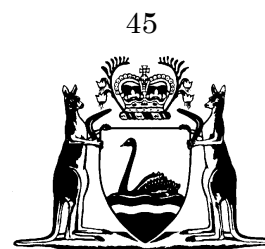


**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**



**PERTH, FRIDAY, 11 JANUARY 2002 No. 3**

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## PUBLISHING ALTERATIONS

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

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

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

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

JOHN A. STRIJK, Government Printer.

# — PART 1 —

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## HEALTH

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HE301\*

Hospitals and Health Services Act 1927

### **Hospitals and Health Services (Repeal) By-laws 2001**

Made by the Minister for Health in his capacity as the South West Health Board.

**1. Citation**

These by-laws may be cited as the *Hospitals and Health Services (Repeal) By-laws 2001*.

**2. The by-laws repealed**

The following by-laws are repealed —

- (a) the *Hospital and Health Services (Harvey Yarloop Health Service Board) By-laws 1999*;
- (b) the *Hospitals and Health Services (Harvey Yarloop Health Service Board) By-laws 2000*;
- (c) the *Hospitals and Health Services (Warren Blackwood Health Service Board) By-laws 1999*;
- (d) the *Hospitals and Health Services (Vasse Leeuwin Health Board) By-laws 1998*.

R. C. KUCERA, Minister for Health in his capacity  
as the South West Health Board.

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**TREASURY AND FINANCE**

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TF301\*

Pay-roll Tax Assessment Act 1971

**Pay-roll Tax Assessment Amendment  
Regulations (No. 3) 2001**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Pay-roll Tax Assessment Amendment Regulations (No. 3) 2001*.

**2. The *Pay-roll Tax Assessment Regulations 1971* amended**

Schedule 2 to the *Pay-roll Tax Assessment Regulations 1971*\* is repealed and the following Schedule is inserted instead —

“

**Schedule 2**

[r. 3A]

**EXEMPTED DEPARTMENTS OR OTHER ORGANISATIONS**

<i>Item</i>	<i>Exempted department or other organisation</i>
1.	Commissioner for Equal Opportunity
2.	Commissioner of Workplace Agreements
3.	Department of Agriculture
4.	Department for Community Development
5.	Department of Conservation and Land Management
6.	Department of Consumer and Employment Protection
7.	Department of Culture and the Arts
8.	Department of the Curriculum Council of WA
9.	Department of Education
10.	Department of Education Services
11.	Department of Environmental Protection
12.	Department of Fisheries
13.	Department of Health
14.	Department of Indigenous Affairs
15.	Department of Industry and Technology
16.	Department of Justice
17.	Department of Land Administration

<i>Item</i>	<i>Exempted department or other organisation</i>
18.	Department of Local Government and Regional Development
19.	Department of Mineral and Petroleum Resources
20.	Department for Planning and Infrastructure
21.	Department of the Premier and Cabinet
22.	Department of Racing, Gaming and Liquor
23.	Department of the Registrar, Western Australian Industrial Relations Commission
24.	Department of Sport and Recreation
25.	Department of Training
26.	Department of Transport
27.	Department of Treasury and Finance
28.	Education Policy and Co-ordination Bureau
29.	Electorate Offices of Members of Parliament
30.	Governor's Establishment
31.	Ministry for Planning
32.	Office of the Auditor General
33.	Office of the Director of Public Prosecutions
34.	Office of Education and Training
35.	Office of the Information Commissioner
36.	Office of Multicultural Interests
37.	Office of Seniors' Interests
38.	Office of Water Regulation
39.	Parliament (including members of Parliament)
40.	Parliamentary Commissioner for Administrative Investigations
41.	Police Department
42.	Public Sector Standards Commission
43.	Recreation Camps and Reserves Board
44.	Valuer General's Office
45.	Western Australian Building Management Authority
46.	Western Australian Electoral Commission
47.	Women's Policy Development Office

”.

[\* Reprinted as at 16 March 1988.

*For amendments to 12 November 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 246, and Gazette 3 April 2001.]*

By Command of the Lieutenant-Governor and deputy 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 Code Amendment Regulations (No. 4) 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

#### 1. Citation

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

#### 2. The regulations amended

The amendments in these regulations are to the *Road Traffic Code 2000\**.

[\* *Published in Gazette 4 August 2000, p. 4213-538.*  
*For amendments to 14 December 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 306, and Gazette 25 January, 13 July and 16 November 2001.*]

#### 3. Regulation 3 amended

Regulation 3 is amended after the definition of “bus stop” by inserting the following definition and sign diagrams —

“

“**busway**” means a portion of a carriageway that is —

- (a) enclosed in a manner intended to prevent vehicles from moving into that portion of the carriageway other than at the beginning of the portion of carriageway; and
- (b) defined by a “busway” sign at its beginning and an “end busway” sign at its end;

Busway sign



End busway sign



”.

**4. Regulation 133 amended**

Regulation 133(a) is amended by deleting “in the case of a bus lane —”.

**5. Regulation 133A inserted**

After regulation 133 the following regulation is inserted —

“

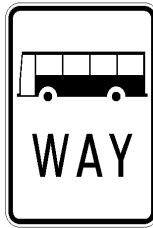
**133A. Busways**

- (1) A person shall not drive a vehicle along or into a busway unless —
- (a) the vehicle is a public bus, an emergency vehicle or a special purpose vehicle; or
  - (b) a taxi, and there is a sign at the beginning of the busway indicating that taxis may enter that busway.

Points: 3

Modified penalty: 2 PU

Busway sign



End busway sign



- (2) The driver of a vehicle in a busway shall use the vehicle's headlights at all times while driving in a busway.

Points: 1

Modified penalty: 2 PU

- (3) The driver of a vehicle in a busway shall maintain a minimum distance of 250 metres from any vehicle travelling in front of it.

Points: 1

Modified penalty: 2 PU

- (4) A person shall not alight from, or board, a vehicle in a busway.

Modified penalty: 1 PU

- (5) The driver of a vehicle in a busway shall not direct a person to alight from, or board, the vehicle.

Modified penalty: 1 PU

”.

**6. Regulation 272 amended**

Regulation 272(1)(a) is amended after “traffic” by inserting —

“ or persons ”.

**7. Schedule 2 amended**

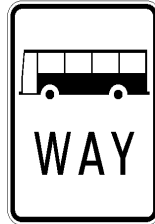
Schedule 2 is amended as follows:

- (a) after the traffic sign titled “Bus lane sign” by inserting the following traffic sign —

“

Busway sign

(regs 3, 133A)



”.

- (b) after the traffic sign titled “End bus lane sign” by inserting the following traffic sign —

“

End busway sign

(regs 3, 133A)



”.

By Command of the Lieutenant-Governor  
and deputy of the Governor,

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



## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

**ASSOCIATIONS INCORPORATION ACT 1987**

Section 35

**MARLOO CENTRE MIDLAND ABORIGINAL COMMUNITY INC**

Notice is hereby given that the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated the 3<sup>rd</sup> day of January 2002.

PATRICK WALKER, Commissioner for Fair Trading.

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### HEALTH

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HE401

**HEALTH ACT 1911****APPOINTMENTS**

Health Department of WA,  
Perth, 31 December 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>
Shane Timothy Downes	6 December 2001	Shire of Serpentine-Jarrahdale
Dean Guja	7 December 2001	Town of Claremont
Christopher Bell	7 December 2001	Town of Claremont
Amanda Maine Julien	11 December 2001	Shire of Mundaring
Tim Brokenshire	14 January 2002	Shire of Halls Creek
Caron Goodbourn	21 December 2001	Shire of Augusta-Margaret River
David John Battese	24 December 2001	Shire of Northampton
Jodi Parry	6 December 2001	City of Kalgoorlie-Boulder

Dr VIRGINIA McLAUGHLIN, Acting Executive Director,  
Public Health.

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### HERITAGE

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HR401\*

**HERITAGE OF WESTERN AUSTRALIA ACT 1990****CONSERVATION ORDER**

Section 59(4) and 59(11)

Boarding House (fmr), 155-159 Stirling Street, Bunbury

WHEREAS

In my opinion it is necessary and desirable to provide special protection in respect of that place being part of Lot 2 and part of Lot 3 on Plan 1825, being the whole of the land comprised in Certificate of Title Volume 378 Folio 126 and situated at 155-159 Stirling Street, Bunbury, together with the building thereon known as the Boarding House (fmr) ("the place").

Now pursuant to Section 59(4) of the above Act I, DR JUDY EDWARDS, Minister administering the above act, HEREBY PROHIBIT the demolition, damage or alteration of the place or any portion of the place, or any building or structure on the place.

Dated the 2nd of January 2002.

Dr JUDY EDWARDS, MLA, Minister for the Environment and Heritage.

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## JUSTICE

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JU401\*

### PRISONS ACT 1981 PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Director General of the Department of Justice has issued the following person with a Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Issue Date
Hartley	Paul Thomas	AP 0196	8 January 2002

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

Dated 9th January 2002.

MAEVE BARRY, Acting Director, Custodial Contracts Directorate.

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## LAND ADMINISTRATION

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LA401

### TRANSFER OF LAND ACT, 1893 APPLICATION H873300

Take notice that The Maritime Union of Australia of Level 2, 365-375 Sussex Street, Sydney, New South Wales made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at 15 Victoria Street, Bunbury.

Being Lot 100 on Deposited Plan 28070 formerly Bunbury Town Lot 308 on Crown Survey Plan Bunbury 24 containing 1113 square metres (1r 4p) being the whole of the land comprised in Memorial Book XXV111 Vol. No. 846.

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 1 February 2002 a caveat forbidding the land being brought under the operation of the Act.

IAN HYDE, Registrar of Titles.

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## LOCAL GOVERNMENT

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LG401

### LOCAL GOVERNMENT ACT 1995 *Shire of Menzies*

It is hereby notified for public information that Melvyn Godfrey Cheverton has been appointed Chief Executive Officer of the Shire of Menzies commencing on Monday 14 January 2002. The appointment of Gregory Ronald Carter is cancelled as of 14 January 2002.

K. M. FINLAYSON, Shire President.

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## MINERALS AND PETROLEUM

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MP401

### MINING ACT 1978 NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mineral and Petroleum Resources,  
Mt Magnet.

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

S. WILSON, Warden.

To be heard in the Warden's Court at Mt Magnet on 4th February, 2002.

YALGOO MINERAL FIELD

P59/1542—Breadsell, Grant Kim

**MP402****MINING ACT 1978  
FORFEITURES**

Department of Mineral and Petroleum Resources,  
Perth WA 6000.

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

CLIVE BROWN, MLA, Minister for State Development.

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Number	Holder	Exploration Licences	Mineral Field
28/877	My Casino Ltd		North East Coolgardie
30/214	EHYou.Com Ltd		North Coolgardie
		Mining Lease	
77/650	Gondwana Resources NL; Savage Australian Exploration Pty Ltd		Yilgarn

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**MP403****MINING ACT 1978  
FORFEITURES**

Department of Mineral and Petroleum Resources,  
Perth WA 6000.

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

CLIVE BROWN, MLA, Minister for State Development.

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Number	Holder	Mineral Field
52/998	Vageta Pty Ltd	Peak Hill

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**MP404****MINING ACT 1978  
NOTICE OF INTENTION TO FORFEIT**

Department of Mineral and Petroleum Resources,  
Perth WA 6000.

In accordance with Regulation 50(b) of the Mining Act, 1978, notice is hereby given that unless the rent due on the undermentioned licences and leases is paid on or before 5 February 2002, it is the intention of the Minister for State Development under the provisions of Sections 96A(1) and 97(1) of the Mining Act, 1978-1983 to forfeit such for breach covenant, viz, non-payment of rent.

JIM LIMERICK, Director General.

---

Number	Holder	Exploration Licences	Mineral Field
04/1092	Hardie, Carol Norman		West Kimberley
04/1134	Andreazza Consulting Pty Ltd; Ramirez, Arnold James; Tockmakoff, Victor		West Kimberley
08/911	Min-Tech 8 Ltd		Ashburton
08/993	Intension NL		Ashburton

Number	Holder	Mineral Field
Exploration Licences		
09/864	Falx Pty Ltd	Gascoyne
15/474	Dune Resources Pty Ltd; Arimco Mining Pty Ltd	Coolgardie
15/579	New Hampton Goldfields Ltd	Coolgardie
25/131	Epis, Mario	East Coolgardie
26/88	Delta Gold Exploration Pty Ltd	East Coolgardie
27/184	Gutnick Resources NL	North East Coolgardie
28/872	Gutnick Resources NL	North East Coolgardie
29/356	Heron Resources Ltd	North Coolgardie
30/69	Gutnick Resources NL; Elixir Holdings Pty Ltd	North Coolgardie
30/70	Gutnick Resources NL; Elixir Holdings Pty Ltd	North Coolgardie
31/343	Heron Resources Ltd	North Coolgardie
31/403	Gel Oil Pty Ltd	North Coolgardie
31/404	Gel Oil Pty Ltd	North Coolgardie
37/599	Gutnick Resources NL	Mt Margaret
39/720	Johnson's Well Mining NL	Mt Margaret
45/1915	Marymia Exploration NL	Pilbara
51/845	Eastern Goldfields Exploration Pty Ltd; Mitchell River Exploration Pty Ltd	Murchison
51/854	Australian Gold Resources Ltd	Murchison
51/855	Australian Gold Resources Ltd	Murchison
51/857	Australian Gold Resources Ltd	Murchison
51/866	Australian Gold Resources Ltd	Murchison
51/867	Australian Gold Resources Ltd	Murchison
52/1375	Eastern Goldfields Exploration Pty Ltd; Mitchell River Exploration Pty Ltd	Peak Hill
52/1437	Signature Resources NL	Peak Hill
52/1497	Eastern Goldfields Exploration Pty Ltd	Peak Hill
53/403	Marymia Exploration NL	East Murchison
53/654	Oriole Resources Ltd	East Murchison
53/941	Paygold Pty Ltd	East Murchison
53/942	Paygold Pty Ltd	East Murchison
53/951	Drillich Pty Ltd	East Murchison
63/528	Mount Burgess Mining NL	Dundas
69/1071	Rosanne Holdings Pty Ltd	Warburton
77/623	Australian Gold Resources Ltd; Elms, Robert Geoffrey; McDonald, Malcolm John	Yilgarn
Mining Leases		
20/288	Kay Nominees Pty Ltd	Murchison
27/152	Gindalbie Gold NL	North East Coolgardie
38/69	Hill, Patrick John; Rhodes, Hans John	Mt Margaret
38/330	Wedgetail Exploration NL	Mt Margaret
40/116	Solbec Pharmaceuticals Ltd	North Coolgardie
47/407	Cook, Brendan Nicholas Vau	West Pilbara
70/361	Hudson Resources Ltd	South West
70/382	Cattamarra Coal Pty Ltd; Rio Tinto Exploration Pty Ltd; Eustace, Reginald Robert	South West
70/383	Cattamarra Coal Pty Ltd; Rio Tinto Exploration Pty Ltd; Eustace, Reginald Robert	South West
70/827	Combined Nominees Pty Ltd	South West
80/311	Astro Bow River Mines Ltd	Kimberley
80/312	Astro Bow River Mines Ltd	Kimberley
80/313	Astro Bow River Mines Ltd	Kimberley
80/314	Astro Bow River Mines Ltd	Kimberley

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## PREMIER AND CABINET

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PC401

### INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the Interpretation Act 1984, has approved the following temporary appointment in the place of the Hon A. MacTiernan MLA in the period 24 to 27 December 2001 (both dates inclusive)—

Minister for Planning and Infrastructure

Hon T. G. Stephens MLC

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

PC403\*

### SALARIES AND ALLOWANCES ACT 1975 DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL 31 DECEMBER 2001

The Tribunal has recently issued a report, under Section 7 of the Salaries and Allowances Act 1975, to the Minister recommending an increase in the remuneration to be paid to Supreme Court Judges, District Court Judges, Masters of the Supreme Court, Magistrates, and members of the Anti-Corruption Commission.

The Tribunal has also determined an increase for Senior Legal Officers in the Ministry of Justice and the Registrars of the Courts.

#### DETERMINATION SECOND SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the following levels of remuneration to be paid with effect from 1 January 2002.

#### SECOND SCHEDULE—PART 1

Crown Solicitor	\$204,020
Parliamentary Counsel	\$204,020
Queen's Counsel	\$193,819
Crown Counsel	\$183,617
Principal Crown Prosecutor	\$183,617
Deputy Crown Solicitor	\$173,417
Deputy Parliamentary Counsel	\$173,417
Assistant Principal Crown Prosecutor	\$153,362

#### SECOND SCHEDULE—PART 2

	Supreme Court	
Principal Registrar		\$175,252
Registrar		\$155,197
<b>District Court</b>		
Principal Registrar		\$163,216
Registrar		\$153,362
Deputy Registrar		\$137,897

Dated at Perth this 31 December 2001.

R. H. C. TURNER, AM, Chairman.

J. A. S. MEWS, Member,  
Salaries and Allowances Tribunal.

**PC402**

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the Interpretation Act 1984, has approved the following temporary appointment in the place of the Hon Dr G. I. Gallop MLA in the period 6 to 21 January 2002 inclusive—

Premier; Minister for Public Sector Management;  
 Federal Affairs; Science; Citizenship and  
 Multicultural Interests

Hon E. S. Ripper MLA

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

## PLANNING AND INFRASTRUCTURE

**PI401\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF BUSSELTON*  
 TOWN PLANNING SCHEME No. 20—AMENDMENT No. 9

Ref: 853/6/6/21 Pt 9

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the Shire of Busselton Town Planning Scheme Amendment on 3 January 2002 for the purpose of rationalising the 'Residential R20' and 'Residential R30' zoning over Pt Location 820 and Pt Lot 1001, Clubhouse Drive, Dunsborough, and introducing the classification 'Recreation Reserve' over part of the subject land.

B. MORGAN, President.  
 K. WHITE, A/Chief Executive Officer.

**PI402\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 TOWN PLANNING SCHEME AVAILABLE FOR INSPECTION  
*SHIRE OF CRANBROOK*  
 TOWN PLANNING SCHEME No. 4

Ref: 853/5/6/4

Notice is hereby given that the local government of the Shire of Cranbrook has prepared the abovementioned Town Planning Scheme for the purpose of—

1. setting out the local government's planning aims and intentions for the Scheme Area;
2. setting aside land as reserves for public purposes;
3. zoning land within the Scheme Area for the purposes defined in the Scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the Scheme; and
7. addressing other matters contained in the First Schedule to the Town Planning Act.

Plans and documents setting out and explaining the Town Planning Scheme have been deposited at Council Offices, Gathorne Street, Cranbrook and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 April 2002.

Submissions on the Town Planning Scheme may be made in writing on Form No. 4 and lodged with the undersigned on or before 11 April 2002.

G STANLEY, Chief Executive Officer.

PI403

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

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 111

Ref: 853/6/9/6 Pt 111

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the Shire of Dardanup Town Planning Scheme Amendment on 3 January 2002 for the purpose of—

1. Rezoning Portion of Boyanup Agricultural Area Lot 309 Garvey Road, Padbury Fields from the 'General Farming' zone to the 'Small Holdings' zone as depicted on the Scheme Amendment Map.
2. Rezoning Portion of Boyanup Agricultural Area Lot 309 Garvey Road, Padbury Fields from the 'General Farming' zone to 'Recreation' as depicted on the Scheme Amendment Map.
3. Amending the Scheme Text by adding to Appendix VIII—Additional Requirements—Small Holdings Zones, as follows—

**Area 10—Garvey Road      Additional Requirements—Small Holding Zones**

Portion of Boyanup

Agricultural Area Lot  
 309 Garvey Road,  
 Padbury Fields

**1. Subdivision and Development Criteria**

- a) Subdivision of the land within Area 10 shall generally be in accordance with the Subdivision Guide Plan No. 99137P-07 dated February, 2000 attached to the Scheme Amendment Report (Amendment No. 111).
- b) No further subdivision of Area No. 10 being portion of Boyanup AA Lot 309 will be supported by Council.
- c) No more than one dwelling shall be permitted on each new lot and that dwelling shall be contained within a building envelopes not exceeding 10% of any lot area. Development will not be permitted within the building exclusion area as identified on the Concept Subdivision Plan. The building exclusion areas shall have the following parameters—
  - i) 20 metres from all roads;
  - ii) 50 metres from the edge of any wetland (sumpland) or natural waterway vegetation line or man-made water bodies or waterways;
  - iii) 20 metres from all rear boundaries; and
  - iv) 10 metres from all side boundaries.
  - v) Notwithstanding the abovementioned, setbacks may be increased in consideration to the location of effluent disposal systems so that it will meet Health Department of Western Australia requirements.
- d) Council shall request the Western Australian Planning Commission to impose a condition on any subdivision approval to require the preparation of a landscaping plan. Council shall require that the subdivider plant native trees capable of growing to at least 3 metres in height on each proposed lot, within the internal subdivisional road reserve and within the public open space area. The planting shall be planned to ensure maximum screening of any building development occurs. The landscaping plan shall identify and recommend water efficient and salt tolerant species for planting.
- e) No land owner shall cut, remove or otherwise destroy any tree unless written consent is obtained from Council for approved fire management and development works, except that no tree or shrub within 30 metres of the edge of waterway or wetland (sumpland) vegetation line shall be removed.
- f) All lots shall be serviced by 'alternative on-site effluent disposal systems' together with amended nutrient retaining soils to the specification and satisfaction of the Health Department of WA and Council.  
 The minimum vertical clearance between the bottom of any alternative effluent treatment system and amended soils and the highest known water table shall be 0.5 metres.
- g) The siting of alternative on-site effluent disposal systems is to be consistent with Provision c) above.

- h) Council may request, at the subdivision stage, that the subdivider undertakes a detailed groundwater study to determine whether sufficient groundwater clearance for alternative effluent disposal systems meet the requirements of the Health Department of WA.
- i) Prior to the occupation of any dwelling house it shall be connected to an adequate supply of underground potable water, being water in which the levels of the physical, chemical or bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards of Drinking Water, Third Edition, World Health Organisation, 1971' or which has been approved by the Council subject to any conditions which may have been laid down by the Commissioner of Public Health and Medical Services; or in the absence of such a supply of underground potable water, to provide in lieu thereof, a rainwater tank of not less than 92,000 litre capacity.
- j) Council and the Fire and Emergency Services Authority may at the subdivision stage request the Western Australian Planning Commission to impose a condition requiring the subdivider to prepare and implement a Fire Management Plan.
- k) Boundary fencing shall be post and four strand wire 1.0 to 1.3 metres high or post and ring lock or similar approved by Council. Solid fencing such as super six or pickets shall not be permitted on boundaries and shall only be permitted in proximity to buildings where Council determines that it will not adversely affect the rural amenity of the area. Fencing to be built to a standard to ensure that all pets are contained on site to minimise conflict with adjoining stock.
- l) All dwellings shall have external walls constructed of brick or stone unless in the opinion of the Council the design and materials of the proposed dwelling are of a sufficiently high standard to complement and blend in with the natural and surrounding environment.
- m) The owner or subdivider of the land shall inform prospective purchasers of land in this area of those provisions contained in Council's Town Planning Scheme No. 3 relating to the 'Small Holding' Zone and such other provisions of the Scheme that may affect it.
- n) Council may request, at subdivision stage, that the subdivider prepare a foreshore management plan to determine the edge of the wetland (sumpland) and waterway vegetation line and the conservation requirements for the protection and enhancement of the wetland and the waterway. Council may also request that the subdivider undertakes the works associated with wetland and waterway.
- o) Council may request, at the subdivision stage, that the subdivider undertakes to prepare a drainage study to determine how to alleviate adjacent lots from hazards posed by floodwaters, but without degrading the conservation values of the wetland (sumpland) and waterway. The subdivider is required to liaise with affected landowners.
- p) Notwithstanding Provision (b) of Clause 3.14.1 of the Scheme, not more than one dwelling is permitted on the lot.
- q) Council may request, at the subdivision stage, that memorials be placed on all titles of lots affected by noise emissions of 35 dB (A) or greater, as determined by the noise contour plan forming part of the Wesfi State Agreement Act, advising owners that noise from the Wesfi Particle Board Plant may affect residential and rural lifestyle amenity.

## 2. Land Use Controls

- a) As for the Zoning Table and Sub-clause 3.14.1, except that dog kennels will not be permitted and stables will only be permitted where the horses are for private hobby purposes; Commercial stud or racing stables will not be permitted.
- b) If in the opinion of Council or the Department of Agriculture, the activities of livestock on any lot are contributing to erosion, pollution or the degradation of wetlands, waterways, groundwater, soil or vegetation, the landowner may be



required to erect and maintain a fence of satisfactory standard in order to protect the area and exclude livestock therefrom. Alternatively, the landowner may be required to remove livestock from the lot.

- c) Any person who keeps an animal or animals or who uses any land in the zone for the exercise of animals shall be responsible for appropriate measures to prevent dust pollution and soil erosion to the satisfaction of the Council.

M. T. BENNETT, President.  
M. L. CHESTER, Chief Executive Officer.

**PI404\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF GERALDTON*  
TOWN PLANNING SCHEME No. 3—AMENDMENT No. 19

Ref: 853/3/2/7 Pt 19

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the City of Geraldton Town Planning Scheme Amendment on 3 January 2002 for the purpose of amending Table 2 'New Street Alignments' under Clause 5.6.1 of the Scheme Text as follows—

1. Replacing the entry for Eastward Road with the following—  
"Eastward Road NWCH-Town Bdy 20.12 30 N 9.88"
2. Replacing "CE" with "SE" in the entry for Eighth Street.
3. Deleting the entry for Flores Road and inserting the following entry for Place Road in alphabetical order under District Distributors—  
"Place Road Railway Reserve—West Bdy Lot 160 20.12 40 B 9.96  
West Bdy Lot 160—City Bdy 20.12 45 Variable 24.88"
4. Replacing "Bisley" with "Bosley" in the entry for NWCH.
5. Replacing "Lot 42" with "Lot 41" in the entry for Ainsworth Street.

V. PETERSEN, Mayor.  
N. WILSON, A/Chief Executive Officer.

**PI405\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF JOONDALUP*  
DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 6

Ref: 853/2/34/2 Pt 6

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the City of Joondalup Town Planning Scheme Amendment on 3 January 2002 for the purpose of rezoning the northern portion of Lot 7 (21) Endeavour Road, Hillarys, from the "Civic and Cultural" zone to the "Private Clubs/Recreation" zone on the Scheme Maps.

J. BOMBAK, Mayor.  
L. DELAHAUNTY, Chief Executive Officer.

**PI406\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF NANNUP*  
 TOWN PLANNING SCHEME No. 1—AMENDMENT No. 28

Ref: 853/6/17/1 Pt 28

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the Shire of Nannup Town Planning Scheme Amendment on 3 January 2002 for the purpose of rezoning Nelson Location 1273 and Nelson Location 1255, Nannup from the 'State Forest' reserve to the 'Rural' zone as depicted on the amending map adopted by the Council of the Shire of Nannup.

J. HORLER, President.  
 S. A. COLLIE, Chief Executive Officer.

**PI407\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF STIRLING*  
 DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 366A

Ref: 853/2/20/34 Pt 366A

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the City of Stirling Town Planning Scheme Amendment on 24 December 2001 for the purpose of—

1. Rezoning Lot 230, HN 88 Rosewood Avenue, Woodlands from "Service Station" to "Special Use Zone—Restaurant".
2. Amending Schedule 2 of the Scheme accordingly.

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

**PI408\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF STIRLING*  
 DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 393

Ref: 853/2/20/34 Pt 393

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the City of Stirling Town Planning Scheme Amendment on 3 January 2002 for the purpose of rezoning Lot 57, H.N. 276 Cape Street, Yokine, from "Civic" to "Residential R30".

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

## **POLICE**

**PO501**

**POLICE ACT 1892**  
**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by Public Auction at South West Auctioneering Company, Lot 51 Strelley Street, Busselton on 26 January 2002.

B. MATTHEWS, Commissioner of Police,  
 West Australian Police Service.

PO502

**POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by Public Auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday, 19 January 2002 at 10.00 am.

The auction is to be conducted by Mr Gary Silcock.

B. MATTHEWS, Commissioner of Police,  
West Australian Police Service.

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## **RACING, GAMING AND LIQUOR**

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RG401

**LIQUOR LICENSING ACT 1988****SUMMARY OF LIQUOR LICENSING APPLICATIONS**

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the 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>APPLICATION FOR THE GRANT OF A LICENCE</b>			
8714	Jeffrey Linton Eaton	Application for the grant of a Restaurant licence in respect of premises situated in York and known as Jan Roc Cafe	4/2/02
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
10404	Wickham Club Inc	Application for the grant of an Extended Trading permit—Ongoing Extended Hours, in respect of premises situated in Wickham and known as the Wickham Club Inc	28/1/02

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

HUGH HIGHMAN, Director of Liquor Licensing.

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## **TRANSPORT**

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TR401\*

**WESTERN AUSTRALIAN MARINE ACT 1982****RESTRICTED SPEED AREAS—ALL VESSELS****LOWER LESCHENAULT INLET****BUNBURY**

Department for Planning and Infrastructure,  
Fremantle WA, 11 January 2002.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department by this notice revokes sub paragraph b (6) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Lower Leschenault Inlet.

Providing that this revocation will apply only to official bona fide competitors competing in the Bunbury Speed Boat Club event on Sunday 24 February 2002.

MICHAEL LINLAY HARRIS, Acting Director General,  
Department for Planning and Infrastructure.

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## PUBLIC NOTICES

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ZZ101

**TRUSTEES ACT 1962****DEED OF SETTLEMENT**

## 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 deed of settlement made the 29<sup>th</sup> day of October 1969 by John William Ward on the one part and John William Ward, Leonard Charles James and David Merritt Speed of the other part are required by the trustees Kevin Gustav Karlson and Dorothy Veronica Walker both of care of GPO Box B75, Perth, Western Australia, to send particulars of their claims to the trustees by the 29<sup>th</sup> day of January 2002, after which date the trustees will finalise the distribution of assets, having regard only to the claims of which they then have notice.

ZZ201

**TRUSTEES ACT 1962****DECEASED ESTATES**

Claims against the estate of Amy Isobel Howard Smith late of Unit 12 Royston Park, North Road, Albany, Western Australia should be lodged with the Executors, c/- P.O. Box 485, Albany, W.A. before 11 February 2002 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

ZZ203

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 11th February 2002 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Delmenico, Vera Lillian, Late of Howard Solomon Nursing Home, 91 Hybanthus Road, Ferndale, died 1/12/01. (DE33009413EM16)

Hambley, Amy Selinda, Late of 52 Hassell Street, Mount Barker, died 1/11/01. (DE30335471EM12)

Harris, Thelma Willis, Late of Trinity Lodge Rowethorpe, Hill View Terrace, Bentley, died 10/12/01. (DE19832893EM23)

Hubery, Eleanor May, Late of Bridgetown District Hospital, Peninsula Road, Bridgetown, formerly of 6 Moore Street, Bridgetown, died 6/9/01. (DE30334892EM25)

Hudson, Philip Richard Hudson, Late of Unit 14/18 Eighth Avenue, Maylands, died 27/11/01. (DE199660141EM34)

Kershaw, Henrietta Elsie, Late of 41/10 Braemar House, Windsor Road, East Fremantle, formerly of Braemar Gardens Lodge, 51 Point Walter Road, Bicton, died 6/11/01. (DE19540060EM37)

Lonsdale, Stanley, Late of Brightwater, Thomas Street, Subiaco, died 18/9/01. (DE30334716EM27)

McGuire, Kevin Patrick, Late of 11 Sayer Street, Midland, died 22/11/01. (DE19831129EM43)

Okely, Bertram Kingsford, Late of Margaret Hubery House, 36 Fifth Avenue, Shelley, died 18/12/01. (DE30231939EM16)

Orr, Henrietta Rose, Late of 17 Chessington Gardens, Mount Claremont, formerly of 84B Adrian Street, Palmyra, died 3/12/01. (DE19980580EM26)

Richards, Joyce Beckett, Late of 37 Walter Street, East Fremantle, died 15/10/01. (DE30335154EM23)

Rose, Louisa, Late of Nazareth House, Crowtherston Street, Bluff Point, formerly of 32 Green Street, Spalding, died 3/9/01. (DE30334547EM13)

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

ZZ202

**TRUSTEES ACT 1962****DECEASED ESTATES**

## 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 by Perpetual Trustees WA Ltd, c/- Ground Floor, 39 Hunter Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Estate late Eileen Mary Carmel Logue

Late of McDougall Park Nursing Home, 18 Ley Street, Como, Home Duties

Died 23/9/01

Estate late Richard Ernest Rogers

Late of 20 Turriff Road, Floreat, Retired Accountant

Died 14/11/01

Estate late Ernest Arthur Taylor

Late of 6 Willcock Avenue, Daglish, Retired Wood Machinist

Died 7/11/01

STEPHEN JOHN MAXWELL, Senior Estate Manager.

Direct Phone (02) 9229 3419

## WESTERN AUSTRALIA

**RETIREMENT VILLAGES ACT 1992**

**Price: \$14.55 counter sales**

**Plus postage on 132 grams**

**RETIREMENT VILLAGES REGULATIONS 1992**

**\*Price: \$4.65 counter sales**

**Plus postage on 25 grams**

\* Prices subject to change on addition of amendments.

## WESTERN AUSTRALIA

**FREEDOM OF INFORMATION ACT 1992**

**\*Price: \$16.70 counter sales**

**Plus postage on 365 grams**

\* Prices subject to change on addition of amendments.

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**Information on solutions to work safety and health challenges has been delivered to your workplace.**

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**Help yourself to the information WorkSafe Western Australia has put there to help you.**

*For further information call (08) 9327 8777.*

***Go on-line to SafetyLine***

## CLAIMS FOR MISSING ISSUES

### (SUBSCRIPTION ITEMS)

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

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER																																																																			
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