



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

3293



PERTH, FRIDAY, 1 AUGUST 2003 No. 130

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Corporations (Ancillary Provisions) Act 2001—Corporations (Ancillary Provisions) Amendment Regulations 2003.....	3295-6

PART 2

Agriculture	3297
Cemeteries.....	3297-8
Education	3298-9
Health.....	3300
Justice.....	3300-1
Local Government.....	3301-4
Minerals and Petroleum	3304-6
Planning and Infrastructure	3306-8
Public Notices—Deceased Estates	3311-12
Racing, Gaming and Liquor	3308-9
Transport.....	3309-10
Treasury and Finance.....	3309
Water	3310
WorkSafe	3311

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher
P.O. Box 8448,
Perth Business Centre 6849

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2003 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.80

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$50.85

Other articles in Public Notices Section—\$50.85 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$10.15

Bulk Notices—\$189.20 per page

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

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

PUBLISHING ALTERATIONS

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

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

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

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

JUSTICE

JU301*

Corporations (Ancillary Provisions) Act 2001

Corporations (Ancillary Provisions) Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Corporations (Ancillary Provisions) Amendment Regulations 2003*.

2. The regulations amended

The amendments in these regulations are to the *Corporations (Ancillary Provisions) Regulations 2001**.

[* *Published in Gazette 29 June 2001, p. 3258-60.*
For amendments to 5 May 2003 see 2001 Index to
Legislation of Western Australia, Table 4, p. 57, and Gazette
8 October 2002.]

3. Regulation 4 amended

- (1) Regulation 4(1) is repealed.
- (2) Regulation 4(1a)(a) and (c) are deleted.

4. Regulation 5 amended

Regulation 5(1) is amended after paragraph (b) by deleting the full stop and inserting —

“

;

- (c) the *Corporations (Consequential Amendments) Act (No. 2) 2003*.

”.

Note: The note at the end of section 5(2) will be altered by inserting “and the *Corporations (Consequential Amendments) Act (No. 2) 2003*” after “*Corporations (Consequential Amendments) Act 2001*”.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

PLANT DISEASES ACT 1914 APPOINTMENTS

Department of Agriculture,
South Perth WA 6151.

I, the undersigned Minister for Agriculture, Forestry and Fisheries, being the Minister responsible for the administration of the *Plant Diseases Act 1914*, hereby appoint the following as Authorized Inspectors pursuant to Section 7A of the said Act to carry out all the functions authorized to be performed by an Inspector under the said Act and its Regulations.

Aaron Raymond Beer
Bryan Anthony Dunn
Vincient Noel Rielly
Scott Wayne Tringrove
Kevin Edward Williams

KIM CHANCE, Minister for Agriculture,
Forestry and Fisheries.

CEMETERIES

CC401*

CEMETERY ACT 1986 FEES AND CHARGES *Shire of Mundaring*

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Council of the Shire of Mundaring hereby records having resolved on 24 September 2002 to set the following fees and charges effective from 1 November 2002. The fees shall be payable upon application for services detailed hereunder at both Mundaring and Wooroloo cemeteries.

Details	Mundaring/ Wooroloo Current Charges	Cemeteries Act 1986 Effective 1.07.2003	Mundaring/ Wooroloo <i>Proposed</i> Charges Effective 1.09.2003
	GST Exempt \$	GST Exempt \$	GST Exempt \$
Undertakers' Licence P/Annum	530.00	549.00	549.00
Branch Account Fee	161.00	167.00	167.00
Single Funeral Permit	97.00	100.00	100.00
Monumental Licence— (Annual)	263.00	272.00	272.00
Single Permit	91.00	94.00	94.00
Monument Erection Permit	204.00	211.00	211.00

Note: Exempt under Division 81 ruling Item 5.127—A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2000.

Details	Mundaring/ Woorloo Current Charges	Metropolitan Cemeteries Board Effective 1.07.2003	Mundaring/ Woorloo <i>Proposed</i> Charges Effective 1.09.2003
	Including GST \$	Including GST \$	Including GST \$
Interment of Adult	710.60	735.90	735.90
Interment of Child (under 13)	444.40	459.80	459.80
Grant of Right of Burial Where Directed by Council	948.20	981.20	981.20
Interment Without Due Notice— Extra Fee	96.80	96.80	96.80
Interment on Weekends or Public Holidays, Extra Fee	675.40	698.50	698.50
Saturday Morning Funeral	355.30	367.40	367.40
Interment of Ashes in Family Grave	177.10	183.70	183.70
Interment of Ashes In Niche Wall— Single	423.50	550.50	550.50
Double	708.40	810.70	810.70
Interment of Ashes in Garden	402.60	416.90	416.90
Fee for Exhumation	1392.60	1441.00	1441.00
Reinterment After Exhumation	710.60	735.90	735.90
Number Disc	33.00	33.00	33.00
Reopening of Grave— Adult	710.60	735.90	735.90
Child (under 13)	444.40	459.80	459.80
Interment of Ashes on Weekend or Public Holiday—Extra Fee	675.40	698.50	698.50
Grant Transfer/Reissue/Refund	90.20	93.50	93.50

Note: Internment on a staff rostered day off will not incur any extra fee.

T. GERAGHTY, Shire President.

M. N. WILLIAMS, Chief Executive Officer.

EDUCATION

ED401

MURDOCH UNIVERSITY ACT 1973

AMENDING STATUTE

It is hereby notified that the Governor in Executive Council, acting under the provisions of Sections 24 and 25 of the Murdoch University Act 1973-1985, has approved amendments to By-law 24, Statute No. 4— *Degrees, Diplomas and Certificates*, Statute No. 20—*Examinations* and Statute No. 23—*Student Discipline*, as set out in the attached schedule.

ALAN CARPENTER MLA, Minister for Education and Training.

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

The proposed amendment of By-law 24 as set out in the Schedule has been approved by an absolute majority of the members of the Senate in accordance with Section 24(4) of the Murdoch University Act 1973-85.

The proposed amendments of Statutes No. 4, 20 and 23 as set out in the Schedule have been approved and ratified by an absolute majority of the members of the Senate in accordance with Section 25(1) of the Murdoch University Act 1973-85.

The Official Seal of Murdoch University was hereto affixed in accordance with Senate Resolution 63(1)/96.

JOHN YOVICH, Vice Chancellor.
ANDREW BAIN, University Secretary.

16 June 2003.

By Command of the Governor,

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

SCHEDULE

By-laws

- 24 Delete, and in its place insert: “No person shall drive a vehicle at a speed exceeding that indicated by the numerals on the speed limit sign at the beginning of the area or stretch of roadway. The Vice Chancellor shall determine the speed limits applicable for the different areas and stretches of roadway.”

Statute No. 4—Degrees, Diplomas and Certificates

Insert the following additional section—

7. (1) The University may revoke any degree, diploma or certificate, and may amend any grade in a unit of study, awarded to a person who has been found guilty of misconduct.
- (2) For the purpose of this Statute, ‘misconduct’ means dishonesty in assessment, including plagiarism, unauthorised collusion or falsification of research results.
- (3) Where it is alleged that a person awarded a degree, diploma or certificate by the University committed misconduct whilst a student of the University, the Deputy Vice Chancellor may charge the student with misconduct and refer the charge to the Board of Discipline. Any such reference to the Board must be made within 12 months of the date of the award of the qualification, except that there shall be no time limit where the alleged misconduct occurred—
- (a) whilst the person was enrolled for a doctoral or research masters degree, or
- (b) as part of a thesis submitted for a bachelor honours degree or a coursework masters degree.
- (4) The constitution, powers and proceedings of the Board of Discipline shall be in accordance with sections 6 and 7 of Statute No. 23 (Student Discipline), as if those provisions were included in this Statute. S.6.1 and 6.3 shall not apply. Any reference in that Statute to “the student” shall be read as a reference to the person alleged to have committed the misconduct.
- (5) The burden of proving an allegation of misconduct rests with the University. The standard of proof is the balance of probabilities.
- (6) If the Board of Discipline considers that the allegation of misconduct is trivial, it may decline to hear and determine it. The allegation is then dismissed.
- (7) If the Board finds the misconduct proved under this Statute, the Board may either—
- (a) fail the person in the unit(s) to which the misconduct relates and revoke the degree, diploma or certificate awarded to that person; or
- (b) if the Board is of the opinion that the act of misconduct is trivial, or otherwise in exceptional circumstances, it may decline to record a finding of misconduct and/or to impose a penalty.

Statute No. 20—Examinations

- 6(3) Delete “s.1.2.1” and in its place insert “s.1.1”

Statute No. 23—Student Discipline

Insert the following additional section—

- 1.4 This Statute also applies to former students in cases where the alleged misconduct is dishonesty in assessment (including plagiarism, unauthorised collusion or falsification of research results). Any disciplinary action against former students must be initiated within 12 months of cessation of enrolment, except that there shall be no time limit where the alleged misconduct occurred—
- (a) whilst the person was enrolled for a doctoral or research masters degree, or
- (b) as part of a thesis submitted for a bachelor honours degree or a coursework masters degree.

HEALTH

HE401

MEDICAL ACT 1894**MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 11) 2003**

Made by the Minister for Health pursuant to section 11AF of the Medical Act 1894.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 11) 2003*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

SCHEDULE

General Medical Services in the Shire of Dardanup.

Dated this 22nd day of July 2003.

JIM MCGINTY MLA, Minister for Health.

JUSTICE

JU401

CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**STIPENDIARY MAGISTRATES ACT 1957**

Notice that office has become vacant

Under the *Stipendiary Magistrates Act 1957* section 5A the Governor has accepted the resignation of Peter George Thobaven from the office of stipendiary magistrate as from and including 1 August 2003.

It is hereby declared that the office has become vacant.

By command of the Governor,

M. TRAVERS, Clerk of the Council.

JU402*

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

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Mrs Elaine Moltoni of Unit 6, 102 Madison Drive, Adamstown Heights, NSW as a member of the Children's Court for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU403*

JUSTICES ACT 1902**RESIGNATIONS**

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

Mr Ronald James Clayton-Smith of Unit 197, 85 Hestor Avenue, Merriwa

Mr Keith Nelson Hasleby of 4 Brown Street, Carnarvon

Mrs June Baillieu Johnston of 120 Stoneham Road, Attadale
Mr Jeffrey Malcolm Rolinson of 10 Stormont Place, Willetton
Mr Michael Nicholas Manifis of Lot 571 Beadon Creek Road, Onslow
from the Office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU404*

EX OFFICIO JUSTICE OF THE PEACE

APPOINTMENTS

It is hereby notified for public information that Cr Laurence George Taylor of 48B Clement Street, Swanbourne has been appointed under Section 9 of the *Justices Act 1902* to be a Justice of the Peace for the Magisterial District of Perth during his term of office as the Mayor of Nedlands.

GARY THOMPSON, Executive Director, Court Services.

LOCAL GOVERNMENT

LG101*

LOCAL GOVERNMENT ACT 1995

Shire of Nannup
(BASIS OF RATES)
(Correction Notice)

Department of Local Government
and Regional Development,
Perth, 24 July 2003.

DLGRD: NP 5-4

It is hereby notified for public information that an error has been made in the notice published in the *Government Gazette* of 13 June 2003 on pages 2130—2131 concerning the basis of rates for the Shire of Nannup. The error is to be corrected by—

deleting the words “gross rental value” where they appear on line 2 on page 2131 and replacing them with “unimproved value”.

CHERYL GWILLIAM, Director General.

LG401

SHIRE OF PLANTAGENET
APPOINTMENT OF RANGERS

It is hereby notified for public information that Raymond James Parry and Stephen Terence Player have been appointed by the Council of the Shire of Plantagenet as Authorised Officers to enforce the provisions of the following—

1. Dog Act 1976 and Regulations
2. Litter Act 1979 and Regulations
3. Bush Fires Act 1954 and Regulations
4. Local Government Act 1995 — Part 3, Division 3, Subdivision 2, and Subdivision 4; Part 9, Division 2, Sections 9.11, 9.13, 9.16.
5. Local Government (Miscellaneous Provisions) Act 1960 — Part XX as Pound Keeper and Ranger Appointed under Section 449
6. Shire of Plantagenet Local Laws relating to —
 - Dogs
 - Activities on Thoroughfares and Trading in Thoroughfares and Public Places
 - Parking and Parking Facilities

All previous Authorisations for Rangers of the Shire are hereby cancelled.

ROB STEWART, Chief Executive Officer.

LG402*SHIRE OF NORTHAM*
AUTHORISED OFFICERS

It is hereby notified for public information that Grayson Robert Hindmarsh and Allan Wayne Dymnicki have been appointed as authorised officers for the Shire of Northam for the following purposes—

- i. Dog Act 1976
- ii. Litter Act 1979
- iii. Local Government Act 1995
- iv. Council Local Laws
- v. Bush Fires Act 1954

The appointments of John Alan Balcombe, Raymond Ernest Delle Coste and Herbert Edward Munyard are hereby cancelled.

A. J. MIDDLETON, Chief Executive Officer.

LG403**CEMETERIES ACT 1986**
CEMETERIES (NABAWA CEMETERY—TRANSFER OF MANAGEMENT
AND DISSOLUTION OF BOARD) ORDER 2003

Made by the Governor in Executive Council under sections 5 and 7 of the Act.

1. Citation

This Order may be cited as the *Cemeteries (Nabawa Cemetery—Transfer of Management and Dissolution of Board) Order 2003*.

2. Commencement

This Order shall come into operation as from 1 September 2003.

3. Interpretation

In this Order—

- ‘Board’ means the Nabawa Cemetery Board deemed to have been established under section 7 of the Act;
- ‘Cemetery’ means the Nabawa Cemetery, being the land comprising Nabawa Cemetery (Reserve No. 15203), deemed to be a cemetery under the Act;
- ‘Commencement’ means the commencement of the Order; and
- ‘Shire’ means the Shire of Chapman Valley.

4. Transfer of management of cemetery to Board

The care, control and management of the cemetery is transferred from the Board to the Shire.

5. Transfer and vesting of assets and liabilities

The assets and liabilities are transferred to and vested in the Shire and the Shire has all the powers necessary to take possession of, recover and deal with such assets and discharge such liabilities.

6. Dissolution of the Board

The Board is dissolved.

7. Transitional provisions

- (1) The Shire shall take delivery of all documents and records (however compiled, recorded or stored) relating to the operations of the Board.
- (2) Anything lawfully commenced by or in relation to the Board may, so far as it is not contrary to the Act, be carried on and completed by or in relation to the Shire.
- (3) Any agreement or instrument subsisting immediately before the commencement to which the Board was a party or which contains a reference to the Board has effect after the commencement as if—
 - (a) the Council was substituted for the Board as a party to the agreement or instrument; and
 - (b) any reference in the agreement or instrument to the Board were, unless the context otherwise requires, a reference to the Council.
- (4) Reference to the Board in a written law as in force immediately before the commencement shall, unless because of the context it would be inappropriate so to do, be read and construed as references to the Shire.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Council.

LG404**LOCAL GOVERNMENT ACT 1995***Shire of Gingin***EXTENSION OF THE AREA OF APPLICATION FOR
LOCAL GOVERNMENT PROPERTY LOCAL LAW**Department of Local Government
and Regional Development,
29 July 2003.

DLGRD: GG7-38

It is hereby notified for public information that the Governor has approved under the provisions of section 3.6 of the *Local Government Act 1995* to approve of the Shire of Gingin extending the area of application of its Local Government Property Local Law for a distance of 200 metres seawards from its western district boundary which is bounded by the low water mark of the Indian Ocean.

CHERYL GWILLIAM, Director General.

LG405**LOCAL GOVERNMENT ACT 1995***Shire of Wyndham-East Kimberley***EXTENSION OF THE AREA OF APPLICATION FOR
LOCAL GOVERNMENT PROPERTY LOCAL LAW**Department of Local Government
and Regional Development,
29 July 2003.

DLGRD: WE7-34

It is hereby notified for public information that the Governor has approved under the provisions of section 3.6 of the *Local Government Act 1995* to approve of the Shire of Wyndham-East Kimberley extending the area of application of its Local Government Property Local Law for a distance of 200 metres seaward from its western district boundary which is bounded by the low water mark of the Indian Ocean.

CHERYL GWILLIAM, Director General.

LG406***LOCAL GOVERNMENT ACT 1995***Shire of Carnarvon***APPOINTMENT OF RANGER**

It is notified for public information that Mr Rodney Trigg has been appointed as a Ranger, effective from Wednesday 23 July 2003 and is authorised on behalf of the Shire of Carnarvon to enforce and administer the provisions of the following Acts and Local Laws as an Authorised Officer within the district of the Shire of Carnarvon—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976 and all subsidiary legislation made under the Act
- The Bush Fires Act 1954 and all subsidiary legislation made under the Act
- The Control of Vehicles (Off Road Areas) Act 1978
- The Litter Act 1979 and all subsidiary legislation made under the Act
- Any other local Laws or Regulations administered and enforced by the Shire of Carnarvon

CLINTON STRUGNELL, Chief Executive Officer.

LG501*

BUSH FIRES ACT. 1954*City of Geraldton***FIRST AND FINAL NOTICE**

Notice to all owners and/or occupiers of land in the City of Geraldton

Pursuant to the powers contained in Section 33 of the above Act, you are required on or before the 6th day of October of each year, or within 14 days of the date of you becoming an owner or occupier should this be after the 6th day of October to remove from the land owned or occupied by you, all inflammable materials or to clear firebreaks in accordance with the following and thereafter to maintain the land or the firebreaks clear of Inflammable material up to and including the 31st day of March the following year.

- i. Where the area of land is 2020 Square Metres or less, all inflammable material on the land shall be removed from the whole of the land, and the property mowed. The height of the grass when mowed shall not exceed 75mm.
- ii. Where the land exceeds 2020 Square Metres in area, firebreaks (mineral earth break) at least 3 metres wide and high shall be cleared of all inflammable materials immediately—
 - (a) inside all external boundaries of the land; and
 - (b) surrounding all buildings situated on the land.

Inflammable material is defined for the purpose of this notice to include Wattle Tree, Tea Tree, dead trees, timber, boxes, cartons, paper and like inflammable material, rubbish and also any combustible matter, but

does not include living trees, shrubs, growing bushes and plants under cultivation.

The purpose of a firebreak is to stop the spread of fire and to allow the entry of fire fighting vehicles also to provide a break from which back burning can take place to control a fire.

Persons who fail to comply with the requirements of this notice may be issued with an infringement notice or prosecuted. Where the owner fails to comply with the Requisitions of the notice, Council or its Duly Authorised Officers will carry out the required work at the cost of the owner or occupier.

In addition, you may be required to carry out further works, which may be deemed necessary and specified by way of a separate written notice forwarded to the address shown on the City of Geraldton rate records for that land.

Burning of any rubbish or refuse is not permitted within the City of Geraldton without Council permission; therefore burning of vegetation for clearing purposes is not a permitted method, except in special circumstances approval may be Authorised by Council on receipt of a written application.

If its considered to be impracticable for any reason to clear firebreaks by this notice, you may apply to Council or its duly Authorised officer, no later than 15th day of September of each year, for permission to provide firebreaks in alternative position or to take alternative action to abate fire hazards on the land. If permission is not granted by Council or its duly Authorised officer, you are to comply with the requirements of this notice.

The penalty for failing to comply with this notice is either \$250.00 infringement or a court fine to the maximum of \$5,000.

By Order of the Council,

R. W. JEFFERIES, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978**FORFEITURES**

Department of Industry and Resources,
Perth WA 6000.

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

CLIVE BROWN, Minister for State Development.

Number	Holder	Mineral Field
EXPLORATION LICENCE		
40/169	Gutnick Resources NL	North Coolgardie

MP402**MINING ACT 1978
FORFEITURES**

Department of Industry and Resources,
Perth WA 6000.

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

CLIVE BROWN, Minister for State Development.

Number	Holder	Mineral Field
	EXPLORATION LICENCE	
38/774	Johnson's Well Mining NL	Mt Margaret

MP403**MINING ACT 1978
FORFEITURES**

Department of Industry and 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 licences are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

CLIVE BROWN, Minister for State Development.

Number	Holder	Mineral Field
28/920	Gutnick Resources NL	North East Coolgardie
28/921	Gutnick Resources NL	North East Coolgardie
28/1046	Gutnick Resources NL	North East Coolgardie
28/1047	Gutnick Resources NL	North East Coolgardie
28/1048	Gutnick Resources NL	North East Coolgardie
28/1049	Gutnick Resources NL	North East Coolgardie
31/437	Gutnick Resources NL	North Coolgardie
31/438	Gutnick Resources NL	North Coolgardie
31/453	Gutnick Resources NL	North Coolgardie
31/461	Gutnick Resources NL	North Coolgardie
31/469	Gutnick Resources NL	North Coolgardie
39/776	Gutnick Resources NL	Mt Margaret
39/780	Gutnick Resources NL	Mt Margaret
39/782	Gutnick Resources NL	Mt Margaret
39/784	Gutnick Resources NL	Mt Margaret

MP404**MINING ACT 1978
FORFEITURES**

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provision of Section 97(1) of the Mining Act 1978, that the undermentioned mining lease is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

CLIVE BROWN, Minister for State Development.

Number	Holder	Mineral Field
27/217	Gindalbie Gold NL	North East Coolgardie

MP405

MINING ACT 1978
FORFEITURES

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provision of Section 97(1) of the Mining Act 1978, that the undermentioned mining lease is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

CLIVE BROWN, Minister for State Development.

Number	Holder	Mineral Field
52/298	St Barbara Mines Ltd	Peak Hill

PLANNING AND INFRASTRUCTURE

PI401

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Armadale

Town Planning Scheme No. 2—Amendment No. 178

Ref: 853/2/22/4 Pt 178

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 and Infrastructure approved the City of Armadale Town Planning Scheme Amendment on 24 July 2003 for the purpose of—

1. Rezoning portions of Lot 104 Hobbs Drive and Lot 12 South Western Highway from the General Industry zone to the Industrial Business Development zone;
2. Rewording the existing Policy Statement in Table 9 of the Scheme for the Industrial Business Development Zone to read as follows—

POLICY STATEMENT—

In considering an application for planning consent within the Industrial Business Development zone, the Council shall have regard to Planning Policy No. 4.3.16.

The subdivision and development of land within the Industrial Business Development Zone shall be generally in accordance with the Structure Plan for the area as endorsed by the City of Armadale and the Western Australian Planning Commission.

3. Adding the following new entry in Schedule 1—Provisions Relating to Specified Areas—

Part 4—South Armadale Industrial Business Estate

- (i) The planning philosophy for this estate is based on the incorporation of Policy Precincts into a Structure Plan, where the Policies will be subject to Structure Plan provisions of the Scheme Text, thus providing certainty through zoning while also accommodating a flexible response to evolving standards of industrial estate development via a defined range of Policy Precincts accommodating mutually compatible land uses.
- (ii) The Structure Plan for the South Armadale Industrial Business Estate shall have regard to the conceptual objectives outlined in the Armadale Enquiry-by-Design Workshop—Report No. 4 (Ministry for Planning, 1999) and to this end the Structure Plan shall specify a road network design which provides permeability between Dickens Place to the south and the Armadale Town Centre to the north and specifically provide for—
 - (a) a new road extending Hobbs Drive adjacent to the rail reserve and linking to Dickens Place to the south;
 - (b) a new road access point from South Western Highway and linking to the extension of Hobbs Drive in (a) above and appropriate provision allowing for connection to a potential new rail crossing at Harber Drive;
 - (c) a subdivision design for the land fronting South Western Highway which provides access to fronting lots for local traffic, without conflicting with regional traffic movements on South Western Highway.

- (iii) The Structure Plan road network design shall make appropriate provision for a new crossing of the rail line and potentially linking Harber Drive to the west of the rail line with the future new subdivisional road design described in point 2 above.
- (iv) The Structure Plan shall specify special Policy Precincts as provided for by Council Policy 4.3.16, for the portions of Lot 12 South Western Highway and Lot 104 Hobbs Drive, which provide for a range of industrial, business and commercial land uses that support the local and regional functions of the Armadale Strategic Regional Centre and South Armadale Industrial Business Estate.
- (v) The Policy Precincts for the portions of Lot 12 South Western Highway and Lot 104 Hobbs Drive proposed as Industrial Business Development zone shall include special Development Design Guidelines which specifically address objectives, controls and development standards for the following issues—
- Lot size and lot frontages
 - Access and circulation
 - Setbacks
 - Car parking
 - Access for Loading and Unloading Vehicles
 - Streetscape and Landscaping
 - Built Form
 - Building Location
 - Building Design
 - Signage
 - Parapet Walls
 - Storage and Bin Areas
 - Fencing
- (vi) The Structure Plan shall—
- (a) Identify and describe any places and items within the site of heritage value;
- (b) Specify proposed arrangements for the recording and recognition of the above heritage values, including where appropriate, their future protection and/or preservation, either on site or in alternative locations, as approved by Council.
- (vii) *Potential site contamination considerations prior to subdivision and development—*
- (a) *Prior to subdivision and development, due regard shall be given to the potential for contamination associated with prior land use of the area. Any substantial subdivision or development that proposes a change in land use or the disturbance of a volume of soil greater than or equal to 25 cubic metres shall be forwarded to the Land and Water Quality Branch (LWQB) of the Department of Environmental Protection. This provision does not include routine maintenance or upgrade works by a public authority or Council.*
- (b) *Where an application is forwarded to the DEP as above, the proposal shall be accompanied by a Detailed Site Investigation to the standards prescribed by the DEP Land and Water Quality Branch. The DEP shall review the application with regard to the potential for ecological and/or human health related risk, and may request conditions to be imposed upon any approval to address any contamination prior to subdivision and development. Where remediation is required, conditions shall be imposed on the approval requiring the submission of a Site Management Plan and a Post-Remediation Validation Report.*
- (c) *(a) & (b) above shall not apply where a development application is submitted for approval to demolish a building so as to enable works relating to the subdivision of the land on which the building is located to proceed.*
4. That the area bounded by the following be identified as a “Development Area” on the Scheme Map—
- Reserve No. 22555 being the Reservation for Railway—Perth to Bunbury railway, to the west;
 - South Western Highway, to the east;
 - Hobbs Drive, to the north;
 - Reserve No. 30954 being a “Reservation for Public Purpose—Drainage”, to the south.
5. *Zoning the currently unzoned portion of Lot 209 Dickens Place corner of Keates Road to the General Industry zone, consistent with the balance of the lot;*
6. *De-zoning the currently zoned portion of the Road Reserve for Dickens Place from the General Industry zone;*

L. REYNOLDS, Mayor.

R. S. TAME, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning

Town Planning Scheme No. 21—Amendment No. 24

Ref: 853/2/16/22 Pt 24

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 and Infrastructure approved the City of Canning Town Planning Scheme Amendment on 28 July 2003 for the purpose of rezoning 333 Wharf Street (Lot 19), Queens Park from “Residential” to “Local Shopping”.

M. S. LEKIAS, Mayor.
I. F. KINNER, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning

Town Planning Scheme No. 40—Amendment No. 116

Ref: 853/2/16/44 Pt 116

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 and Infrastructure approved the City of Canning Town Planning Scheme Amendment on 22 July 2003 for the purpose of rezoning 333 Wharf Street (Lot 19), Queens Park, from “Residential R17.5/R30” to “Shopping”.

M. S. LEKIAS, Mayor.
I. F. KINNER, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG401

TOTALISATOR AGENCY BOARD BETTING ACT 1960
APPOINTMENT OF BOARD MEMBERS

The following persons have been appointed as members of the Board of the TAB under section 6 of the *Totalisator Agency Board Betting Act 1960* for a term commencing on 1 August 2003 and ending on 31 July 2004, or upon the repeal of the *Totalisator Agency Board Betting Act 1960*, whichever occurs first—

- (a) Mr Ross Gregory Bowe of 75 Solomon Street, Fremantle.
- (b) Mr Robert Charles Pearson of 5/27 Millpoint Road, South Perth.
- (c) Mr Ross Alan Cooper of 8 Richards Place, Noranda.
- (d) Mr Geoffrey Alfred Martin of 2C Fraser Road, Applecross.
- (e) Mr Michael James Ryan of 24/645 Hay Street, Jolimont.

NICK GRIFFITHS, Minister for Racing and Gaming.

RG402

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 Department of Racing, Gaming & Liquor, 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
APPLICATION FOR THE GRANT OF A LICENCE			
9861	Peter Stuart Carter and Edwina Joan Aspden Carter	Application for the grant of a Producer's licence in respect of premises situated in Bailup and known as Lake Charlotte Wines	24/8/03
APPLICATION FOR EXTENDED TRADING PERMIT—ONGOING EXTENDED HOURS			
17062	Alfon Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Mount Hawthorn and known as Paddington Alehouse	10/8/03
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
175301	Hi (Perth) Pty Ltd	Application to add, vary or cancel a condition of the Hotel licence in respect of premises situated in Perth and known as Holiday Inn City Centre Perth	12/8/03

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

H. R. HIGHMAN, Director of Liquor Licensing.

TREASURY AND FINANCE

TF401

FINANCIAL ADMINISTRATION AND AUDIT ACT 1985

APPOINTMENT

I, Eric Ripper, being the Treasurer administering the *Financial Administration and Audit Act 1985*, acting in the exercise of powers conferred by section 54(3) of that Act, do hereby appoint the Director General of the Department of Agriculture as the accountable authority for the Landcare Trust.

ERIC RIPPER, Treasurer.

TRANSPORT

TR401

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (VEHICLE STANDARDS) REGULATIONS 2002

CLASS 3 RESTRICTED ACCESS VEHICLE NOTICE 2003

'Five In One' Agricultural Bins

Pursuant to regulation 33 of the *Road Traffic (Vehicle Standards) Regulations 2002* ("the Regulations"), I Menno Henneveld, Commissioner of Main Roads, hereby exempt motor vehicles which are fitted with a Five In One Agricultural Bin ("the Bin") from the width requirements of the *Road Traffic (Vehicle Standards) Rules 2002* and the requirements of regulation 12 in respect of clauses 7(1) and 8 of Division 3 of Schedule 1 of the Regulations, subject to the following conditions—

1. The motor vehicle must only be driven for the purposes of using the Bin in accordance with the purpose for which it was manufactured;
2. The motor vehicle must not be driven within a 30km radius of the Perth GPO;
3. The width of the motor vehicle and its load must not exceed 2.8m, excluding lights, mirrors, reflectors and signalling devices; and
4. The motor vehicle must have one warning sign at the front of the vehicle and one warning sign at the rear of the vehicle. The warning signs must comply with clauses 43, 44, 45, 47, 48 and 49 of Division 7 of Schedule 2 of the Regulations.

For the purposes of this notice, a 'five in one agricultural bin' means a bin manufactured for the purposes of carrying different types of bulk seed and fertiliser and other such matter used for agricultural purposes, which has compartments to separate the different matter and a mechanism on its side to allow elevated discharge of the matter into seeding equipment.

This exemption notice shall remain in force until such time as it is revoked by the Commissioner of Main Roads.

MENNO HENNEVELD, Commissioner of Main Roads.

WATER

WA401*

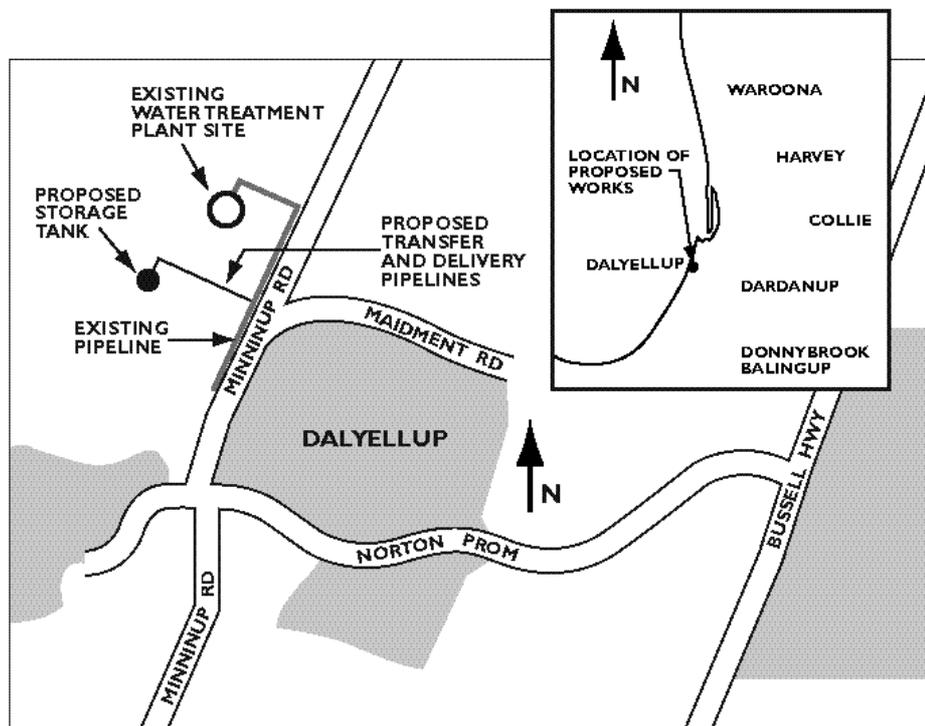
WATER AGENCIES (POWERS) ACT 1984

WATER SUPPLY IMPROVEMENTS: SHIRE OF CAPEL—DALYELLUP

Notice of Authorisation to Construct a 6ML Storage Tank, Transfer Pump Station and Pipelines

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for the Environment and Heritage has authorised the Water Corporation to construct works to improve the supply of water to Dalyellup. These include: construction of a new ground level storage tank of capacity 6ML and wall height of 11m; new transfer and delivery pipelines from the existing delivery pipeline to the new ground level storage tank; and a new transfer pump station to transfer water from the existing water treatment plant to the new ground level storage tank.

The location of the proposed works is at Dalyellup, approximately 15km south of Bunbury.



WORKSAFE

WS401*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996**

EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 22 of 2003)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant a temporary exemption to Arrowmist Pressure Cleaning from the requirements of Regulations 5.14, 5.50 & 5.51 of the *Occupational Safety and Health Regulations 1996* to enable two 90 minute tests of an asbestos tile cleaning method using wet garnet blasting on low pressure at 36 Gardiner Road, Como.

This exemption is subject to the following conditions—

- The cleaning takes place within a fully sealed enclosure.
- The enclosure has an airlock type entrance.
- A fine water mist spray is installed within the enclosure and operates while tile cleaning is undertaken.
- All windows, doors and other inlets are fully sealed.
- Airborne monitoring is conducted during tile cleaning to determine the concentration of asbestos fibres generated during the process.
- Appropriate personal protective equipment, including positive pressure air supplied respirators and disposable overalls, is worn by all persons within the enclosure.
- All equipment used within the enclosure is decontaminated after use.

This exemption expires on 3 August 2003.

Dated this 25th day of July 2003.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Edith Muriel Spisbah, late of Unit 31, 444 Marmion Street, Myaree, Teacher, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on 20 June 2003, are required by the Trustee ANZ Executors & Trustee Company Limited (ACN 006 132 332) of Level 9, Allendale Square, 77 St George's Terrace, Perth WA 6000 to send particulars of their claim to The Trustee by 9 September 2003 after which the Trustee may convey or distribute the assets having regard only to the claims he then has notice.

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* 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 1st September 2003, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Cheshire, Scott Christopher, late of Unit 2/171 Hector Street Osborne Park, died 12/4/03, (DE30328910EM15)

Cormack, John Alexander Vernon, late of 43 Commonwealth Avenue North Perth, died 10/7/03 (DE19581367EM23)

Dhue, Ursula Monica, late of Craigwood Green Nursing Home 29 Gardner Street Como, died 26/5/03, (DE19782579EM17)

- Foley, Michael, late of Pinjarra Road Mandurah, died 4/7/2000, (DE33009439EM34)
- Godley, Patrick Maxime-Anton, late of Thirlmere Road Mount Lawley, died 11/6/2000, (DE30321663EM26)
- Hansen, Ines Lily also known as Ines Lily Smith, late of 39A Palmerston Street Bassendean, died 24/5/99, (DE33024908EM17)
- Hardstaff, Malvina Elisa, late of Craigville Gardens Cnr Stock and French Roads Melville, died 3/7/03, (DE19944018EM44)
- Hardwick, Dulcie May, late of Ningana Care Centre 73 Jarrah Road Bentley, died 29/6/03, (DE19842079EM34)
- Heyes, Gordon, late of 15 Brignell Gardens Parmelia, died 5/3/03, (DE33023302EM22)
- Hicks, Alan Howard, late of Braemar Lodge 51 Point Walter Road Bicton, died 20/5/03, (DE19961845EM42)
- Howard, Rosanna, late of Room 102, Waminda Hostel Adie Court Bentley formerly of Swan Cottage Home 16 Hillview Terrace Bentley, died 18/7/03, (DE33010594EM13)
- Jackson, Ruby Mabel, late of Concorde Nursing Home 25 Anstey Street South Perth, died 16/6/03, (DE19783670EM37)
- Jenke, Mary Phyllis, late of St George's Home 2 Essex Street Bayswater formerly of Unit 23/21 Dianella Drive Dianella, died 6/6/03, (DE30302781EM13)
- Jones, William Arthur, late of Lot 1 Lyon Road Banjup, died 22/6/03, (DE19961752EM12)
- King, Ernest Cuthbert also known as Dick Cuthbert, late of Unit 113/120 Monash Avenue Nedlands, died 6/7/03, (DE19950460EM16)
- Lang, James Edward, late of 158 Eglinton Crescent Hamersley, died 23/6/03, (DE20010571EM13)
- Menasse, Pamela Edna, late of Unit 3/132 Gabriel Gardens Cloverdale, died 9/6/03, (DE20000491EM35)
- Mitchell, Richard, late of Unit 7/12 Basinghall Street East Victoria Park, died 23/6/03, (DE19922185EM110)
- Rutkunas, Jurgis Jonas, late of 27 Berkshire Road Forrestfield, died 1/7/03, (DE19611128EM17)

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

Telephone 9222 6777.

WESTERN AUSTRALIA

THE CRIMINAL CODE

(Reprinted as at 9 February 2001)

***Price: \$67.25 counter sales
Plus postage on 1270 grams**

* Prices subject to change on addition of amendments.

