

# WESTERN AUSTRALIAN GOVERNMENT Gazette

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## ADVERTISING RATES AND PAYMENTS

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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).

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 —

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## LAND ADMINISTRATION

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LA301\*

Land Administration Act 1997

### Land Administration Amendment Regulations 2004

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations may be cited as the *Land Administration Amendment Regulations 2004*.

**2. The regulations amended**

The amendments in these regulations are to the *Land Administration Regulations 1998\**.

[\* Reprinted as at 6 September 2002.  
For amendments to 20 February 2004 see Gazette 27 and  
30 June 2003.]

**3. Regulation 4A inserted**

After regulation 4 the following regulation is inserted —

“

**4A. Land to be regarded as having been reserved under section 41 of the Act**

Reserve 26741 is land that is prescribed for the purposes of section 51A(1) of the Act.

”

**4. Regulation 12 amended**

Regulation 12(3)(f) is amended by deleting “paragraph (b);” and inserting instead —

“ paragraph (e); ”.

## 5. Regulation 35 amended

Regulation 35(1)(c) is amended by deleting “regulation 38.” and inserting instead —

“ regulation 36. ”.

By Command of the Lieutenant-Governor and Administrator,

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

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

*Town of Mosman Park*

#### LOCAL LAWS RELATING TO FENCING

Under the powers conferred by the *Local Government Act 1995* and by all other powers the Council of the Town of Mosman Park resolved to make the following local laws on the 24th day of February, 2004.

#### PART 1—PRELIMINARY

##### 1. Citation

These Local Laws may be cited as the Town of Mosman Park Local Laws Relating to Fencing.

##### 2. Repeal

The Town of Mosman Park Local Laws Relating To Fencing published in the *Government Gazette* on 1st. June 1967 and amended from time to time, are repealed.

##### 3. Application of Local Laws

These Local Laws apply throughout the district.

##### 4. Interpretation

In these Local Laws, unless the context requires otherwise—

“Act” means the *Dividing Fences Act 1961*;

“AS” means an Australian Standard published by the Standards Association of Australia;

“Building Surveyor” means a Building Surveyor of the local government;

“CEO” means the Chief Executive Officer of the local government;

“Commercial Lot” means a lot where a commercial use—

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot;

“dangerous” in relation to any fence means—

- (a) an electrified fence;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with these Local Laws;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

“district” means the district of the local government;

“dividing fence” has the meaning given to it in and for the purposes of the Act;

“electrified fence” means a fence carrying or designed to carry an electric charge;

“fence” means any structure used or functioning as a barrier, irrespective of where it is located and includes any gate;

“height” in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

“Industrial Lot” means a lot where an industrial use—

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot;

“local government” means the Town of Mosman Park;

“lot” has the meaning given to it in and for the purposes of the *Town Planning and Development Act 1928*;

“notice of breach” means a notice referred to in clause 11(1);

“Residential Lot” means a lot where a residential use—

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot;

“retaining wall” means any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;

“Schedule” means a Schedule to these Local Laws;

“setback area” has the meaning given to it for the purposes of the town planning scheme;

“sufficient fence” means a fence described in clause 6; and

“town planning scheme” means a town planning scheme of the local government made under the *Town Planning and Development Act 1928*.

## 5. Licence Fees & Charges

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

### PART 2—SUFFICIENT FENCES

#### 6. Sufficient Fences

(1) Unless by agreement between the owners of adjoining properties, a person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.

(2) Subject to sub-clauses (3) and (4), a sufficient fence—

- (a) on a Residential Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the First Schedule;
- (b) on a Commercial Lot and on an Industrial Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Second Schedule.

(3) Where a fence is erected on or near the boundary between a Residential Lot and a Commercial Lot or between a Residential Lot and an Industrial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the First Schedule.

(4) Unless the Building Surveyor specifies otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of the Second Schedule.

(5) Notwithstanding any other provisions in these Local Laws, a fence constructed of stone or concrete shall be a sufficient fence only if it is designed by a structural engineer where—

- (a) it is greater than 1800mm in height; or
- (b) the Building Surveyor so requires.

### PART 3—GENERAL

#### 7. Maintenance of Fences

An owner and occupier of a lot on which a fence is erected shall maintain the fence in good condition and so as to prevent it from becoming dangerous, dilapidated, or unsightly.

#### 8. General Discretion of the Local Government

(1) Notwithstanding clause 6, the local government may consent to the erection or repair of a fence which does not comply with the requirements of these Local Laws.

(2) In determining whether to grant its consent to the erection or repair of any fence, the local government may consider, in addition to any other matter that it is

authorized to consider, whether the erection or retention of the fence would have an adverse effect on—

- (a) the safe or convenient use of any land; or
- (b) the safety or convenience of any person.

#### PART 4—FENCING MATERIALS

##### 9. Fencing Materials

(1) A person shall construct a fence on a Residential Lot from only brick, stone, concrete, wrought iron, timber, corrugated fibre reinforced cement sheeting (provided corrugated fibre reinforced cement sheeting shall not be permitted forward of the front setback), colour bonded metal or a material approved by the Building Surveyor.

(2) A person shall construct a fence on a Commercial Lot or an Industrial Lot from only brick, stone, concrete, wrought iron, tubular steel framed link mesh, timber, plastic coated or galvanised link mesh, corrugated fibre reinforced cement sheeting, colour bonded metal or a material approved by the Building Surveyor.

(3) Where the Building Surveyor approves the use of pre-used materials in the construction of a fence under subclause (1) or subclause (2), that approval shall be conditional on the applicant for approval painting or treating the pre-used material as directed by the Building Surveyor.

##### 10. Barbed Wire and Broken Glass Fences

(1) An owner or occupier of a Residential Lot or a Commercial Lot shall not erect or affix to any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the prior written approval of the Building Surveyor has been obtained.

(2) An owner or occupier of an Industrial Lot shall not erect or affix on any fence bounding that Lot any barbed wire or other materials with spiked or jagged projections unless the bottom row of wire or other materials is not nearer than 2000mm from the ground level.

(3) If the posts which carry the barbed wire or other materials referred to in subclause (2) are angled towards the outside of the lot bounded by the fence the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.

(4) An owner or occupier of a lot shall not affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass.

#### PART 5—NOTICES OF BREACH

##### 11. Notices of Breach

(1) Where a breach of any provision of these Local Laws has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner or occupier of that lot ('notice of breach').

(2) A notice of breach shall—

- (a) specify the provision of these Local Laws which has been breached;
- (b) specify the particulars of the breach; and
- (c) state that the owner or occupier of the lot is required to remedy the breach within 28 days from the giving of the notice.

#### PART 6—OFFENCES

##### 12. Offences and Penalties

(1) An owner or occupier who fails to comply with a notice of breach commits an offence and is liable upon conviction to a maximum penalty of \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

(2) A person who fails to comply with or who contravenes any provision of these Local Laws commits an offence and is liable to a maximum penalty of \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

##### 13. Modified Penalties

(1) An offence against any provision of these Local Laws is a prescribed offence for the purposes of section 9.16 (1) of the *Local Government Act 1995*.

(2) Unless otherwise specified, the amount of the modified penalty for an offence against any provision of these Local Laws is \$100.

##### 14. Form of Notices

For the purposes of these Local Laws—

- (a) the form of the infringement notice referred to in section 9.17 of the *Local Government Act 1995* is to be in or substantially in the form of Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;

- (b) the form of the notice referred to in section 9.20 of the *Local Government Act 1995* is to be in or substantially in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

#### FIRST SCHEDULE

##### Specifications for a Sufficient Fence on a Residential Lot

A “sufficient fence” shall be a fence constructed of materials described in clause 9(1) built to manufacturer’s specifications or in accordance with established construction techniques. The height of the fence shall be 1800mm, or such other height approved by the Building Surveyor.

#### SECOND SCHEDULE

##### Specifications for a Sufficient Fence on a Commercial Lot and an Industrial Lot

A “sufficient fence” shall be a fence constructed of materials described in clause 9(2) built to manufacturers specifications or in accordance with established building techniques. The height shall be approved by the Building Surveyor.

Dated this 26th day of February, 2004.

T. J. HARKEN, Chief Executive Officer.

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## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

#### COMPANIES (CO-OPERATIVE) ACT 1943

##### SECTION 403

##### Registration of Auditors

Notice is hereby given that the following persons are registered as qualified to act as an auditor pursuant to s. 402 of the Act with effect from 27 February 2004.

Noel Peter Anderson

David James Smith

PATRICK WALKER, Commissioner for Fair Trading.

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CE402

#### CHARITABLE COLLECTIONS ACT 1946

##### REVOCATION OF LICENCES

I, John Kobelke being the Minister administering the Charitable Collections Act 1946, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisations listed below—

- Australians Against Child Abuse Ltd
- Australian Foundation of Autism Research Inc
- Catherine McAuley Family Centre
- Imaginato Inc
- Lions Eye Institute Inc

Dated this 24th day of February 2004.

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

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CE403

#### ASSOCIATIONS INCORPORATION ACT 1987

##### CANCELLED ASSOCIATION

##### Section 35

##### ROCKY GULLY PRIMARY SCHOOL PARENTS AND CITIZENS ASSOCIATION INCORPORATED

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

Dated the 2nd day of March 2004.

PATRICK WALKER, Commissioner for Fair Trading.



## ENERGY

EN401\*

### ENERGY OPERATORS (POWERS) ACT 1979

#### WESTERN POWER CORPORATION

##### Order

At 1600 hours on Tuesday 17 February 2004 Western Power Corporation made an Order under Section 57 of the Energy Operators (Powers) Act 1979, in the terms set out in the *Government Gazette* printed and published on 27 February 2004, effective from 0600 hours on Wednesday 18 February 2004.

A copy of the Order was originally published in *The West Australian* newspaper on 21 February 2004.

MARK HANDS, Executive Officer.

## JUSTICE

JU401\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

#### PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Johnstone	Paula Jane	CS4-072	18/02/2004	19/02/2004	30/07/2005
Minitier	Susan Cheryl	CS4-075	18/02/2004	19/02/2004	30/07/2005

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

BRIAN YEARWOOD, Director, Custodial Contracts.

## LOCAL GOVERNMENT

LG402

### CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

#### *Cities of Swan and Wanneroo*

#### NOTICE VARYING THE BOUNDARIES A PROHIBITED AREA

Pursuant to the powers conferred on me by section 16 of the *Control of Vehicles (Off-road Areas) Act 1978*, and with the consent of the Lieutenant-Governor and Administrator, I, Tom Stephens MLC, being the Minister as defined by section 3 of the Act, hereby declare the boundaries of the Gnangara Off-road Vehicle Prohibited Area, described on page 1979 of the *Government Gazette* of 17 June 1988, to be those as now specified in the first column of the schedule to this notice for the purposes of the Act in relation to the vehicles of the classes and kinds specified opposite in the second column.

TOM STEPHENS MLC, Minister for Local Government and Regional Development.

#### SCHEDULE

Specification of Prohibited Area	Classes or kinds of vehicles prohibited
All that portion of State Forrest 65, Reserves 11937, 24148, 46788 and Class 'A' Reserve 46920 and Unallocated Crown Land, as shown delineated in black and coloured red on Department of Land Information Deposited Plan 39610.	All off-road vehicles.

In this Schedule 'Off-road vehicle' has the same meaning as prescribed by section 3 of the *Control of Vehicles (Off-road Areas) Act 1978*.

LG401

**CONTROL OF VEHICLES (OFF-ROAD AREAS ACT) 1978***City of Swan***NOTICE VARYING THE BOUNDARIES OF A PERMITTED AREA**

Pursuant to the powers conferred on me by section 12 of the *Control of Vehicles (Off-road Areas) Act 1978* and after seeking the advice of the Advisory Committee pursuant to section 18 of that Act, and with the consent of the Lieutenant-Governor and Administrator, I Tom Stephens MLC, being the Minister as defined by section 3 of the Act hereby declare the boundaries of the Gnangara Off-road Vehicle Permitted Area, described on pages 1978 and 1979 of the *Government Gazette* of 17 June 1988, to be those as now specified in the second column of the schedule to this notice for use by vehicles of the classes and kinds specified opposite to those areas in the third column of the schedule or to those vehicles when used in the manner specified opposite to those areas in the third column as the case may be.

TOM STEPHENS MLC, Minister for Local Government  
and Regional Development.

**SCHEDULE**

<b>Item</b>	<b>Specification of Permitted Area</b>	<b>Class of kind of vehicle or manner of use thereof</b>
1.	All that land comprising portion of State Forrest 65, delineated in black and coloured green and marked A on Department of Land Information Deposited Plan 39610.	Motor cycles having an engine displacement of 125 cc or less and used in a manner that it does not emit a noise greater than 98d(B)A
2.	All that land comprising portion of State Forrest 65, delineated in black and coloured green and marked B on Department of Land Information Deposited Plan 39610.	Motor cycles having an engine displacement exceeding 125 cc and used in a manner that it does not emit a noise greater than 98d(B)A.

In this Schedule:

- “dB(A)” has the same meaning given by regulation 23 of the *Control of Vehicles (Off-road Areas) Regulations 1979*; and
- “Motor Cycle” has the same meaning given by section 3 of the *Control of Vehicles (Off-road Areas) Act 1978*.

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**MINERALS AND PETROLEUM**


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MP401

**MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Industry and Resources,  
Mt Magnet, 25 February 2004.

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

S. RICHARDSON, Warden.

To be heard in the Warden’s Court at Mt Magnet on 20th April, 2004.

**YALGOO MINERAL FIELD**

P59/1601—Hearle, Rodney Ernest  
Campbell, Laurence Ross

## PLANNING AND INFRASTRUCTURE

PI401

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Bridgetown-Greenbushes*

Town Planning Scheme No. 4—Amendment No. 55

Ref: 853/6/5/4 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 Bridgetown-Greenbushes Town Planning Scheme Amendment on 24 February 2004 for the purpose of—

1. Including Lot 4 of Nelson Locations 746, 747, 17688 and Portion of Locations 1191 and 1246 Maranup Ford Road, Greenbushes in Schedule No 4—Additional Uses, with the following additional uses being specified—
  - Caretakers Dwelling;
  - Office;
  - Private Recreation;
  - Public Amusement;
  - Reception Centre;
  - Restaurant; and
  - Shop (incidental to the predominant Tourist, Public Amusement and Private Recreation use of the site)
2. Adding to Schedule No 4—Additional Uses the following—

Location of Additional Use	Conditions Applicable to the Use
Lot 4 of Nelson Locations 746, 747, 17688 and Portion of Locations 1191 and 1246 Maranup Ford Road, Greenbushes	<p>Additional Use Permitted—Caretakers Dwelling, Office, Private Recreation, Public Amusement, Reception Centre, Restaurant and Shop (incidental to the predominant Tourist, Public Amusement and Private Recreation use of the site).</p> <p>(i) Development on the site shall be generally in accordance with the Development Guide Plan (Plan No. 02021-01 December 2002).</p> <p>(ii) The Council's Approval shall be required prior to any 'Additional Use' development occurring on the site.</p> <p>(iii) All public amusement activities shall require the approval of the Council prior to an event being held.</p> <p>(iv) The Council shall require that a bus service be offered for events catering for more than 500 persons.</p> <p>(v) In considering an application for Public Amusement the Council shall have regard to—</p> <ul style="list-style-type: none"> <li>– Frequency of events</li> <li>– Limiting the approval to the current land owner</li> <li>– Hours of operation</li> <li>– Landscaping</li> <li>– Car parking and alternative transportation options i.e. buses</li> <li>– The objectives of the Town Planning Scheme No 4. for the Rural' zoned land/areas, so that all development proposals for Public Amusement and Private Recreation can be assessed against the objectives of the TPS with the main objective being to preserve the rural amenity and landscape of the area.</li> <li>– The requirements of Health Act (Public Buildings) Regulations and the need for any future development or activity to comply with these, including health, and safety controls and the provision of ablution facilities.</li> </ul>

Location of Additional Use	Conditions Applicable to the Use
	<ul style="list-style-type: none"> <li>– The requirements of the Health Department of WA's Operational Guidelines for Rave Parties, Concerts and Large Events and the need for any future development or activity to comply with these.</li> <li>(vi) Any Public Amusement (i.e musical entertainment) or function shall not exceed the allowable decibel level, as established by the Noise Regulations.</li> <li>(vii) Any parking associated with the activities on Lot 4 to be contained on site.</li> <li>(viii) Any upgrading of the roads servicing the site, in order to cater for traffic generated by the additional uses proposed by way of this Amendment, shall be the responsibility of the proponent.</li> <li>(ix) In considering any application for a Shop the Council will have regard to— <ul style="list-style-type: none"> <li>– types of products to be for sale</li> <li>– hours of operation</li> <li>– location of sales outlet</li> <li>– proposed Gross Leasable Floor Space (not to exceed 200m<sup>2</sup>)</li> <li>– advertising</li> </ul> </li> <li>(x) A maximum number of 3 residential dwellings are permitted on the site.</li> </ul>

3. Modifying the Scheme as depicted on the amending map adopted by the Council of the Shire of Bridgetown-Greenbushes.

R. WALSTER, President.  
T. CLYNCH, Chief Executive Officer.

**PI402\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Shire of Busselton*  
Town Planning Scheme No. 20—Amendment No. 66

Ref: 853/6/6/21 Pt 66

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 24 February 2004 for the purpose of—

1. Rezoning Lot 61 Cnr Bussell Highway and Bayview Street from "Residential" to "Residential and Additional Use (Educational Establishment)", as depicted on the Scheme Amendment Map.
2. Including the following particulars in Schedule 4 of the Scheme—

Particulars of Land	Land Use Permitted/Specified	Conditions
Lot 61 Bussell Highway, West Busselton	Educational Establishment	<ol style="list-style-type: none"> <li>1. The Additional Use specified shall be deemed to be an AA use for the purpose of the Scheme.</li> <li>2. A maximum of 6 Staff shall operate from the premises at any one time.</li> <li>3. Vehicle access shall be gained from Bayview Street exclusively with no future access onto Bussell Highway.</li> </ol>

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

PI403

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

*Shire of Nannup*

Town Planning Scheme No. 1—Amendment No. 29

Ref: 853/6/17/1 Pt 29

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 Nannup Town Planning Scheme Amendment on 25 February 2004 for the purpose of—

- (a) Rezoning Lot 7 Balingup Road from “Rural” to “Special Use” zone.
- (b) Amending the Scheme Text Schedule 7 (Schedule of Special Use Sites) by including Lot 7 together with the permitted landuse and special provisions referring to the subject land as follows—

Description of Land	Permitted Land Use	Special Provisions
Lot 7 Balingup Road	Hotel Cottages Public Utility Rural Pursuit Dwelling House	<ol style="list-style-type: none"> <li>1. Development of the land shall generally be in accordance with the Development Guide Plan No. N1216_2 dated 11 July 2002, attached to the Scheme Amendment report (Amendment 29).</li> <li>2. A development application shall be lodged and approved by Council prior to the commencement or development of any Permitted Uses.</li> <li>3. A fire management plan shall be prepared at the strata subdivision stage to the satisfaction of the Fire and Emergency Services Authority and Council. The plan is to be prepared in accordance with the publication ‘Planning for Bushfire Protection Policy 2001’.</li> <li>4. In the event that the use and development of the land forms the subject of an application for approval to a Strata Scheme made to both the Commission and the Council, the land owners shall prepare a Management Statement to the satisfaction of the Council addressing the following— <ul style="list-style-type: none"> <li>• The manner in which provision is to be made for the care, control and appropriate management of any land allocated as common property within the Strata Scheme;</li> <li>• The manner in which all essential services are to be provided and permanently maintained to all units within the Strata Scheme including the location of any implied or other easements over the lots and common property and the powers available to, and/or reserved by the Strata Company to gain access to those services for repair, maintenance, replacement or expansion as the case may require;</li> <li>• Provision to be made for refuse collection and disposal from properties within the Strata Scheme;</li> <li>• A detailed Fire Management Plan for the land area;</li> <li>• An acknowledgment by all initial Strata Title owners and arrangements to be set in place to inform future owners of Lots within the Strata Scheme of the fact that the Strata Scheme is within an agricultural area wherein agricultural practices will continue to occur and which may from time to time impact on the amenity of the land.</li> <li>• Other issues as may be advised by the Shire at the time of the Strata proposal.</li> </ul> </li> </ol>

Description of Land	Permitted Land Use	Special Provisions
		<p>5. No vegetation is to be removed from the site without the approval of Council except where required for the following—</p> <ul style="list-style-type: none"> <li>• Required for approved development works;</li> <li>• Establishment of a fire break as required by regulation or by-law; or</li> <li>• Trees are dead or dangerous.</li> </ul> <p>6. Each habitable building to be connected to its own water storage tank of a minimum capacity of 50,000 litres or an alternative potable water source complying with relevant standards to the satisfaction of the Local Government.</p> <p>7. All habitable buildings to be connected to an approved effluent disposal system to the satisfaction of the Local Government and Department of Health WA. Prospective purchasers of the approved lots are to be advised at the strata subdivision stage that they may need to contribute towards the upgrade of the existing Biotech effluent disposal system at the time of development or install an alternative treatment unit if required to the satisfaction of the Department of Health and Council.</p> <p>8. No person shall occupy a chalet (does not include the dwelling house) for more than a total of three months in any twelve month period.</p>

B. DUNNET, President.  
S. A. COLLIE, Chief Executive Officer.

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## POLICE

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PO501

### POLICE ACT 1892

#### POLICE AUCTION

Under the provisions of the Police Act 1892 unclaimed and stolen property will be sold by public auction at Karratha Police Station, Welcome Road Karratha at 10.00 am on Saturday, 3 April 2004.

Auction to be conducted by Judith Wright, Licensed Auctioneer.

B. MATTHEWS, Commissioner of Police.

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment—

Hon J C Kobelke MLA to act temporarily in the office of Minister for State Development in the absence of the Hon C M Brown MLA for the period 28 February to 2 March 2004 (both dates inclusive)

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

## 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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
10173	John Bevis Daniel	Application for the grant of a Producer's licence in respect of premises situated in Millendon and known as Susannah Brook Wines	18/3/04
10174	Domenico Forgione	Application for the grant of a Hotel licence in respect of premises situated in Albany and known as Barcino	8/4/04
10175	PCEC Mounts Bay Road Pty Ltd	Application for the grant of a Special Facility—licence in respect of premises situated in Perth and known as To Be Advised	25/3/04
10179	Boyagin Investments Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Williams and known as Narrakine	18/3/04
10167	Carl Miladin Markovic & Lina Papagno	Application for the grant of a Producer's licence in respect of premises situated in Kelmscott and known as McKenzie Grove Cellars	10/3/04

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

H. R. HIGHMAN, Director of Liquor Licensing.

## PUBLIC NOTICES

ZZ201

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Notice to Creditors and Claimants of Peter Rodger, late of Rockingham Nursing Home, Langley Street, Rockingham, Western Australia, Fitter and Turner, 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 3 December 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 him by 8 April 2004 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, 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd c/- Ground floor, 39 Hunter Street, Sydney NSW, to send particulars of such claims to the

Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

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

Estate late Harry Frederick Carter, late of 63 Surrey Road, Rivervale, Retired, Died 19/1/04.

Estate late Grace Laura Denney, late of 14a Weld Street, Palmyra, Home Duties, Died 13/1/04.

Estate late Eva Marion Floyd Farr, late of 39 Gill Street, Mosman Park, Retired Bookkeeper, Died 15/12/03.

Estate late Barrie Ernest King, late of Carinya Nursing Home, 220 Preston Point Road, Bicton, Retired Doctor of Physics, Died 8/2/04.

Estate late Margaret Elizabeth Paganini, late of Moonya Nursing Home, 59 Ipsen Street, Manjimup, Retired School Teacher, Died 17/11/03.

Estate late Lilian Puzey, late of 14 McGlew Road, Glen Forrest, Home Duties, Died 28/12/03.

STEPHEN JOHN MAXWELL, Senior Estate Manager.  
Direct Phone (02) 9229 3419.

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**ZZ203****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the Supreme Court of Western Australia Probate Jurisdiction. In the matter of the will of Frank Edward Lewry of 1 Fenton Street, Mundaring, in the State of Western Australia, Retired Motor Mechanic, deceased.

Notice is hereby given that all persons having claims or demands against the estate of the abovenamed Frank Edward Lewry, deceased are requested to send particulars thereof in writing to the executor, Christopher Frank Lewry care of Summerslegal, PO Box 7767, Cloisters Square, WA, 6850 within one month from the date of this publication after which date the executor will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which he shall then have notice.

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**ZZ204****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the Supreme Court of Western Australia Probate Jurisdiction. In the matter of the will of Peter Kenneth Parsons of 29 Crossandra Way, Greenwood, in the State of Western Australia, printer, deceased.

Notice is hereby given that all persons having claims or demands against the estate of the abovenamed Peter Kenneth Parsons, deceased are requested to send particulars thereof in writing to the executor, Peter John Ekert care of Summerslegal, PO Box 7767, Cloisters Square, WA, 6850 within one month from the date of this publication after which date the executor will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which he shall then have notice.

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**ZZ205****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 5th April 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Buchanan, Janet Hazel, late of 10 Salisbury Street Cottesloe, died 4/2/04, (DE19810348EM15)

Hewlett, Kathleen Helen, late of 222 Cammillo Road Kelmscott, died 18/2/04. (DE30333117EM36)

Leach, Edna Marjorie, late of 22 Devenish Street Geraldton, died 15/11/03, (DE19932494EM37)



Maxwell, Frances Eileen, late of 95-99 Herdsman Parade Wembley, died 21/7/03, (DE33027487EM38)  
Savardi, Pierina, late of Little Sisters of the Poor Aged Care 1 Croesus Street Kalgoorlie formerly of  
47 Millen Street Boulder, died 11/2/04, (DE19980805EM23)  
Thornton, Joseph William, late of 67 Graylands Road Claremont, died 15/1/04, (DE19581055EM15)  
Tringas, Basil, late of 195 Alexander Drive Dianella, died 19/1/04, (DE19802057EM34)  
Watts, George, late of 233 Surrey Road Kewdale, died 12/2/04, (DE19733892EM32)

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

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ZZ206

**PUBLIC TRUSTEE ACT 1941**  
ADMINISTERING OF ESTATES

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 3rd day of March 2004.

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

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

Thompson, Percival Elton, (DE33023295EM36); Rockingham; 1/5/03; 2/2/04.

Corser, Terrence Douglas, (DE33023327EM23); Carmel; 5/5/03; 24/2/03.

Rothnie, Doris Normand, (DE19861932EM12); Pinjarra; 10/9/02; 27/2/04.

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