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

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

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

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ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2004 (Prices include GST).

Deceased Estate notices, (per estate)—\$22.45

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$52.40

Other articles in Public Notices Section—\$52.40 (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—\$10.45

Bulk Notices—\$194.70 per page

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

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

PUBLISHING ALTERATIONS

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

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

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

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

JUSTICE

JU301*

Censorship Act 1996

Censorship Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

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

2. Commencement

These regulations come into operation on the day on which the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2004* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Censorship Regulations 1996**.

[* *Reprint 1 as at 5 December 2003.*]

4. Regulations 3, 4 and 5 inserted

After regulation 2 the following regulations are inserted —

“

3. Prescribed offences and modified penalties

- (1) The offences set out in Schedule 1 column 1 are prescribed for the purposes of section 117D of the Act.
- (2) For the purposes of section 117E(2) of the Act, the modified penalty set out in Schedule 1 column 2 opposite an offence referred to in Schedule 1 column 1 is the prescribed modified penalty for an individual for that offence.

- (3) For the purposes of section 117E(2) of the Act, the modified penalty set out in Schedule 1 column 3 opposite an offence referred to in Schedule 1 column 1 is the prescribed modified penalty for a body corporate for that offence.

4. Form of an infringement notice

Schedule 2 Form 1 is prescribed for the purposes of section 117E(1) of the Act.

5. Form of notice of withdrawal of an infringement notice

Schedule 2 Form 2 is prescribed for the purposes of section 117G(1) of the Act.

5. Schedules 1 and 2 inserted

After regulation 10 the following Schedules are inserted —

“

Schedule 1 — Prescribed offences and modified penalties

[r. 3]

Offence	Modified penalty (individual)	Modified penalty (body corporate)
s. 64(1)	\$200	\$1 000
s. 64(4)	\$200	\$1 000
s. 65(1)	\$500	\$2 500
s. 65(5)	\$500	\$2 500
s. 65(6)	\$500	\$2 500
s. 65A	\$500	\$2 500
s. 65B	\$200	\$1 000
s. 65C(1)	\$500	\$2 500
s. 65C(2)	\$500	\$2 500
s. 65D(5)	\$20	N/A
s. 67(1)	\$100	\$500
s. 70(1)(b)	\$200	\$1 000
s. 71(2)	\$20	N/A
s. 72(1)	\$200	\$1 000
s. 75(1)	\$100	\$500
s. 76(1)	\$500	\$2 500
s. 76(2)	\$500	\$2 500
s. 76(3)	\$500	\$2 500
s. 77(1)	\$500	\$2 500
s. 79(1)	\$500	\$2 500
s. 79(3)	\$20	N/A
s. 79(4)	\$200	\$1 000

Offence	Modified penalty (individual)	Modified penalty (body corporate)
s. 83(1)	\$100	\$500
s. 84(2)	\$20	N/A
s. 85(1)	\$500	\$2 500
s. 85(2)(b)	\$200	\$1 000
s. 85(3)(b)	\$200	\$1 000
s. 86(1)	\$500	\$2 500
s. 86(2)	\$500	\$2 500
s. 86(3)	\$500	\$2 500
s. 86(4)	\$500	\$2 500
s. 87(1)	\$500	\$2 500
s. 88(1)	\$500	\$2 500
s. 90(1)	\$500	\$2 500
s. 91(1)	\$500	\$2 500
s. 92	\$200	\$1 000
s. 93(1)	\$200	\$1 000
s. 94	\$200	\$1 000
s. 95	\$200	\$1 000
s. 96(1)	\$200	\$1 000
s. 97(1)	\$200	\$1 000
s. 97(2)	\$200	\$1 000
s. 97A(2)	\$500	\$2 500
s. 98	\$200	\$1 000
s. 113	\$100	N/A

Schedule 2 — Forms

[r. 4 and 5]

Form 1

<i>Censorship Act 1996 s. 117E(1)</i>		Notice No:	
Infringement Notice			
Alleged offender	Family name:		
	Other names:		
	Address:	No.:	Street name:
	Suburb:		Postcode:
Alleged offence	Details of alleged offence:		
	Description of alleged offence:		
	Where and when:		
Amount of modified penalty	\$		
Police officer who issued this notice	Name:		
	Signature:		
	Date:		

What you must do	<ol style="list-style-type: none"> You may elect to have this matter heard and determined by a court. To do this, complete the details in “Electing action by a court” on the reverse of this notice and return this notice to [details to be inserted here] within 28 days after the service of this notice. If you do not wish to have this matter heard and determined by a court you may dispose of this matter within 28 days after the service of this notice by paying the modified penalty (see “Paying the modified penalty” on the reverse of this notice). <p>Should you not pursue either of the above options within 28 days, additional administrative charges may be incurred and action may be taken to suspend your Motor Driver’s Licence until you have paid in full the modified penalty and any additional charges OR you have elected to have this matter dealt with before a Court.</p>
-------------------------	--

Reverse of Form 1

Electing action by a court	I elect to have the offence alleged in this notice dealt with by a court. I understand that I may receive a summons for the alleged offence.
	Signature:
	Date:
Address for service:	

Paying the modified penalty	You may pay the modified penalty —
	<ol style="list-style-type: none"> BY POSTING a cheque or money order made payable to [details to be inserted here]; <p>OR</p> <ol style="list-style-type: none"> IN PERSON to [details to be inserted here].

Form 2

<i>Censorship Act 1996 s. 117G(1)</i>		Notice No:	
Withdrawal of Infringement Notice			
To [Details of alleged offender]	Family name:		
	Other names:		
	Address:	No.:	Street name:
	Suburb:		Postcode:
<p>AN INFRINGEMENT NOTICE SERVED ON YOU HAS BEEN WITHDRAWN. ANY PAYMENT THAT HAS BEEN MADE WILL BE REFUNDED AND —</p> <ul style="list-style-type: none"> NO FURTHER ACTION WILL BE TAKEN* A SUMMONS WILL BE ISSUED* <p>[* delete whichever is not applicable]</p>			
Details of withdrawn notice	Date notice given:		
	Notice number:		
	Alleged offence:		
Authorised person who issued this notice	Name:		
	Signature:		
	Date:		

By Command of the Governor,

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

JU302*

Fines, Penalties and Infringement Notices Enforcement Act 1994

Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2004*.

2. The regulations amended

The amendment in these regulations is to the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994**.

[* Reprinted as at 6 August 1999.

For amendments to 15 April 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 114.*]

3. Regulation 10 amended

Regulation 10 is amended in the list of prosecuting authorities by inserting in the appropriate alphabetical positions —

“

Department of Conservation and Land
Management

Zoological Parks Authority

”

4. Schedule 1 amended

Schedule 1 is amended by inserting in the appropriate alphabetical positions the following items —

“

Censorship Act 1996

Conservation and Land Management Act 1984

Zoological Parks Authority Act 2001

”

By Command of the Governor,

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

MINERALS AND PETROLEUM

MP301*

Explosives and Dangerous Goods Act 1961

Explosives and Dangerous Goods (Authorised Explosives) Variation Order 2004

Made by the Minister for State Development under section 14 of the *Explosives and Dangerous Goods Act 1961*.

1. Citation

This order may be cited as the *Explosives and Dangerous Goods (Authorised Explosives) Variation Order 2004*.

2. Commencement

This order comes into operation on the day after the day on which it is published in the *Gazette*.

3. The order varied

The variations in this order are to the *Explosives and Dangerous Goods (Authorised Explosives) Order 2000**.

[* *Published in Gazette 17 October 2000, p. 5771-87.*

For amendments to 30 April 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 106.]

4. Explosives declared to be authorised explosives

The explosives specified in clause 5 are declared to be authorised explosives for the purposes of the Act.

5. Schedule 1 varied

- (1) Classification 1.1D of Schedule 1 is varied by inserting the following items in the appropriate alphabetical or alphanumerical positions —

“

(0241)	Aquacharge Extra (Orica)
(0483)	Composition TR1 (ADI)
(0241)	Energan ADVANTAGE Series (Orica)
(0241)	Energan Extra (Orica)
(0241)	Energan VE (Orica)
(0241)	Powergel ADVANTAGE Series (Orica)

- (0241) Powergel VE (Orica)
(0065) Profiler (Orica)
(0241) Razorback (Orica) ”.
- (2) Classification 1.4B of Schedule 1 is varied by inserting the following item in the appropriate alphabetical position —
“
(0361) EZ Trunkline Delay (EZTL) Primadet
Nonelectric Delay Detonators (DNAP) ”.
- (3) Classification 1.4S of Schedule 1 is varied by inserting the following items in the appropriate alphabetical or alphanumerical positions —
“
(0432) Safex (Bricol)
(0456) Uni Tronic detonator Series 235 (Sasol)
(0456) Uni Tronic detonator Series 335 (Sasol) ”.
- (4) Classification 1.5D of Schedule 1 is varied by inserting the following item in the appropriate alphabetical position —
“
(0332) Aquamax Emulsion Blend (Sasol) ”.

CLIVE BROWN, Minister for State Development.

— PART 2 —

AGRICULTURE

AG401*

AGRICULTURAL PRODUCE COMMISSION ACT 1988
APC AVOCADO PRODUCERS' COMMITTEE DIRECTIONS 1991
(Gazetted 24 January 1992)

In accordance with Section 11(3) of the Act the APC Avocado Producers' Committee Directions 1991 are amended. The number of Committee members is increased from 5 to 6 members, therefore Direction 4.1 and 10.4 are amended as follows—

Constitution of the Committee

4.1 Subject to the Act, there is to be a Committee consisting of 6 members appointed by the Commission.

Meetings

10.4 At a meeting of the Committee, 4 members constitute a quorum.

Dated: 1 June 2004.

Given by the Agricultural Produce Commission,

H. MORGAN AM, Chairman.

AG402*

AGRICULTURAL PRODUCE COMMISSION ACT 1988
APC CARNARVON BANANA PRODUCERS' COMMITTEE DIRECTIONS 2002
(Gazetted 25 June 2002)

In accordance with Section 11 (3) of the Act the APC Carnarvon Banana Producers' Committee Directions 2002 are amended. The number of Committee members is increased from 5 to 6 members, therefore Direction 4.1 and 10.4 are amended as follows—

Constitution of the Committee

4.1 Subject to the Act, there is to be a Committee consisting of 6 members appointed by the Commission.

Meetings

10.4 At a meeting of the Committee, 4 members constitute a quorum.

Dated: 1 June 2004.

Given by the Agricultural Produce Commission,

H. MORGAN AM, Chairman.

AG403*

AGRICULTURAL PRODUCE COMMISSION ACT 1988
APC PORK PRODUCERS' COMMITTEE DIRECTIONS 2002
(Gazetted 25 June 2002)

In accordance with Section 11 (3) of the Act the APC Pork Producers' Committee Directions 2002 are amended. The number of Committee members is decreased from 9 to 7 members, therefore Direction 4.1 and 10.4 are amended follows—

Constitution of the Committee

4.1 Subject to the Act, there is to be a Committee consisting of 7 members appointed by the Commission.

Meetings

10.4 At a meeting of the Committee, 5 members constitute a quorum.

Dated: 1 June 2004.

Given by the Agricultural Produce Commission,

H. MORGAN AM, Chairman.

AG404*

**PLANT DISEASES ACT 1914
APPOINTMENTS**

Department of Agriculture,
South Perth WA 6151.

I, the undersigned Minister for Agriculture, Forestry and Fisheries, being the Minister responsible for the administration of the Plant Diseases Act 1914, hereby appoint DAVIES, Barry, FLORES VARGAS Ruden, HASTINGS Bruce Antony, JONES Michael John (Mike), NEWMAN Christopher Roy (Chris), POWER Gregory James and WEBBER Julie Sonja as Authorised Inspectors pursuant to Section 7A of the said Act to carry out all the functions authorized to be performed by an Inspector under the said Act and its Regulations.

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

AG405*

**SOIL AND LAND CONSERVATION ACT 1945
AUTHORISED PERSONS**

Department of Agriculture,
South Perth WA 6151.

I, the undersigned Minister for Agriculture, Forestry and Fisheries, being the Minister responsible for the administration of the Soil and Land Conservation Act 1945, hereby certify Department of Agriculture Officers, ROBINSON Christopher John and CLARK Michael James as authorised under section 8 & 21 of said Act to enter on any land, in relation to the power conferred by the Act, and make such surveys, place such marks and carry out such investigations thereon as they may deem necessary.

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

CEMETERIES

CC401*

**CEMETERIES ACT 1986
KALGOORLIE-BOULDER CEMETERY BOARD**

In pursuance of the powers conferred by Section 53 of the *Cemeteries Act 1986* the Kalgoorlie Boulder Cemetery Board hereby records having resolved at a duly constituted meeting on the 29 April 2004 to set the following fees and charges effective from 1 July 2004. The fees shall be payable upon application for services detailed hereunder.

SCHEDULE OF FEES AND CHARGES

All Fees and Charges are inclusive of 10% GST except where shown exempt

A BURIAL FEES

Interment in ordinary grave 1.8 m deep, including maintenance for the first year.

	\$
(a) Adult Burial.....	649.00
(b) Child under 13 years (including stillborn in ground not set aside for such purpose) ..	298.00
(c) Stillborn special area (without service).....	216.00
(d) Stillborn special area (with service)	324.00

	\$
Land for graves including Right of Burial (25 year tenure) and number label	
(a) Ordinary land 2.7 m x 1.2 m	661.00
Extras Charges	
(a) Re-opening grave to accommodate adult burial	649.00
(b) Re-opening grave to accommodate child under 13 years	298.00
(c) Sinking graves over 1.8 m – per metre	54.00
(d) Memorial Plaque (stillborn special area).....	130.00
(e) Use of crematorium chapel for burial/memorial service.....	110.00
(f) Assistance of Cemetery employee with funeral	48.00
(g) Interment without due notice	298.00
(h) Interment outside usual hours	298.00
(i) Exhumation	1081.00
(j) Re-interment of exhumed remains (same grave).....	676.00
B CREMATORIUM	
Cremation Fees	
(a) Adult.....	805.00
(b) Child (under 13 years).....	378.00
(c) Stillborn (without service) includes scattering to the winds	140.00
(d) Stillborn (with service).....	378.00
Extra Charges	
(a) Cremation without due notice.....	298.00
(b) Cremation outside usual hours.....	298.00
Disposal of Ashes	
(a) MEMORIAL GARDEN	
Single placement including 143x117mm bronze plaque.....	572.00
(b) MEMORIAL NICHE WALL	
Single placement including 143x117mm bronze plaque.....	454.00
Double including first placement and 385x117 mm bronze plaque	714.00
Double including second placement and 174x 84mm bronze plate.....	233.00
(c) MEMORIAL WALK NICHE WALL (Includes Omega Vase)	
Single placement including 229x203mm bronze plaque.....	497.00
Double including first placement and 457x203mm bronze plaque	908.00
Double including second placement and 140x68mm bronze plate.....	233.00
(d) MEMORIAL WALK	
Single including placement and 143x117mm bronze plaque	644.00
Single including placement and 229x229mm bronze plaque	692.00
Single including placement and 229x229mm bronze plaque with 5x7cm colour photo milled and fitted	930.00
Double including first placement and 143x117mm bronze plaque	892.00
Double including second placement and 143x117mm bronze plaque	265.00
Double including first placement and 229x229mm bronze plaque	940.00
Double including second placement and 229x229mm bronze plaque	390.00
Double including first placement and 229x229mm bronze plaque with 5x7cm colour photo milled and fitted	1178.00
Double including second placement and 229x229mm bronze plaque with 5x7cm colour photo milled and fitted	628.00
(e) Reservations for memorials to be at the fee applicable at the time of reservation. This fee to be deducted from the ruling rate of the day when placement is made and the difference then paid. Refund for reservations is not to exceed the amount originally paid less an administration fee	88.00
(f) Scatter ashes to the winds	118.00
(g) Interment of ashes in a family grave (plaque not included).....	118.00
(h) Post ashes within Australia	108.00
(i) Post ashes overseas	130.00
(j) Ceramic photo (5cm x 7cm colour with milling).....	238.00
C PERMITS (GST Exempt)	
Permission to—	
(a) Erect any stone monument, railing, headboard.....	140.00

(b) Alter or add to any grave, stone monument, railing, headboard etc	70.00
(c) Repair or renovate any existing memorial work.....	48.00
(d) Erect small memorial plaque on a grave.....	32.00
(e) Place a memorial seat	216.00
(f) Construct brick grave, vault or tomb	346.00
D LICENCES (GST Exempt)	
(a) Funeral Director's Annual Licence Fee.....	270.00
(b) Monumental Mason's Annual Licence Fee.....	108.00
E PRE-NEED	
(a) Pre-need purchase of gravesite 2.7 m x 1.2 m – land selected by applicant or land reserved in advance (25 year tenure)	897.00
(b) Pre-need purchase for interment.....	714.00
(c) Pre-need purchase for cremation	885.00
(d) Refund of pre-need certificate is not to exceed the amount originally paid less an administration fee.....	88.00
F OTHER	
(a) Copy of Grant of Right of Burial.....	70.00
(b) Transfer of Grant of Right of Burial.....	70.00
G RESEARCH SERVICES (GST Exempt)	
(a) Grave location – first free, thereafter.....	10.00
(b) Simple research enquiry	13.00
(c) Complex research enquiry	30.00

Dated 18 May 2004.

TOM COLE, Chairman.

CC402*

CEMETERIES ACT 1986

ALBANY CEMETERY BOARD

In pursuance of the powers conferred upon it by section 53 of the *Cemeteries Act 1986*, the Albany Cemetery Board hereby records having resolved on the 3rd day of May 2004 to set the following fees and charges effective from 1st day of July 2004. The fees and charges shall be payable upon application for services detailed hereunder.

Schedule of Fees and Charges

All Fees and Charges are inclusive of 10% GST (except where shown exempt)

	\$
1. Grant of Right of Burial (25 year tenure period)	
Grave Site (2.4m x 1.2m)	863.50
Pre-need purchase – land selected by applicant or land reserved in advance	1,023.00
Approval to any refund on an unexpired Grant of Right of Burial shall be at the absolute discretion of the Board and in any case, the approved refund shall not exceed the amount originally paid, less an Administration fee of.....	104.50
2. Burial Fees—	
(a) Adult Burial.....	655.60
(b) Child Burial (under 13 years).....	431.20
(c) Stillborn Burial in special ground set aside.....	172.70
(d) Stillborn plaque on kerbing	201.30
(e) Re-opening of occupied gravesite, and burial.....	684.20
3. Exhumation fee	1,139.05
Re-burial after exhumation	655.60
4. Annual Licence fees (GST exempt)	
Funeral Director.....	435.00
(a) Single Funeral Permit (Funeral Directors only).....	210.00
(b) Single Funeral Permit (other than Funeral Director).....	280.00
Monumental Mason	210.00
(a) Single Permit (Monumental Mason only)	210.00
(b) Single Permit (other than Monumental Mason).....	280.00

5. Monumental Work (GST exempt)	
Permit for each memorial	
Lawn Area type monument to By-laws.....	80.00
Charge for maintenance of ground surrounding headstone	240.00
Renovations and additions to any monument	60.00
Additional Inscription.....	50.00
6. Miscellaneous fees—	
(a) Copy of Grant of Right of Burial	104.50
(b) Extraordinary work required, per hour.....	93.50
(c) Use of chapel for burial/memorial service with sound system	93.50
(d) Transfer of Grant of Right of Burial.....	104.50
7. Extra to Scheduled Fees & Charges—	
(a) Interment without due notice as per By-laws	93.50
(b) Late arrival/departure.....	93.50
(c) Interment of oblong or oversize casket.....	189.20
(d) Interment or Cremation on a Saturday.....	341.00
(e) Search fee - involving Board Staff (minimum).....	11.00
8. Cremation fees—	
(a) Adult Cremation.....	803.00
(b) Child Cremation (under 13 years)	423.50
(c) Stillborn Cremation (no service).....	110.00
(d) Pre-need Cremation Certificate.....	918.50
Approval to any refund on an unused Cremation Agreement shall be at the absolute discretion of the Board and in any case, the approved refund shall not exceed the amount originally paid, less an Administration fee of.....	104.50
9. Disposal of Ashes - The tenure on all Cremation Memorials shall be 25 years from date of receipt of Scheduled fee—	
(a) Kerbside	
Kerbside interment (unselected) and bronze plaque with reservation for second interment	276.10
Second interment and bronze plaque	221.10
(b) Memorial Gardens of Remembrance	
(i) Interment in selected position including 8 line bronze plaque and reservation for second interment.....	517.00
Second interment with second inscription	462.00
Pre-need site reservation (plaque not included)(non refundable fee)	159.50
(ii) Interment in selected position including 8 line bronze plaque and reservation for second interment.....	913.00
Second interment with second inscription	858.00
Pre-need site reservation (plaque not included)(non refundable fee)	159.50
(c) Ground Niche	
Interment in selected position including 10-line bronze plaque and reservation for second interment.....	731.50
Second interment with second inscription	676.50
Pre-need site reservation (plaque not included)(non refundable fee)	159.50
(d) Ground Niche with vase	
Interment in selected position and reservation for two further interments 6 line bronze plaque with recessed vase	753.50
Second or third interment with new inscription.....	698.50
Pre-need site reservation (plaque not included)(non refundable fee).....	159.50
(e) Memorial Niche Wall No. 1	
Double niche with 5 line bronze plaque.....	523.60
Second inscription	176.00
Single niche with 5 line bronze plaque.....	341.00
(f) Memorial Niche Wall No. 2	
Double niche with 5 line bronze plaque.....	696.30
Second inscription	231.00
Single niche with 8 line bronze plaque.....	352.00
(g) Memorial Wall	
6 line bronze plaque with reservation for second interment	580.80
Second interment with inscription	525.80

(h) Non standard memorials (seats and rock placements) by quotation	
(i) Emblems & Photographs on any Memorials by quotation and extra to plaque fee	
10. Other Fees	
Interment of Ashes in family Grave	121.00
Attendance at Gravesite/Memorial Gardens for placement of Ashes(15 minutes)	66.00
Attendance at Gravesite/Memorial Gardens for placement of Ashes Saturday(15 minutes)	132.00
Collection of Ashes (service pre 01.07.2004) from Cemetery Office (24 hours notice required) .	79.75
Postage of Ashes within Australia	127.60
Postage of Ashes Overseas (by quotation) and including an administration fee of	104.50
Scattering of Ashes to the winds	88.00
Storage in safe custody (after six months) per month.....	11.00
Transfer of Ashes to new position (plaque extra if required).....	88.00
Granite Base Upgrade (143x117)	132.00
Granite Base Upgrade (229x229)	143.00
Acceptance and registration of Ashes from other Crematoria	85.80
Ashes Container	22.00
Presentation Urns and Keepsakes by quotation	

CHARLES LEONARD ABBOTT, Chairman.
NOELLA E. E. COOK, Administrator.

HEALTH

HE401*

POISONS ACT 1964

POISONS ACT (SECTION 52A) NOTICE 2004

Made by the Minister under section 52A.

1. Citation

This notice may be cited as the *Poisons Act (Section 52A) Notice 2004*.

2. Revocation of authorisation

The *Poisons Act (Section 52A) Notice 2002* is revoked.

3. Authorised officers

The persons specified in the table to this notice are declared to be authorised officers for the purposes of the Act.

Table

Rosemary Arrigo: Drugs, Poisons and Therapeutic Goods Control Branch, Environmental Health Directorate, Population Health Division, Department of Health.

Ross Atkinson: Drugs, Poisons and Therapeutic Goods Control Branch, Environmental Health Directorate, Population Health Division, Department of Health.

Jane Carpenter: Drugs, Poisons and Therapeutic Goods Control Branch, Environmental Health Directorate, Population Health Division, Department of Health.

David Haigh: Drugs, Poisons and Therapeutic Goods Control Branch, Environmental Health Directorate, Population Health Division, Department of Health.

Murray Patterson: Drugs, Poisons and Therapeutic Goods Control Branch, Environmental Health Directorate, Population Health Division, Department of Health.

Linette Watling: Drugs and Therapeutic Services, Environmental Health, Population Health Division, Department of Health.

Lisa Stewart: Australian Pesticides and Veterinary Medicines Authority.

Dated this 29th day of May 2004.

JIM MCGINTY MLA, Minister for Health.

LOCAL GOVERNMENT

LG401**SHIRE OF HARVEY*

APPOINTMENT OF AUTHORISED/REGISTRATION OFFICERS

The following Officers of the Shire of Harvey have been appointed as Authorised Officers to exercise powers pursuant under the legislation listed hereunder.

Officers

Chief Executive Officer
Deputy Chief Executive Officer
Administrator Law and Safety Services
Shire Rangers

Legislation

Local Government Act 1995
Bush Fires Act 1954
Dog Act 1976
Litter Act 1979
Control of Vehicles (Off-Road Areas) Act 1978

The following Officers have been appointed as Registration Officers under the Dog Act 1976.

Deputy Chief Executive Officer
Customer Service Officers – Harvey
Customer Services Officers – Australind
Assistant Rates Clerk/Customer Service Officer
Administrator Law and Safety Services
Shire Rangers
Payroll Officer
Debtors Clerk
Creditors Clerk
Finance Officer
Relieving Officer

All previous appointments of Authorised and Registration Officers are hereby cancelled.

MICHAEL PARKER, Chief Executive Officer.

LG402***DOG ACT 1976***Shire of Dardanup*

DOG REGISTRATION OFFICER

It is hereby notified for public information that the following Officer has been appointed by Council as an Authorised Dog Registration Officer under the *Dog Act 1976*, effective immediately, until further notice.

Appointments—

Marie Clarke

M. L. CHESTER, Chief Executive Officer.

LG403**SHIRE OF CHITTERING*

APPOINTMENTS

Authorised Person

It is hereby notified for public information that Ms Raelene Meares has been appointed an Authorised Officer in accordance with the relevant Acts hereunder, effectively immediately.

1. Dog Act 1976 & Regulations, Control of Off-Road Vehicles Act 1978 & Regulations, Litter Act 1979 & Regulations, Local Government Laws, Local Government Act 1995 (Sections 3.39, 9.10, 9.11, 9.15).
2. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960.
3. Issue of Infringement Notices – Section 59 (2) (a) of the Bush Fires Act 1954 and Section 64 (1) of the Cemeteries Act 1986.
4. Powers of Entry – Part 3 – Division 3 Section 3.28 & 3.29 of the Local Government Act 1995.

5. Miscellaneous Provisions About Enforcement – Part 9 – Division 2 – Subdivision 1 Sections 9.13, 9.16 & 9.17 of the Local Government Act 1995.
6. Impounding & Removing Goods Involved in Certain Contraventions Section 3.39 of the Local Government Act 1995.

RAY HOOPER, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

FIREBREAK NOTICE

Shire of Sandstone

Notice to All Owners and Occupiers of Land
within the Shire of Sandstone

1. FIREBREAKS

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are hereby required on or before the 1st November 2004 or within fourteen days of you becoming owner or occupier of land should this be after the 1st day of November 2004 to clear firebreaks and remove flammable material from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all flammable material from the 1st day of November 2003 up to and including the 31st day of March 2005.

2. LAND OUTSIDE OF TOWNSITES

Firebreaks must be cleared at least three metres in width completely surrounding and not more than twenty metres from the perimeter of any building or group of buildings. All flammable material must be removed from an area two metres in width immediately surrounding the buildings.

3. TOWN SITES

All land in the townsite shall have firebreaks at least three metres in width cleared of all flammable material immediately inside and along all external boundaries of the land and where there are buildings on the land additional firebreaks three metres in width shall be cleared immediately surrounding each building.

4. FUEL DUMPS (FUEL DEPOTS)

On all land where fuel drum ramps are located and where fuel dumps, whether containing fuel or not are stored, clear and maintain a firebreak at least four metres wide around any drum, ramp or stack of drums.

5. GENERAL PROVISIONS

If for any reason it is considered by the owner or occupier of land, that it is impractical to comply with the requirements of this notice a request may be made to the Shire of Sandstone not later than 15th October 2004.

Where approval of a proposed variation is not granted by the Shire of Sandstone you shall comply with the requirements of this notice.

The penalty for non-compliance with this notice is a maximum of \$1,000 and notwithstanding prosecution, the Shire of Sandstone may direct its Bush Fire Control Officer to enter on the land and carry out the requisite works at the owner/occupiers expense.

The Shire of Sandstone will assist owners/occupiers of town sites by carrying out a bulk rubbish collection where rubbish is placed on the verge on or before the 6th November 2004.

Where town site owners/occupiers are themselves unable to provide firebreaks along the external boundaries of the land, at the request of the owner/occupier, Shire of Sandstone workers will carry out the work at a cost of \$25 per boundary, excluding the verge.

If the requirements of this notice are carried out by burning, such burning shall comply with the relevant provisions of the Bush Fires Act. "Flammable material" does not include green growing trees, or growing bushes and plants in gardens or lawns.

**NOTICE OF
RESTRICTED AND PROHIBITED
BURNING PERIODS**

Fire and Emergency Services—Mid West Gascoyne District 2003/2004

Restricted Burning Time:	From	01/10/2004	to	14/12/2004
	From	01/04/2005	to	30/04/2005
Prohibited Burning Time:	From	15/12/2004	to	31/03/2005
Unrestricted Season:	From	01/05/2005	to	30/09/2005

By Order of the Council,

KIM HASTIE, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
 EXPIRATION OF EXPLORATION PERMIT

Exploration Permit No. WA-239-P held by Nexen Petroleum Australia Pty Limited expired on 24 May 2004.

W. L. TINAPPLE, Director Petroleum & Royalties Division.

MP402*

COMMONWEALTH OF AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT 1967
 INSTRUMENT OF DELEGATION

I, Clive Morris Brown, Designated Authority in respect of the adjacent area in respect of the State of Western Australia, being authorised by or under the Act to delegate any of my powers and functions, other than the power of delegation, under Section 15 of the Act, Do Hereby—

In respect of the Petroleum (Submerged Lands) (Data Management) Regulations 2004—

Delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Director, Petroleum and Royalties Division, in the Department of Industry and Resources all the powers and functions of the Designated Authority.

Dated this 1st day of June 2004.

CLIVE MORRIS BROWN, Designated Authority.

MP403

MINING ACT 1978
 APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and Resources,
 Coolgardie WA 6430.

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. failure to meet the minimum expenditure requirement.

S. SHARRATT (SM), Warden.

To be heard in the Warden's Court at Coolgardie on 12th July, 2004.

COOLGARDIE MINERAL FIELD
 Prospecting Licence

16/1414—Charlton, Judith Dianne; Charlton, Michael Edward

MP404

MINING ACT 1978
 APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and Resources,
 Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licence is liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act 1978, for breach of covenant, viz. failure to lodge a report within the prescribed period.

S. P. SHARRATT (SM), Warden.

To be heard in the Warden's Court at Leonora on 1st July, 2004.

MOUNT MARGARET MINERAL FIELD

Mount Morgans District

Prospecting Licence

39/2564—Ozella, Pellegrino; Ozella, Greta Ann

MP405

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and Resources,
Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licence is liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act 1978, for breach of covenant, viz. non-payment of rent.

S. P. SHARRATT (SM), Warden.

To be heard in the Warden's Court at Leonora on 1st July, 2004.

MOUNT MARGARET MINERAL FIELD

Mount Margaret District

Prospecting Licence

37/5921—Crew, Ross Frederick

MEDICAL BOARD OF WA

MX401

MEDICAL ACT 1894

THE MEDICAL BOARD OF WESTERN AUSTRALIA

Orders of the Board

Inquiry No: 1953-131

Date heard: 14 May 2004

Date delivered: 14 May 2004

In the matter of Dr John Francis Laney and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to Section 13 of the *Medical Act 1894*.

Before: Professor B.A.R Stokes AM, MBBS, FRAC; Mr N. Mullany LLB (Hons) (West Aust), BCL (Oxon); Associate Professor G. Riley MRC Psych., FRACGP, FRANZCP; Dr P. Wallace OAM, MBChB, FRACGP, FACRRM, Dip Obst RCOG; Ms A. White.

The Medical Board of Western Australia having on 14 May 2004 conducted an Inquiry pursuant to section 13(1) of the Medical Act 1894 (WA) (as amended) ("the Act") to consider the question of whether Dr John Francis Laney ("the Practitioner") has been found guilty of infamous or improper conduct in a professional respect contrary to section 13(1)(a) of the Act and upon hearing Ms Eibhlin McCloskey as Counsel Assisting the Medical Board and Mr Richard Bayly as Counsel for the Practitioner, the Medical Board of Western Australia makes the following Orders—

1. It has been established that on 29 March 2004 the Practitioner was convicted in the Magistrates Court in Perth of one count of unlawful and indecent assault, contrary to section 323 of the Criminal Code of Western Australia.
2. The offences of which the Practitioner was convicted amounts to improper conduct in a professional respect.
3. The Practitioner is reprimanded.
4. The Practitioner is fined \$3,000 to be paid within seven days of the date of this order.
5. The Practitioner is to provide an undertaking in the terms of Annexure A to this order.

6. The Practitioner to pay the reasonable costs of the inquiry, which if not agreed between the solicitors for the Practitioner and the solicitors acting for the Board, will be fixed by the Board after receiving written submissions from solicitors acting for the Practitioner and the Board within 30 days.
7. The name of the patient is suppressed.

Dated the 25th day of May 2004.

SIMON HOOD, Registrar.

PREMIER AND CABINET

PC401

CIVIL LIABILITY ACT 2002

SPECIFIED AMOUNTS

In accordance with the requirements of Sections 10(3) and 13(3) of the Civil Liability Act 2002, I give notice that the following amounts will apply for the purposes of those sections with effect on and from 1 July 2004—

Section 10(3)

Amount A	\$13,000
Amount C	\$39,500

Section 13(3)

Amount B	\$5,000
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Dr GEOFF GALLOP MLA, Premier.

PC402*

INTERPRETATION ACT 1984

MINISTERIAL ACTING ARRANGEMENTS

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

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 3 to 14 June 2004 (both dates inclusive).

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

PLANNING AND INFRASTRUCTURE

PI401

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Albany

Town Planning Scheme No. 1A—Amendment No. 137

Ref: 853/5/2/15 Pt 137

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 Albany Town Planning Scheme Amendment on 30 May 2004 for the purpose of—

1. amending the 'Contents' by inserting 'Local Shopping Zone' in Part IV after 'Foreshore Development Zone Provisions'.
2. inserting the following after clause 4.50—

LOCAL SHOPPING ZONE PROVISIONS

4.51 The Objectives of the Local Shopping Zone are—

- to provide for shopping centres that in the opinion of Council are attractive and have potential as a focal point for the community;

- to promote local employment opportunities;
 - to provide a reasonable level of accessibility to shops and to services.
- 4.52 The maximum net lettable area (NLA) for a shopping centre in the Local Shopping zone shall be in accordance with the net lettable area set against that centre in Table 1.

4.53 Table 1—Shopping Centres

Centre Name*	Description of Land	Maximum Net Lettable Area (NLA)
McKail	Lot 25 Barrett Street and South Coast Highway; Lots 53 and 54 South Coast Highway, Orana.	600m ² NLA
North Road	Lot 2 Anuaka Road, Barnesby Drive, and North Road, Yakamia.	3,500m ² NLA, but Council may approve up to 5,000m ² NLA only where— (i) in the opinion of Council the additional floor space is warranted; and (ii) an economic impact assessment has demonstrated that there will not be significant detrimental impacts on existing or proposed shopping centres.
Orana	Part of Lot 400 Plantagenet Location 222 Albany Highway and Le Grande Street, Orana.	3,500m ² NLA, but Council may approve up to 5,000m ² NLA only where— (i) in the opinion of Council the additional floor space is warranted; and (ii) an economic impact assessment has demonstrated that there will not be significant detrimental impacts on existing or proposed shopping centres.
Spencer Park	Lot 50 Plantagenet Location 42 Pretious Street, Hardie and Angove Roads; Lots 62 to 65, and 73 Plantagenet Location 42 Angove Road, Spencer Park	3,500m ² NLA, but Council may approve up to 5,000m ² NLA only where— (i) in the opinion of Council the additional floor space is warranted; and (ii) an economic impact assessment has demonstrated that there will not be significant detrimental impacts on existing or proposed shopping centres.

* Except for 'McKail', Centre Names are those used in the Albany Commercial Strategy Review June 2000 adopted by Council under the Scheme as a Town Planning Scheme Policy.⁷

3. in Appendix I—Zoning Table—

- (i) deleting the rows for 'Showroom Sales' and 'Showroom or Office Attached to a Factory' and renumbering all rows accordingly;
- (ii) in the row for 'Tavern' substituting the symbol 'X' for the symbol 'AA' in the column for the Local Shopping zone;
- (iii) inserting a new use class 'warehouse sales outlet' with the same permissibility designations in zones as for 'showroom';

- (iv) deleting the use class 'showroom' and inserting 4A 'bulky goods outlet' with permissibility symbol 'AA' in Central Area, 'P' in Other Commercial, 'SA' in Industry and 'X' in all other zones;
- (v) re-arranging all rows in alphabetic order of use class and re-numbering all rows accordingly; and
- (vi) Delete SA in fast food outlet in 'Industry' and insert the symbol 'X'
4. inserting the following in alphabetic order in Appendix IX—
- 'bulky goods outlet'** means any building or part of a building used or intended for use for the purpose of displaying or offering for sale by wholesale or retail, automotive spare parts, carpets, large electrical appliances, furniture, hardware or goods of a bulky nature which require a large area for handling, storage or display or easy and direct vehicular access to enable the goods to be collected by customers after sale, but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware, or items of personal adornment;
- Commission** means the Western Australian Planning Commission constituted under the *Western Australian Planning Commission Act 1985*;
- 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;
- marina** means premises at which berths or pens, and fuelling, servicing, repairing, storage (including storage on land) and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all jetties, piers, embankments, quays and moorings and all offices and storerooms used in connection with the marina;
- marine filling station** means premises used for storage and supply of liquid fuels and lubricants for marine craft;
- market** means premises used for the display and sale of goods from stalls by independent vendors;
- net lettable area (NLA)** means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—
- all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
 - lobbies between lifts facing other lifts serving the same floor;
 - areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
 - areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;
- premises** means land or buildings;
- substantially commenced** means that work or development the subject of a planning approval has been begun by the performance of some substantial part of that work or development;
5. in Appendix IX deleting the definitions for: 'fast food outlet', 'office', 'shop', 'showroom' and 'showroom sales' and inserting therein—
- 'fast food outlet'** means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;
- office** means premises used for administration, clerical, technical, professional or other like business activities;
- restaurant** means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Licensing Act 1988*;
- shop** means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom, bulky goods outlet, warehouse sales outlet or fast food outlet;
- showroom** shall have the same meaning as bulky goods outlet;
- showroom sales** shall have the same meaning as bulky good outlet;
- warehouse sales outlet** means any portion of a building or a site constituting no more than 10% of the floor area of that building or no more than 10% of the site, from which goods manufactured, stored or distributed from that building or site, are offered for sale;
6. amending the 'Contents' by inserting 'Consultation with Other Authorities' between 'Permitted Development' and 'Matters to be Considered by Council'.
7. deleting clause 7.8 and inserting therein—
- '7.8 CONSULTATION WITH OTHER AUTHORITIES**
- In considering an application for planning consent, the Council may consult with any other statutory, public, or planning authority it considers appropriate.

7.8A MATTERS TO BE CONSIDERED BY COUNCIL

The Council in considering an application for planning consent is to have due regard to such of the following matters as are in the opinion of the Council relevant to the use or development the subject of the application—

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme Area;
 - (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
 - (c) any approved Statement of Planning Policy of the Commission;
 - (d) any approved Environmental Protection Policy under the *Environmental Protection Act 1986*;
 - (e) any relevant policy or strategy of the Commission or any relevant planning policy adopted by the Government of the State;
 - (f) any Town Planning Scheme Policy adopted by the Council under clause 7.21, and any other plan or guideline adopted by the Council under the Scheme;
 - (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
 - (h) the conservation of any place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990* or is included in Schedule 8—Places of Heritage Value, and the effect of the proposal on the character or appearance of a heritage area;
 - (i) the compatibility of a use or development with its setting;
 - (j) any social issues that have an effect on the amenity of the locality;
 - (k) the cultural significance of any place or area affected by the development;
 - (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
 - (m) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire, or any other risk;
 - (n) the preservation of the amenity of the locality;
 - (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
 - (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
 - (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
 - (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
 - (s) whether public utility services are available and adequate for the proposal;
 - (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (u) whether adequate provision has been made for access by disabled persons;
 - (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
 - (w) whether the proposal is likely to cause soil erosion or land degradation;
 - (x) the potential loss of any community service or benefit resulting from the planning approval;
 - (y) any relevant submission received on the application;
 - (z) the comments or submissions received from any authority consulted under clause 7.8;
 - (za) potential impacts of noise, dust light, risk and other pollutants on surrounding land uses, and
 - (zb) any other planning consideration the Council considers relevant.’
8. inserting the following into clause 7.2 (b)—
- (iv) the proposed development is contrary to a policy adopted under this Scheme;
 - (v) the proposed single house is on land zoned ‘Special Residential’ or ‘Special Rural’;
 - (vi) the proposed development involves a place recorded on the City’s Municipal Inventory of Heritage Sites; or
 - (vii) the overall height of the development exceeds 7.0 metres measured vertically from natural ground level.

9. renumber clause 7.21 under 'Delegations' to 7.22 and renumber the following clauses accordingly.
10. amending the table of Contents as follows—
 - (a) in PART IV deleting "Relaxation Of General Provisions" and inserting therein "Variations To Site And Development Standards And Requirements";
 - (b) in PART VII deleting "Application for Planning Consent" and Application for Special Consent", and inserting therein "Requirement for Approval to Commence Development" and "Permitted Development".

M. EVANS, Deputy Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Albany
 Town Planning Scheme No. 3—Amendment No. 226

Ref: 853/5/4/5 Pt 226

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 Albany Town Planning Scheme Amendment on 30 May 2004 for the purpose of—

1. in clause 1.6 inserting the following in alphabetic order—
 - fast food outlet** means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;
 - 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;
 - net lettable area (NLA)** means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—
 - (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
 - (b) lobbies between lifts facing other lifts serving the same floor;
 - (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
 - (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;
 - premises** means land or buildings;
 - office** means premises used for administration, clerical, technical, professional or other like business activities;
 - restaurant** means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Licensing Act 1988*;
 - shop** means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom, bulky goods outlet, warehouse sales outlet or fast food outlet;
 - showroom** shall have the same meaning as bulky goods outlet;
 - substantially commenced** means that work or development the subject of a planning approval has been begun by the performance of some substantial part of that work or development;
2. in clause 1.6 the following interpretations be deleted: 'cafe/restaurant', 'food retailing', 'newsagent' and 'pharmacy' and delete Use Class 'cafe/restaurant' and permissibilities from Table 1—Zones;
3. in Table I—Zones—
 - (i) deleting the use class 'showroom' and permissibilities and changing the permissibility of the Use Class 'Bulky Goods' to 'P' in Mixed Business, 'AA' in Light Industry and 'X' in all other zones.
 - (ii) changing the permissibility of the Use Class 'Warehouse Sales Outlet' to be 'P' in the Commercial, Light Industry, Special Industry, Special Industry, Special Industry (Elizabeth St), Service Industry and Mixed Business Zones and 'X' in all other zones;

- (iii) inserting in alphabetic order a row for the use class 'fast food outlet' with the symbol 'A' in the column for the 'Local Shopping' zone; the symbol 'AA' in the column for the 'Commercial' zone; and the symbol 'X' for all other columns;
 - (iv) inserting in alphabetic order a row for the use class 'restaurant' with the symbol 'A' in the columns for the 'Private Clubs and Institutions', 'Motel' and 'Local Shopping' zones; the symbol 'AA' in the column for the 'Commercial' zone; and the symbol 'X' for all other columns;
 - (v) re-arranging all rows in alphabetic order of use class and re-numbering all rows accordingly;
 - (vi) substituting the symbol 'AA' for the symbol 'A' in the column for the Local Shopping zone for the use class 'Office';
 - (vii) substituting the symbol 'X' for the symbol 'A' in the column for the Local Shopping zone for the use class 'Public Amusement'; and
 - (viii) substituting the symbol 'AA' for the symbol 'A' in the column for the Rural and Residential Development zones and 'X' for the symbol 'A' for the Light Industry, General Industry and Noxious Industry zones and 'X' for the symbol 'IP' in Special Industry, 'for the use class 'Shop'.
4. amending the Table of Contents to delete '5.1A Matters to be Considered' and substitute '5.1A Consultations with Other Authorities' and '5.1B Matters to be Considered by Council'.
5. deleting clause 5.1A and inserting therein—

5.1A Consultations with Other Authorities

In considering any application for planning consent the Council may consult with any other statutory, public, or planning authority it considers appropriate.

5.1B Matters To Be Considered By Council

The Council in considering an application for planning consent is to have due regard to such of the following matters as are in the opinion of the Council relevant to the use or development the subject of the application—

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme Area;
- (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) any approved Statement of Planning Policy of the Commission;
- (d) any approved Environmental Protection Policy under the *Environmental Protection Act 1986*;
- (e) any relevant policy or strategy of the Commission or any relevant planning policy adopted by the Government of the State;
- (f) any Town Planning Scheme Policy adopted by the Council under clause 6.9, and any other plan or guideline adopted by the Council under the Scheme;
- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
 - (i) the compatibility of a use or development with its setting;
 - (j) any social issues that have an effect on the amenity of the locality;
 - (k) the cultural significance of any place or area affected by the development;
 - (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire, or any other risk;
- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring, and parking of vehicles;
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) whether public utility services are available and adequate for the proposal;
- (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet, and shower facilities);

- (u) whether adequate provision has been made for access by disabled persons;
 - (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
 - (w) whether the proposal is likely to cause soil erosion or land degradation;
 - (x) the potential loss of any community service or benefit resulting from the planning approval;
 - (y) any relevant submission received on the application;
 - (z) the comments or submissions received from any authority consulted under clause 5.1A;
 - (za) potential impacts of noise, dust light, risk and other pollutants on surrounding land uses; and
 - (zb) any other planning consideration the Council considers relevant.
6. amending the Table of Contents by inserting in numeric order '5.23 Local Shopping Zone' and renumber '5.22 On-Site Effluent Disposal' to 5.24 in both the Table of Contents and the Scheme text.
7. inserting the following after clause 5.22—

5.23 LOCAL SHOPPING ZONE PROVISIONS

- (a) The Objectives of the Local Shopping Zone are—
- to provide for shopping centres that in the opinion of Council are attractive and have potential as a focal point for the community;
 - to promote local employment opportunities;
 - to provide a reasonable level of accessibility to shops and to services.
- (b) The maximum net lettable area (NLA) for a shopping centre in the Local Shopping zone or Additional Use Site No. 9 shall not exceed the net lettable area set against that centre in Table II.

Table II—Shopping Centres

Centre Name*	Description of Land	Zone	Maximum Net Lettable Area (NLA)
Farm Fresh	Part of Lots 40 and 101 Plantagenet Location 326 Chester Pass and Catalina Roads, Milpara.	Mixed Business—Additional Use Neighbourhood Centre	Retail NLA 5000m ² and Office NLA 500m ²
Little Grove	Part Lot 1 Plantagenet Location 24 Frenchman Bay Road and Bay View Drive, and Lot 312 Plantagenet Location 24 Bay View Drive and Gordon Street, Little Grove.	Local Shopping	600m ² NLA
Lower King	Lot 201 Plantagenet Location 7 Lower King Road, Lower King	Local Shopping	600m ² NLA
Oyster Harbour	Lots 61 and 58 Bayonet Head Road; Lot 62 Lower King Road, Bayonet Head	Local Shopping	600m ² NLA
Oyster Harbour II	Lot 508 Bayonet Head Road, Bayonet Head	Local Shopping	600m ² NLA
Touristville	Lot 66 Plantagenet Location 381 Lancaster Road and Albany Highway, McKail.	Local Shopping	600m ² NLA

* Except for 'Oyster Harbour II', Centre Names are those used in the Albany Commercial Strategy Review June 2000 adopted by Council under the Scheme as a Town Planning Scheme Policy.'

8. Renumber 'Table II—Residential Design Codes Density Applicable to Land within the Scheme Area' to 'Table III—Residential Design Codes Density Applicable to Land within the Scheme Area' and 'Table III—Car Parking Spaces' to 'Table IV—Car Parking Spaces' in both the Table of Contents and Scheme Text;
9. delete 'or' at the end of Clause 5.1.2 (b) (iii)
10. inserting the following into clause 5.1 .2 (b)
- (v) the proposed single house is on land zoned 'Special Residential' or 'Special Rural';
 - (vi) the development will be located on a lot abutting an unconstructed road or a lot which does not have frontage to a constructed road;

- (vii) the proposed development is contrary to a policy adopted under this scheme;
 - (viii) the proposed development involves a place recorded on the City's Municipal Inventory of Heritage Sites; or
 - (ix) the overall height of the development exceeds 7.0 metres measured vertically from 'natural ground level'
11. Deleting clauses 5.1A2 to 5.1A6 inclusive and inserting—
- 5.1A.2 The Council may grant planning consent with or without conditions or may refuse to grant its consent. The decision shall be conveyed to the applicant.
 - 5.1A.3 If the Council grants its planning consent subject to conditions and any condition is not fulfilled or complied with to the satisfaction of the Council, the Council may revoke its consent.
 - 5.1A.4 The Council may limit the time for which its planning consent remains valid.
 - 5.1A.5 A person shall not, without the prior written approval of the Council, use or occupy any land or building in respect of which the Council has granted its planning consent subject to conditions until all the conditions which are not of a continuing nature have been carried out and complied with to the satisfaction of the Council.
 - 5.1A.6 The Council may require, an applicant as a condition of planning consent to enter into a bond pledging a fund of money as security for the carrying out of works required as conditions of planning consent.”;
12. under clause 5.5A SPECIAL APPLICATION OF RESIDENTIAL DESIGN CODES, number the existing paragraph as (a) and add the following—
- (b) Council may vary the setback distances in Column 8 of the R Codes by requiring the following—
- | | |
|-----------------------------|-----|
| Minimum Setbacks (m) | |
| R5 Coded Areas | |
| Primary Street | 7.5 |
| Secondary Street | 4 |
| R20 Coded Areas | |
| Primary Street | 7.5 |
| Secondary Street | 1.5 |
- Note—
- (i) Averaging of the 7.5m primary street setback will not be permitted. However, relaxation to 6.0m may be permitted in R20 coded areas where the reduced setback is consistent with the predominant setback in that street.
 - (ii) Where the dwelling is the first proposed in a previously undeveloped street, a 6m setback may be permitted, subject to Council's consent.
13. in Schedule No. 2—Additional Use Sites, re-number Code No. 7 to Code No. 10 and correctly describe the land particulars as 'part of Pt Lot 57 Hortin Road, Torbay Hill'.
14. Delete Special Use Zone Code No. 1 from Schedule III.

M. EVANS, Deputy Mayor.
A. C. HAMMOND, Chief Executive Officer.

PUBLIC SECTOR

PS401

PUBLIC SECTOR MANAGEMENT ACT 1994

DESIGNATION OF DEPARTMENT

Notice is hereby given that the Governor has—

under Section 35 (1)(d) of the *Public Sector Management Act 1994* altered, with effect on and from 1 July 2004, the designation of the Department of Environmental Protection to become "Department of Environment".

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

WORKSAFE

WS401*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13**

(No. 15 of 2004)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Leighton Kumagai Joint Venture, as the main contractor for the demolition of the old Myer building at the corner of William Street and Murray Street Mall, Perth, from Regulation 3.17(3) of the Occupational Safety and Health Regulations 1996 in relation to the method of removal of debris from the building.

I further grant an exemption from the requirements of Regulation 3.118(a) of the Occupational Safety and Health Regulations 1996 in relation to the requirement to ensure that any Class 1 demolition work is done by a holder of a Class 1 demolition licence during the removal of the building at the aforementioned address.

This exemption is only in relation to the method of removal of the debris. Leighton Kumagai Joint Venture must ensure that Murphy Plant Hire, the holder of the demolition licence for this building, remove the debris in accordance with the conditional approval granted by the Chief Inspector Construction, Plant and Primary Industries on 3 May 2004.

Dated this 27th day of May 2004.

NINA LYHNE, WorkSafe Western Australia Commissioner.

PUBLIC NOTICES

ZZ201

**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Sylvia Lynne Candy late of 28 Trimmer Road, Albany in the State of Western Australia, Home Duties, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of Sylvia Lynne Candy deceased who died on the 8th day of January 2003 at Albany in the State of Western Australia are required by the personal representative Robert Lindsay Podobnik of 28 Trimmer Road, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the 10th day of July 2004 after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZZ203

**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 4th July 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Adams, Raymond Howard, late of 2 Morphett Crescent Green Head, formerly of 94 Bermuda Drive Ballajura, died 12.05.2004, (DE19841026EM17)

Ashley, Patricia Helen, late of 37 Alver Road Doubleview, formerly of Unit 1 18 Hefron St Rockingham, died 07.05.2004, (DE19822012EM16)

Crane, Joan Rosamund, late of Air Force Memorial Estate Unit 55 Gordon Lodge Bullcreek Drive Bullcreek, formerly of 47 Purser House RAAF Bullcreek Drive Bullcreek, died 11.05.2004, (DE19763813EM17)

Eichner, Olive Joyce, late of care of Grandview Aged Care 21 Aldwych Way Joondalup, formerly of Joondanna Village 136 Edinboro Street Joondanna, died 05.08.2003, (DE19642256EM37)

Keegan, Eileen Elizabeth, late of Unit 1, 70 Point Walter Road Bicton, died 14.05.2004, (DE19891035EM43)

Lawrence, Agata Kathleen also known as Agata Katherine Lawrence also known as Agatha Katherine Lawrence also known as Katherine Lawrence, late of 3 Shallow Close Waikiki, died 12.05.2004, (DE19810306EM35)

- McConchie Enid Marjorie, late of Unit 6 178 Edinboro Street Joondanna, died 19.05.2004, (DE19652591EM37)
- Miller, Christopher Kenneth, late of care of Cerebral Palsy Association 106 Bradford Street Coolbinia, died 02.08.2001, (DE30293596EM36)
- Munro, Jerry Andrew, late of Germanus Kent Hostel Broome, formerly of Bidgy Danga Community via Broome, died 13.06.2003, (DE33030614EM26)
- Paunkovic, Lydia, late of Brightwater Birralee 155 Odin Road Innaloo, died 30.04.2004, (DE30292197EM38)
- Siddons, John also known as Jack Siddons, late of 185 French Street Tuart Hill, died 28.04.2004, (DE19924594EM36)
- Starkie, Lilla Louisa Mavis, late of Ella Williams House 77 Camboon Road Noranda, died 16.05.2004, (DE19811248EM36)
- Stewart, Sinclairina Spence, late of 22 Virginia Avenue Maddington, died 08.05.2004, (DE19972057EM32)

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

ZZ202**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Barry Tony Perich late of 55 Commercial Road, Shenton Park, Western Australia, Statistician 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 19th April 2004 are required by ANZ Executors & Trustee Company Limited ABN 33 006 132 332) of Level 21, 530 Collins Street, Melbourne VIC 3000 to send particulars of their claim to them by 16th July 2004 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ204**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 deceased person below are required to send particulars of their claims to the Executor care of Butlers, PO Box 460, Nedlands WA 6909 by 4 July 2004, after which date the Trustee may convey or distribute the assets, having regard only to the claims of which notice has been given.

Surname	Given Names	Address	Occupation	Date of Death
Ozols	Raitis Vitauts	89B Edgecombe Street, Como, Western Australia	Self Employed	8 November 2003

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 Estate of the late Derrick Wayne Nash are required to send particulars of their claims to the Executors of the late D. W. Nash of G.P.O. Box N1007, Perth W.A. 6001, by the 9th July 2004 after which date the Trustee may convey or distribute the assets having regard only to the claims of which notice has been given.

Details of the deceased—

Surname	Given Names	Address	Occupation	Date of Death
Nash	Derrick Wayne	22 Valencia Avenue Churchlands WA	Geologist	22 April 2004

ZZ401

DISPOSAL OF UNCLAIMED GOODS

Senses Foundation (Inc)

Attention G. Colley. Two repaired rattan chairs on Invoice number 354 from the closure of Focus Enterprises. Please contact Senses Foundation (Inc) of (08) 9272 1122 to arrange payment and collection. If the above items are not claimed after one month from the date of this notice, we will sell or dispose of the goods.

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* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

YOUNG OFFENDERS ACT 1994***Price: \$29.65 counter sales****Plus postage on 540 grams****YOUNG OFFENDERS REGULATIONS 1995*****Price \$4.95 counter sales****Plus postage on 65 grams**

*Prices subject to change on addition of amendments.

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