The vacancies in the membership of the Board to be filled at such election are those specified hereunder—

One Elective Member—Term of Office expires 26 April 2005

One Deputy Member—Term of Office expires 28 April 2005

Nominations of candidates shall be made in accordance with the Real Estate and Business Agents Supervisory Board (Elections) Regulations 1980 and must be received by the Returning Officer at his office not later than 6 pm in the afternoon of Monday, 12 March 2001.

Dated: 9 February 2001.

RON CAMP, Returning Officer.

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## HEALTH

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**HE401****HEALTH ACT 1911**

Health Department of WA,  
Perth, 31 January 2001.

In accordance with the provisions of section 28 of the Health Act 1911, the appointment of the following persons as Environmental Health Officers is approved.

<b>Environmental Health Officer</b>	<b>Date Effective</b>	<b>Local Government</b>
Jennifer Roberts	21 December 2000	City of Rockingham
Timothy Batt	12 February 2001	Shire of Dardanup
Amanda Maine Julien	8 January—4 February 2001	City of Armadale

Dr PAUL PSAILA-SAVONA, Executive Director,  
Public Health.

**HE402****RADIATION SAFETY ACT 1975**

Health Department of WA,  
Perth, 30 January 2001.

99-01108.

The appointment of Mrs Hwee Carter and Ms Janelle D'Souza, as authorised officers under provision of Section 4 (1) of the Radiation Safety Act 1975, is hereby notified.

Dr PAUL PSAILA-SAVONA, Executive Director,  
Public Health.



**HE403\*****HEALTH ACT 1911****HEALTH (PESTICIDES) REGULATIONS 1956****PESTICIDES (REGULATION 20B) (PROHIBITION OF SPECIFIED REGISTERED PESTICIDES) NOTICE 2001**

Made by the Executive Director, Public Health under regulation 20B of the *Health (Pesticides) Regulations 1956*.

**Citation**

1. This notice may be cited as the *Pesticides (Regulation 20B) (Prohibition of Specified Registered Pesticides) Notice 2001*.

**Commencement**

2. This notice comes into operation on 1 March 2001.

**Interpretation**

3. In this notice—

“**use**” means application of a specified registered pesticide on a specified crop by means of aerial spraying;

“**specified registered pesticide**” means a registered pesticide specified in the table to this notice;

“**specified crop**” means a *Eucalyptus* spp. plantation.

**Prohibition**

4. The use of a specified registered pesticide on a specified crop growing anywhere in the State is prohibited until 28 February 2002.

**Table**

BASF PERFEKTHION EC 400 SYSTEMIC INSECTICIDE.  
 DIMETHOMAX SYSTEMIC INSECTICIDE.  
 NUFARM DIMETHOATE SYSTEMIC INSECTICIDE.  
 FARMOZ DIMETHOATE 400 SYSTEMIC INSECTICIDE.  
 ROTAM ROMETHOATE SYSTEMIC INSECTICIDE.  
 SABOTEUR SYSTEMIC INSECTICIDE.  
 SIPCAM ROGOR SYSTEMIC INSECTICIDE.

Dr PAUL PSAILA-SAVONA, Executive Director,  
 Public Health.

**LAND ADMINISTRATION****LA401****TRANSFER OF LAND ACT 1893**

## APPLICATION H240485

Take notice that James Jones and Marlene Frances Jones of 15 Bland Street, York have made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Bland Street, York.

Being portion of Avon Location T and being the land described in Memorial Book 28 Number 506.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before Friday 2nd March 2001 a caveat forbidding the land being brought under the operation of the Act.

IAN HYDE, Registrar of Titles.

**LOCAL GOVERNMENT****LG401\*****LOCAL GOVERNMENT ACT 1995***DISTRICT OF MOUNT MARSHALL*

## (CHANGE OF WARD BOUNDARIES) ORDER 2001

Made by the Governor in Executive Council.

**1. Citation**

This Order may be cited as the *District of Mount Marshall (Change of Ward Boundaries) Order 2001*.

## 2. Change of ward boundaries (s. 2.2(1)(c) of the Act)

On and after the first ordinary elections day after the commencement of this order, the Beacon, Cleary, Gabbin, North Bencubbin, South Bencubbin, Welbungin and Wialki Wards in the district of Mount Marshall consist of the land described in the Schedule to this order.

## 3. Elections after restructure of boundaries (ss. 4.11 and 9.62 of the Act)

(1) Part 4 of the Act applies to preparing for and conducting an election to be held on the first ordinary elections day after the commencement of this order as if the changes effected by clause 2 had taken effect on the day on which this order commenced.

(2) For the purposes of subclause (1)—

- (a) Part 4 of the Act is modified to the extent necessary to give effect to subclause (1).
- (b) without limiting subclause (1), a reference in Part 4 of the Act to a ward, in relation to the district of Mount Marshall, is to be read as a reference to the Beacon Ward, Cleary Ward, Gabbin Ward, North Bencubbin Ward, South Bencubbin Ward, Welbungin Ward and Wialki Ward of the district as the respective ward is or will be, as a result of the operation of clause 2, on or after the first ordinary elections day after the commencement of this order.

By Command of the Governor,

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

### SCHEDULE

#### AMENDMENT AND REDESCRIPTION OF THE WARDS OF THE SHIRE OF MOUNT MARSHALL

##### BEACON WARD

All that portion of land bounded by lines starting from the intersection of the centreline of Marindo North Road with the centreline of Beacon Rock Road and extending easterly along the centreline of Beacon Rock Road to the prolongation northerly of the centreline of Gardiner Road; thence southerly to and along that centreline and onwards to the centreline of Bonnie Rock – Burakin Road; thence generally northwesterly along that centreline to the prolongation northerly of the northernmost western boundary of part Ninghan Location 3151 on Certificate of Title Volume 1394 Folio 510; thence southerly and westerly along boundaries of that part location and onwards to and along the southern side of Memorial Drive to the southernmost southeastern corner of Beacon Lot 670 (Reserve 36172); thence westerly and northerly along boundaries of that lot and onwards to the centreline of Lucas Street; thence westerly along that centreline and generally westerly along the centreline of Bonnie Rock – Burakin Road to the prolongation southerly of the centreline of Marindo North Road and thence northerly to and along that centreline to the starting point.

##### CLEARY WARD

All that portion of land bounded by lines starting from the intersection of the prolongation northerly of the eastern boundary of Ninghan Location 4251 with the southernmost southern boundary of Location 4274, a point on a present northern boundary of the Shire of Mount Marshall and extending southerly to and along the eastern boundary of location 4251 to its southeastern corner; thence southwesterly to the easternmost northeastern corner of Location 4273; thence southerly along an eastern boundary of that Location to a northwestern corner of Location 4228 (A Class Reserve 36936); thence southerly, westerly, northerly, again westerly, again southerly and again westerly along boundaries of that location and onwards to the centreline of Bimbijy Road; thence southerly, generally southwesterly and again southerly along that centreline to the centreline of Emu Proof Fence Road; thence southeasterly along that centreline to the prolongation northeasterly of the centreline of Huckstep Road; thence southwesterly to and southwesterly and westerly along that centreline and generally southwesterly and generally southerly along the centreline of Ingleton Road to the centreline of Beacon Rock Road; thence westerly along that centreline to the centreline of Marindo North Road; thence southerly along that centreline and generally southerly along the centreline of Mandiga – Marindo Road to the prolongation easterly of the centreline of a road on the southernmost southern boundary of Location 1165; thence westerly to and westerly, southerly and again westerly along the centreline of that road and onwards to the centreline of Hiscox Road; thence southerly along that centreline to the prolongation easterly of the centreline of Fitzpatrick Road; thence westerly to and along that centreline and onwards to the prolongation southerly of the eastern boundary of Location 787, a point on a present western boundary of the Shire of Mount Marshall and thence generally northerly and easterly along boundaries of that Shire to the starting point.

##### GABBIN WARD

All that portion of land bounded by lines starting from the intersection of the prolongation southerly of the eastern boundary of Ninghan Location 787 with the prolongation westerly of the centreline of Fitzpatrick Road, a point on a present western boundary of the Shire of Mount Marshall and extending easterly to and along that centreline and onwards to the centreline of Hiscox Road; thence northerly along that centreline to the prolongation westerly of the centreline of a road on the southern boundary of Location 2523; thence easterly to and easterly, northerly and again easterly along that centreline and onwards to the centreline of Mandiga – Marindo Road; thence generally southerly along that centreline and southerly along the centreline of Mandiga Road and onwards to the centreline of Koorda – Bullfinch Road; thence westerly along that centreline to the prolongation northerly of the centreline of Mandiga – Trayning Road; thence southerly to and along that centreline to the prolongation westerly

of the northern boundary of Avon Location 14267; thence easterly to the northwestern corner of that location, a point on a present southern boundary of the Shire of Mount Marshall and thence generally westerly and generally northerly along boundaries of that Shire to the starting point.

#### **NORTH BENCUBBIN WARD**

All that portion of land bounded by lines starting from the intersection of the centreline of Koorda – Bullfinch Road with the prolongation southerly of the western boundary of Lot 104 on Office of Titles Plan 17805 and extending northerly to and along the western boundary of that lot and lot 103 to its westernmost northwestern corner; thence northwesterly along a southwestern side of Gillett Road to southernmost southeastern corner of Lot 100; thence westerly along the southern boundary of that lot and westerly along the northernmost boundary of Bencubbin Lot 128 (Reserve 14503) and onwards to the easternmost corner of the southwestern severance of Avon Location 15145; thence westerly and southerly along boundaries of that severance and onwards to the centreline of the Wyalkatchem – Mukinbudin Railway Reserve; thence generally southeasterly along that centreline to the prolongation northeasterly of the centreline of Monger Street; thence southwesterly to and generally southwesterly along that centreline to the prolongation westerly of the centreline of Welbungin Road and thence easterly to and along that centreline to the starting point.

#### **SOUTH BENCUBBIN WARD**

All that portion of land bounded by lines starting from the intersection of a northeastern side of Barbalin – Koonkoobing Road with the prolongation easterly of the centreline of Wren Road, a point on a present eastern boundary of the Shire of Mount Marshall and extending westerly to and along that centreline to the centreline of Mackenzie Road; thence northerly along that centreline and onwards to the centreline of Koorda – Bullfinch Road; thence generally westerly along that centreline and the centreline of Welbungin Road and onwards to the centreline of Monger Road; thence northeasterly along that centreline and onwards to the centreline of Wyalkatchem – Mukinbudin Railway Reserve; thence generally northwesterly along that centreline to the prolongation northerly of the eastern boundary of Avon Location 22062; thence southerly to and southerly, westerly and northerly along boundaries of that location to the northernmost northeastern corner of Location 22199; thence southwesterly and southerly along boundaries of that location to the southeastern corner of Location 22222; thence westerly along the southern boundary of that location and the southern boundary of the southwestern severance of Location 15130 and onwards to the centreline of Mandiga Road; thence southerly along that centreline and onwards to the centreline of Koorda – Bullfinch Road; thence westerly along that centreline to the prolongation northerly of the centreline of Mandiga – Trayning Road; thence southerly to and along that centreline to the prolongation westerly of the northern boundary of Location 14267; thence easterly to the northwestern corner of that location, a point on a present southern boundary of the Shire of Mount Marshall and thence generally easterly and generally northerly along boundaries of that Shire to the starting point.

#### **WELBUNGIN WARD**

All that portion of land bounded by lines starting from the intersection of a northeastern side of Barbalin – Koonkoobing Road with the prolongation easterly of the centreline of Wren Road, a point on a present eastern boundary of the Shire of Mount Marshall and extending westerly to and along that centreline to the centreline of Mackenzie Road; thence northerly along that centreline and onwards to the centreline of Koorda – Bullfinch Road; thence generally westerly along that centreline to the prolongation southerly of the western boundary of Lot 104 on Office of Titles Plan 17805 and extending northerly to and along the western boundary of that lot and lot 103 to its westernmost northwestern corner; thence northwesterly along a southwestern side of Gillett Road to a southernmost southeastern corner of Lot 100; thence westerly along the southern boundary of that lot and westerly along the northernmost boundary of Bencubbin Lot 128 (Reserve 14503) and onwards to the easternmost corner of the southwestern severance of Avon Location 15145; thence westerly and southerly along boundaries of that severance and onwards to a northeastern corner of Avon Location 22062; thence southerly, westerly and northerly along boundaries of that location to the northernmost northeastern corner of Location 22199; thence southwesterly and southerly along boundaries of that location to the southeastern corner of Location 22222; thence westerly along the southern boundary of that location and the southern boundary of the southwestern severance of Location 15130 and onwards to the centreline of Mandiga Road; thence northerly along that centreline and generally northerly along the centreline of Mandiga – Marindo Road to the prolongation westerly of the centreline of Crabb Road; thence easterly to and along that centreline to the centreline of Beacon Back Road; thence southerly along that centreline to the prolongation westerly of the northern boundary of Ninghan Location 2371; thence easterly to and along that boundary and the northern boundary of Location 3962 to the southwestern corner of Location 478; thence northerly and northeasterly along boundaries of that location and onwards to the centreline of Crabb Road; thence generally easterly along that centreline and onwards to and generally easterly along the centreline of Askew Road and onwards to the centreline of Gillett Road; thence southerly along that centreline to the prolongation westerly of the centreline of Potts Road; thence easterly to and along that centreline and onwards to the centreline of Welbungin – Wialki Road; thence easterly along that centreline and onwards to the centreline of a road on the southern boundary of the southeastern severance of Location 607; thence generally easterly, northerly and again generally easterly along that centreline and onwards to the prolongation northerly of the western boundary of Location 3027; thence southerly to the northernmost northwestern corner of that location, a point on a present eastern boundary of the Shire of Mount Marshall and thence generally southerly along boundaries of that Shire to the starting point.

#### **WIALKI WARD**

All that portion of land bounded by lines starting from the intersection of the prolongation northerly of the western boundary of Ninghan Location 4133 with the centreline of Emu Proof Fence Road, a point on a present eastern boundary of the Shire of Mount Marshall and extending westerly and

northwesterly along that centreline to the prolongation northeasterly of the centreline of Huckstep Road; thence southwesterly to and southwesterly and westerly along that centreline and generally southwesterly and generally southerly along the centreline of Ingleton Road to the centreline of Beacon Rock Road; thence easterly along that centreline to the prolongation northerly of the centreline of Gardiner Road; thence southerly to and along that centreline and onwards to the centreline of Bonnie Rock – Burakin Road; thence generally northwesterly along that centreline to the prolongation northerly of the northernmost western boundary of part Ninghan Location 3151 on Certificate of Title Volume 1394 Folio 510; thence southerly and westerly along boundaries of that part location and onwards to and along the southern side of Memorial Drive to the southernmost southeastern corner of Beacon Lot 670 (Reserve 36172); thence westerly and northerly along boundaries of that lot and onwards to the centreline of Lucas Street; thence westerly along that centreline and generally westerly along the centreline of Bonnie Rock – Burakin Road to the prolongation northerly of the centreline of Mandiga – Marindo Road; thence generally southerly along that centreline to the prolongation westerly of the centreline of Crabb Road; thence easterly to and along that centreline to the centreline of Beacon Back Road; thence southerly along that centreline to the prolongation westerly of the northern boundary of Ninghan Location 2371; thence easterly to and along that boundary and the northern boundary of Location 3962 to the southwestern corner of Location 478; thence northerly and northeasterly along boundaries of that location and onwards to the centreline of Crabb Road; thence generally easterly along that centreline and onwards to and generally easterly along the centreline of Askew Road and onwards to the centreline of Gillett Road; thence southerly along that centreline to the prolongation westerly of the centreline of Potts Road; thence easterly to and along that centreline and onwards to the centreline of Welbungin – Wialki Road; thence easterly along that centreline and onwards to the centreline of a road on the southern boundary of the southeastern severance of Location 607; thence generally easterly, northerly and again generally easterly along that centreline and onwards to the prolongation northerly of the western boundary of Location 3027; thence southerly to the northernmost northwestern corner of that location, a point on a present eastern boundary of the Shire of Mount Marshall and thence generally northeasterly and generally northerly along boundaries of that Shire to the starting point.

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**LG402\***

**LOCAL GOVERNMENT ACT 1995**

*DISTRICT OF SWAN*

(CHANGE OF WARD BOUNDARIES AND REPRESENTATION) ORDER 2001

Made by the Governor in Executive Council.

**1. Citation**

This order may be cited as the *District of Swan (Change of Ward Boundaries and Representation) Order 2001*.

**2. New ward created (s. 2.2(1)(c) of the Act)**

On and after the first ordinary elections day after the commencement of this order, there shall be a new ward created in the district of Swan known as the Ellenbrook Ward that shall consist of the land described in the Schedule.

**3. Change of ward boundaries (s. 2.2(1)(c) of the Act)**

On and after the first ordinary elections day after the commencement of this order, the Altone Ward, Ballajura Ward, Gidgegannup Ward, Guildford Ward, Midland Ward, North Ward and Swan Valley Ward in the district of Swan shall consist of the land described in the Schedule.

**4. Number of councillors changed (s. 2.18(3) of the Act)**

On and after the first ordinary elections day after the commencement of this order—

- (a) the number of offices of councillor on the council of the City of Swan is 14 instead of 13; and
- (b) the number of offices of councillor for the Ellenbrook Ward in the district of Swan shall be 1.

**5. Election to fill vacancies (s. 4.11 and 9.62 of the Act)**

- (1) An election is to be held to fill the office of councillor created under clause 4(b).
- (2) Any poll needed for an election to fill the office referred to in subclause (1) is to be held on the first ordinary elections day after the commencement of this order.
- (3) Part 4 of the Act applies to preparing for and conducting an election as if the changes effected by clauses 2, 3 and 4 had taken effect on the day on which this order commenced.
- (4) For the purposes of subclause (3)—
  - (a) Part 4 of the Act is modified to the extent necessary to give effect to subclauses (1), (2) and (3); and
  - (b) without limiting paragraph (a), a reference in Part 4 of the Act to a ward, in relation to the district of Swan, is to be read as a reference to the, Altone Ward, Ballajura Ward, Ellenbrook

Ward, Gidgegannup Ward, Guildford Ward, Midland Ward, North Ward, and Swan Valley Ward of the district as the respective ward is or will be, as a result of the operation of clauses 2, 3 and 4 on and after the first ordinary elections day after the commencement of this order.

By Command of the Governor,

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

SCHEDULE  
AMENDMENT AND REDESCRIPTION OF WARD BOUNDARIES  
CITY OF SWAN

**BALLAJURA WARD**

All that portion of land bounded by lines starting from the intersection of the prolongation easterly of the northern side of Sewell Court with the centreline of Tonkin Highway (Undedicated), a point on a present southern boundary of the City of Swan and extending generally northerly along that centreline and onwards to the centreline of Reid Highway (Undedicated); thence generally northeasterly along that centreline to the western boundary of Part Lot 18 as shown on Office of Titles Plan 18015; thence northerly along that boundary and onwards to the southern boundary of Lot 296; thence westerly and northerly along boundaries of that lot and onwards to the southwestern corner of Lot 283 as shown on Office of Titles Plan 3107; thence northerly and easterly along boundaries of that lot to the southwestern corner of the Pedestrian Access Way as shown on Office of Titles Plan 23088; thence generally northwesterly along boundaries of that pedestrian access way onwards to the southern boundary of the southern severance of Lot 23 as shown on Office of Titles Plan 12769; thence westerly and generally northwesterly along boundaries of that severance to the eastern boundary of the Pedestrian Access Way as shown on Office of Titles Plan 19092; thence northerly along boundaries of that pedestrian access way to a southern side of Harrow Street; thence northerly to a southeastern corner of a Pedestrian Access Way on the eastern boundary of Lot 778 as shown on Office of Titles Plan 18942; thence northerly along the eastern boundary of that pedestrian access way to the prolongation easterly of the northern boundary of Lot 751 as shown on Office of Titles Plan 18941; thence easterly along that prolongation to an eastern side of Beechboro Road North; thence generally northerly along sides of that road and onwards to the centreline of Gnangara Road; thence westerly along that centreline to the prolongation southerly of the eastern boundary of Lot 27 as shown on Office of Titles Plan 7216 sheet 2; thence northerly to and northerly and westerly along boundaries of that lot and the northern boundaries of Lots 26 to 18 inclusive and onwards to the northeastern corner of Lot 17; thence westerly along the northern boundary of that lot and Lot 16 to the northeastern corner of Lot 31 as shown on Office of Titles Diagram 86393; thence westerly along the northern boundary of that lot and the northern boundaries of Lots 14 to 8 inclusive as shown on Office of Titles Plan 7216 sheets 1 and 2 to the southeastern corner of Swan Location 5199, a point on a present eastern boundary of the City of Swan and thence southerly, westerly, generally southerly and easterly along boundaries of that City to the starting point.

**ALTONE WARD**

All that portion of land bounded by lines starting from the intersection of the prolongation easterly of the northern side of Sewell Court with the centreline of Tonkin Highway (Undedicated), a point on a present southern boundary of the City of Swan and extending generally northerly along that centreline and onwards to the centreline of Reid Highway (Undedicated); thence generally northeasterly along that centreline to the western boundary of Part Lot 18 as shown on Office of Titles Plan 18015; thence northerly along that boundary and onwards to the southern boundary of Lot 296; thence westerly and northerly along boundaries of that lot and onwards to the southwestern corner of Lot 283 as shown on Office of Titles Plan 3107; thence northerly and easterly along boundaries of that lot to the southwestern corner of the Pedestrian Access Way as shown on Office of Titles Plan 23088; thence generally northwesterly along boundaries of that pedestrian access way and onwards to the southern boundary of the southern severance of Lot 23 as shown on Office of Titles Plan 12769; thence westerly and generally northwesterly along boundaries of that severance to the eastern boundary of the Pedestrian Access Way as shown on Office of Titles Plan 19092; thence northerly along boundaries of that pedestrian access way to a southern side of Harrow Street; thence northerly to a southeastern corner of a Pedestrian Access Way on the eastern boundary of Lot 778 as shown on Office of Titles Plan 18942; thence northerly along the eastern boundary of that pedestrian access way to the prolongation easterly of the northern boundary of Lot 751 as shown on Office of Titles Plan 18941; thence easterly along that prolongation to an eastern side of Beechboro Road North; thence generally northerly along sides of that road and onwards to the centreline of Gnangara Road; thence generally easterly along that centreline to the prolongation northerly of the centreline of Lord Street; thence southerly to and generally southerly along that centreline and the centreline of Lord Street (Undedicated) and again along the centreline of Lord Street to the prolongation easterly of the southern boundary of Lot 94 as shown on Office of Titles Plan 22611 sheet 3; thence westerly to and westerly along the northern side of Harrow Street, the northern side of a Closed Road and onwards to and along the northern side of Harrow Street to the prolongation northerly of the western boundary of Lot 200 as shown on Office of Titles Diagram 87661; thence southerly to and along that boundary and onwards to the prolongation westerly of the northern side of Cranleigh Street; thence easterly to and along that side to the prolongation northerly of the western side of Roedean Street; thence southerly to and along that side and onwards to the northern boundary of Lot 45 as shown on Office of Titles Plan 2747; thence westerly and southerly along boundaries of that lot and onwards to the northwestern corner of Lot 74; thence southerly, southeasterly and easterly along boundaries of that lot to the northeastern corner of Lot 31 as shown on Office of Titles Plan 2746 sheet 1; thence southerly along the eastern boundary of that lot and onwards to the

centreline of Reid Highway (Undedicated); thence generally easterly along that centreline to the prolongation northerly of the eastern side of the proposed Lord Street Extension as shown on Ministry of Planning Plan 1.1227/1; thence southerly to and generally southerly along sides of that proposed extension and eastern sides of Lord Street to the northern boundary of Lot 10 as shown on Office of Titles Diagram 17904, a point on a present southern boundary of the City of Swan and thence generally westerly, generally northerly and westerly along boundaries of that City to the starting point.

#### **MIDLAND WARD**

All that portion of land bounded by lines starting from the westernmost corner of Lot 1 as shown on Office of Titles Plan 10872, a point on a present southern boundary of the City of Swan and extending west to the centreline of Toodyay Road; thence generally southwesterly, generally northwesterly, and again generally southwesterly along that centreline to the centreline of Roe Highway (Undedicated); thence generally northwesterly and generally westerly along that centreline and onwards to and along the centreline of Middle Swan Road and onwards to the right bank of the Swan River; thence generally southerly and generally southwesterly downwards along that bank to the prolongation northerly of the northernmost western boundary of Swan Location 5566 (Part Reserve 24092); thence southerly to and along that boundary and the western boundary of Location 8254 (Reserve 29493) to the northwestern corner of Location 8255; thence southerly and northeasterly along boundaries of that location to the southernmost southwestern corner of Location 5566; thence easterly and southeasterly along boundaries of that location to a northwestern side of Third Avenue; thence southwesterly and southeasterly along sides of that road and onwards to the centreline of Great Eastern Highway; thence generally southwesterly along that centreline to the prolongation southeasterly of the northeastern boundary of Lot 198 as shown on Office of Titles Diagram 20073; thence southeasterly along that prolongation to a northwestern side of Devon Street; thence generally southwesterly and southeasterly along sides of that street to the northernmost southeastern corner of Portion of Location 16 on Certificate of Title Volume 1538 Folio 776; thence generally southwesterly and generally easterly along boundaries of that Portion of Location 16 to the northernmost northwestern corner of Lot 1 as shown on Office of Titles Diagram 48173; thence generally southeasterly along northeastern boundaries of that lot and onwards to the centreline of the northern branch of the Helena River; thence generally southeasterly and generally northeasterly upwards along that centreline to the westernmost northwestern corner of Lot 1 as shown on Office of Titles Diagram 60886; thence generally northeasterly, southerly, easterly, northerly and again generally northeasterly along boundaries of that lot and onwards to a southwestern boundary of Location 12698; thence southerly and generally southeasterly along boundaries of that location to a northern corner of Whiteman Road; thence southeasterly along the northeastern side of that road to the northernmost northwestern corner of Location 10804 (Reserve 39636); thence generally southeasterly, southwesterly, again generally southeasterly and generally northeasterly along boundaries of that location to the northernmost northwestern corner of Part Lot 20 as shown on Office of Titles Diagram 10008; thence easterly along the northern boundary of that part lot and the northern boundary of Part Lot 21 as shown on Office of Titles Plan 4556 to the northwestern boundary of Lot 22; thence northeasterly and southeasterly along boundaries of that lot to the northernmost corner of Lot 800 as shown on Office of Titles Diagram 96942; thence generally southeasterly and southwesterly along boundaries of that lot to the centreline of the southern branch of the Helena River; thence generally southeasterly upwards along that centreline and onwards to an eastern side of Military Road, a point on a present southern boundary of the City of Swan and thence generally northeasterly, generally southeasterly, generally northwesterly and again generally northeasterly along boundaries of that City to the starting point.

#### **GUILDFORD WARD**

All that portion of land bounded by lines starting from the intersection of the prolongation northwesterly of the northernmost northeastern boundary of original Guildford Town Lot 94 as shown on Certificate of Title Volume 13 Folio 374 with a right bank of the Swan River, a point on a present southern boundary of the City of Swan and extending generally northeasterly and generally easterly upwards along that bank to the prolongation northerly of the northernmost western boundary of Swan Location 5566 (Part Reserve 24092); thence southerly to and along that boundary and the western boundary of Location 8254 (Reserve 29493) to the northwestern corner of Location 8255; thence southerly and northeasterly along boundaries of that location to the southernmost southwestern corner of Location 5566; thence easterly and southeasterly along boundaries of that location to a northwestern side of Third Avenue; thence southwesterly and southeasterly along sides of that road and onwards to the centreline of Great Eastern Highway; thence generally southwesterly along that centreline to the prolongation southeasterly of the northeastern boundary of Lot 198 as shown on Office of Titles Diagram 20073; thence southeasterly along that prolongation to a northwestern side of Devon Street; thence generally southwesterly and southeasterly along sides of that street to the northernmost southeastern corner of Portion of Location 16 on Certificate of Title Volume 1538 Folio 776; thence generally southwesterly and generally easterly along boundaries of that Portion of Location 16 to the northernmost northwestern corner of Lot 1 as shown on Office of Titles Diagram 48173; thence generally southeasterly along northeastern boundaries of that lot and onwards to the centreline of the northern branch of the Helena River; thence generally southeasterly and generally northeasterly upwards along that centreline to the westernmost northwestern corner of Lot 1 as shown on Office of Titles Diagram 60886; thence generally northeasterly, southerly, easterly, northerly and again generally northeasterly along boundaries of that lot and onwards to a southwestern boundary of Location 12698; thence southerly and generally southeasterly along boundaries of that location to a northern corner of Whiteman Road; thence southeasterly along the northeastern side of that road to the northernmost northwestern corner of Location 10804 (Reserve 39636); thence generally southeasterly, southwesterly, again generally southeasterly and generally northeasterly along boundaries of that location to the northernmost northwestern corner of Part Lot 20 as shown on Office of Titles Diagram 10008; thence easterly along the northern boundary of that part lot and the northern boundary of Part Lot 21 as shown on Office of

Titles Plan 4556 to the northwestern boundary of Lot 22; thence northeasterly and southeasterly along boundaries of that lot to the northernmost corner of Lot 800 as shown on Office of Titles Diagram 96942; thence generally southeasterly and southwesterly along boundaries of that lot to the centreline of the southern branch of the Helena River; thence generally southeasterly upwards along that centreline and onwards to an eastern side of Military Road, a point on a present southern boundary of the City of Swan and thence generally southeasterly, generally northwesterly, generally southwesterly, again generally northwesterly, generally northeasterly, again generally northwesterly and generally easterly along boundaries of that City to the starting point.

#### **ELLENBROOK WARD**

All that portion of land bounded by lines starting from the intersection of the centreline of Gngangara Road with the prolongation southwesterly of the northwestern boundary of Lot 14 as shown on Office Of Titles Plan 4613 sheet 1 and extending northeasterly to and northeasterly and easterly along boundaries of that lot and easterly along the northern boundaries of Lot 6 and Lot 5 to a northwestern side of West Swan Road; thence generally northeasterly along sides of that road to the easternmost southeastern corner of Lot 202 as shown on Office of Titles Plan 21854; thence generally northwesterly along boundaries of that lot to the southern side of Millhouse Road; thence generally easterly along sides of that road to the prolongation southwesterly of the centreline of Chateau Place; thence northeasterly to and generally northeasterly along that centreline to the prolongation easterly of the northeastern boundary of Lot 502 as shown on Office of Titles Diagram 80749; thence northwesterly to and along that boundary and the northeastern boundaries of Lot 501 and Lot 148 as shown on Office Of Titles Plans 16462 and 15432 respectively to the southwestern corner of Lot 767 as shown on Office Of Titles Diagram 91903; thence northerly along the western boundary of that lot and the western boundary of lot 768 as shown on Office Of Titles Plan 20652 to a southeastern corner of Lot 787 as shown on Office of Titles Diagram 88695; thence easterly, northerly and westerly along boundaries of that lot to a western boundary of Lot 769 as shown on Office Of Titles Plan 20652; thence generally northerly along the western boundary of that lot and the western boundaries of Lots 770 to 774, 777 to 780 and 783 to 786 inclusive as shown on Office of Titles Plans 20652 and 20651 to the southeastern corner of the southernmost severance of Lot 3 on Certificate of Title Volume 2170 Folio 973; thence generally westerly along boundaries of that severance to its western corner; thence northwesterly to the southernmost southwestern corner of a central severance of Lot 3; thence generally northwesterly and northerly along boundaries of that severance to its westernmost northwestern corner; thence northerly to the southernmost southern corner of the western severance of Lot 85 as shown on Office Of Titles Plan 21247; thence generally northwesterly along boundaries of that severance to a southeastern boundary of the northern severance of Lot 80 as shown on Office of Titles Plan 21245; thence generally northeasterly along boundaries of that severance and onwards to the centreline of Maralla Road; thence westerly along that centreline to the prolongation northeasterly of the centreline on the proposed Perth Darwin Highway as shown on Department of Planning and Urban Development Plans 1.3064 and 1.3065/1; thence southwesterly to and generally southwesterly and generally southerly along that centreline and onwards to the centreline of Gngangara Road; thence generally easterly along that centreline to the prolongation northwesterly of the centreline of Losino Boulevard; thence southwesterly to and generally southwesterly along that centreline to the prolongation northeasterly of the centreline of Andrea Drive; thence southwesterly to and along that centreline to the prolongation northerly of the centreline of Pine Street; thence southerly to and generally southerly along that centreline to the prolongation westerly of the northern boundary of Lot 128 as shown on Office Of Titles Plan 15965; thence easterly to and along that boundary and the northern boundaries of Lots 129 and 140 to the northwestern corner of Lot 131 as shown on Office Of Titles Diagram 72172; thence easterly along the northern boundary of that lot and the northern boundary of Lot 133 to its northeastern corner; thence northeasterly to the southwestern corner of Lot 135; thence southeasterly and northerly along boundaries of that lot to the southern corner of Swan Location 13744 (Reserve 46124); thence generally northwesterly and northerly along boundaries of that location and onwards to the centreline of Gngangara Road and thence generally easterly along that centreline to the starting point.

#### **SWAN VALLEY WARD**

All that portion of land bounded by lines starting from the intersection of the prolongation northwesterly of the northernmost northeastern boundary of original Guildford Town Lot 94 as shown on Certificate of Title Volume 13 Folio 374 with a right bank of the Swan River, a point on a present southern boundary of the City of Swan and extending generally northeasterly and generally northerly upwards along that bank to the centreline of Middle Swan Road; thence generally easterly along that centreline and generally easterly and generally southeasterly along the centreline of Roe Highway (Undedicated) to the centreline of Toodyay Road; thence generally northeasterly, generally southeasterly and again generally northeasterly along that centreline to the prolongation southerly of the eastern boundary of Lot 11 as shown on Office of Titles Diagram 3047; thence northerly to and along that boundary and the eastern boundary of Part Lot 14 and Lot 504 as shown on Department of Land Administration Deposited Plan 25033 to the southern boundary of Lot 104 as shown on Office of Titles Plan 15625; thence easterly and northerly along the boundaries of that lot and northerly along the eastern boundary of Lot 105 to a southern corner of Lot 300 as shown on Office of Titles Plan 17355; thence easterly and northerly along boundaries of that lot and generally northerly along the eastern boundaries of lots 301 to 306 inclusive to the southeastern corner of Swan Location 11860 (Part Reserve 42601); thence northerly along the eastern boundary of that Location to the southernmost southeastern corner of Lot 1014 as shown on Office of Titles Plan 21195 sheet 4; thence generally northerly and westerly along boundaries of that lot and westerly along the northern boundary of Lot 1013 as shown on Office of Titles Plan 21195 sheet 3 and onwards to the right bank of the Swan River; thence generally southerly, generally southwesterly, generally northwesterly and again generally southwesterly to the centreline of the Midland Railway as shown on Office of Titles Plan 4190; thence generally northwesterly and generally northeasterly along that centreline to the prolongation southeasterly of the northeastern

boundary of Lot 159 as shown on Office of Titles Plan 15764; thence northwesterly to and along that boundary to the southeastern corner of Lot 259 as shown on Office of Titles Plan 3221 sheet 3; thence northwesterly along the southwestern boundary of that lot to its western corner; thence north to the centreline of Ellen Brook Drive; thence generally northwesterly along that centreline and onwards to the centreline of Chateau Place; thence generally southwesterly along that centreline and onwards to a southern side of Millhouse Road; thence generally westerly along sides of that road to an eastern boundary of Lot 202 as shown on Office of Titles Plan 21854; thence generally southeasterly along boundaries of that lot to a northwestern side of West Swan Road; thence generally southwesterly along sides of that road to the northeastern corner of Lot 5 as shown on Office of Titles Plan 4613 sheet 1; thence westerly along the northern boundary of that lot and Lot 6 to a northeastern corner of Lot 14; thence westerly and southwesterly along boundaries of that lot and onwards to the centreline of Gngangara Road; thence generally westerly along that centreline to the prolongation northerly of the western boundary of Swan Location 13744 (Reserve 46124); thence southerly to and southerly and generally southeasterly along boundaries of that lot to a northeastern corner of Lot 135 as shown on Office of Titles Diagram 72172; thence southerly and northwesterly along boundaries of that lot to its southwestern corner; thence southwesterly to the northeastern corner of Lot 133; thence westerly along the northern boundary of that lot and the northern boundary of Lot 131 to the northwestern corner of Lot 140 as shown on Office of Titles Plan 15965; thence westerly along the northern boundary of that lot and the northern boundaries of Lots 129 and 128 and onwards to the centreline of Pine Street; thence generally northerly along that centreline and onwards to the centreline of Andrea Drive; thence northeasterly along that centreline and onwards to the centreline of Losino Boulevard; thence generally northwesterly along that centreline and onwards to the centreline of Gngangara Road; thence generally westerly along that centreline to the prolongation northerly of the centreline of Lord Street; thence southerly to and generally southerly along that centreline and the centreline of Lord Street (Undedicated) and again along the centreline of Lord Street to the prolongation easterly of the southern boundary of Lot 94 as shown on Office of Titles Plan 22611 sheet 3; thence westerly to and westerly along the northern side of Harrow Street, the northern side of a Closed Road and onwards to and along the northern side of Harrow Street to the prolongation northerly of the western boundary of Lot 200 as shown on Office of Titles Diagram 87661; thence southerly to and along that boundary and onwards to the prolongation westerly of the northern side of Cranleigh Street; thence easterly to and along that side to the prolongation northerly of the western side of Roedeane Street thence southerly to and along that side and onwards to the northern boundary of Lot 45 as shown on Office of Titles Plan 2747; thence westerly and southerly along boundaries of that lot and onwards to the northwestern corner of Lot 74; thence southerly, southeasterly and easterly along boundaries of that lot to the northeastern corner of Lot 31 as shown on Office of Titles Plan 2746 sheet 1; thence southerly along the eastern boundary of that lot and onwards to the centreline of Reid Highway (Undedicated); thence generally easterly along that centreline to the prolongation northerly of the eastern side of the proposed Lord Street Extension as shown on Ministry of Planning Plan 1.1227/1; thence southerly to and generally southerly along sides of that proposed extension and eastern sides of Lord Street to the northern boundary of Lot 10 as shown on Office of Titles Diagram 17904, a point on a present southern boundary of the City of Swan and thence generally easterly, generally southwesterly and generally easterly along boundaries of that City to the starting point.

#### **NORTH WARD**

All that portion of land bounded by lines starting from the intersection of the prolongation easterly of the southern boundary of Swan Location 1351 as shown on Department of Land Administration Original Plan Swan 247 with the right bank of the Avon River, a point on a present northern boundary of the City of Swan and extending generally southwesterly downwards along that bank to the northeasternmost northern boundary of the northern severance of Lot 5 as shown on Office of Titles Plan 17553; thence easterly along that boundary to the centreline of the Avon River; thence generally southwesterly along that centreline to the southwestern corner of the southern severance of Avon Location 29050 (Reserve 41938); thence northerly along the western boundary of that severance to the right bank of the Avon River; thence generally southwesterly downwards along that bank, and the right bank of the Swan River to the centreline of the Midland Railway as shown on Office of Titles Plan 4190; thence generally northwesterly and generally northeasterly along that centreline to the prolongation southeasterly of the northeastern boundary of Lot 159 as shown on Office of Titles Plan 15764; thence northwesterly to and along that boundary to the southeastern corner of Lot 259 as shown on Office of Titles Plan 3221 sheet 3; thence northwesterly along the southwestern boundary of that lot to its western corner; thence north to the centreline of Ellen Brook Drive; thence generally northwesterly along that centreline and onwards to the centreline of Chateau Place; thence generally southwesterly along that centreline to the prolongation southeasterly of the northern boundary of Lot 502 as shown on Office of Titles Diagram 80749; thence northwesterly to and along that boundary and the northeastern boundaries of Lot 501 and Lot 148 as shown on Office of Titles Plans 16462 and 15432 respectively to the southwestern corner of Lot 767 as shown on Office of Titles Diagram 91903; thence northerly along the western boundary of that lot and the western boundary of Lot 768 as shown on Office of Titles Plan 20652 to a southeastern corner of Lot 787 as shown on Office of Titles Diagram 88695; thence easterly, northerly and westerly along boundaries of that lot to a western boundary of Lot 769 as shown on Office of Titles Plan 20652; thence generally northerly along the western boundary of that lot and the western boundaries of Lots 770 to 774, 777 to 780 and 783 to 786 inclusive as shown on Office of Titles Plans 20652 and 20651 to the southeastern corner of the southernmost severance of Lot 3 on Certificate of Title Volume 2170 Folio 973; thence generally westerly along boundaries of that severance to its western corner; thence northwesterly to the southernmost southwestern corner of a central severance of Lot 3; thence generally northwesterly and northerly along boundaries of that severance to its westernmost northwestern corner; thence northerly to the southernmost southern corner of the western severance of Lot 85 as shown on Office of Titles Plan 21247; thence generally northwesterly along boundaries of that severance to a southeastern boundary of the northern severance



of Lot 80 as shown on Office of Titles Plan 21245; thence generally northeasterly along boundaries of that severance and onwards to the centreline of Maralla Road; thence westerly along that centreline to the prolongation northeasterly of the centreline on the proposed Perth Darwin Highway as shown on Department of Planning and Urban Development Plans 1.3064 and 1.3065/1; thence southwesterly to and generally southwesterly and generally southerly along that centreline and onwards to the centreline of Gnangara Road; thence generally westerly along that centreline to the prolongation southerly of the eastern boundary of Lot 27 as shown on Office of Titles Plan 7216 sheet 2; thence northerly to and northerly and westerly along boundaries of that lot and the northern boundaries of Lots 26 to 18 inclusive and onwards to the northeastern corner of Lot 17; thence westerly along the northern boundary of that lot and Lot 16 to the northeastern corner of Lot 31 as shown on Office of Titles Diagram 86393; thence westerly along the northern boundary of that lot and the northern boundaries of Lots 14 to 8 inclusive as shown on Office of Titles Plan 7216 sheets 1 and 2 to the southeastern corner of Swan Location 5199, a point on a present eastern boundary of the City of Swan and thence generally northerly and generally easterly along boundaries of that City to the starting point.

### **GIDGEGANNUP WARD**

All that portion of land bounded by lines starting from the westernmost corner of Lot 1 as shown on Office of Titles Plan 10872, a point on a present southern boundary of the City of Swan and extending west to the centreline of Toodyay Road; thence generally northeasterly along that centreline to the prolongation southerly of the eastern boundary of Lot 11 as shown on Office of Titles Diagram 3047; thence northerly to and along that boundary and the eastern boundary of Part Lot 14 and Lot 504 as shown on Department of Land Administration Deposited Plan 25033 to the southern boundary of Lot 104 as shown on Office of Titles Plan 15625; thence easterly and northerly along the boundaries of that lot and northerly along the eastern boundary of Lot 105 to a southern corner of Lot 300 as shown on Office of Titles Plan 17355; thence easterly and northerly along boundaries of that lot and generally northerly along the eastern boundaries of Lots 301 to 306 inclusive to the southeastern corner of Swan Location 11860 (Part Reserve 42601); thence northerly along the eastern boundary of that Location to the southernmost southeastern corner of Lot 1014 as shown on Office of Titles Plan 21195 sheet 4; thence generally northerly and westerly along boundaries of that lot and westerly along the northern boundary of Lot 1013 as shown on Office of Titles Plan 21195 sheet 3 and onwards to the right bank of the Swan River; thence generally northeasterly upwards along that bank and the right bank of the Avon River to the western boundary of the southern severance of Avon Location 29050 (Reserve 41938); thence southerly along that boundary to the centreline of the Avon River; thence generally northeasterly upwards along that centreline to the easternmost northeastern corner of the northern severance of Lot 5 as shown on Office of Titles Plan 17553; thence westerly along the northern boundary of that severance to the right bank of the Avon River; thence generally northeasterly upwards along that bank to the prolongation easterly of the southern boundary of Swan Location 1351 as shown on Department of Land Administration Original Plan Swan 247, a point on a present northern boundary of the City of Swan and thence easterly, generally southerly and generally westerly along boundaries of that City to the starting point.

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## **PLANNING**

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**PD402\***

### **TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF CAPEL*

TOWN PLANNING SCHEME No. 7—AMENDMENT No. 9

Ref: 853/6/7/7 Pt 9

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 Capel Town Planning Scheme Amendment on 2 February 2001 for the purpose of inserting into Appendix 3 - Additional Use of the Scheme Text the following Permitted Uses and Development Standards for Lot 36 South Western Highway, Boyanup:

<b>Land Particulars</b>	<b>Permitted Uses</b>	<b>Development Standards/Conditions</b>
Lot 36 South Western Highway, Boyanup	Workshop, Display and Sales Area associated with Children's Furniture and Play Equipment.	<ol style="list-style-type: none"> <li>1. Development shall be generally in accordance with the Development Guide Plan which forms part of Amendment No. 9 (Drawing No. 99-67 dated 10 December 1999), or any other alternative Development Guide Plan endorsed by Council.</li> <li>2. Prior to the use of the workshop commencing a substantial commencement of the construction of the dwelling shall be made.</li> <li>3. Access to the lot shall be limited to one crossover.</li> </ol>

**Land Particulars Permitted Uses****Development Standards/Conditions**

4. The elevation of the workshop building shall be in keeping with the design guidelines for the adopted Boyanup Townscape Plan.
5. Landscape treatment of the building setback areas shall include suitable trees capable of growing to a height of at least 5m and being of a species in keeping with the planting recommendations of the adopted Boyanup Townscape Plan.
6. The development shall be designed and constructed in a manner which incorporates noise attenuation measures that comply with the Department of Environmental Protection noise regulations.
7. All other development standards/conditions determined by Council.

L. P. STRUGNELL, President.  
R. G. BONE, Chief Executive Officer.

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

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF ALBANY*

## TOWN PLANNING SCHEME No. 3—AMENDMENT No. 212

Ref: 853/5/4/5 Pt 212

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 Albany Town Planning Scheme Amendment on 2 February 2001 for the purpose of:

1. Rezoning a portion of Plantagenet Location 2969 Tennessee Road South, Youngs Siding, from the Rural Zone to the Special Use Zone.
2. Amending the Scheme Map accordingly.
3. Inserting Land Particulars, Permitted Uses and Special Conditions within Schedule 3 of the Scheme to relate to Special Use Zone No. 13, as follows:

**Special Use Zones**

Code No.	Land Particulars	Permitted Uses	Special Conditions
13. (Amendment No. 212)	Portion of Plantagenet Location 2969 Tennessee Road South, Youngs Siding	<ul style="list-style-type: none"> <li>• Holiday Accommodation</li> <li>• Cafe/Restaurant</li> <li>• Caretakers House/Flat</li> <li>• Other incidental or non defined activities considered appropriate by Council.</li> </ul>	<p><b>1.0 General</b></p> <p>1.1 All development to be generally in accord with Development Guide Plan as signed by the Chief Executive Officer along with any variations as may be approved by Council.</p> <p>1.2 All development to be subject to the issue of Planning Scheme Consent.</p> <p>1.3 All signage to be subject to the prior approval of Council in accord with Scheme requirements, relevant local law and policy.</p> <p>1.4 The applicant acknowledges that the proposal is located in a predominantly Rural area, and that neighbouring landowners have the right to carry on agricultural activities without prejudice.</p> <p>1.5 No more than three (3) holiday accommodation units shall be permitted.</p> <p><b>2.0 Parking, Access &amp; Drainage</b></p> <p>2.1 A minimum of one carparking bay shall be provided per holiday accommodation unit which shall be marked out adjacent to each unit.</p> <p>2.2 A minimum of one carparking bay shall be provided per four (4) restaurant seats plus one carparking bay per offsite employee located generally as shown on the Development Guide Plan.</p> <p>2.3 No additional vehicular crossovers to Tennessee Road South shall be permitted.</p>

Code No.	Land Particulars	Permitted Uses	Special Conditions
			<p>2.4 Stormwater drainage shall be accommodated on site to Council's satisfaction.</p> <p><b>3.0 Water Supply</b></p> <p>3.1 Potable water supply shall be provided to the satisfaction of Council and the Health Department of WA with all sampling, analysis and/or treatment costs being borne by the landowner.</p> <p>3.2 Council shall require any new water tanks to be suitably coloured and screened from view by tree/shrub planting.</p> <p>3.3 Where potable water is to be supplied solely via rainwater storage, Council shall require a minimum storage volume of 55 000 litres (12 000 gallons) per holiday accommodation unit.</p> <p><b>4.0 Tree/Shrub Planting &amp; Landscaping</b></p> <p>4.1 Council shall require, at the development stage, tree/shrub planting and/or landscaping as shown on the Development Guide Plan.</p> <p>4.2 Tree/shrub planting and/or landscaping shall be appropriately maintained so as to achieve screening objectives.</p> <p>4.3 Where stock are kept, tree/shrub planting and/or landscaping areas shall be suitably protected from the impact of stock.</p> <p><b>5.0 Fire Management</b></p> <p>5.1 Areas to remain under pasture shall be maintained in a low fuel condition.</p> <p>5.2 Council may require the installation/provision of smoke detectors, gutter guards, downpipe plugs, fire extinguishers and fire blankets within holiday accommodation units.</p> <p>5.3 Water for firefighting purposes shall be available from tank/s at all times via a female 38mm BIC and standard garden hose/s to the satisfaction of Council. Where water for firefighting is to be supplied from tanks which also provide potable supplies, such tanks shall be increased in size to 92 000 litres (20 000 gallons) per unit and shall be fitted with a dual tap system whereby the lower 27600 litres (6000 gallons) can be accessed only by firefighters.</p> <p>5.4 Emergency access and emergency gate being constructed to the requirements of the Fire &amp; Emergency Services Authority of WA, and should be available for usage at all times.</p> <p>5.5 A minimum 20 metre low fuel zone being maintained around each chalet.</p> <p><b>6.0 Effluent Disposal</b></p> <p>6.1 Effluent disposal shall be undertaken to the satisfaction of Council and the Health Department of WA with approved effluent disposal systems. It is advised that ATU systems may be required to service the proposed development.</p> <p><b>7.0 Building Location, Design &amp; Construction</b></p> <p>7.1 All buildings shall be set back a minimum of 50m from Tennessee Road South.</p>

Code No.	Land Particulars	Permitted Uses	Special Conditions
			<p>7.2 Setbacks from all other boundaries shall be 10m or as shown on the Development Guide Plan.</p> <p>7.3 Council shall require the use of materials, finishes, tonings and facades in sympathy with Emily's Kitchen (cottage theme) or the use of natural/earth materials, finishes and tonings.</p> <p>7.4 Buildings shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of any outbuildings will be at the discretion of Council in order to minimise the visual impacts of such buildings when viewed from Tennessee Road South.</p> <p>7.5 The maximum floor area for each holiday accommodation unit should be 140m<sup>2</sup> (including all verandahs, balconies, carports, etc).</p> <p>7.6 The cafe/restaurant is to provide no more than 70 seats.</p> <p style="text-align: right;">A. E. GOODE, Mayor. A. C. HAMMOND, Chief Executive Officer.</p>

**PD403\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF ESPERANCE*

## TOWN PLANNING SCHEME No. 22—AMENDMENT No. 32

Ref: 853/11/6/21 Pt 32

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 Esperance Town Planning Scheme Amendment on 5 February 2001 for the purpose of rezoning Esperance Lots 645-648 inclusive, Walmsley Street, Esperance, from Public Purposes (School Site) Local Scheme Reserve to Residential (R12.5/R17.5) Zone.

I. S. MICKEL, President.  
M. ARCHER, Chief Executive Officer.

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

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*TOWN OF CLAREMONT*

## TOWN PLANNING SCHEME No. 3—AMENDMENT No. 81

Ref: 853/2/2/3 Pt 81

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 Claremont Town Planning Scheme Amendment on 1 February 2001 for the purpose of:

1. Deleting Clause 36 'Outbuildings, Garages and Pergolas'.
2. Inserting between Clause 35 'Grouped Dwelling - Store-Room' and Clause 37 'Combined Uses', new Clause 36 'Outbuildings, Garages, Carports and Pergolas':
  36. Outbuildings, Garages, Carports and Pergolas:
    - (1) Council may permit the construction of an outbuilding, including a garage or carport that is detached from the main dwelling subject to:
      - (a) Where an outbuilding is visible from a street and is located less than 5m from the predominant building on the site, outbuilding shall be constructed in a similar style and materials to the predominant building.
      - (b) Where an outbuilding is not visible from a street, or is located more than 5m from the predominant building on the site, more than 6m from the primary street and more

- than 1.5m from a secondary street other than a street less than 7.5 metres in width, the outbuilding being constructed in material and style as approved by Council.
- (c) The outbuilding not in the opinion of Council by reasons of its height or bulk adversely affecting the amenity of the residential area.
- (2) In considering an application for a carport, Council will have regard to the following:
- (a) Carports with a front setback of less than 4.5 metres will only be supported where the position of the existing dwelling does not allow a 4.5 metre setback to be employed and subject to consideration of the impact upon the streetscape and character of the locality.
- (b) Carports with a side physically attached to an existing dwelling will be supported to enable the greatest front setback possible to be employed.
- (c) Where possible, a carport shall be located at or behind the building line of the dwelling.
- (d) Council will consider other appropriate options for carports for places referred to in Clause 79.
- (3) In considering an application for a garage, Council will have regard to the following:
- (a) Subject to subclause (3) (b) of this Clause the minimum front setback shall be 6 metres.
- (b) A garage with a setback of less than 6 metres, but not less than 4.5 metres from the front boundary will only be supported where it is demonstrated that the garage does not detract from the dominance of the dwelling upon the streetscape and does not adversely affect the character of the locality and casual surveillance of the street from the dwelling is maintained.
- (c) Where possible, a garage shall be located at or behind the building line of the dwelling.
- (d) Notwithstanding subclause (3) (c), on lots with a width of less than 12 metres, a double garage will only be supported where it is located at or behind the front wall of the dwelling and is constructed so as to reduce the impact on the garage on the streetscape. This may include reduction of the finished level of the garage below the street level, the use of balconies or rooms projecting out above the garage or other innovation agreed to by Council.
- (4) The maximum width of a garage and carport shall not exceed 50% and 60% respectively of the total length of the front boundary of the lot.
- (5) In considering an application for a parapet wall on a side boundary to a garage or carport, Council shall have regard to the following:
- (a) A parapet wall will only be permitted where it is illustrated that the provision of a side setback would adversely affect the dominance of the dwelling, streetscape or casual surveillance of the street or dwelling.
- (b) A parapet wall along a side boundary of the lot will only be allowed within 6 metres of the front boundary where the height of the wall is less than 1.8 metres above natural ground level.
- (c) Where possible, parapet walls for adjoining properties are to be located along the common boundary.
- (6) Council will not support the provision of on site parking at the front of a property where a practical alternative vehicular access point exists, such as to a secondary street, rear laneway or similar. To enable rear laneways to be utilised, Council may consider a reduced front setback for the dwelling where rear private open space is significantly compromised, under the provisions of Clause 1.5.8(a) of the Residential Planning Codes relating to the averaging of the front setback distance.
- (7) Council will support the utilisation of the front setback area for provision of an uncovered tandem parking bay in front of or beside a single carport or garage.
- (8) Council may permit a pergola or similar structure to be constructed closer to a boundary of a lot than the prescribed setback distance and the area of the land beneath that pergola or structure shall be deemed to be part of the open space on that land.
- (9) Where an application is received for a new dwelling, any garage carport or pergola incorporated in that application shall comply with the applicable provisions of this Clause.

P. OLSON, Mayor.  
A. KYRON, Chief Executive Officer.

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## PREMIER AND CABINET

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### PR401

#### RETIREMENT OF THE HONOURABLE JUSTICE PIDGEON

It is hereby notified for public information that the Governor has approved of the retention of the title "The Honourable" by Justice Pidgeon following his retirement as a Judge of the Supreme Court of Western Australia on 20 February 2001.

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

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## PUBLIC SECTOR MANAGEMENT

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**PS401****PUBLIC SECTOR MANAGEMENT ACT 1994****EXEMPTION IN ACCORDANCE WITH SECTION 25 OF THE  
PUBLIC SECTOR MANAGEMENT ACT 1994**

In accordance with s.25(1)(a) of the Public Sector Management Act 1994, I exempt the Health Department of Western Australia from the Recruitment, Selection and Appointment Standard, for the filling of specified positions in specified Multi-Purpose Services sites to enable the absorption of employment of current employees at these locations into the public sector.

The Multi-Purpose Services site to which this exemption applies is—

Jurien

The exemption does not apply to any other positions within the Health Department of Western Australia or any other Multi-Purposes Services sites not specified in this schedule.

1 February 2001.

DON SAUNDERS, Commissioner for Public Sector Standards.

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## RACING, GAMING AND LIQUOR

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**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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
8151	Coorow District Tennis Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Coorow and known as Coorow District Tennis Club Inc.	11/3/01
8153	Wildways Corporation Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Cottesloe and known as La Tropicana Cafe.	4/3/01
8145	Peter George Caiger	Application for the grant of a Producer—Wine Licence in respect of the premises situated in Capel and known as Capelhouse Vineyards.	5/3/01
8143	Innes James Creighton & Christine Anne Creighton	Application for the grant of a Producer—Wine Licence in respect of the premises situated in Condingup and known as Condingup Vineyard.	7/3/01

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

HUGH HIGHMAN, Director of Liquor Licensing.

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**WATER**


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**WA401\*****WATER SERVICES CO-ORDINATION ACT 1995**

Notice under section 31 (5) Amendment of Licence.

Notice is given that the following operating licence has been amended.

Licensee: Water Corporation

Classification: Operating Licence, Water Supply, Sewerage,  
Irrigation & Drainage Services

Term of Licence: Up to and including 28 June 2021

Amendment: The following sole provider operating areas have been added to Schedule 1—

- OWR-OA-104 Mandurah/Pinjarra Sewerage Services
- OWR-OA-060 Seabird Sewerage Services
- OWR-OA-050 Jurien Potable Water Supply Services
- OWR-OA-207 Jurien Sewerage Services

The following changes have been made—

Changed number for Seabird sewerage operating area, and addition of Jurien to list of schemes reported against in schedule 6.

Clause 3.4: Schedule 6

Benchmarking reporting requirements for the 1998/99 year, has been deleted as it is now out of date.

Inspection of Licence: Office of Water Regulation

6th Floor

197 St George's Terrace

Perth WA 6000

B. R. MARTIN, Co-ordinator of Water Services.

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**PUBLIC NOTICES**


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**ZZ101****PUBLIC TRUSTEE ACT 1941**

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

Dated at Perth the 1st day of February 2001.

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

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

Munyard, Adeline (DEC 327009 DP4); Kalgoorlie; 28/3/00; 24/10/00.

Firth, Phyllis Lesley (DEC 329956 DS4); Cottesloe; 20/9/00; 16/11/00.

Spark, Thomas Gordon (DEC 329862 DP4); Willagee; 30/9/00; 16/11/00.

Jay, Thelma Irene (DEC 329965 DC4); Warwick; 10/10/00; 24/11/00.

Harbour, Phyllis Kathleen (DEC 329832 DS4); Armadale; 25/9/00; 24/11/00.

Starcevich, Bozo (DEC 329833 DG4); Guildford; 1/10/00; 6/12/00.

Appleton, Ada Mary (DEC 325180 DC4); Perth; 24/1/00; 5/12/00.

Wilson, Patricia Anne (DEC 330174 DS4); Como; 5/11/00; 14/12/00.

Smith, Pamela Mary (DEC 330095 DC4); Armadale; 24/10/00; 14/12/00.

Lala, Frank (DEC 315598 DG4); Halls Creek; 23/4/98; 15/12/00.

**ZZ102****TRUSTEES ACT 1962**

## NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 9 March 2001 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Anders, Mark Wolfgang, late of 10/22 Meldon Way, Dianella, died 16/1/01. (DEC 33132100DC4).  
Bennett, Norman, late of 7A Kirkpatrick Crescent, Noranda, died 22/1/01. (DEC 33126900DA3)  
Cooling, Una Mary, late of 45 St Andrews Loop, Cooloongup, died 19/01/01. (DEC 33130600DP2)  
Culloton, Allan John, late of Donovan Village Hostel, Lewis Road, Forrestfield, died 4/1/01. (DEC 33136500DC2)  
Farmer, William Laurie, late of 9 Chamberlain Street, O'Connor, died 17/12/00. (DEC 33096400DS2)  
Gilbert, Ruby Willamena, late of Craiglea Park Nursing Home, 38 Alday Street, St James, died 20/1/01. (DEC 3312300DS4)  
Green, Phyllis Emma, late of Hollywood Senior Citizens Village, 118-120 Monash Avenue, Nedlands, died 21/1/01. (DEC 33134800DS4)  
Greenhalgh, Irene Beatrice, late of 56 Solomon Street, Mosman Park, died 23/1/01. (DEC 33130100DS3)  
Hardy, William Russell, late of 16A Saunders Street, Safety Bay, died 2/12/00. (DEC 33129900DG3)  
Hibbert, Joan, late of Lefroy Hostel, 22 Lefroy Road, Bull Creek, died 23/1/01. (DEC 33130000DP3)  
Leno, Ethel Gertrude, late of Unit 1, 8 Hammad Street, Palmyra, died 12/1/01. (DEC 33137000DG2)  
MacDonald, Sydney, late of Cabrini Nursing Home, 111 Guildford Road, Maylands, formerly of 32 Raglan Road, Mt Lawley, died 26/1/01. (DEC 33137900DS2)  
Martinz, Eric William, late of 106 Girrawheen Avenue, Girrawheen, died 15/1/01. (DEC 33129600DC4)  
McVicar, Merle Evelyn, late of 8/5 Randell Street, Esperance, died 12/10/00. (DEC 33071700DG3)  
Melbourne, Esme, late of 138 Manning Road, Wilson, died 13/1/01. (DEC 33116400DG3)  
Morgan, Alice Elizabeth Ellen, late of Unit 53 Leederville Gardens, 37 Britannia Road, Mt Hawthorn, died 8/1/01. (DEC 33122300DP2)  
Oag, Alice Florence Joy, late of 57 Arnott Street, Trigg, died 18/1/01. (DEC 33124400DC2)  
Pearce, Joyce Evelyn, late of 62 Zenobia Street, Palmyra, died 14/1/01. (DEC 33124600DS4)  
Perrin, Evelyn Louise, late of 6 Grange Street, Claremont, died 21/1/01. (DEC 33127800DC3)  
Raleigh, Bona Margaret, late of 4/299 Harbourne Street, Glendalough, died between 21/8/00 and 4/9/00. (DEC 3292200DP4)  
Rowbottom, Elsie Sybil, late of 91 Buckingham Road, Kelmscott, died 3/1/00. (DEC 33121400DD1)  
Waters, Thelma Jean, late of Greenfields Aged Care Facility, 95 Lakes Road, Mandurah, died 17/1/01. (DEC 33129300DS4)

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

**ZZ201****TRUSTEES ACT 1962**

In the matter of the Estate of John Robert Cook, late of 33 Harper Street, Midland in the State of Western Australia, Pensioner, deceased.

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962 relate in respect of the Estate of the deceased, who died on the 8th day of December 2000, are required by the Executrices, Joan Levena Cook and Lesley Mavis Cook, to send the particulars of their claim to Messrs Taylor Smart of Level 28, 44 St George's Terrace, Perth in the State of Western Australia, by the 12th day of March 2001, after which date the said Executrices may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 1st day of February 2001.

GARRY E. SAME, Taylor Smart.



**ZZ202****TRUSTEES ACT 1962**

Estate of the late Jessie Hewett of "Woorogong Farm", Quellington Road, York in the State of Western Australia, Farmer.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on 17 January 2000 are required to send particulars of their claims to the Executor c/- RSM Bird Cameron Chartered Accountants, 8 St George's Terrace, Perth WA 6000 within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

PHYLLIS BAUER, c/- RSM Bird Cameron Chartered Accountants,  
8 St George's Terrace, Perth WA 6000.  
Telephone: (08) 9261 9100  
REF: 940428

**ZZ203****TRUSTEES ACT 1962**

## NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claims to Trustees of Western Australia Limited of Level 22, 108 St George's Terrace, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Doherty, Laurence John, late of Unit 15/83 Rennie Crescent, Hilton, Store Manager, died on or about 10 September 2000.

Greenberg, Ivan (formerly known as Solomon Greenberg), late of Unit 6 89 Woodrow Avenue, Yokine, formerly of 18b Ager Street, Dianella, Retired Public Servant, died on 2 November 2000.

Mann, Reginald Henry, late of 142 Whitfield Street, Bassendean, Retired Electrician, died on 11 January 2001.

Dated this 7th day of February 2001.

A. J. H. (HOWDEN) McDONALD, Wills Officer.

**ZZ401**

## NOTICE OF DISSOLUTION OF PARTNERSHIP

## Clarkstaff Employment Services

Take notice that Perlis Pty Ltd as Trustee for the JG Trust hereby gives notice that on the 29th day of February 2000 the partnership subsisting between the JG Trust and the AA Trust trading as Clarkstaff Employment Services was dissolved.

And further take notice that Perlis Pty Ltd as Trustee for the JG Trust now carries on the business of Clarkstaff Employment Services.

Dated the 1st day of February 2001.

KIM VALENTI & ASSOCIATES, as Solicitors and  
Agents for Perlis Pty Ltd.

**ZZ402****PARTNERSHIP ACT 1895**

## NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership business between Ross Gibbison and Paul Frank Arangio trading as Figures Direct has dissolved with affect from 2 November 2000.

It is hereby notified that from 2 November 2000, Ross Gibbison will no longer accept responsibility for any debts incurred by, for or on behalf of the partnership business trading as Figures Direct.

ROSS GIBBISON, former Partner, Figures Direct.



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# **Election Statistics: Legislative Assembly of Western Australia 1890 - 1996**

**David Black**

assisted by Valerie Prescott

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