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EFFECTIVE FROM 1 JULY 2003 (Prices include GST).

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

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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).

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PUBLISHING ALTERATIONS

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

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

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

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

PROCLAMATIONS

AA101*

RACING AND GAMBLING LEGISLATION AMENDMENT AND REPEAL ACT 2003

35 of 2003

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Lieutenant General John Murray
John Sanderson, } Sanderson, Companion of the Order of Australia,
Governor. } Governor of the State of Western Australia.
[L.S.]

I, the Governor, acting under section 2 of the *Racing and Gambling Legislation Amendment and Repeal Act 2003*, and with the advice and consent of the Executive Council, fix 30 January 2004 as the day on which the provisions of that Act referred to in the following table, come into operation.

Table

s. 32-52	s. 78	s. 96	s. 155-162
s. 75	s. 79	s. 97	s. 165-178
s. 76(a)	s. 81(5)	s. 99-131	s. 180(1)(c)
s. 76(c)	s. 81(6)	s. 132(3)	s. 180(2)
s. 76(h)	s. 85-94	s. 133-150	s. 207(1)(b)
s. 77(2)			

Given under my hand and the Public Seal of the State on 20 January 2004.

By Command of the Governor,

N. D. GRIFFITHS, Minister for Racing and Gaming.

GOD SAVE THE QUEEN !

AA102*

RACING AND WAGERING WESTERN AUSTRALIA TAX ACT 2003

37 of 2003

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Lieutenant General John Murray
John Sanderson, } Sanderson, Companion of the Order of Australia,
Governor. } Governor of the State of Western Australia.
[L.S.]

I, the Governor, acting under section 2 of the *Racing and Wagering Western Australia Tax Act 2003*, and with the advice and consent of the Executive Council, fix 30 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 20 January 2004.

By Command of the Governor,

N. D. GRIFFITHS, Minister for Racing and Gaming.

GOD SAVE THE QUEEN !

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

LAND VALUERS LICENSING ACT 1978

LICENSED VALUERS CODE OF CONDUCT

The Licensed Valuers Code of Conduct (“the Code”) has been made by the Land Valuers Licensing Board with the approval of the Minister for Consumer and Employment Protection pursuant to section 26 of the *Land Valuers Licensing Act 1978* (“the Act”). A licensed valuer failing to comply with the Code will be liable for disciplinary action pursuant to section 28(2)(c) of the Act.

Citation

This notice may be cited as the Licensed Valuers Code of Conduct.

Commencement

The Code shall commence on the date of publication of this notice in the *Government Gazette* and replaces the Code of Conduct published in the *Government Gazette* on 22 October 1999 which is hereby repealed.

1. Interpretation

In this Code:

“**as if complete**” valuation means a valuation that assumes the proposed development to be in a completed state as at the date of valuation and reflects current market conditions at the date of valuation;

“**as is**” valuation means a valuation that provides the current market value of the property as it currently exists rather than the value of the proposed development;

“**proposed development**” means any planned development or redevelopment of a property, including building improvements or modifications, which are proposed, approved or under construction on the property (but does not include a planned development or redevelopment of a single dwelling residential property for residential use) where the value of the proposed or planned development is estimated to be \$50,000 or more when complete;

“**the Act**” means the *Land Valuers Licensing Act 1978*;

“**licensed valuer**” means a person who is licensed under the *Land Valuers Licensing Act 1978*; and

“**valuation statement**” as referred to in rule 2.1(a) in this Code, means the statement usually found at the end of a valuation report stating the valuation amount, the date of the valuation and reference to qualifications and disclaimers, if any.

1. A licensed valuer shall:

1.1 ensure that the duties and obligations imposed by the Act, Regulations and this Code are complied with in the performance of valuation work by the licensed valuer or by any person assisting the licensed valuer. A licensed valuer shall not be excused from non-compliance with these provisions by reason of claimed ignorance of their existence or content;

1.2 within 12 months of the commencement of this Code institute and thereafter maintain a risk management program;

1.3 (a) carry out valuation work with diligence and competence in accordance with the accepted principles and practices of valuation;

(b) act at all times with honesty and integrity; and

(b) where it is their duty to do so, act with impartiality and independence;

1.4 take all reasonable steps to:

(a) gather sufficient relevant data in forming an opinion of value or, in the absence or deficiency of such data, explain in the valuation report the basis on which the opinion of value was formed; and

(b) ascertain and verify such relevant facts and information as a prudent licensed valuer would have ascertained or verified in order to provide a professional valuation of a property. Where all such facts or information have not been ascertained or verified, make written disclosure of this to the client in the valuation report together with a

- statement of the extent, if any, to which the failure to ascertain or verify the facts or information in question qualifies or affects the valuation provided;
- 1.5 except with the written agreement of the client, personally inspect the property to be valued in accordance with accepted valuation practice. If the property is not inspected or is only partially inspected, the licensed valuer must disclose this in the valuation report and state the effect that the failure to conduct an inspection or complete inspection has on the valuation provided;
 - 1.6 include in the valuation report:
 - (a) in the case of a mortgage valuation, other than a valuation of a single dwelling residential property for residential use, as a covering page, a valuation Executive Summary in the form of Schedule 1 to this Code;
 - (b) the date of any inspection(s) made of the property, the interest to be valued (e.g. freehold, leasehold etc.), the valuation date and the date on which the report was issued. The licensed valuer must also sign the report and state their licence number;
 - (c) a statement, under the heading of "Assumptions, Conditions and Limitations", of all assumptions made in arriving at an opinion of value and all conditions, requirements or limitations arising from the client's instructions or arising due to any other circumstances;
 - (d) where the licensed valuer has an interest of any kind, whether direct or indirect in a property to be valued or a development proposed for that property, a statement describing the nature and extent of the interest in the property or development as the case may be; and
 - (e) particulars of any conflict of interest that are provided to a client or prospective client under sub-rule 2.6(a);
 - 1.7 hold any valuation as confidential unless the client otherwise agrees in writing or unless required by law to disclose the valuation;
 - 1.8 retain in a place of safe keeping for a minimum of 6 years a copy of the valuation report, all instructions from the client or the client's representative, and all other records and information upon which the valuation opinion was based;
 - 1.9 obtain or confirm in writing all instructions of the client or the client's representative;
 - 1.10 attach as an annexure to all valuation reports all instructions received from the client or the client's representative and also any written consent obtained from a client or prospective client under sub-rule 2.6(b);
 - 1.11 where a valuation is to be undertaken on a proposed development, include in the valuation report the definitions of "as if complete" valuation and "as is" valuation that are provided in the Interpretation section of this Code;
 - 1.12 where a valuation is to be undertaken of a proposed development, include an "as is" valuation immediately following the "as if complete" valuation in the body of the valuation report and also in any certificate of valuation or other valuation summary in the report or attached to it;
 - 1.13 properly supervise and control the work of unlicensed persons engaged in assisting in the valuation work and be responsible for any work performed by unlicensed persons on behalf of the valuer; and
 - 1.14 where instructions are accepted to perform valuation work, for either a single task or multiple tasks, carry out all the valuations in accordance with the requirements of this Code regardless of the fee which has been agreed with the client.
2. A licensed valuer shall not:
- 2.1 produce a valuation statement that purports to predict future value or future values (see Rule 3);
 - 2.2 advertise the licensed valuer's services, skills or experience in a manner that is false or misleading;
 - 2.3 accept instructions to undertake valuation work which is contingent upon obtaining a predetermined result or finding;
 - 2.4 except with the written consent of the client, accept an engagement to perform a valuation or continue an engagement to provide a valuation where a conflict of interest exists, or arises prior to the completion of a valuation;
 - 2.5 use confidential information obtained in the course of making a valuation to the benefit of the licensed valuer or any person other than the licensed valuer's client;

- 2.6 accept or continue an engagement to perform a valuation where a conflict of interest would or does arise, unless;
- (a) written particulars of the conflict or potential conflict are given to the client or proposed client as the case may be; and
 - (b) the client or proposed client has consented in writing to the licensed valuer performing or continuing to perform the valuation as the case may be;
- 2.7 accept instructions to perform a valuation beyond their competency and if after accepting instructions to perform a valuation, a licensed valuer becomes aware of any circumstance or matter which places the performance of the valuation beyond their competency the licensed valuer shall not continue to act on the valuation (see Rule 4); or
- 2.8 adopt the role of advocate in a matter where their duty is to exercise independence and impartiality.
3. Sub-rule 2.1 does not prevent a licensed valuer from:
- (i) forecasting income or outgoings using economic price prediction modelling, including discounted cash flows, to determine a present value; or
 - (ii) making properly qualified forecasts.
4. Sub-rule 2.7 does not prevent a licensed valuer from accepting an engagement beyond their competency or continuing to perform a valuation after becoming aware of a circumstance or matter putting the assignment beyond their competency, if with the prior written consent of the client the licensed valuer engages another licensed valuer with the necessary competency to assist in the valuation.

B. GARDINER, Chairperson.

Approved by the Minister—

J. KOBELKE MLA, Minister for Consumer and
Employment Protection.

Schedule 1

(Sub-rule 1.6 (a))

EXECUTIVE SUMMARY

MORTGAGE FINANCE VALUATION

PROPERTY ADDRESS:

CERTIFICATE OF TITLE:

REGISTERED OWNERS:

ENCUMBRANCES: (Limited to those that affect the use or value of the subject property.)

LAST SALE: (Report any transaction(s) within the last three years including date of sale, consideration and other relevant details. Facts relating to a current contract for sale of the subject property must also be included.)

ZONING:

DESCRIPTION OF THE PROPERTY "AS IS":

DESCRIPTION OF PROPOSED IMPROVEMENTS:

COMMENTS:

INTEREST VALUED:

VALUATION DATE:

CURRENT MARKET VALUE "AS IS":

CURRENT MARKET VALUE "AS IF COMPLETE":

VALUER: (name, signature, valuer's licence number and date)

IMPORTANT: All data provided in this summary is wholly reliant on and must be read in conjunction with the information provided in the attached report. It is a synopsis only designed to provide a brief overview and must not be acted on in isolation.

RACING, GAMING AND LIQUOR

RG301*

Racing and Wagering Western Australia Act 2003

**Racing and Wagering Western Australia
(Appointed Day) Order 2004**

Made by the Minister for Racing and Gaming under section 7(2) of the *Racing and Gambling Legislation Amendment and Repeal Act 2003*.

1. Citation

This order may be cited as the *Racing and Wagering Western Australia (Appointed Day) Order 2004*.

2. Appointed day

30 January 2004 is fixed as the day on which Racing and Wagering Western Australia is authorised to exercise its functions under Part 5 of the *Racing and Wagering Western Australia Act 2003*.

N. D. GRIFFITHS, Minister for Racing and Gaming.

RG302*

Gaming Commission Act 1987

**Gaming Commission Amendment
Regulations 2004**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Gaming Commission Amendment Regulations 2004*.

2. The regulations amended

The amendments in these regulations are to the *Gaming Commission Regulations 1988**.

[* Reprinted as at 4 May 2001.

For amendments to 30 December 2003 see Western Australian Legislation Information Tables for 2002, Table 4, p. 147.]

3. Regulation 13A inserted

After regulation 13 the following regulation is inserted —

“

13A. Notification of conviction

Every certificate and licence is issued subject to the condition that, if the holder of the certificate or licence is convicted of an offence, the holder of that certificate or licence must, in writing, notify the Commission of the conviction within 7 days.

”

4. Regulation 17A inserted

After regulation 17 the following regulation is inserted in Division 4 —

“

17A. Prescribed gaming equipment

The following equipment shall constitute prescribed gaming equipment for the purposes of section 84(1) of the Act —

- (a) bingo cards for permitted bingo;
- (b) video lottery terminals;
- (c) gaming tables of a nature used for the playing of games authorised by a permit.

”

5. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) immediately before the item commencing “88(5)”, in the item commencing “92” by deleting “operation’s” and inserting instead —
“ operator’s ”;
- (b) by deleting the item commencing “88(5)” and inserting the following item instead —

“

88(5)	Fee on the issue of a certificate	205
-------	-----------------------------------	-----

”

By Command of the Governor,

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

RG303*

Betting Control Act 1954

Betting Control Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Betting Control Amendment Regulations 2004*.

2. Commencement

These regulations come into operation on 30 January 2004.

3. The regulations amended

The amendments in these regulations are to the *Betting Control Regulations 1978**.

[* *Reprinted as at 6 April 2001.*

For amendments to 12 January 2004 see Western Australian Legislation Information Tables for 2002, Table 4, p. 31, and Gazette 20 June and 11 November 2003.]

4. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) by deleting the definitions of “Chairman” and “Secretary”;
- (b) by deleting the definition of “rules” and inserting instead —

“

“**rules of racing**” means the rules of racing made under, or continued for the purposes of, the RWWA Act;

“**rules of wagering**” means the rules of wagering made under, or continued for the purposes of, the RWWA Act;

”.

5. Regulations 3A to 8 repealed

Regulations 3A, 4, 5, 6, 7 and 8 are repealed.

6. Regulation 9 amended

Regulation 9(1)(b) is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

7. Regulation 10 amended

Regulation 10(b) is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

8. Regulation 12 amended

- (1) Regulation 12(1) is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

- (2) Regulation 12(2) is repealed.

9. Regulation 17 amended

Regulation 17(1) is amended as follows:

- (a) by deleting the full stop at the end of the subregulation and inserting instead a semicolon;
- (b) by inserting after paragraph (e) the following paragraph —

“

- (f) On an application by an offshore betting operator for an exemption under section 27A of the Act \$500.

”.

10. Regulation 17D amended

Regulation 17D is amended by deleting “the TAB” and inserting instead —

“ RWWA ”.

11. Regulation 25 amended

Regulation 25 is amended by deleting “Secretary” and inserting instead —

“ Commission ”.

12. Regulation 28 amended

- (1) Regulation 28(1) is amended by deleting “or the Secretary”.
- (2) Regulation 28(1a) is amended by deleting “or the Secretary”.

13. Regulation 29 amended

Regulation 29 is amended by inserting after “on demand by” the following —

“ a steward, ”.

14. Regulation 48 amended

Regulation 48 is amended by inserting after “Appendix” —

“ and the rules of wagering ”.

15. Regulation 48A inserted

After regulation 48 the following regulation is inserted —

“

48A. Minimum bet obligations

A bookmaker is to comply with any minimum bet obligations imposed as a condition of a permit granted to the bookmaker under section 12 of the Act or imposed under the rules of wagering.

”.

16. Regulation 50 amended

Regulation 50(c) is deleted and the following paragraph is inserted instead —

“

(c) these regulations or the rules of wagering provide otherwise,

”.

17. Regulation 59 amended

Regulation 59(1)(b) is amended by deleting “Board’s” and inserting instead —

“ Commission’s ”.

18. Regulation 61 amended

Regulation 61(2) is amended by deleting “under the rules of the authority controlling the race meeting” and inserting instead —

“

as a condition of a permit granted to the bookmaker under section 12 of the Act or specified under the rules of wagering

”.

19. Regulation 68 amended

Regulation 68 is amended by deleting “and any steward or” and inserting instead —

“ a steward, and any ”.

20. Regulation 70 amended

- (1) Regulation 70(5) is repealed and the following subregulation is inserted instead —

“

- (5) A bet received by a club may be transmitted by that club to a totalisator pool operated by RWWA under the RWWA Act if RWWA has authorised the club to so transmit the bet and that authorisation has not been withdrawn.

”.

- (2) Regulation 70(8) is repealed.
- (3) Regulation 70(9) is amended by deleting “section 27 of the *Totalisator Agency Board Betting Act 1960*” and inserting instead —

“ section 59 of the RWWA Act ”.

21. Regulation 76 amended

Regulation 76(1)(a) is amended by deleting “Board’s” and inserting instead —

“ Commission’s ”.

22. Regulation 77 inserted

After regulation 76 the following regulation is inserted —

“

77. Form of search warrant

A search warrant for the purposes of section 28A of the Act is to be in the form of Form 1 in Schedule 1.

”.

23. Appendix amended

- (1) The Appendix Part 1 rule 1 is amended as follows:

- (a) by deleting the definition of “stewards”;
- (b) by inserting before the definition of “treble” the following definition —

“

“**Scale of Deduction Table**” means the Table set out at the end of these Rules;

”.

- (2) The Appendix Part 1 rule 2(1)(g) is amended by deleting “the rules of the authority controlling the racecourse on which the bet was made” and inserting instead —

“ the rules of racing or wagering ”.

- (3) The Appendix Part 1 rule 3(1) is amended as follows:
- (a) by deleting the semicolon after paragraph (d) and inserting instead a full stop;
 - (b) by deleting paragraphs (e) and (f).
- (4) After the Appendix Part 1 rule 3(1) the following subrules are inserted —
- “
- (1a) In the event of the stewards permitting or ordering a runner to be withdrawn from a race either after the time for scratching or after the starters have been semaphored for the race or after declaring it a non-starter, bets made prior to the withdrawal shall be settled in accordance with the Scale of Deduction Table.
 - (1b) With regard to all successful win only, each way, place only, concession, multiples doubles and trebles, bets are to be paid the face value of the ticket less the number of cents in the dollar deduction applicable on the scale of deductions in the Scale of Deduction Table for the dividends of the runner at the time of its withdrawal.
 - (1c) Where 2 or more withdrawals occur simultaneously during betting, successful bets made prior to the time of withdrawal are to be paid the face value of the ticket less a deduction determined by adding together the rates of deduction applicable to each of the runners withdrawn.
 - (1d) Where withdrawals occur at different times during betting on a race, successful bets placed prior to the last withdrawal are to be paid the face value of the ticket, less deductions determined as follows —
 - (a) for bets placed prior to the first withdrawal, the rate of deduction is to be determined by adding together the rates of deduction applicable to the dividends of all withdrawn runners;
 - (b) for bets placed after the time of the first withdrawal, and prior to the time of the second withdrawal, the rate of deduction is to be determined by the deduction applicable on the scale of deductions in the Scale of Deduction Table to the dividends of the second withdrawal.
 - (1e) Despite subrules (1c) and (1d) —
 - (a) in circumstances they deem appropriate, and when there is sufficient time, the stewards may declare off all bets on the remaining runners and order that betting on the race be re-opened, or they may order all bets be paid at totalisator dividends;
 - (b) except in the case of a dead heat, no order is to be made the effect of which would oblige a backer to receive less than his or her stake.

- (1f) Where the runner ordered or permitted to be withdrawn, or declared a non-starter is shorter than the range of dividends set out in the Scale of Deduction Table, the stewards may —
- (a) if there is sufficient time, declare off all bets made on the remaining runners and order that betting on the race be re-opened; or
 - (b) if there is insufficient time to re-open betting, declare a deduction assessed from the Scale of Deduction Table.

”.

- (5) The Appendix Part 1 rule 3(2) is amended by deleting “subrule (1)(e) or (f)” and inserting instead —

“ subrules (1a) to (1f) ”.

- (6) The Appendix Part 1 rule 3(3) is amended by deleting “subrule (1)(e) or (f)” and inserting instead —

“ subrules (1a) to (1f) ”.

- (7) The Appendix Part 1 rule 4(1) is amended by deleting “of the authority controlling the race meeting”.

- (8) The Appendix Part 1 rule 9(4) is amended by deleting “of the authority controlling the race meeting”.

- (9) The Appendix Part 1 rule 10(1)(b) is amended by deleting “the rules of the authority controlling the racecourse on which the bet is made or if there are no rules” and inserting instead —

“

the regulations or the rules of wagering or if there are no regulations or rules

”.

- (10) The Appendix Part 1 rule 14(1) is amended by deleting “of the body controlling the race meeting where the bet is made”.

- (11) After the Appendix Part 2 rule 9 the following Table is inserted —

“

Scale of Deduction Table

This Table is to be used to determine the rate % of deduction in respect of win, place, concession, double and treble bets. Rate % of deduction (cents in \$) from the face value of the ticket.

Dividend of Withdrawn Runner (for bet of \$1)	Win Doubles Treble Deduction	Place Deduction where 8 or more Runners	Place Deduction where less than 8 Runners	Concession Deduction
	Cents	Cents	Cents	Cents
1.05	80	30	44	70
1.06	80	30	44	70
1.07	80	30	44	70

Dividend of Withdrawn Runner (for bet of \$1)	Win Doubles Treble Deduction	Place Deduction where 8 or more Runners	Place Deduction where less than 8 Runners	Concession Deduction
	Cents	Cents	Cents	Cents
1.08	80	30	44	70
1.09	80	30	44	70
1.10	80	30	44	70
1.12	80	30	44	70
1.14	80	30	44	70
1.16	80	30	44	70
1.18	79	30	44	70
1.20	78	30	44	70
1.22	77	30	44	70
1.24	75	29	43	67
1.26	74	29	43	67
1.28	73	29	43	67
1.30	72	29	42	67
1.35	69	29	42	64
1.40	67	28	41	62
1.45	64	28	41	59
1.50	62	28	40	57
1.55	60	27	39	55
1.60	58	27	39	53
1.65	57	27	38	53
1.70	55	27	38	51
1.75	53	26	37	49
1.80	52	26	37	48
1.85	51	26	36	47
1.90	49	25	36	45
1.95	48	25	35	44
2.00	47	25	35	43
2.05	46	25	35	42
2.10	45	24	34	41
2.15	43	24	34	40
2.20	42	24	33	39
2.25	42	24	33	39
2.30	41	24	33	39
2.35	40	23	32	38
2.40	39	23	32	37
2.45	38	23	32	36
2.50	37	23	31	35
2.60	36	22	30	34
2.70	35	22	30	33
2.80	33	21	29	31

Dividend of Withdrawn Runner (for bet of \$1)	Win Doubles Treble Deduction	Place Deduction where 8 or more Runners	Place Deduction where less than 8 Runners	Concession Deduction
	Cents	Cents	Cents	Cents
2.90	32	21	29	30
3.00	31	21	28	29
3.10	30	20	27	28
3.20	29	20	27	27
3.30	28	20	26	26
3.40	27	19	26	25
3.50	27	19	25	25
3.60	26	19	25	24
3.70	25	19	25	24
3.80	25	18	24	24
3.90	24	18	24	23
4.00	23	18	23	22
4.20	22	17	23	21
4.40	21	17	22	20
4.60	20	16	21	19
4.80	19	16	21	18
5.00	19	16	20	18
5.50	17	15	19	17
6.00	16	14	18	16
6.50	14	13	16	14
7.00	13	12	16	13
7.50	12	12	15	12
8.00	12	11	14	12
8.50	11	11	13	11
9.00	10	10	13	10
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11.00	8	9	11	8
12.00	8	8	10	8
13.00	7	8	9	7
14.00	7	7	9	7
15.00	6	7	8	6
16.00	6	7	8	6
17.00	5	6	7	5
18.00	5	6	7	5
19.00	5	6	7	5
20.00	5	5	6	5
21.00	4	5	6	4
26.00	3	4	5	3

Dividend of Withdrawn Runner (for bet of \$1)	Win Doubles Treble Deduction	Place Deduction where 8 or more Runners	Place Deduction where less than 8 Runners	Concession Deduction
	Cents	Cents	Cents	Cents
31.00	3	3	4	3
41.00	2	3	3	2
51.00	2	2	2	2

24. Schedule 1 inserted

After the Appendix the following Schedule is inserted —

“

Schedule 1 — Forms

[r. 77]

Form 1

Betting Control Act 1954

[s. 28A]

WARRANT

I, [insert name of Justice of the Peace granting the warrant], of
....., being a JUSTICE OF THE PEACE and
being satisfied upon complaint by [insert name of complainant] that there is
reason to suspect that

unlawful betting within the meaning of section 28A of the *Betting Control
Act 1954* is or is about to be carried on at (1).....

.....
.....

GRANT to (2)

THIS WARRANT empowering that person to enter those premises with such
other persons as may be necessary to assist using such force as may be
necessary and there to do any of the things referred to in section 28A(2) of that
Act, and this warrant continues to have effect until the purposes for which it
was granted is satisfied.

Granted on

at

.....
Signature of Justice of the
Peace granting the warrant.

(1) Insert particulars of place.

(2) Insert the name and designation of the authorised officer or member of the
Police Force.

”

25. References to “Board” amended

In each place listed in the Table to this regulation “Board” is deleted and the following is inserted instead —

“ Commission ”.

Table

r. 2 (in second and third places where it occurs)	r. 29 (twice)
r. 9(1)(a)	r. 36(1)(a)
r. 9(2) (3 times)	r. 36(5)(b) (twice)
r. 9A(1)	r. 37(3)
r. 9A(3)	r. 37(4) (twice)
r. 10(a)	r. 37(5)
r. 12(1) (4 times)	r. 37(6) (twice)
r. 14(1)	r. 38 (twice)
r. 14(3)	r. 39 (twice)
r. 16(1) (twice)	r. 43 (3 times)
r. 16(2)	r. 53
r. 17(1) (twice)	r. 54
r. 17(2)	r. 59(3)
r. 17(3)	r. 71(1)(a)
r. 17A(1)(b) (twice)	r. 71(2) (3 times)
r. 17A(2) (3 times)	r. 71(4)
r. 17A(3) (3 times)	r. 72(1)(a)
r. 17B(1)(b) (twice)	r. 72(2) (3 times)
r. 17B(2) (3 times)	r. 72(4)
r. 17B(3) (3 times)	r. 74(a)
r. 18(1)	r. 75(a)
r. 18(2)	r. 76(1) (6 times)
r. 18(3)	r. 76(2)
r. 27(1)	r. 76(3)
r. 27(2)	Appendix Part 1 rule 2(1)(h)
r. 28(1) (twice)	Appendix Part 1 rule 2(2)
r. 28(1a) (twice)	Appendix Part 1 rule 3(1)(d)
r. 28(2) (twice)	Appendix Part 1 rule 16
r. 28(2a) (twice)	

By Command of the Governor,

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

RG304*

Racing and Gambling Legislation Amendment and
Repeal Act 2003

Racing and Gambling (Miscellaneous) Amendment Regulations 2004

Made by the Governor in Executive Council, on the recommendation of the Minister, under section 19 of the *Racing and Gambling Legislation Amendment and Repeal Act 2003*.

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Racing and Gambling (Miscellaneous) Amendment Regulations 2004*.

2. Commencement

These regulations come into operation on 30 January 2004.

Part 2 — *Casino Control Regulations 1999*

3. The regulations amended

The amendments in this Part are to the *Casino Control Regulations 1999**.

[* *Published in Gazette 5 February 1999.*

For amendments to 12 January 2004 see Western Australian Legislation Information Tables for 2002, Table 4, p. 40.]

4. Schedule 1 amended

- (1) Schedule 1 Form 1 is amended by inserting after “Gaming” in the 3 places where it occurs —

“ and Wagering ”.

- (2) Schedule 1 Form 2 is amended by inserting after “Gaming” —

“ and Wagering ”.

Part 3 — *Casino Control (Burswood Island) (Licensing of Employees) Regulations 1985*

5. The regulations amended

The amendments in this Part are to the *Casino Control (Burswood Island) (Licensing of Employees) Regulations 1985**.

[* Reprinted as at 2 January 2001.

For amendments to 12 January 2004 see Gazette 30 June 2003.]

6. Regulation 2 amended

Regulation 2(1) is amended as follows:

- (a) by inserting before the definition of “current holder” the following definition —

“**Commission**” means the Gaming and Wagering Commission of Western Australia established under section 4 of the *Gaming and Wagering Commission Act of Western Australia 1987*;

- (b) by deleting the definition of “the Commission”.

7. Schedule 1 amended

- (1) Schedule 1 Form 1 is amended as follows:

- (a) by inserting after “*Gaming*” —

“ *and Wagering* ”;

- (b) by inserting after “GAMING” —

“ AND WAGERING ”;

- (c) by inserting after “Gaming” in the 4 places where it occurs —

“ *and Wagering* ”.

- (2) Schedule 1 Form 2 is amended by inserting after “Gaming” in both places where it occurs —

“ *and Wagering* ”.

- (3) Schedule 1 Form 3 is amended by inserting after “Gaming” in both places where it occurs —

“ *and Wagering* ”.

- (4) Schedule 1 Form 4 is amended by inserting after “Gaming” —

“ *and Wagering* ”.

- (5) Schedule 1 Form 5 is amended by inserting after “Gaming” —

“ *and Wagering* ”.

- (6) Schedule 1 Form 6 is amended by inserting after “Gaming” in both places where it occurs —
“ and Wagering ”.
- (7) Schedule 1 Form 7 is amended by inserting after “Gaming” in both places where it occurs —
“ and Wagering ”.

Part 4 — *Gaming Commission Regulations 1988*

8. The regulations amended

The amendments in this Part are to the *Gaming Commission Regulations 1988**.

[* Reprinted as at 4 May 2001.

For amendments to 12 January 2004 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 147.*]

9. Regulation 1 amended

Regulation 1 is amended by inserting after “Gaming” —
“ and Wagering ”.

10. Regulation 3 amended

Regulation 3(1)(a) is amended by inserting after “Gaming” —
“ and Wagering ”.

11. Regulation 5 amended

Regulation 5(a) is amended by inserting after “42(5)” —
“ 43A(2), 43A(3) ”.

12. Regulation 9 amended

Regulation 9(1)(f) is amended by deleting “or betting”.

13. Regulation 10 amended

- (1) Regulation 10(1) is amended by deleting “or betting”.
- (2) Regulation 10(2) is amended by deleting “or betting”.

14. Regulation 13 amended

Regulation 13 is amended by deleting “gaming, betting” and inserting instead —

“ gambling ”.

15. Regulation 18A amended

Regulation 18A(2)(e) is amended by deleting “Gaming”.

16. Regulation 18B amended

Regulation 18B(2)(a) and (b) are each amended by deleting “Gaming”.

17. Schedule 2 amended

Schedule 2 is amended as follows:

- (a) by deleting “conduct of gaming or betting” and inserting instead —
“ conduct of gambling ”;
- (b) by deleting “taking part in gaming or betting” and inserting instead —
“ taking part in gambling ”;
- (c) by deleting “Playing or betting” and inserting instead —
“ Playing or wagering ”.

18. Schedule 3 amended

- (1) Schedule 3 Form 1 is amended as follows:
 - (a) by inserting after “*Gaming*” —
“ *and Wagering* ”;
 - (b) by inserting after “Gaming” in the 3 places where it occurs —
“ and Wagering ”.
- (2) Schedule 3 Form 2 is amended as follows:
 - (a) by inserting after “*Gaming*” —
“ *and Wagering* ”;
 - (b) by inserting after “Gaming” —
“ and Wagering ”.
- (3) Schedule 3 Form 3 is amended as follows:
 - (a) by inserting after “*Gaming*” in both places where it occurs —
“ *and Wagering* ”;
 - (b) by deleting “or betting” in both places where it occurs;
 - (c) by inserting after “Gaming” in both places where it occurs —
“ and Wagering ”.
- (4) Schedule 3 Form 4 is amended by inserting after “*Gaming*” in both places where it occurs —
“ *and Wagering* ”.

Part 5 — *Gaming Commission (Continuing Lotteries Levy) Regulations 2000*

19. The regulations amended

The amendments in this Part are to the *Gaming Commission (Continuing Lotteries Levy) Regulations 2000**.

[* *Published in Gazette 23 June 2000.*]

20. Regulation 1 amended

Regulation 1 is amended by inserting after “*Gaming*” —
“ *and Wagering* ”.

21. Regulation 3 amended

Regulation 3 is amended by inserting after “*Gaming*” —
“ *and Wagering* ”.

Part 6 — *Greyhound Racing Totalisator (Distribution and Racecourse Development) Regulations 1981*

22. *Greyhound Racing Totalisator (Distribution and Racecourse Development) Regulations 1981* repealed

The *Greyhound Racing Totalisator (Distribution and Racecourse Development) Regulations 1981* are repealed.

Part 7 — *Liquor Licensing Regulations 1989*

23. The regulations amended

The amendment in this Part is to the *Liquor Licensing Regulations 1989**.

[* *Reprinted as at 8 March 2002.*

For amendments to 12 January 2004 see Western Australian Legislation Information Tables for 2002, Table 4, p. 214, and Gazette 28 March, 30 June, 11 July and 10 and 28 October 2003.]

24. Regulation 8 amended

Regulation 8(1)(d) is amended by inserting after “*Gaming*” —
“ *and Wagering* ”.

Part 8 — *Racing Penalties (Appeals) Regulations 1991*

25. The regulations amended

The amendments in this Part are to the *Racing Penalties (Appeals) Regulations 1991**.

[* Reprinted as at 3 January 2003.]

26. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) in item 1 by deleting “of an appropriate controlling authority, of a racing club, or of any committee or stewards” and inserting instead —

“

of RWWA, of a steward, of a racing club, or of a committee

”.

- (b) in item 2 by deleting “of an appropriate controlling authority, of a racing club, or of any committee or stewards” and inserting instead —

“

of RWWA, of a steward, of a racing club, or of a committee

”.

- (c) in item 3 by deleting “of an appropriate controlling authority, of a racing club, or of any committee or stewards” and inserting instead —

“

of RWWA, of a steward, of a racing club, or of a committee

”.

- (d) in item 4 by deleting “of an appropriate controlling authority, of a racing club, or of any committee or stewards” and inserting instead —

“

of RWWA, of a steward, of a racing club, or of a committee

”.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

RURAL BUSINESS DEVELOPMENT CORPORATION ACT 2000

APPOINTMENTS

Agric. 0290/01

Department of Agriculture
South Perth WA 6151.

I the undersigned Minister for Agriculture, Forestry and Fisheries being the Minister charged with the administration of the Rural Business Development Corporation Act 2000 appoint, pursuant to Section 12 of the said Act, the following—

Name	Position
Robert Sands	Chairman
Kerrine Blenkinsop	Member
Maree Gooch	Member
Ian Longson	Member
Bruce Thorpe	Member

to the Rural Business Development Corporation for a term of office expiring 31 December 2004 or until repealed.

KIM CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

AG402*

CHICKEN MEAT INDUSTRY ACT 1977

APPOINTMENTS

Department of Agriculture
South Perth WA 6151.

I, Kim Chance, Minister for Agriculture, Forestry and Fisheries, being the Minister charged with the administration of the Chicken Meat Industry Act 1977, acting in accordance with Section 7 of the said Act, appoint Ms Jan Trenorden as a member of the Chicken Meat Industry Committee for a term of office expiring 30 June 2004.

KIM CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

AG403*

VETERINARY SURGEONS ACT 1960

APPOINTMENTS

Agric. 89/89

Department of Agriculture
South Perth WA 6151.

The Governor is please to appoint pursuant to Section 5 of the Veterinary Surgeons Act 1960, the following members and deputies of the Veterinary Surgeons Board for a term of office expiring on 31 December 2006.

Member	Deputy
Dr Peter Gregory Buckman	Mr Preston Suijdendorp
Dr Peter Punch	Dr Bryan Hilbert
Dr Richard (Rick) Read	Dr David Fraser
Dr Michael Lumsden	Dr David Marshall
Ms Gail Archer (Pervan)	Ms Fiona Calley

KIM CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

HEALTH

HE401*

RADIATION SAFETY ACT 1975
RADIATION SAFETY ACT (AUTHORISED OFFICERS)
APPOINTMENT NOTICE 2004

Made by the Executive Director, Public Health and Scientific Support Services under section 4(1).

1. Citation

This notice may be cited as the *Radiation Safety Act (Authorised Officers) Appointment Notice 2004*.

2. Authorised officers

The persons specified in the table to this notice are appointed as authorised officers for the purposes of the Act for the period 31 January 2004 to 30 January 2007.

Table

Aerts, Mary Gwendoline:	Radiation Health, Environmental Health Directorate, Population Health Division, Department of Health.
Alach, Zachary James	: Radiation Health, Environmental Health Directorate, Population Health Division, Department of Health.
Carter, Hwee Mien	: Radiation Health, Environmental Health Directorate, Population Health Division, Department of Health.
Dahlskog, Leif Erik	: Radiation Health, Environmental Health Directorate, Population Health Division, Department of Health.
Surin, Duncan Ian	: Radiation Health, Environmental Health Directorate, Population Health Division, Department of Health.

Dated this 27th day of January 2004.

Dr MARGARET STEVENS, Executive Director,
 Public Health and Scientific Support Services.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
REVOCATIONS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of Justice has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Barrot	Noel William	CS2-330	22/01/04
Carter	Clifford Lawrence	CS3-008	23/01/04

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN YEARWOOD, A/Director, Custodial Contracts.

LAND ADMINISTRATION

LA401

TRANSFER OF LAND ACT, 1893
APPLICATION I135949

Take notice that Reginald William Smallacombe and Doreen Anne Smallacombe both of care of Post Office Box 90, Dardanup have made application to bring the following land under the operation of the Transfer of Land Act, 1893.

Wellington Location 186 and now being described as Lot 186 on Deposited Plan 39523 comprising 31.8308 Hectares, and being the whole of the land comprised in Memorial Book XXIX No 269.

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 20 February 2004 a caveat forbidding the land being brought under the operation of the Act.

APPLICATION I135950

Take notice that Reginald William Smallacombe and Doreen Anne Smallacombe both of care of Post Office Box 90, Dardanup have made application to bring the following land under the operation of the Transfer of Land Act, 1893.

Wellington Location 247 and now being described as Lot 247 on Deposited Plan 253867 comprising 20.2343 Hectares, and being the whole of the land comprised in Memorial Book XXIX No 269.

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 20 February 2004 a caveat forbidding the land being brought under the operation of the Act.

Dated 30 January 2004.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

DISTRICT OF KENT (CHANGE OF WARD NAMES) ORDER 2004

Made by the Governor in Executive Council.

1. Citation

This Order may be cited as the *District of Kent (Change of Ward Names) Order 2004*.

2. Commencement

This order shall take effect from the date of publication.

3. Change of ward names (s. 2.3 (3) of the Act)

The names of the wards in the district of Kent shall be changed as follows:

- (1) North Nyabing Ward changed to Nampup Ward;
- (2) South Nyabing Ward changed to Mindarabin Ward;
- (3) North Pingrup Ward changed to Holland Rock Ward;
- (4) South Pingrup Ward changed to Pingarnup Ward.

By Command of the Governor,

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

LG402*

REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

APPOINTMENT OF MEMBERS

Department of Local Government
and Regional Development,
Perth, 30 January 2004.

The following have been appointed as board members to the Gascoyne Development Commission in Western Australia, in accordance with the *Regional Development Commissions Act 1993*.

GASCOYNE DEVELOPMENT COMMISSION

Board of Management

Ministerial	Office	Term Expiring
Mr Kevin Leahy	Chair	30/06/04
Mr Peter Green		30/06/06
Local Government		
Cr Veronica Fleay		30/06/06
Cr Karl Brandenburg		30/06/06
Community		
Mr Douglas Hunt		30/06/06
Mr Laurence Bellottie		30/06/06
Mr Richard Patty	Deputy Chair	30/06/04

CHERYL GWILLIAM, Director General.

LG403**REGIONAL DEVELOPMENT COMMISSIONS ACT 1993**

APPOINTMENT OF MEMBERS

Department of Local Government
and Regional Development,
Perth, 30 January 2004.

The following have been appointed as board members to the Goldfields-Esperance Development Commission in Western Australia, in accordance with the *Regional Development Commissions Act 1993*.

GOLDFIELDS-ESPERANCE DEVELOPMENT COMMISSION

Board of Management

Ministerial	Office	Term Expiring
Mrs Sally Wilson		30/06/05
Community		
Mr William McKenzie	Chair	30/06/06
Mr John Mortimer		30/06/06
Local Government		
Cr Anthony Bright		30/06/06
Cr Graham Dawes		30/06/06

CHERYL GWILLIAM, Director General.

LG404**REGIONAL DEVELOPMENT COMMISSIONS ACT 1993**

APPOINTMENT OF MEMBERS

Department of Local Government
and Regional Development,
Perth, 30 January 2004.

The following have been appointed as board members to the Kimberley Development Commission in Western Australia, in accordance with the *Regional Development Commissions Act 1993*.

KIMBERLEY DEVELOPMENT COMMISSION

Board of Management

Ministerial	Office	Term Expiring
Mr Patrick Dodson	Chair	30/06/06
Mr Alan Tietzel		
Local Government		
Cr Peter Kneebone		30/06/05
Cr Barbara Johnson	Deputy Chair	30/06/05
Community		
Ms Veronica Wevers		30/06/06
Mr Thomas Vinnicombe		30/06/06

CHERYL GWILLIAM, Director General.

LG405**REGIONAL DEVELOPMENT COMMISSIONS ACT 1993**

APPOINTMENT OF MEMBERS

Department of Local Government
and Regional Development,
Perth, 30 January 2004.

The following have been appointed as board members to the Pilbara Development Commission in Western Australia, in accordance with the *Regional Development Commissions Act 1993*.

PILBARA DEVELOPMENT COMMISSION

Board of Management

Ministerial	Office	Term Expiring
Ms Erica Smyth	Chair	30/06/04
Ms Janet Gillingham		30/06/06

Ministerial Community	Office	Term Expiring
Mr John MacGowan		30/06/06
Mr Brian Hayes		30/06/06
Local Government		
Cr Douglas Stead		30/06/06
Cr Brent Rudler	Deputy Chair	30/06/04

CHERYL GWILLIAM, Director General.

LG406

JUSTICES ACT 1902

APPOINTMENTS

The following appointed persons listed below are authorised in accordance with the *Justices Act 1902*, to make complaints and act under and enforce the various Acts, Regulations and Local Laws for the Municipality of the City of Swan as detailed hereunder—

Hentrich Randi

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976, Regulations and Local Laws thereunder
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations thereunder
- Bush Fires Act 1954, Regulations and Local Laws thereunder
- Litter Act 1979 and Regulations thereunder
- Caravan Parks and Camping Grounds Act 1995

Restrictions to these authorised appointments apply under the Chief Executive Officer of the City of Swan's Delegation of Authority and are valid until termination of appointment.

LG407*

LOCAL GOVERNMENT ACT 1995

City of Wanneroo

(BASIS OF RATES)

Department of Local Government
and Regional Development,
21 January 2004.

DLGRD: WC5-4 / D0311226.

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Tom Stephens MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 16 January 2004.

CHERYL GWILLIAM, Director General.

02419-1971/02

TECHNICAL DESCRIPTION

ADDITIONS TO GROSS RENTAL VALUE AREA

CITY OF WANNEROO

All those portions of land comprised in the schedules below—

SCHEDULE "A"

All that portion of land being Lot 1, Lot 2, Lot 9, Lot 10 and Lot 28 as shown on Diagram 21467; Lot 1 as shown on Diagram 27902; Lot 75 and Lot 76 as shown on Diagram 52129 and Lot 603 as shown on Diagram 97735.

SCHEDULE "B"

All that portion of land being Lots 20 to 22 (inclusive) as shown on Plan 7681 and Lot 30 as shown on Plan 8404.

SCHEDULE "C"

All that portion of land being Lots 218 to 224 (inclusive); Lots 248 to 327 (inclusive); Lots 432 to 468 (inclusive); Lots 484 to 509 (inclusive); Lot 9103; Lot 15372 and Lot 15373 as shown on Deposited Plan 38456 and Lots 234 to 240 (inclusive); Lots 243 to 247 (inclusive); Lots 257 to 267 (inclusive); Lots 323 to 332 (inclusive); Lots 352 to 358 (inclusive); Lots 371 to 395 (inclusive); Lot 9009 and Lots 15216 to 15219 (inclusive) as shown on Deposited Plan 38824.

SCHEDULE "D"

All that portion of land being Lot 5 as shown on Certificate of Title Volume 1536 Folio 999.

MINERALS AND PETROLEUM

MP401**COAL MINERS' WELFARE ACT 1947**

APPOINTMENTS

His Excellency the Governor in Executive Council, pursuant to Section 9(2) of the Coal Miners' Welfare Act 1947, is pleased to approve the appointment of the following persons to the Coal Miners' Welfare Board of Western Australia for a term ending 31 December 2004—

John Leslie Kearney — as Chairman
 John Joseph Borlini — as a member
 Pamela Jean Anderson — as a member

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) 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.

Number	Holder	Mining Leases	Mineral Field
40/150	George's Reward NL		North Coolgardie
77/473	Herbert Mining & Earthmoving Pty Ltd		Yilgarn

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 MLA, Minister for State Development.

Number	Holder	Mineral Field
28/935	Gutnick Resources NL	North East Coolgardie
28/937	Gutnick Resources NL	North East Coolgardie

MP404

MINING ACT 1978**FORFEITURES**Department of Industry and Resources,
Perth WA 6000.

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

CLIVE BROWN MLA, Minister for State Development.

Number	Holder	Mineral Field
Exploration Licences		
59/970	Tantalum Australia NL	Yalgoo
70/2206	Bywood Holdings Pty Ltd	South West
70/2219	Bywood Holdings Pty Ltd	South West
70/2240	Bywood Holdings Pty Ltd	South West
70/2241	Bywood Holdings Pty Ltd	South West
70/2242	Bywood Holdings Pty Ltd	South West
Mining Leases		
28/60	Brown, Eric Robert & Valley Gold Pty Ltd	North East Coolgardie
80/26	Driscoll, Desmond Michael John	Kimberley
General Purpose Lease		
80/4	Driscoll, Desmond Michael John	Kimberley

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Belmont

Town Planning Scheme No. 14—Amendment No. 16

Ref: 853/2/15/12 Pt 16

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 Belmont Town Planning Scheme Amendment on 21 January 2004 for the purpose of—

1. Adding to Schedule No. 2 Additional Uses No. 3 before Shop the following uses:
 - Consulting Rooms
 - Fast Food/Takeaway
 - Medical Centre
 - Studio
 - Tavern
 - Video Store
2. When considering applications for the establishment of the above uses, the following shall be taken into consideration—
 - (a) Applications to use or develop the land for the use of 'Tavern' shall be advertised in accordance with Clause 5.7.3.
 - (b) The potential impact of any proposal on the amenity of abutting and nearby residential properties.
 - (c) The extent to which the design of the proposal harmonises with adjoining and nearby buildings and the theme of the marina environment.
 - (d) The robustness of the landuse and associated building and the ability of the landuse to change without adverse impact on the precinct.
 - (e) The development standards which shall apply to such uses shall generally be in accordance with relevant Council Policies adopted under this Scheme in accordance with Clause 10.2.4.4.

P. R. PASSERI, Mayor.

N. P. HARTLEY, Acting Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

District Planning Scheme No. 20—Amendment No. 10

Ref: 853/6/6/21 Pt 10

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 Shire of Busselton Town Planning Scheme Amendment on 22 January 2004 for the purpose of—

1. Rezoning portion of Lot 500 and the whole of Lot 501 Peel Terrace, Busselton from “Public Purposes” reserve to “Business”, in accordance with the Scheme Amendment Map.
2. Modifying the extent of the “Wetland” area on Lots 500 and 501 Peel Terrace, Busselton, in accordance with the Scheme Amendment Map.

T. BUSWELL, President.
A. MacNISH, Chief Executive Officer.

PI403

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

District Planning Scheme No. 20—Amendment No. 55

Ref: 853/6/6/21 Pt 55

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 Shire of Busselton Town Planning Scheme Amendment on 22 January 2004 for the purpose of—

1. Rezoning Lots 301, 302, 310, 311 and 9001 Caves and Commonage Roads, Dunsborough from ‘Residential R5, R20 and R30’, ‘Special Purposes (Golf Course)’, ‘Agriculture’, ‘Recreation’ and ‘Tourist’ to ‘Special Purposes (Dunsborough Lakes Development Area)’, as shown on the Scheme Amendment Map.
2. Including Lots 301, 302, 310, 311 and 9001 Caves and Commonage Roads, Dunsborough in a ‘Special Provision’ Area, as shown on the Scheme Amendment Map.
3. Deleting the ‘Waste Water Exclusion’ Area over Lot 301 Commonage Road, Dunsborough, as shown on the Scheme Amendment Map.
4. Inserting the following use class interpretations into Schedule 1 of the Scheme—

“*Service Industry*” means an activity in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality, and may include;

- I. a premises having an ancillary office or retail shop front and used predominantly for receiving and servicing goods; or
- II. a premises which has an ancillary office or retail shop front and from which goods manufactured on the premises may be sold or serviced.

“*Research and Development Facility*” means a building or buildings predominantly used for tertiary industrial activity involved in the research and development of goods and services, and may include small scale manufacturing that is directly associated with, and ancillary to, the predominant use.

“*Lunch Bar*” means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.

5. Inserting the following special provisions into Schedule 7 of the Scheme—

Particulars of Land	Zone	Special Provisions
Lots 301, 302, 310, 311 and 9001 Caves and Commonage Roads, Dunsborough	Special Purposes (Dunsborough Lakes Development Area)	1. Subdivision and development shall be generally in accordance with the Development Guide Plan for the land adopted by Council and endorsed by the Western Australian Planning Commission pursuant to Clause 25 of the Scheme.

Particulars of Land	Zone	Special Provisions
		<ol style="list-style-type: none"> <li data-bbox="927 248 1406 1816">2. Notwithstanding the provisions of Clause 25 of the Scheme, the Development Guide Plan shall also include the following details— <ol style="list-style-type: none"> <li data-bbox="983 360 1406 412">a. the area to which the Development Guide Plan applies; <li data-bbox="983 427 1406 622">b. key opportunities and constraints of the Development Area including, landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport and services; <li data-bbox="983 638 1406 891">c. the planning context for the Development Area including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the proposed Development Guide Plan is to be integrated into the surrounding area; <li data-bbox="983 907 1406 1128">d. proposed major land uses, in particular, residential areas, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, service industrial and mixed business uses; <li data-bbox="983 1144 1406 1240">e. estimates of future lots, dwellings, population, employment and commercial floor space; <li data-bbox="983 1256 1406 1384">f. provision for major infrastructure, including main drainage, sewerage, water supply and other key infrastructure services; <li data-bbox="983 1400 1406 1496">g. the proposed road network and hierarchy, public transport services, and bicycle and pedestrian networks; <li data-bbox="983 1512 1406 1639">h. buffers or other similar treatment at the interface between development cells and main/arterial roads or adjoining land; <li data-bbox="983 1655 1406 1751">i. the boundaries of all Development Cells which are to be subject of Detailed Local Area Plans; and <li data-bbox="983 1767 1406 1816">j. such other information as may be required by Council. <li data-bbox="927 1832 1406 2027">3. The provisions of the endorsed Development Guide Plan apply to the land within the Development Area as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same manner as those provisions included in the Scheme. <li data-bbox="927 2042 1406 2121">4. All provisions (such as land use and development controls or approval procedures) applicable to a zone,

Particulars of Land	Zone	Special Provisions
		<p>reserve or R Code pursuant to the Scheme shall apply to the corresponding land use designations pursuant to the endorsed Development Guide Plan, with the exception that the 'Service Industry' designation shall be deemed to have no corresponding zone and shall, subject to Council being satisfied that a proposed use will not cause any injury to or adversely affect the amenity of the locality (by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products) provide for the following use classes—</p> <ul style="list-style-type: none"> • Service Industry; • Single House (composite residential/service industry lots only); • Corner Shop; • Motor Vehicles and Marine Sales Premises • Motor Vehicle Repair; • Plant Nursery; • Recreation Facility; • Private Recreation; • Market; • Convenience Store; • Lunch Bar; • Research & Development Facility; • Educational Establishment; and • Any other use considered by Council to be consistent with the service industrial nature of the area and that will not cause injury to or adversely affect the amenity of the locality, and in which case the use shall be deemed to be a 'SA' use for the purposes of Clause 21 of the Scheme. <p>Unless otherwise specified, the uses classes specified above shall be deemed to be 'AA' uses for the purposes of Clause 20 of the Scheme.</p>
		<p>5. A Detailed Local Area Plan is to be adopted by Council and endorsed by the Western Australian Planning Commission for a particular Development Cell prior to subdivision or development within that Development Cell.</p>
		<p>6. A Detailed Local Area Plan may include plans or other documents, and in any case shall not be adopted by the Council for community consultation until—</p> <ol style="list-style-type: none"> a. An ethnographic and archaeological survey is undertaken and the findings are reported to Council and the Department of Indigenous

Particulars of Land	Zone	Special Provisions
		Affairs. Any changes to the subdivision design resulting from the findings of the survey(s) shall be considered in the preparation of the relevant Detailed Local Area Plan.
		b. A mosquito management plan (which may be integrated with the drainage management strategy/plan) is approved by Council.
		c. A drainage management strategy/plan is approved by Council.
		7. A Detailed Local Area Plan is to contain such detail as, in the opinion of Council, is required to satisfy the detailed planning requirements of each Development Cell and should include the following details—
		a. the proposed internal and external road network;
		b. the proposed bicycle and pedestrian network;
		c. the relationship between residential, service industrial, tourist, commercial, recreational and community uses;
		d. buffering or similar treatment at the interface of different land uses and at the interface of the Development Area and adjoining land;
		e. buffering or similar treatment at the interface of development cells and local distributor roads or significant local roads;
		f. the indicative lot layout;
		g. the lot yield;
		h. the average lot area and density;
		i. public open space provision;
		j. the landscaping strategy;
		k. drainage areas;
		l. density codings; and
		m. provisions for land use and development control.
		8. Landscaping strategies/plans that are considered along with a Detailed Local Area Plan shall include—
		a. restoration of remnant vegetation in public open space areas including the replacement of endemic understory plant species where considered necessary; and
		b. the provision of habitat for wetland bird species and rehabilitation of wetland areas, where appropriate.
		9. Upon receiving a Detailed Local Area Plan Council is to either—
		a. determine that the Detailed Local Area Plan is to be advertised for a minimum period of 21 days; or
		b. determine that the Detailed Local Area Plan is to be considered without advertising; or

Particulars of Land	Zone	Special Provisions
		<p>c. determine that the Detailed Local Area Plan is not to be advertised or considered until further details have been provided or modifications undertaken; or</p> <p>d. determine that the Detailed Local Area Plan is not satisfactory for advertising or immediate consideration and refuse it, with the reasons for this decision to be provided to the proponent.</p> <p>If after advertising or immediate consideration Council determines the Detailed Local Area Plan to be consistent with the endorsed Development Guide Plan, the Scheme and the orderly and proper planning of the locality, Council may adopt the Plan with or without modification and forward the Plan to the Western Australian Planning Commission for its endorsement.</p>
		10. No further subdivision of composite residential/service industry lots shown on the relevant Detailed Local Area Plan will be permitted by Council or the Western Australian Planning Commission.
		11. Planning consent for the development of composite residential/service industry lots should only be granted where the application and associated plan detail the combined development of the single house and service industry components. Planning consent shall be granted for a maximum period of two years in which time both the single house and service industry components of development must be completed.
		12. For the purposes of Clause 15(3) and (4) of the Scheme a Detailed Local Area Plan shall be deemed to be a Development Guide Plan.
		13. The right of appeal pursuant to Clause 95 the Scheme shall apply to any decision made by Council or the Western Australian Planning Commission in respect to a Detailed Local Area Plan.
		14. Salinity and nutrient monitoring of groundwater and surface water shall be carried out by the developer and reported to Council and the Department of Environment, Water & Rivers Commission Catchment Protection (DEWCP) every 12 months. Detailed Local Area Plans may not be considered unless a salinity and nutrient monitoring report has been submitted to Council at every 12 month interval.
		15. Notification of prospective purchasers by way of memorial on the title of proposed lots is to be undertaken to warn of the potential threat of viral infection from mosquitos.

T. BUSWELL, President.

A. MacNISH, Chief Executive Officer.

RACING, GAMING AND LIQUOR

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 Department of Racing, Gaming and 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
APPLICATIONS FOR THE GRANT OF A LICENCE			
10115	Susan Jeanne Lamp and Donald James Riseborough	Application for the grant of a Producer's licence in respect of premises situated in Gingin and known as Riseborough Estate	5/2/04
10117	Michael Mayo Wishart	Application for the grant of a Producer's licence in respect of premises situated in Darlington and known as Shepherd's Hut	9/2/04
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
187801	The Goldfields Repertory Club (1931) Inc	Application to add, vary or cancel a condition of the Club Restricted licence, in respect of the premises situated in Kalgoorlie and known as The Goldfields Repertory Club (1931) Inc	27/1/04

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

H. R. HIGHMAN, Director of Liquor Licensing.

WATER

WA401*

COUNTRY AREAS WATER SUPPLY ACT 1947

HARVEY COUNTRY WATER AREA
AMENDMENT ORDER NUMBER 1 OF 2003

Made by the Governor in Executive Council under section 8 of the Act.

1. Citation

This order may be cited as the *Harvey Country Water Area Amendment Order Number 1 of 2003*.

2. Harvey Country Water Area boundary amended

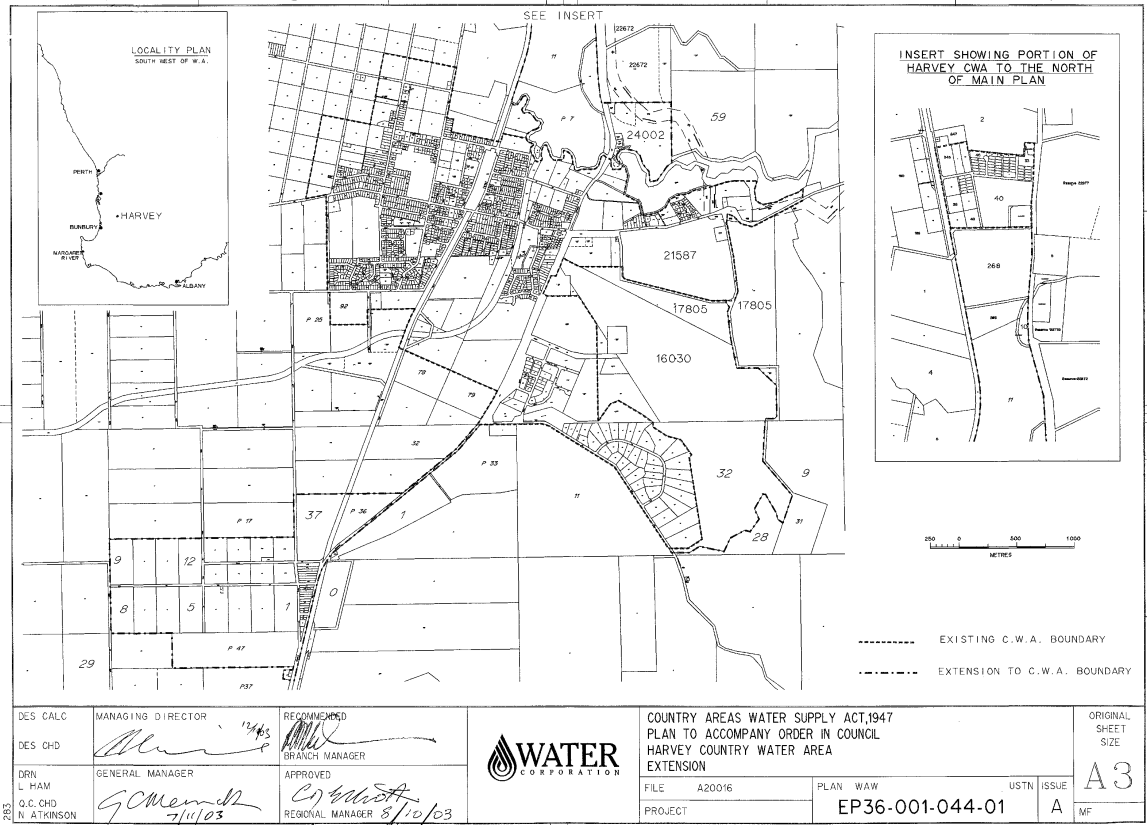
The boundary of the Harvey Country Water Area is amended by the addition of the area shown bordered ----- in red on Water Corporation plan EP 36-001-044-01.

3. Information plan of Harvey Country Water Area

The boundary of the Harvey Country Water Area as amended by this order is shown for information purposes in the plans in Schedule 1.

By Command of the Governor,

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



PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Bruce Malcolm Hemsley, late of 10B Seagrass Cove, Dunsborough in the State of Western Australia.

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 the 19th day of January 2003, are required by the trustees, Rebecca Hemsley and Katie Hemsley of care of Beere May & Meyer, Solicitors of 37 Kent Street, Busselton in the said State, to send particulars of their claims to the Executor by the 27th day of February 2004 (the date which is 28 days after publication of the notice), after which date the trustee may convey or distribute the assets, having regard only to the claims of which the Executor then has notice.

BEERE MAY & MEYER, Barristers & Solicitors,
37 Kent Street, Busselton.
Phone: (097) 52 4166 Fax: (097) 54 1732

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 March 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Banks, Elsie, late of Unit 50, Third Avenue, Mandurah, died 17/12/03, (DE19570078EM110)
- Brealey, Ailsa Inez, late of 9 Bournville Street, Floreat, died 19/12/03, (DE19992424EM16)
- Burek, Zofia, late of Hillview Nursing Home, Steere Street, Collie formerly of 80 Coombe Street, Collie, died 31/8/03, (DE33029184EM23)
- Dixon, Sydney George, late of 269B Rockingham Road, Spearwood, died 27/12/03, (DE19792894EM38)
- Evans, Daisy, late of McMahon Caring Centre, 74 Lissiman Street, Gosnells, died 7/9/03, (DE33027542EM17)
- Eygenraam, Johan Berend, late of 10 Selby Street, Shenton Park, died 26/12/03, (DE19690957EM37)
- Hatcher, Clifford Herbert, late of Armadale Nursing Centre, Angelo Street, Armadale, died 10/1/04, (DE19781542EM12)
- Hotz, Eva, late of 11 Cooper Road, Morley, died 27/12/03, (DE19730397EM12)
- Hurn, Ellen, late of 23 Westlake Road, Morley, died 29/12/03, (DE19890018EM36)
- Lander, Reginald Ernest, late of Unit 126/250 Baltimore Parade, Merriwa, died 31/12/03, (DE19660222EM16)
- Matthews, John Laney, late of Unit 8/64, Owtram Road, Armadale, died 3/1/04, (DE19990098EM16)
- McFadden, Jessie Alice, late of 13 Bulwer Avenue, Highgate, died 14/1/04, (DE19871936EM33)
- Nickson, Henry Meredith also known as Nickson, Harry, late of 1 Dundee Way, Westfield, died 22/12/03, (DE20001917EM13)
- Schofield, Paul, late of Unit 12/28 Sixth Avenue, Maylands, died 29/12/03, (DE19800243EM32)
- Southon, Caroline Petronina, late of Shoalwater Nursing Home, 70-74 Fourth Avenue, Shoalwater, died 6/10/03, (DE33028383EM34)
- Tanner, Robert Christopher, late of 21 Merriwa Street, Nedlands, died 20/12/03, (DE19812929EM23)
- Williams, Frederick Allan also known as Williams, Allan Frederick, late of Unit 16/23 Swan Street, South Perth, died 18/7/03, (DE19833007EM42)
- Yulunga, Alice also known as Illunga, Alice, late of Menakwam Ngurra, Halls Creek, died 24/8/03, (DE30306109EM17)

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

ZZ203**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 28th day of January 2004.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Walsh, Keith (DE19870679EM16)	Midland	15/11/03	29/12/03
Kovacs, Lewis (DE33026854EM17)	Kalgoorlie	30/9/03	14/1/04
Vickers, Blanche (DE31055804EM13)	Aranda—ACT	7/1/03	20/1/04
Adderley, Arthur James (DE20000562EM16)	Applecross	11/10/03	20/1/04

ZZ204

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Barend, Klaassen also known as Barend, Klaasen, late of 35C Starlight Place, Boulder, Retired Painter, 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 4 October 2003, are required by the executor of the estate of the deceased of care of Macdonald Rudder, Solicitors of 126 Hannan Street, Kalgoorlie to send particulars of their claims to him by 1 March 2004, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

MACDONALD RUDDER, Solicitors for the Executor.

WESTERN AUSTRALIA

**CORRUPTION AND CRIME COMMISSION
ACT 2003**

**Price: \$22.60 counter sales
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*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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ACT 2003**

**Price: \$13.75 counter sales
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*Prices subject to change on addition of amendments.



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