



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X

1059



PERTH, FRIDAY, 1 APRIL 2005 No. 51

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

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CONTENTS

PART 1

	Page
Conservation and Land Management Act 1984—Public Firewood Areas Order 2005...	1061-3
Construction Contracts Act 2004—Construction Contracts Amendment Regulations 2005	1063-4
Dog Act 1976—Dog (Restricted Breeds) Amendment Regulations 2005.....	1065
Industrial Relations Act 1979—Occupational Safety and Health Tribunal Commissioner Notice 2005.....	1067-8
Local Government Act 1995—	
City of Geraldton—Standing Orders Amendment Local Law	1064-5
City of Wanneroo—Parking and Parking Facilities (Amendment) Local Law 2004	1066
Occupational Safety and Health Act 1984—Occupational Safety and Health Amendment Regulations (No. 4) 2005	1066-7

PART 2

Consumer and Employment Protection	1069
Deceased Estates	1095-6
Fisheries	1069
Justice.....	1070-1
Local Government.....	1071-4
Minerals and Petroleum	1074-5
Planning and Infrastructure	1076-90
Police	1091
Racing, Gaming and Liquor.....	1091-2
Salaries and Allowances	1092-5

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

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

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

Postal address:

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

Delivery address:

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

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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 —

CONSERVATION

CO301*

Conservation and Land Management Act 1984

Public Firewood Areas Order 2005

Made by the Executive Director under the *Forest Management Regulations 1993* regulation 98.

1. Citation

This order is the *Public Firewood Areas Order 2005*.

2. CALMAPS

- (1) References in this order to CALMAPS are to maps produced by the Department of Conservation and Land Management.
- (2) Copies of the maps referred to in Schedule 1 are available for inspection by the public during normal office hours at the Department of Conservation and Land Management's Swan Region Headquarters, 20 Dick Perry Avenue, Western Precinct, Technology Park, Kensington.

3. Public firewood areas

- (1) The areas of State forest named in column 1 of Schedule 1 and described in column 3 of that Schedule are set aside for the purposes of the collection of firewood by members of the public.
- (2) The areas set aside under subclause (1) are delineated on the relevant CALMAPS referred to in column 2 of Schedule 1.
- (3) The areas set aside under subclause (1) are designated as areas to which the *Forest Management Regulations 1993* regulation 100 applies.

Schedule 1 — Public firewood areas

[cl. 3]

Name of area	Name of CALMAP	Description
Brady	Kelmscott 2133-4 Beraking 2133-1 Jarrahdale 2133-3 Yaganing 2133-2	That part of State Forest 13 bounded by a line commencing at the intersection of Brookton Highway and Leona Road, at AMG grid reference 436400mE and 6435700mN (the “ starting point ”), and extending — south along Leona Road to the intersection of Leona Road and Jarrick Road, at AMG grid reference 435700mE and 6431800mN; then southeast along Jarrick Road and Schulstaad Road to the intersection of Schulstaad Road and Watershed Road, at AMG grid reference 445100mE and 6425700mN; then north along Watershed Road to the intersection of Watershed Road and an unnamed forest track, at AMG grid reference 445600mE and 6428200mN; then east along the unnamed forest track to the intersection of the track and Metro Road, at AMG grid reference 448250mE and 6428850mN; then north along Metro Road to the intersection of Metro Road and Brookton Highway, at AMG grid reference 447200mE and 6433550mN; then west along Brookton Highway to the starting point.
Bombala	Nanga 2132-3 Marradong 2132-2	That part of State Forest 14 bounded by a line commencing at the intersection of an unnamed forest track and the Pinjarra Boddington Rail Formation, at AMG grid reference 432600mE and 6371000mN (the “ starting point ”), and extending — south for 2.1 km at 180° to Pinjarra Williams Road, at AMG grid reference 432650mE and 6368825mN; then east along Pinjarra Boddington Road to the intersection of Pinjarra Boddington Road and Eastern

Name of area	Name of CALMAP	Description
		Boundary Road, at AMG grid reference 435800mE and 6366750mN; then north along Eastern Boundary Road to the intersection of Eastern Boundary Road and the Pinjarra Boddington Rail Formation, at AMG grid reference 435750mE and 6371250mN; then west along the Pinjarra Boddington Rail Formation to the starting point.

Dated: 24 March 2005.

K. J. McNAMARA, Executive Director.

HOUSING AND WORKS

HW301*

Construction Contracts Act 2004

Construction Contracts Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Construction Contracts Amendment Regulations 2005*.

2. The regulations amended

The amendment in these regulations is to the *Construction Contracts Regulations 2004**.

[* *Published in Gazette 14 December 2004, p. 6006-9.*]

3. Regulation 11 inserted

After regulation 10 the following regulation is inserted —

“

11. Prescribed appointors

For the purposes of the definition of “prescribed appointor” in section 3 of the Act, the persons listed in the Table to this regulation are prescribed.

Table

The Australian Institute of Building
 The Australian Institute of Quantity Surveyors
 Electrical and Communications Association of Western
 Australia (Union of Employers)
 The Institute of Arbitrators and Mediators Australia
 Master Builders Association of Western Australia (Union
 of Employers)
 The Royal Australian Institute of Architects

”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of Geraldton

STANDING ORDERS AMENDMENT LOCAL LAW

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Geraldton resolved on 22 February 2005 to make the following local laws.

Citation

1. This local law may be cited as the *City of Geraldton Standing Orders Amendment Local Law*.

Principal Local Law

2. In this local law, the *City of Geraldton Standing Orders Local Law* as published in the *Government Gazette* on 22 June 1999 is referred to as the principal local law.

Principal Local Law Amended

3. The principal local law is amended as follows—

Clauses Affected	Description
Part 17	After “In addition to such Occasional Committees as may from time to time be appointed, there shall be Standing Committees of the Council, namely, four:—” Delete— “ a) Administration and Finance; b) Health and Community Services; c) Technical Services; and d) Town Planning and Development”

and Insert—

- “ a) Governance & Finance Services;
- b) Economic & Community Development;
- c) Environmental & Infrastructure Services; and
- d) Planning & Sustainable Development”

This local law was passed at an ordinary meeting of the Council of the City of Geraldton held on 22 February 2005.

Dated this 22 February 2005.

The Common Seal of the City of Geraldton was affixed by authority of a resolution of the Council in the presence of—

V. PETERSEN, Mayor.
R. W. JEFFERIES, Chief Executive Officer.

LG303*

Dog Act 1976

Dog (Restricted Breeds) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Dog (Restricted Breeds) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Dog (Restricted Breeds) Regulations (No. 2) 2002**.

[* *Published in Gazette 9 August 2002, p. 3883-91.*

For amendments to 21 March 2005 see Western Australian Legislation Information Tables for 2003, Table 4, p. 83 and Gazette 2 April 2004.]

3. Regulation 14 amended

Regulation 14 is amended by deleting “22 April 2005” and inserting instead —

“ 22 April 2006 ”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

LG302*

LOCAL GOVERNMENT ACT 1995*City of Wanneroo***PARKING AND PARKING FACILITIES (AMENDMENT) LOCAL LAW 2004**

Under the powers of the *Local Government Act 1995* and by all other powers, the Council of the City of Wanneroo resolved on 1 February 2005 to amend the *City of Wanneroo Parking and Parking Facilities Local Law 2003*.

Citation

1. This local law may be cited as the *City of Wanneroo Parking and Parking Facilities (Amendment) Local Law 2004*.

Principal local law

2. In this local law, the *City of Wanneroo Parking and Parking Facilities Local Law 2003* made under the *Local Government Act 1995* and passed by the Council of the City of Wanneroo on 16 December 2003, and published in the *Government Gazette* on 13 January 2004, No. 10 is referred to as the principal local law.

Principal Local Law amended

3. The principal local law is amended as described below—

- Clause 3 which defines a “vehicle”—

The word “*context*” to be inserted after the words “*and where the*” and before the word “*permits*”.

- Clause 33—

The last words in the paragraph being “*without the local government being responsible for any loss of or damage to any such vehicle or its accessories or contents or for any other loss, claim or liability.*” to be deleted.

- Clause 40 (1)—

The opening words “*A person shall not stop a vehicle so that any portion of the vehicle is*” to be replaced with the words “*Subject to any law relating to intersections with traffic control signals a person shall not stop a vehicle so that any portion of the vehicle is:*”

- Clause 105

Clause 105 is deleted and Clauses 106 through to Clause 109 renumbered to be Clause 105 through to Clause 108.

Dated this 14th day of March 2005.

The Common Seal of the City of Wanneroo was hereunto affixed by authority of a resolution of Council in the presence of—

JON KELLY (JP), Mayor.
CHARLES JOHNSON, Chief Executive Officer.

WORKSAFE

WS301*

Occupational Safety and Health Act 1984

**Occupational Safety and Health Amendment
Regulations (No. 4) 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Occupational Safety and Health Amendment Regulations (No. 4) 2005*.

2. Commencement

These regulations come into operation on 4 April 2005.

3. The regulations amended

The amendments in these regulations are to the *Occupational Safety and Health Regulations 1996**.

[* *Reprint 3 as at 9 July 2004.*

For amendments to 21 March 2005 see Gazette 22 October and 14 December 2004 and 4 March 2005.]

4. Regulation 2.8 amended

Regulation 2.8(3) is repealed and the following subregulation is inserted instead —

“

- (3) Form 1A in the Schedule to the *Industrial Relations Commission Regulations 1985* in the form in which it is in force on 4 April 2005 is prescribed, for the purposes of section 51A(2) of the Act, as the form to be used for the referral under that section of a decision of the Commissioner to the Tribunal for further review.

”.

5. Schedule 2 amended

Schedule 2 Form 6 is amended in the shoulder clause by deleting “Regulations 2.8(3) and” and inserting instead —

“ Regulation ”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

WS302*

Industrial Relations Act 1979

Occupational Safety and Health Tribunal Commissioner Notice 2005

Made by the Governor in Executive Council for general information.

1. Citation

This notice is the *Occupational Safety and Health Tribunal Commissioner Notice 2005*.

2. Commissioner for exercising Occupational Safety and Health Tribunal jurisdiction

The Commissioner of The Western Australian Industrial Relations Commission whose appointment will, on and after the commencement of the *Occupational Safety and Health Legislation Amendment and Repeal Act 2004* section 70, satisfy the requirements of the *Industrial Relations Act 1979* section 8(2a) is Stephanie Margaret Mayman.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401

ASSOCIATIONS INCORPORATION ACT 1987

ORDER PURSUANT TO SECTION 34(2)

Junior Soccer Association of Western Australia (Inc)

Pursuant to the provisions of Section 34(2) of the *Associations Incorporation Act 1987*, I hereby order that the undertaking of the Junior Soccer Association of Western Australia (Inc) be transferred to the Western Australian Soccer Association Ltd with effect from the date of publication of this order.

PATRICK WALKER, Commissioner for Fair Trading.

CE402

COMPANIES (CO-OPERATIVE) ACT 1943

SECTION 403

Registration of Auditors

Notice is hereby given that the following person is registered as qualified to act as an auditor pursuant to s402 of the Act with effect from 23rd March 2005.

Timothy James Partridge

PATRICK WALKER, Commissioner for Fair Trading.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

KIMBERLEY PRAWN MANAGED FISHERY MANAGEMENT PLAN 1993

Notice of Areas Closed to Fishing for Prawns

Notice No. 1 of 2005

I, Peter Rogers, Executive Director of the Department of Fisheries, in accordance with clause 17 of the *Kimberley Prawn Managed Fishery Management Plan 1993* (the Plan), do hereby—

1. Cancel Notice No. 1 of 2004, dated 31 March 2004;
2. Prohibit fishing for prawns in those parts of the Kimberley Prawn Managed Fishery (the Fishery), between the times and dates provided for in items (a) to (d) below—
 - (a) Fishing for prawns is prohibited in the waters described in Schedule 1 of the Plan from the date of the gazettal of Notice No. 1 2005, until 0600 hours WST on 9 April 2005.
 - (b) Fishing for prawns is prohibited in the waters described in Schedule 2 of the Plan during the period commencing at 0600 hours WST on 9 April 2005 and ending at 1000 hours WST on 21 May 2005.
 - (c) Fishing for prawns is prohibited in the waters described in Schedule 1 of the Plan during the period commencing at 1000 hours WST on 21 May 2005 and ending at 1630 hours WST on 1 September 2005.
 - (d) Fishing for prawns is prohibited in the waters described in Schedule 1 of the Plan during the period commencing at 0600 hours WST on 1 December 2005 and ending at 0600 hours WST on 1 May 2006.

(WST—Western Standard Time)

Dated this 23rd day of March 2005.

P. P. ROGERS, Executive Director.

JUSTICE

JU401*

PRISONS ACT 1981

PERMIT DETAILS

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

Surname	First Names	Permit No	Issue Date
Smith	Iain MacKenzie	AP 0361	18/03/2005
Ring	Stacey Elizabeth	AP 0360	18/03/2005
Rankine	Duncan Weir	AP 0359	18/03/2005
Paulin	Derek Victor	AP 0358	18/03/2005
Jackson	Kim Leah	AP 0356	18/03/2005
Harman	Nadia	AP 0354	18/03/2005
Harfield	Shirley Ann	AP 0353	18/03/2005
Gough	Steven Robert	AP 0352	18/03/2005
Donnelly	Sally Ann	AP 0351	18/03/2005
Baker	Ross	AP 0350	18/03/2005
Thomas	Shaun Ronald	AP 0362	18/03/2005

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

BRIAN LAWRENCE, Manager Acacia Prison Contract.

JU402*

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
Thomas	D'Arcy Alphonso	CS5-170	18/03/2005	10/03/2005	30/07/2005
Cavie	Nicholas	CS5-135	15/03/2005	14/03/2005	30/07/2005
Hurley	Peter John	CS5-141	14/03/2005	14/03/2005	30/07/2005
Reddin	Jason John	CS5-146	14/03/2005	14/03/2005	30/07/2005
Stenhouse	Dennis Ralph	CS5-149	22/03/2005	14/03/2005	30/07/2005
Sutherland	Sharon Lee	CS5-150	22/03/2005	14/03/2005	30/07/2005
Lynch	Louise Nikole	CS5-157	18/03/2005	18/03/2005	30/07/2005
Chapman	Justin Richard	CS5-158	18/03/2005	18/03/2005	30/07/2005
Snowball	Ian Steven	CS5-159	18/03/2005	18/03/2005	30/07/2005
Smith	Everton Leonard	CS5-161	18/03/2005	18/03/2005	30/07/2005
Catchick	Eugene Edward	CS5-162	18/03/2005	18/03/2005	30/07/2005
Charlesworth	Nathaniel James	CS5-163	18/03/2005	18/03/2005	30/07/2005
Dettloff	Maxine Leslie	CS5-165	18/03/2005	18/03/2005	30/07/2005
McGrath	Ryan Scott	CS5-166	18/03/2005	18/03/2005	30/07/2005
Radford	Peter Philip	CS5-168	18/03/2005	18/03/2005	30/07/2005
Jones	Phillip Jeffrey	CS5-106	18/03/2005	18/03/2005	30/07/2005

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Morris	Marianne	CS2-288	18/03/2005
Sutherland	Patricia Cynthia	CS3-034	18/03/2005
Thomas	D'Arcy Alphonso	CS5-037	18/03/2005

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

BRIAN YEARWOOD, Director, Contracted Services.

JU403*

JUSTICES ACT 1902

APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following person to the office of Justice of the Peace for the State of Western Australia;

Katherine Jane Gibson of 'North Bundaleer' Mingenew

Keith Lethbridge of Lot 96 Thomas Street, Halls Creek

RAY WARNES, A/Executive Director, Court Services.

JU404*

JUSTICES ACT 1902

RESIGNATIONS

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

Mr Donald Finlay Gregory Beaton of Southern Cross Caravan Park, Southern Cross
from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, A/Executive Director, Court Services.

JU405*

PRISONS ACT 1981

PERMIT DETAILS

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

Surname	Other Names	Permit No.	Revocation Date
Hart	Vlasta	AP 0063	29/03/2005
Wilcock	Barbara Christine	AP 0309	29/03/2005
Turner	Mark William	AP 0209	29/03/2005
Gustafsson	Jan	AP 0162	29/03/2005
Lowe	Michelle Anne	AP 0214	29/03/2005
Robinson	Phillip Colin	AP 0303	29/03/2005
Cleaver	Jason Allan	AP 0285	29/03/2005

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

BRIAN LAWRENCE, Manager, Prison Services Contracts

LOCAL GOVERNMENT

LG401*

SHIRE OF DALWALLINU

Authorised Persons

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Acts hereunder effectively immediately—

Local Government Act 1995, Part 3, Division 3, Subdivision 2, Certain provisions about land—S3.24 (relates to the issuing of notices)—

- Mr Neville Hale
- Mr Peter Crispin
- Mr John Ellison

Local Government Act 1995, Part 3, Division 3, Subdivision 4, Impounding goods involved in certain contraventions—S3.39 (relates to the power to remove and impound)—

- Mr Neville Hale

Local Government Act 1995, Part 9, Division 2, Subdivision 1, Miscellaneous provisions about enforcement—S9.10, S9.11 & S9.15 and

Control of Vehicles (Off Road) Act 1978—S37 (relates to the finding of a person committing an offence)—

- Mr Neville Hale
- Mr Peter Crispin
- Mr John Ellison

Local Government Act 1995, Part 9, Division 2, Subdivisions 1 & 2, Miscellaneous provisions about enforcement and infringement notices—S9.13, S9.16 & S9.17 (relates to the issuing of notices)—

- Mr Neville Hale
- Mr Peter Crispin

Local Government Act 1995, Part 9, Division 2, Subdivision 2, Miscellaneous provisions about enforcement—S9.19 & S9.20 (relates to amendment of notices)—

- Mr Neville Hale

Local Government (Miscellaneous Provisions) Act 1960—S449 Local Governments may establish pounds, appoint Pound Keepers and Rangers—

- Mr Don Head (Pound Keeper & Ranger)
- Mr Kevin Ashby (Pound Keeper)
- Mr Hugh Bryan (Ranger)

Dog Act 1976—Registration & Authorised Officers

- Mr Neville Hale (Authorised)
- Mr Peter Crispin (Authorised & Registration)
- Mr Brent Parkinson (Authorised & Registration)
- Ms Kym Patiniotis (Registration)
- Mrs Denise Allan (Authorised & Registration)
- Ms Christie Andrews (Registration)
- Ms Deborah Thompson (Registration)
- Ms Kasha Hewson (Registration)
- Mr Hugh Bryan (Authorised & Registration)
- Mr Don Head (Authorised)
- Mr Shane Morton (Authorised)
- Mr Kevin Ashby (Authorised)

Health Act 1911—S27 Appointment of Environmental Health Officer

- Mr Geoffrey Benson

Bush Fires Act 1954—S59(2)(a) and (3)—Issue of infringement notices, Council Delegation—Other 03—

- Financial Services Manager, Mr Peter Crispin

Caravan Parks and Camping Grounds Act 1995—S17 Authorised Persons—

- Mr Geoffrey Benson

All previous authorisations are hereby revoked.

Mr NEVILLE HALE, Chief Executive Officer.
 PO Box 141, Dalwallinu WA 6609
 Ph: (08) 96611 001 Fax: (08) 96611 097
 Email: shire@dalwallinu.wa.gov.au
 Website: www.dalwallinu.wa.gov.au

LG402*

DOG ACT 1976

Shire of Tambellup

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976.

Registration Officers

Joanne Marie Trezona
 Vicki Noreen Webster
 Adelle Mae Andrews
 Fiona Jane Devenish
 Pamela Audrey Hull
 Geoff Copley

Authorised Officers

Joanne Marie Trezona
 Graeme John Squibb
 Edward John Farmer
 Bryan Thomas Trezona
 Geoff Copley

All previous appointment are hereby cancelled.

J. M. TREZONA, Chief Executive Officer.

LG403*

LOCAL GOVERNMENT ACT 1995
(FINANCIAL MANAGEMENT) REGULATIONS 1996
 [REG.72]

Shire of Trayning

Taking Possession of Land

To: Judith Kay Campbell (Formally Bascombe)

Notice is hereby given that the sum of \$2602.34 having been unpaid to the Shire of Trayning for a period of three years for rates in respect of the land situated at Lot 29 and 30 Coronation Street Trayning being Lot 30 on plan 223167 C/T Vol 1730 fol 919, and Lot 29 on plan 223167 C/T Vol 1730 fol 918

Government has taken possession of the land pursuant to section 6.64(1) d. of the Local Government Act 1995 and in accordance with that section intends to cause the land to be transferred to the Shire of Trayning

Signed for and on behalf of the Shire of Trayning this 14th of March 2005

BRIAN W. SEALE J.P, Chief Executive Officer.

LG404*

LOCAL GOVERNMENT ACT 1995

City of Wanneroo

Authorised Officers

It is hereby notified for public information that the following persons have been appointed by Council as officers empowered to enforce the provisions of the following—

Local Government Act 1995 and related Local Laws

All other legislation Council is empowered to enforce.

- Bob Kelly
- Andrew Pachioli
- Janine Wilkie

The following appointments are hereby cancelled—

- Craig Luxford

CHARLES JOHNSON, Chief Executive Officer.

LG405*

DOG ACT 1976

Shire of Beverley

AUTHORISED OFFICERS

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 as Authorised/Registration Officers for the Municipality of the Shire of Beverley.

Authorised Officers

Ms Angela Plichota

Ms Heidi Boulton

Mr Stephen Gollan

Mr Frank Buise

Mr William Vandenberg

Mr Malcolm Turner

Mr Chris Pepper

Mrs Phyllis Facey

Mr Stephen Vincent

Registration Officers

Ms Angela Plichota

Ms Heidi Boulton

Mr Stephen Gollan

Mrs Gail Moulton

Mrs Maureen Smith

Mrs Renny Karafil

Ms Gaye Mather

Mrs Natalie Ashworth

Ms Christine Emanuel

KEITH BYERS, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

(SECTION 33)

Shire of Broome

Firebreak Notice

Notice to all Owners and/or Occupiers of land in the Shire of Broome.

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required to complete on or before 15 May 2005 and thereafter to maintain up to and including 31 December 2005 all fire hazard reduction works as required in accordance with the following—

- (1) Rural lands, being all land outside townsites and not being land held under pastoral lease.

Trafficable firebreaks, clear of all inflammable material are required to be installed on the land

- (a) Not less than four metres wide inside, along and within 10 metres of all external boundaries.
 - (b) Not less than three (3) metres wide and within three metres of the perimeter of all boundaries and/or haystacks, or groups of buildings.
- (2) Pastoral lands; being all land outside townsites held under pastoral lease, Trafficable firebreaks, clear of all inflammable material are required to be not less than two metres wide and within three metres of the perimeter of all haystacks, buildings or groups of buildings.
- (3) Townsite land—
- (a) Where the area of land is 2,000 square metres or less, remove all inflammable materials from the whole of the land.
 - (b) Where the area of the land is greater than 2,000 square metres, trafficable firebreaks not less than three (3) metres wide inside and within two metres of the external boundaries of the land and trafficable firebreaks not less than two metres in width, immediately surrounding all buildings
- (4) Rubbish sites, being all rubbish sites for pastoral station, townsite and community use. Trafficable firebreaks to be installed not less than two metres wide and within three metres of the perimeter of the rubbish site.
- (5) Fuel pumps and depots—remove all inflammable material from within five (5) metres of all fuel drums and ramps, whether the drums contain fuel or not.
- (6) The works referred to in paragraphs (1) to (4) herein must be performed to the satisfaction of the duly authorised officer of the Shire of Broome.
- (7) If it is considered impracticable for any reason to clear firebreaks or to remove inflammable material from the land as required by this Notice, you may apply to this Shire or its duly authorised officer not later than 14 May 2005 for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

Inflammable material is defined for the purpose of this notice to include bush, timber, boxes, cartons, paper and like inflammable materials, rubbish and also any combustible matter, but does not include living trees, shrubs, growing bushes and plants under cultivation.

Burning of bush, grass, rubbish or refuse is not permitted within the Shire of Broome without a written "Permit to Burn Bush" from an appointed Fire Control Officer and approval from the Principal Environmental Health Officer.

The penalty for failing to comply with this Notice is a fine of \$5,000 or a modified penalty of \$250 by means of an Infringement Notice. Any person failing to comply with this Notice may also be liable whether prosecuted or not to pay the cost of The Shire of Broome obtaining contractors to perform the required work.

Dated this 21st day of March 2005

By order of the Shire.

IAN BODILL, Chief Executive Officer.

MINERALS AND PETROLEUM

MP402*

State of Western Australia

PETROLEUM ACT 1967

SURRENDER OF EXPLORATION PERMIT EP415

The surrender of Exploration Permit No. EP415 has been registered and will take effect on the date this notice is published.

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

MP401*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
Section 105(1)

CANCELLATION OF EXPLORATION PERMIT WA-316-P

I, William Lee Tinapple, Director Petroleum and Royalties Division in the Department of Industry and Resources, the delegate of the Designated Authority in respect of the adjacent area in respect of the State of Western Australia and on behalf of the Commonwealth-Western Australian Offshore Petroleum Joint Authority, hereby cancel Exploration Permit No. WA-316-P of which Ashmore Oil Pty Ltd is the registered holder, on the grounds of—

Non compliance with Condition 1 (work commitments) of Exploration Permit No. WA-316-P

Dated at Perth this 22nd day of March 2005

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia

W. L. TINAPPLE, Delegate of the Designated Authority.

Pursuant to the instrument of delegation dated 28 June 2004.

For and on behalf of the Commonwealth-Western Australia Offshore Petroleum Joint Authority.

MP403*

State of Western Australia

PETROLEUM ACT 1967**NOTICE OF GRANT OF EXPLORATION PERMIT**

EXPLORATION PERMIT NO. EP440 has been granted to Empire Oil Company (WA) Limited to have effect for a period of six years from 14 March 2005.

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

MP404**MINES SAFETY AND INSPECTION ACT 1994****MINES SAFETY AND INSPECTION (CODE OF PRACTICE) NOTICE 2005**

Published in accordance with section 93(4).

1. Citation

This notice may be cited as the *Mines Safety and Inspection (Code of Practice) Notice 2005*.

2. Notice of approval of code of practice

(1) Notice is given that on the 29th day of March 2005 the Minister for State Development approved the "Code of Practice for Mines Survey", considered by the Mines Occupational Safety and Health Advisory Board W.A. (February 2005), as a code of practice under section 93(1) of the Act.

(2) Under section 93(4) of the Act, approval of the code of practice comes into force on the day of publication of the notice in the *Gazette*.

ALAN CARPENTER, Minister for State Development.

NOTE: *Copies of the code of practice referred to in this notice are available for inspection without charge at the Department of Industry and Resources Library, 100 Plain Street, East Perth and on the Internet information service.*

(<http://www.doir.wa.gov.au>)

PLANNING AND INFRASTRUCTURE

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Perth

City Planning Scheme No. 2—Amendment No. 1

Ref: 853/2/10/26 Pt 1

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Perth town planning scheme amendment on 22 March 2005 for the purpose of—

1. After Clause 57 of the Scheme Text insert—
57A SPECIAL CONTROL AREAS
 - (1) The following special control areas are listed in Schedule 9—
 - (a) Metro Markets Special Control Area
 - (b) CTA Building Special Control Area
 - (c) West Street Special Control Area
 - (2) Provisions that apply to a special control area are set out in Schedule 9 and apply in addition to any other provision of this Scheme.
 - (3) Where a provision of a special control area is inconsistent with any other provision of this Scheme, the provision of the special control area is to prevail.
2. After Schedule 8 of the Scheme Text insert a new schedule—Schedule 9 Special Control Areas.
3. Amend the Precinct Plans to show the special control areas on the relevant Precinct Plan maps.

SCHEDULE 9**SPECIAL CONTROL AREAS****1.0 Metro Markets Special Control Area****1.1 Special Control Area**

The following provisions apply to the land area marked as Figure 1—Metro Markets Special Control Area.

1.2 Objectives

The objectives of the Metro Markets Special Control Area are to—

- (e) facilitate the development of the land comprised in the Metro Markets Special Control Area as a whole in a coordinated manner,
- (f) facilitate the coordination of pedestrian access to enable pedestrian movement throughout the Metro Markets Special Control Area,
- (g) facilitate the coordination of vehicular access to the Metro Markets Special Control Area from Wellington Street and Market Street, and
- (h) control the development on land in the Metro Markets Special Control Area.

1.3 Pedestrian Access

Any use or development of land within the Metro Markets Special Control Area shall allow for coordinated pedestrian access ways over the Metro Markets Special Control Area, generally in accordance with the access ways set out in plan depicted in clause 1.8 of Schedule 9.

1.4 Plot Ratio

For the purpose of determining plot ratio, the Metro Markets Special Control Area shall be treated as one site.

1.5 Landscaping

For the purpose of determining landscaped area, the Metro Markets Special Control Area shall be treated as one site.

1.6 Car Parking

For the purpose of determining the car parking provision for all development within the Metro Markets Special Control Area a maximum of 1,232 car bays shall be provided, excluding special purpose bays and parking for people with disabilities, of which no more than 822 of the 1,232 bays shall be tenant parking bays, to be distributed according to the requirements of the lots within the Metro Markets Special Control Area.

1.7 Vehicular Access

Vehicular access to the Metro Markets Special Control Area for servicing and other purposes shall be provided and maintained solely from Wellington and Market Streets.

1.8 Vehicle and Pedestrian Movement Plan

2.0 CTA Building Special Control Area**2.1 Special Control Area**

The following provisions apply to the land area marked as Figure 2—CTA Building Special Control Area.

2.2 Objectives

The objectives of CTA Building Special Control Area are to—

- (e) facilitate the development of the land comprised in the CTA Building Special Control Area as a whole in a coordinated manner,
- (f) ensure that adequate provision is made for pedestrian movement throughout the CTA Building Special Control Area and linking St Georges Terrace with The Esplanade,
- (g) provide for the tenants of each site being able to use the licensed on-site tenant bays of each site within the CTA Building Special Control Area; and
- (h) provide a maximum number of tenant parking bays permitted over the CTA Building Special Control Area.

2.3 Car Parking

- (c) The land area of the CTA Building Special Control Area shall be treated as one site for the purposes of leasing tenant parking to the occupants of either lot.
- (d) The maximum number of tenant parking bays permitted over the CTA Building Special Control Area is 245 bays (100 on Allendale Square and 145 on CTA).

2.4 Pedestrian Access

- (c) Any use or development of the CTA Building Special Control Area shall encompass the continuation of public pedestrian accessways, of a width considered adequate by the Council and linking St Georges with the Esplanade.
- (d) Nothing in these CTA Building Special Control Area provisions is to constitute or be taken to constitute a dedication or an implied dedication to the public of a right to use any part of the land in the CTA Building Special Control Area.

2.5 Application for Planning Approval

Notwithstanding Clause 39 (1) of the Scheme, an application for planning approval shall be signed by every owner of land comprising the CTA Building Special Control Area.

3.0 West Street Special Control Area**3.1 Special Control Area**

The following provisions apply to the land area marked as Figure 3—West Street Special Control Area.

3.2 Objective

The objective is to facilitate the development of the land comprising the West Street Special Control Area as a whole and in a coordinated manner.

3.3 Plot Ratio

For the purpose of determining plot ratio the West Street Special Control Area shall be treated as one site.

3.4 Car Parking

For the purpose of determining the tenant parking provision the West Street Special Control Area shall be treated as one site.

3.5 Dwelling Density

For the purpose of determining dwelling density, the land area of the West Street Special Control Area Map shall be treated as one site.

Dr P. R. NATTRASS, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Perth

Town Planning Scheme No. 18—Amendment No. 1

Ref: 853/2/10/24 Pt 1

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the

City of Perth town planning scheme amendment on 22 March 2005 for the purpose of making the following amendments—

Reference	Amendment
Cl 4 (e)(i) Cl 4 (e)(ii) and Cl 4 (g) Cl 4 (h) Cl 4 (i)	1. Delete 'and' at the end of Clause 4(e)(i); and 2. Delete Clauses 4(e)(ii) and 4(g); and 3. Re-number Clause 4(h) to 4(g); and 4. Re-number Clause 4(i) to 4(h).
Cl 8.(1)	1. Delete the text of Clause 8.(1) and replace with— '8.(1) The reference in clause 47(1) of the City Planning Scheme to "a standard or requirement of this Scheme" shall be taken to include a standard or requirement of this Scheme; (2) In any provision which— (a) is contained within a town planning scheme that repeals and replaces the City Planning Scheme; and (b) empowers Council to approve a development which does not comply with the standard or requirement of that town planning scheme; any reference to a standard or requirement of that town planning scheme shall be taken to include a standard or requirement of this Scheme.'
Cl 8.(2)	1. Delete the text of Clause 8.(2) and replace with— '8.(3) The reference in clause 64(1)(d) of the City Planning Scheme to "all standards laid down and all requirements prescribed by this Scheme" shall be taken to include any standards laid down and any requirements prescribed by this Scheme. (4) In any provision which— (a) is contained within a town planning scheme that repeals and replaces the City Planning Scheme; and (b) prohibits a person from erecting, altering or adding to a building or using or changing the use of any land or building or permitting or suffering any land or building to be used or the use of any land or building to be changed for any purpose unless all the standards laid down and all the requirements prescribed by that town planning scheme or determined by the Council under that town planning scheme have been and continue to be complied with; any reference to the standards laid down or standards prescribed by that town planning scheme shall be taken to include all standards laid down and all requirements prescribed by this Scheme.'
Cl 9	Replace 'By-law' with 'Local Law' in the heading and in the text in all instances.

Dr P. R. NATTRASS, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Perth

Town Planning Scheme No. 22—Amendment No. 1

Ref: 853/2/10/30 Pt 1

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Perth town planning scheme amendment on 22 March 2005 for the purpose of making the following amendments—

Reference	Amendment
Cl 9(1)	Delete the text of Clause 9(1) and replace with 'This Scheme is complementary to and is not a substitute for the City Planning Scheme.'

Reference	Amendment
Cl 9(3)	<p>1. Delete the text of Clause 9(3) and replace with—</p> <p>‘9(3) The reference in clause 47(1) of the City Planning Scheme to “a standard or requirement of this Scheme” shall be taken to include a standard or requirement of this Scheme;</p> <p>(4) In any provision which—</p> <p>(a) is contained within a town planning scheme that repeals and replaces the City Planning Scheme; and</p> <p>(b) empowers Council to approve a development which does not comply with the standard or requirement of that town planning scheme;</p> <p>any reference to a standard or requirement of that town planning scheme shall be taken to include a standard or requirement of this Scheme.’</p>
Cl 9(4)	<p>1. Delete the text of Clause 9(4) and replace with—</p> <p>‘9(5) The reference in clause 64(1)(d) of the City Planning Scheme to “all standards laid down and all requirements prescribed by this Scheme” shall be taken to include any standards laid down and any requirements prescribed by this Scheme.</p> <p>(6) In any provision which—</p> <p>(a) is contained within a town planning scheme that repeals and replaces the City Planning Scheme; and</p> <p>(b) prohibits a person from erecting, altering or adding to a building or using or changing the use of any land or building or permitting or suffering any land or building to be used or the use of any land or building to be changed for any purpose unless all the standards laid down and all the requirements prescribed by that town planning scheme or determined by the Council under that town planning scheme have been and continue to be complied with;</p> <p>any reference to the standards laid down or standards prescribed by that town planning scheme shall be taken to include all standards laid down and all requirements prescribed by this Scheme.’</p>
Schedule 1	<p>1. Delete ‘City Planning Scheme’ means the Act, 1928;’</p> <p>2. Replace with ‘City Planning Scheme’ means the City of Perth City Planning Scheme or any amendment thereof;’</p>

Dr P. R. NATTRASS, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Stirling

District Planning Scheme No. 2—Amendment No. 456

Ref: 853/2/20/34 Pt 456

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Stirling town planning scheme amendment on 22 March 2005 for the purpose of amending the Scheme Map by rezoning Lots 6 and 7 Ozone Parade, Trigg, from “Special Use (Caravan Park)” to “Medium Density Residential R40”, and Lots 6, 7, 8 and 9 Pearl Parade, Scarborough from “Special Use (Caravan Park)” to “Medium Density Residential R60”, as depicted on the Scheme Amendment Map; and amending the Scheme Text by deleting Pearl Parade, Scarborough being Portion of Swan Location 1187 and being Lots 6 and 7 on Diagram 9458 and Lots 8 and 9 on Diagram 12985 and Lots 6 and 7 on Diagram 9457 from Schedule 2A of the City of Stirling District Planning Scheme No. 2.

D. C. VALLELONGA, Mayor.
L. DELAHAUNTY, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Swan

Town Planning Scheme No. 9—Amendment No. 435

Ref: 853/2/21/10 Pt 435

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Swan town planning scheme amendment on 22 March 2005 for the purpose of zoning Lot 7, Marshall Road, Ballajura, from Regional Reservation 'Public Purpose' to 'Industrial Development'.

C. M. GREGORINI, Mayor.
E. W. T. LUMSDEN, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Victoria Park

Town Planning Scheme No. 1—Amendment No. 33

Ref: 853/2/32/2 Pt 33

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Town of Victoria Park town planning scheme amendment on 22 March 2005 for the purpose of—

1. Reclassifying portions of Lot 20 and Pt Lot 6 (No. 264) Orrong Road, Carlisle and portion of the Galaxy Way road reserve from 'Other Regional Roads' reservation to 'Residential' zone with a permitted site density of R30.
2. Amending Precinct Plan P8—Carlisle Precinct accordingly.

J. A. LEE, Mayor.
J. BONKER, Chief Executive Officer.

PI407*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Joondalup

District Planning Scheme No. 2—Amendment No. 22

Ref: 853/2/34/2 Pt 22

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Joondalup town planning scheme amendment on 22 March 2005 for the purpose of—

1. Removing the 'Residential' zoning and reserving to 'Local Reserve—Parks and Recreation', the following portions of land—
 - Swan Location 14322—Reserve 46668, Selkirk Drive, Kinross;
 - Lot 91 Cranston Loop, Kinross;
 - Swan Location 13479—Reserve 45758 Discovery Circuit, Iluka;
 - Reserve 44451 Santiago Park, Beaumaris Boulevard, Ocean Reef;
 - Reserve 46050 25 Negresco Turn, Currambine;
 - Eastern Portion of Swan Location 12639—Reserve 44910 (Christchurch Park);
 - Reserve 42221 and 42222 No. 4 and 6 Ocean Parade, Burns Beach;
 - Reserve 45751—36L Mayflower Crescent, Craigie.
2. Removing the 'Residential' zoning and reserving to 'Local Reserve—Public Use', the following portions of land—
 - Swan Location 13561—Reserve 46179 Cayman Lane, Iluka;
 - Loc 14550, Lochy Close, Kinross;
 - Lot 1300 Lochy Close, Kinross;
 - Swan Location 14006—Reserve 46577, Kinross Drive, Kinross;
 - Lot 194 Dunscore Way, Kinross;
 - Reserve 43977 Connolly Drive, Kinross;

Reserve 43967 Connolly Drive, Kinross;
 Reserve 44909 Christchurch Terrace, Currambine;
 Reserve 46051 19L Negresco Turn, Currambine;
 Lot 628 Tyneside Grove, Currambine;
 Reserve 44156 Yatala Close, Currambine;
 Reserve 44349 Shenendoah Mews, Currambine;
 Reserve 45764 Shenendoah Mews, Currambine.

3. Removing the 'Residential' zoning from Reserve 46280 No. 6 Miami Beach Promenade, Iluka and reserving it to 'Local Reserve—Parks and Recreation'.

J. PATERSON, Chairman of Commissioners.
 C. HIGHAM, Acting Chief Executive Officer.

PI408*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Armadale

Town Planning Scheme No. 2—Amendment No. 190

Ref: 853/2/22/4 Pt 190

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Armadale town planning scheme amendment on 23 March 2005 for the purpose of—

1. Creating an 'Urban Development' Zone as detailed below—
 (i) Amending Clause 3.1 Zones to include a new zone identified as follows—

	ZONE	SUB-CATEGORY
12	Urban Development	

- (ii) Introducing a new Clause 5.15—

5.15 URBAN DEVELOPMENT ZONE

5.15.1 The objectives of the Urban Development Zone are to—

1. Designate land for future urban development.
2. Provide for the orderly planning of large areas of land for residential and associated purposes through a comprehensive structure planning process.
3. Enable planning to be flexible and responsive to changing circumstances throughout the developmental stages of the area.
4. To promote the sustainable development of new urban communities in accordance with the social, environmental and economic goals of the City of Armadale.

5.15.2 Subdivision and development within the Urban Development Zone shall occur in accordance with the provisions of Clauses 5.8 and 5.9 of the Scheme.

5.15.3 The permissibility of uses in the Urban Development Zone subject to subclause 5.15.1 shall be determined in accordance with the relevant Structure Plan prepared in accordance with Clauses 5.8 of the Scheme.

- (iii) Inserting a new development table "Table 12.1" as follows—

ZONE:		URBAN DEVELOPMENT						
POLICY STATEMENT:		The Urban Development Zone is intended to provide for future residential and urban related development in accordance with a Structure Plan prepared in accordance with Clause 5.8 of the Scheme.						
Use Classes	Code	DEVELOPMENT STANDARDS						
		Min. Lot Area	Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	Other Requirements
			Front	Rear	Sides			
Subdivision and Development within the Urban Development Zone shall be in accordance with an approved Structure Plan. Where no Structure Plan exists the specific uses and development standards will be at the discretion of Council.								

2. Identifying the zone on the Town Planning Scheme No 2 maps by a medium brown colour.
3. Rezoning Lots 46, 49, 14, Pt 388, 1000, 1001, Lot 50 and portion of Lot 45 Wright Road, Lots 4, 6, 15, 48, 13 and a portion of Lots 2 and 3 Nicholson Road and portion of Lots 10, 111, 112, 113 and 143 Warton Road, Forrestdale from 'General Rural', and the Water Corporation Reserve from 'Public Purpose', in addition to portions of the unzoned Wright, Keane and Reilly Roads, to 'Urban Development'.
4. Defining the area comprising the above lots, in addition to the portions of Lot 114 Warton Road and Lot 3 Nicholson Road zoned Special Use No 90, and Nicholson Road reserve as a 'Development Area/Development Contribution Area' on the Scheme map.

5. Amending the Scheme Maps accordingly.
6. Amending Schedule 1—Provisions relating to Special Control Areas—to include the following—

“Part 7—North Forrestdale Structure Plan.

1. Subdivision and Development shall occur in accordance with a North Forrestdale Structure Plan to be prepared pursuant to the provisions outlined in Clauses 5.8 and taking effect upon adoption by both Council and the Western Australian Planning Commission.
2. The North Forrestdale Structure Plan shall incorporate assessments and recommend management responses to the satisfaction of the City of Armadale for key environmental planning factors identified as follows—
 - (i) The urban water management outcomes recommended in the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan—Urban Water Management Strategy.
 - (ii) Surveys of existing flora and fauna, heritage sites, conservation category wetlands, land contamination, sources of noise or odour impacts on development and interfaces to adjacent conservation areas.
3. All landowners within the North Forrestdale Structure Plan area shall make a proportional contribution to the costs of infrastructure in accordance with a Developer Contribution Plan prepared pursuant to Clause 5.9 Development Contribution Areas.”

L. REYNOLDS, Mayor.
R. S. TAME, Chief Executive Officer.

PI409*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Bunbury

Town Planning Scheme No. 7—Amendment No. 4

Ref: 853/6/2/11 Pt 4

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Bunbury town planning scheme amendment on 22 March 2005 for the purpose of modifying Schedule 2 ‘Special Use Zones’—Special Use 13 (Lot 102 Estuary Drive) by deleting Provision 1 and 3 (first paragraph), 3(c) and 3(d) of the ‘Conditions’ column and replacing them in numerical order with the following—

1. Any land use or development proposal within this Special Use Zone must be in accordance with the endorsed Pelican Point Outline Development Guide Plan (Plan No. 03038P dated July 2004 of Amendment No. 4) and Development Design Guidelines or any variation thereto, which addresses but is not limited to the following matters—
 - (a) Outline Development Guide Plan
 - (i) issues raised by the Bunbury Port Authority, Department of Environmental Protection, Department for Planning and Infrastructure and Main Roads WA in relation to port expansion, potential land use conflicts and upgrading requirements of Old Coast Road;
 - (ii) overall site layout;
 - (iii) description of proposed land uses;
 - (iv) residential density (if applicable);
 - (v) vehicle access and egress;
 - (vi) on-site parking requirements;
 - (vii) landscaping and aesthetics;
 - (viii) building materials and the general built form;
 - (ix) appropriate landscape buffers along Old Coast Road in the vicinity of any proposed residential development;
 - (x) provision of adequate buffers around any service station development to address the possible impacts of noise, odour or risk on sensitive land uses within or in close proximity to the subject site;
 - (xi) noise attenuation measures to be included in the design of the residential development to alleviate potential land use conflicts and the impact of heavy traffic along Old Coast Road;
 - (xii) maximum retail floorspace restriction is 600m² net lettable area and any increase in retail floorspace is required to be appropriately justified in context of the City of Bunbury’s Local Commercial Strategy. Any support for an increase in floorspace is not permitted until the Scheme is amended;

- (xiii) appropriate mix of 'Local Centre' uses;
 - (xiv) appropriate interface treatment between the residential and commercial uses to address suitable residential amenity requirements;
 - (xv) traffic safety concerns with the adjoining roads (i.e. Estuary Drive and Old Coast Road) and the proposed subdivisional road and direct access points.
- (b) Development Design Guidelines
- (i) landuse;
 - (ii) site planning, including setbacks, plot ratio and site coverage;
 - (iii) built form and building appearance;
 - (iv) vehicular access and traffic management;
 - (v) car parking;
 - (vi) landscaping;
 - (vii) integration of mixed uses and the establishment of special criteria for building design of those buildings which will face the residential area; and
 - (viii) other special controls.
3. All uses within the Special Use site on Lot 102 Estuary Drive, corner Old Coast Road (these uses being fast foods outlet, service station (normal hours unless appropriate buffers included), local shop, car wash, medical centre, plant nursery, pharmacy, video hire outlet, shop, day care centre, office and Residential R30) are hereby classified as 'D' uses and the following conditions apply:

G. M. CASTRILLI, Mayor,
G. TREVASKIS, Chief Executive Officer.

PI410***TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Shark Bay

Town Planning Scheme No. 2—Amendment No. 47

Ref: 853/10/5/3 Pt 47

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Shark Bay town planning scheme amendment on 23 March 2005 for the purpose of—

1. Rezoning Lot 134 Durlacher Street, Denham, from 'Private Clubs and Institutions' Zone to 'Residential' Zone, with an R10/25 density coding.
2. Modifying the Scheme Text by the addition of the following to the last paragraph of Clause 4.6.2—
"and in the case of Lot 134 Durlacher Street the R25 Code".
3. Amending the Scheme Map accordingly.

L. R. MOSS, President.
M. HOOK, Chief Executive Officer.

PI411***TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Joondalup

District Planning Scheme No. 2—Amendment No. 27

Ref: 853/2/34/2 Pt 27

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Joondalup town planning scheme amendment on 24 March 2005 for the purpose of modifying Schedule 3 (Commercial and Centre Zones) by including the following lots and corresponding retail floorspace NLA(m²) figures under the columns headed 'Description of Centre and Commercial Zones' and 'NLA(m²)' respectively—

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
WOODVALE (Woodvale Boulevard)	Lot 1 (941) Whitfords Avenue	430

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
WOODVALE (Woodvale Boulevard)	Lot 7 (3) Trappers Drive	200
WOODVALE (Woodvale Boulevard)	Lot 8 (1) Trappers Drive	600
WOODVALE (Woodvale Boulevard)	Lot 9 (937) Whitfords Avenue	540
WOODVALE (Woodvale Boulevard)	Lot 10 (933) Whitfords Avenue	300

J. PATERSON, Chairman of Commissioners.
G. HUNT, Chief Executive Officer.

PI412*

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Mandurah

Town Planning Scheme No. 3—Amendment No. 66

Ref: 853/6/13/12 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 Minister for Planning and Infrastructure approved the City of Mandurah town planning scheme amendment on 24 March 2005 for the purpose of—

1. Transferring those portions of Lots 62 to 64 (inclusive) Pinjarra Road, Mandurah, which are currently zoned 'Service Commercial' to 'Special Development' and 'District Distributor Roads' as shown on the Amendment map.
2. Rezoning Lots 65 to 67 Adana Street (inclusive) from 'Residential R12.5/40' to 'Special Development'.
3. Amending the Scheme Maps accordingly.

K. HOLMES, Mayor.
M. NEWMAN, Chief Executive Officer.

PI413*

WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985
NOTICE OF DELEGATION TO COMMITTEES AND OFFICERS

File: 970-1-1-3
970-1-1-58

Notice is hereby given that the Western Australian Planning Commission (*the Commission*) by resolution made on 29 March 2005 and acting pursuant to the provisions of section 20 of the *Western Australian Planning Commission Act 1985* (*the Act*) does hereby—

- A. Revoke its delegation of powers and functions to various eligible persons and bodies as detailed in a notice published in the *Government Gazette* of 9 January 2004 (pages 109—114); and
- B. DELEGATES ITS FUNCTIONS as set out in—
 - (a) schedule 1, to those eligible persons and bodies set out in schedule 2;
 - (b) schedule 3, to those eligible bodies set out in schedule 4;
 - (c) schedule 5, to those eligible persons set out in schedule 6;
 - (d) schedule 7, to those eligible persons set out in schedule 8;
 - (e) schedule 9, to those eligible persons and bodies set out in schedule 10;
 - (f) schedule 11, to the eligible body set out in schedule 12;
 - (g) schedule 13, to the eligible body set out in schedule 14;
 - (h) schedule 15, to the eligible body set out in schedule 16; and
 - (i) schedule 17, to the eligible persons set out in schedule 18.

In accordance with section 20(5) of the Act, a reference in this instrument to a function or a power of the Commission includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the Commission by the Act or any other written law as the case requires.

SCHEDULE 1—FUNCTIONS DELEGATED

- 1.1 All functions of the Commission as set out in—
 - (i) paragraphs (i), (ii), (iv) and (v) of subsection (1)(e) of section 18 of the Act;
 - (ii) the *Metropolitan Region Town Planning Scheme Act 1959*; and
 - (iii) the Metropolitan Region Scheme.
- 1.2 Power to determine applications for approval to commence and carry out development lodged with or referred to the Commission pursuant to the provisions of the Metropolitan Region Scheme.
- 1.3 Power to determine applications for approval to commence and carry out development lodged with or referred to the Commission pursuant to the provisions of the Metropolitan Region Scheme but only where those determinations are not inconsistent with predetermined policies (if any) of the Commission and will not be significantly at variance with the recommendations made by the relevant local government or where no response has been received from the local government within the period prescribed in clause 29(3) of the Scheme.
- 1.4 Power to approve detailed plans requiring the subsequent approval of the Commission as a condition of development approval pursuant to the provisions of the Metropolitan Region Scheme and power to confirm that conditions imposed by the Commission on a development approval pursuant to the provisions of the Metropolitan Region Scheme have been complied with.
- 1.5 Power to determine whether or not proposals and the ongoing implementation of the Metropolitan Region Scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the *Environmental Protection Act 1986*.
- 1.6 Power to determine whether or not, applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the Commission made under clause 32 of the *Metropolitan Region Scheme* requiring such determination.
- 1.7 Power to request the Minister for Planning and Infrastructure to approve the Commission disregarding the advice of the Swan Valley Planning Committee in whole or in part in relation to the approval of development of land within the Swan Valley Planning Act Area where the determining authority is the Commission.
- 1.8 Power to issue Clause 42 Certificates pursuant to the provisions of the Metropolitan Region Scheme.

SCHEDULE 2—APPLICATION OF DELEGATION

The delegation of functions set out in Schedule 1 apply as follows—

- 2.1 Paragraph 1.1 of Schedule 1 applies to the Statutory Planning Committee meeting as the Metropolitan Region Planning Committee being a committee of that name established by the Commission under section 19 (1d) of the Act.
- 2.2 Paragraph 1.1 of Schedule 1 applies to the Central Perth Planning Committee being a committee of that name established by the Commission under section 19 (1) of the Act but only where the matters under consideration by the Committee are within the area of the City of Perth.
- 2.3 Paragraph 1.2 of Schedule 1 applies to the Statutory Planning Committee established under section 19 (1c) of the Act except where the matters under consideration are within the area of the City of Perth.
- 2.4 Paragraph 1.6 applies to the Chairman of the Commission appointed under section 5 of the Act and the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below—
 - (i) Executive Director, Statutory Planning
 - (ii) Metropolitan Planning Program Leader
- 2.5 Paragraphs 1.3, 1.4, and 1.7 of Schedule 1 apply to the Chairman of the Commission appointed under section 5 of the Act and the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below but subject to the conditions specified—
 - (i) Executive Director, Statutory Planning
 - (ii) Metropolitan Planning Program Leader
 - (iii) Policy and Legislation Program Leader
 - (iv) Metropolitan North East Team Leader
 - (v) Metropolitan Central Team Leader
 - (vi) Metropolitan North West Team Leader
 - (vii) Metropolitan South West Team Leader
 - (viii) Metropolitan South East Team Leader
 - (ix) Schemes and Amendments Team Leader
- 2.6 Paragraph 1.5 of Schedule 1 applies to Executive Director, Statutory Planning of the Department for Planning and Infrastructure; the Statutory Planning Committee meeting as the Metropolitan Region Planning Committee being a committee of that name established by the Commission under section 19 (1d) of the Act; the Central Perth Planning Committee

being a committee of that name established by the Commission under section 19 (1) of the Act but only where the matters under consideration by the Committee are within the area of the City of Perth and; the Statutory Planning Committee established under section 19 (1c) of the Act except where the matters under consideration are within the area of the City of Perth.

- 2.7 Paragraph 1.8 of Schedule 1 applies to the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices of Executive Director, Integrated Planning; Manager, Mapping and Geospatial Data Branch; and Co-ordinator, Statutory Mapping, Mapping and Geospatial Data Branch.

SCHEDULE 3—FUNCTIONS DELEGATED

- 3.1 All functions of the Commission as set out in—
- (i) Section 7B, 19, 20, 20C, 21, 24 and 25 of the *Town Planning and Development Act 1928*;
 - (ii) *Town Planning Regulations 1967*;
 - (iii) *Town Planning and Development (Subdivisions) Regulations 2000*;
 - (iv) *Strata Titles Act 1985* or the provisions of a strata or survey-strata scheme;
 - (v) *Strata Titles General Regulations 1996*;
 - (vi) Section 295 (2a) and section 297A (6) (a) of the *Local Government (Miscellaneous Provisions) Act 1960*;
 - (vii) Section 52 and section 85 of the *Land Administration Act 1997*;
 - (viii) Section 40 of the *Liquor Licensing Act 1988*;
 - (ix) Section 43 and section 43A of the *Metropolitan Region Town Planning Scheme Act 1959*;
 - (x) Section 37J and section 37K of the *Western Australian Planning Commission Act 1985*;
 - (xi) Section 18 (1)(a), (ba) and (c) of the Act;
 - (xii) Part 4—Development Control of the *Hope Valley-Wattleup Redevelopment Act 2000*;
- 3.2 Power to advise the Minister for Planning and Infrastructure on any appeal or matter arising therefrom pursuant to Part V of the *Town Planning and Development Act 1928*.
- 3.3 Power to defend and otherwise deal with appeals lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.
- 3.4 Power to defend, respond, appeal and otherwise deal with legal proceedings.
- 3.5 Power to prepare and approve, subject to the prior approval of the Minister for Planning and Infrastructure, policies relating to planning matters and/or the functions of the Commission, save and except for statements of planning policy under section 5AA of the *Town Planning and Development Act*.

SCHEDULE 4—APPLICATION OF DELEGATION

- 4.1 The functions set out in Schedule 3 apply to the Statutory Planning Committee established under section 19 of the Act, except for matters concerning land within that area of the State comprising the South West Region as defined in Schedule 1 of the Act or matters concerning land within the area of the City of Perth and subject to the exercise of the functions under this clause having due regard in each case to published Commission policy.
- 4.2 The functions set out in Schedule 3 apply to the South West Region Planning Committee being a Committee by that name established by the Commission under Section 19 of the Act, but only in respect of the matters within the South West Region of the State as defined in Schedule 1 to the Act and subject to the exercise of the functions under this clause having due regard in each case to published Commission policy.
- 4.3 The functions set out in Schedule 3 apply to the Central Perth Planning Committee being a Committee by that name established by the Commission under Section 19 of the Act, but only in respect of the matters within the area of the City of Perth and subject to the exercise of the functions under this clause having due regard in each case to published Commission policy.

SCHEDULE 5—FUNCTIONS DELEGATED

- 5.1 Power to recommend to the Minister for Planning and Infrastructure that approval be granted or withheld with respect to Interim Development Orders and extensions thereto made or extended pursuant to section 7B of the *Town Planning and Development Act 1928*.
- 5.2 Power to determine all applications to the Commission under section 20 of the *Town Planning and Development Act 1928* where such determination is in accordance with predetermined policies (if any) of the Commission.
- 5.3 Power, with respect to applications to the Commission under section 20 of the *Town Planning and Development Act 1928* determined by or on behalf of the Commission, to advise applicants that a revised plan of subdivision is considered to contain amendments that are minor and not so significant so as to amount to a significantly different proposal in circumstances where a revised plan does not materially affect the decision given by or on behalf of the Commission.
- 5.4 Power pursuant to section 24 (6) of the *Town Planning and Development Act 1928* to determine requests for reconsideration made pursuant to subsection (5) of that section but only in respect of decisions made by an officer under delegated power and where the

recommendation is to approve the request and where approval to the reconsideration would not be inconsistent with Commission policy or where the recommendation is to refuse the request on the basis that it is clearly contrary to Commission policy.

- 5.5 Power to give or withhold consent, pursuant to section 295 (2) of the *Local Government (Miscellaneous Provisions) Act 1960*, to the setting out and construction within a subdivision approved in accordance with section 20 of the *Town Planning and Development Act 1928* of street or streets the width or widths of which are less than 20 metres; such power having been delegated pursuant to section 295 (2a) of the first mentioned Act by instrument in writing dated 9 December 1986 by the Minister for Planning and Infrastructure and the power being limited by the provision of section 295 (2b) of that Act.
- 5.6 Power to determine requests for variations to plans of subdivision where Commission approval is required pursuant to the provisions of an approved town planning scheme.
- 5.7 Power to advise the Minister for Planning and Infrastructure on any appeal or matter arising therefrom pursuant to Part V of the *Town Planning and Development Act 1928*.
- 5.8 Power to defend and otherwise deal with reviews lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.
- 5.9 Power to defend, respond, appeal and otherwise deal with legal proceedings.
- 5.10 Power to exercise all functions of the Commission as set out in section 43 and section 43A of the *Metropolitan Region Town Planning Scheme Act 1959*, and section 37J and section 37K of the *Western Australian Planning Commission Act 1985*.
- 5.11 Power to determine applications and other matters lodged with the Commission for decision under the provisions of the *Strata Titles Act 1985* or the provisions of any strata or survey-strata scheme where any such determination is in accordance with predetermined policies (if any) of the Commission.
- 5.12 Power to give consent to advertise amendments to local government town planning schemes in cases where such determination rests with the Commission under the provisions of the *Town Planning Regulations 1967*, and to determine the periods for which those amendments are advertised where variations to the 42 day period prescribed by regulation 25(fa) are justified.
- 5.13 Power to recommend to the Minister for Planning and Infrastructure as to whether or not requests for extensions of time for the consideration of submissions or to undertake modifications to an amendment prior to advertising be granted pursuant to regulation 14(4) or 25AA(6) of the *Town Planning Regulations 1967*; or power to approve requests for extensions of time for the consideration of submissions pursuant to regulation 17(1) of the *Town Planning Regulations 1967* where such power is conferred upon the Commission.
- 5.14 Power pursuant to regulation 15(5) of the *Town Planning Regulations 1967* to specify a lesser period than three months from the date of advertisement in which submissions may be made where a scheme is a development scheme or a scheme that does not involve the zoning or classification of land, where such power is conferred upon the Commission.
- 5.15 Power to recommend to the Minister for Planning and Infrastructure that amendments to local government town planning schemes be given final approval where no submissions were made during the advertising period, or where that recommendation accords with the local government's determination of any submissions received, under the provisions of regulations 19 and 25 (g) of the *Town Planning Regulations 1967*.
- 5.16 Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the Commission pursuant to the provisions of a town planning scheme.
- 5.17 Power to certify, in accordance with section 40 of the *Liquor Licensing Act 1988*, with respect to the acceptability of a proposal in terms of relevant existing approvals, written laws relating to planning, schemes and Commission policy.
- 5.18 Power pursuant to sections 52 and 85 of the *Land Administration Act 1997* to approve plans of survey where in accordance with predetermined policies (if any) of the Commission.
- 5.19 In accordance with section 20C *Town Planning and Development Act 1928*, power to grant approval for an applicant to pay to the relevant local government a sum of money in lieu of land being set aside for public open space that represents the value of that portion in circumstances where the Commission has approved a plan of subdivision upon the condition that such land be set aside for public open space.
- 5.20 Authority to advise the Minister for Planning and Infrastructure when the Minister undertakes the role of the Commission in relation to the approval of the lease or subdivision of land pursuant to s20 of the *Town Planning and Development Act 1928*, within areas the subject of a redevelopment act and planning scheme and under the control of a redevelopment authority.
- 5.21 Power to make recommendations to the Minister for Planning and Infrastructure in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with Commission policy.
- 5.22 Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to s38(1) of the *Environmental Protection Act 1986* and to refer such proposal to the Environmental Protection Authority.

SCHEDULE 6—APPLICATION OF DELEGATION

- 6.1 The functions set out in Schedule 5 apply to the Chairman of the Commission appointed under section 5 of the Act and the Executive Director, Statutory Planning, Department for Planning and Infrastructure.
- 6.2 The delegation of functions set out in clause 5.10 of Schedule 5, apply to the following officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below—
- (i) Policy and Legislation Program Leader,
- 6.3 The delegation of functions set out in clauses 5.7, 5.8 and 5.9 of Schedule 5 apply to the following officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below—
- (i) Policy and Legislation Program Leader
 - (ii) Policy and Legislation Coordinator
- 6.4 The delegation of functions set out in Schedule 5, save and except for the delegation of functions set out in clause 5.10 and 5.22 of Schedule 5, apply to the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below but subject to the conditions specified—
- (i) Metropolitan Planning Program Leader
 - (ii) Metropolitan North East Team Leader
 - (iii) Metropolitan Central Team Leader
 - (iv) Metropolitan North West Team Leader
 - (v) Metropolitan South West Team Leader
 - (vi) Metropolitan South East Team Leader
 - (vii) Schemes and Amendments Team Leader
- but for (i) to (vii) inclusive, confined to those matters related to land within the Perth Metropolitan Region and the Peel Region as defined in Schedule 1 to the Act
- (viii) Country Planning Program Leader
 - (ix) Eastern and Northern Regions, Country Planning Team Leader,
 - (x) Schemes and Strategies, Country Planning Team Leader
- but confined to those matters related to land outside the Perth Metropolitan Region and the South West Region of the State as defined in Schedule 1 to the Act.
- (xi) Great Southern Office Team Leader
- but confined to those matters related to land within the Great Southern Region of the State as defined in Schedule 1 of the Act and including the Shire of West Arthur, Wagin, Dumbleyung, Lake Grace and Ravensthorpe.
- (xii) South West Program Leader,
 - (xiii) South West Team Leader; and
 - (xiv) South West Local Planning Team Leader.
- but for (xii), (xiii) and (xiv) confined to those matters related to land within the South West as defined in Schedule 1 to the Act.
- (xv) Mid West Office Team Leader,
- but confined to those matters related to land within the Mid West Region of the State as defined in Schedule 1 to the Act.
- (xvi) Peel Office Team Leader,
- but confined to those matters related to land within the Peel Region of the State as defined in Schedule 1 to the Act.
- 6.5 The delegation of functions set out in clause 5.22 of Schedule 5, apply to the following officer of the Department for Planning and Infrastructure for the time being exercising the duties of the office designated below—
- (i) Environment and Natural Resources Planning Program Leader.

SCHEDULE 7—FUNCTIONS DELEGATED

- 7.1 Power to endorse the following classes of approval that may be granted pursuant to Part III of the *Town Planning and Development Act 1928*—
- (a) diagrams and plans of survey and deposited plans submitted in accordance with an earlier approved plan of subdivision or amalgamation; and
 - (b) any other documents relating to leases, licences, transfers, conveyances and mortgages, and other dealings in land,
- submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval.
- 7.2 Power pursuant to Regulation 22 of the *Town Planning Regulations 1967* to endorse town planning scheme and town planning scheme amendment documents for submission to the Minister for Planning and Infrastructure.

- 7.3 Power pursuant to section 25B of the *Strata Titles Act 1985* to endorse survey-strata plans or plans or re-subdivision or consolidation for a survey-strata scheme submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval.
- 7.4 Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part V of the *Metropolitan Region Town Planning Scheme Act 1959*, the *Town Planning and Development Act 1928* and the *Land Administration Act 1997*.

SCHEDULE 8—APPLICATION OF DELEGATION

- 8.1 The functions set out in Schedule 7 apply to the Chairman of the Commission appointed under section 5 of the Act and the Executive Director, Statutory Planning of the Department for Planning and Infrastructure.
- 8.2 The delegation of functions set out in Schedule 7 apply to the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below but subject to the conditions specified—
- (i) Metropolitan Planning Program Leader
 - (ii) Metropolitan North East Team Leader
 - (iii) Metropolitan Central Team Leader
 - (iv) Metropolitan North West Team Leader
 - (v) Metropolitan South West Program Leader
 - (vi) Metropolitan South East Program Leader
 - (vii) Schemes and Amendments Team Leader
- but for (i) to (vii) inclusive, confined to those matters related to land within the Perth Metropolitan Region and the Peel Region as defined in Schedule 1 to the Act.
- (viii) Country Planning Program Leader
 - (ix) Eastern and Northern Regions, Country Planning Team Leader
 - (x) Schemes and Strategies, Country Planning Team Leader;
- but for (viii), (ix) and (x) confined to those matters related to land outside the Perth Metropolitan Region.
- (xi) South West Program Leader,
 - (xii) South West Team Leader, and
 - (xiii) South West Statutory Planning Team Leader,
- but for (xi), (xii) and (xiii) confined to those matters related to land within the South West Region of the State as defined in Schedule 1 to the Act.

SCHEDULE 9—FUNCTIONS DELEGATED

Power to undertake the following administrative, financial and miscellaneous functions of the Commission—

- (i) Arrangements for the conveyance, assignment, transfer, subdivision, amalgamation and development of Commission property;
- (ii) Arrangements for the leasing of Commission property including the determination of rents in accordance with established Commission practice;
- (iii) Arrangements for the management, maintenance, repair, insurance, valuation and other related incidental functions with respect to Commission property subject to a \$100,000 maximum figure of expenditure per property in any one financial year;
- (iv) Prescription of charges, and setting conditions, for the sale and release of maps and publications;
- (v) Waiving of the additional fee for considering a minor variation to a plan of subdivision as part of an application for approval of subdivision or re-subdivision; and
- (vi) The awarding of contracts, and the appointment of consultants pursuant to section 41 of the Act, for activities to which a budget has been approved and allocated by the Commission and subject to compliance in each case with State Supply Commission procedures.

SCHEDULE 10—APPLICATION OF DELEGATION

The functions set out in Schedule 9 apply as follows—

- 10.1 Paragraphs (i), (ii), (iii), (iv), (v) and paragraph (vi), but subject to a limitation of \$100,000, apply to the Chairman of the Commission appointed under section 5 of the Act and the Secretary of the Commission appointed as an officer of the Commission under the Act, subject to the exercise of the functions under this clause having due regard in each case to published Commission policy.
- 10.2 Paragraphs (i), (ii) and (iii) apply to the officer of the Department for Planning and Infrastructure occupying the positions of Manager, Western Australian Planning Commission Land Asset Management.
- 10.3 Paragraphs (v) and (vi) apply to the officer of the Department for Planning and Infrastructure occupying the position of Executive Director, Statutory Planning but subject to a limitation of \$100,000 in any one contract.

- 10.4 Paragraph (vi) applies to the officers of the Department for Planning and Infrastructure occupying the positions of Executive Director, Integrated Planning; Executive Director, Commercial and Assets Services; Executive Director, Strategic Policy and Evaluation; and Executive Director, Corporate Services but subject to a limitation of \$100,000 in any one contract.
- 10.5 Paragraph (vi), but subject to a limitation of \$100,000 in any one contract, applies to—
- (a) the Transport Committee, being a committee established under section 19(1a) and (1e) of the Act, for transportation studies and initiatives; and
 - (b) the Infrastructure Coordinating Committee, being a committee established under section 19(1a) and (1g) of the Act, for infrastructure studies and initiatives.

SCHEDULE 11—FUNCTIONS DELEGATED

Such powers and functions under the Act and the *Metropolitan Region Town Planning Scheme Act 1958* as are necessary to—

- (i) determine alignments, reservations and plans for the protection of transportation reserves that may require amendments to the Metropolitan Region Scheme;
- (ii) determine transportation requirements of amendments to the Metropolitan Region Scheme; and
- (iii) prepare transportation strategies and policies both within and outside the Perth Metropolitan Region.

SCHEDULE 12—APPLICATION OF DELEGATION

The powers and functions set out in schedule 11 apply to the Transport Committee being a committee established under section 19(1a) and (1e) of the Act.

SCHEDULE 13—FUNCTIONS DELEGATED

Such powers and functions under the Act and the *Metropolitan Region Town Planning Scheme Act 1958* as are necessary to—

- (i) co-ordinate the preparation of the Metropolitan Development Program; and
- (ii) plan for the coordinated provision of infrastructure for land development.

SCHEDULE 14—APPLICATION OF DELEGATION

The powers and functions set out in Schedule 13 apply to the Infrastructure Coordinating Committee being a committee established under section 19(1a) and (1g) of the Act.

SCHEDULE 15—FUNCTIONS DELEGATED

All powers and functions of the Commission that may lawfully be delegated under the Act, the *Metropolitan Region Town Planning Scheme Act 1958*, the *Town Planning and Development Act 1928*, and any other written law.

SCHEDULE 16—APPLICATION OF DELEGATION

The powers and functions set out in Schedule 15 apply to the Executive, Finance & Property Committee being a committee established under section 19(1a) and (1b) of the Act.

SCHEDULE 17—FUNCTIONS DELEGATED

Such powers and functions of the Commission that may be lawfully undertaken relating to the acquisition, development, maintenance and management of land under the Metropolitan Region Scheme and the Peel Region Scheme for the purpose of carrying out and giving effect to those Schemes, including—

- (i) the application of money from the Western Australian Planning Commission Account and the Metropolitan Region Improvement Fund for such purposes;
- (ii) the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes, the Act or the *Metropolitan Region Town Planning Scheme Act 1958*;
- (iii) the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.

SCHEDULE 18—APPLICATION OF DELEGATION

- 18.1 The functions set out in Schedule 17 apply to the Chairman of the Commission appointed under section 5 of the Act subject to the exercise of the functions under that clause having due regard in each case to published Commission policy and provided that such delegation does not apply to any matter that involves expenditure in excess of \$1,000,000 (one million dollars), the exchange of or disposal of land owned by the Commission or resumption of land by the Commission for a public purpose.
- 18.2 The functions set out in Schedule 17 apply to the Secretary of the Commission appointed as an officer of the Commission under the Act subject to the exercise of the functions under this clause having due regard in each case to published Commission policy and provided that such delegation does not apply to any matter that involves expenditure in excess of \$500,000 (five hundred thousand dollars), the exchange of or disposal of land owned by the Commission or resumption of land by the Commission for a public purpose.

IAN PATTERSON, Secretary, Western Australian Planning Commission.

POLICE

PO501

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892 unclaimed and stolen property will be sold by public auction at Karratha Outdoors and Dive Centre, 1435 Warambie Road, Karratha at 11.00 am on Sunday 10th April 2005.

Auction to be conducted by Paul Kensington, Licensed Auctioneer.

K. O'CALLAGHAN, Commissioner of Police.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR LICENSING ACT 1988

LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
10679	RGM Group Pty Ltd and D'Amelio Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Scarborough and known as La Vela Restaurant	04/04/2005
10670	Lisbon (WA) Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Ardross and known as C15 Espresso	30/03/2005
10667	Rebel Entertainment Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in Perth and known as Pinocchio's	11/04/2005
10665	Peter John Skinner, Alan Simpson, Skinner, and Russell Simpson	Application for the grant of a Wholesaler's licence in respect of premises situated in Rolling Green and known as Chosen Wines	29/03/2005
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
22983	Gustav Holding Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Woodvale and known as Woodvale Tavern and Reception Centre	05/04/2005
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
217246	Port Hedland Peace Memorial Seafarers	Application to add, vary, or cancel a condition of the Special Facility licence in respect of premises situated in Port Hedland and known as Seafarer's Centre	07/04/2005

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

Dated: 23rd March 2005.

H. R. HIGHMAN, Director of Liquor Licensing.

RG402

BETTING CONTROL ACT 1954

CALLING OF THE CARD

Notice is hereby given that the Gaming and Wagering Commission has pursuant to section 5(2) of the Betting Control Act, authorised the conduct of betting at "Calling of the Card" functions to be held at the Thomas Hardwick Room, Old Swan Brewery on occasions approved by the gaming and Wagering Commission from time to time.

Approved by the gaming and Wagering Commission this 22 March 2005.

BARRY A. SERGEANT, Chairman,
Gaming and Wagering Commission.

RG403*

LIQUOR LICENSING ACT 1988

LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
10683	Wine Source (WA) Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Wembley and known as Evans & Tate	08/04/2005
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
23083	Profligate Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Northbridge and known as Connections Nightclub	14/04/2005
23063	Richard James Chadwick	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Albany and known as Cape Agencies	17/04/2005

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

Dated: 30th March 2005.

H. R. HIGHMAN, Director of Liquor Licensing.

SALARIES AND ALLOWANCES

SX401*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION

Commissioners of The Western Australian Industrial Relations Commission

Salaries and Allowances Tribunal.

Pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975*, the Tribunal at intervals of not more than twelve months is required to enquire into and determine the remuneration to be paid to the Chief Commissioner, Senior Commissioner and Commissioners of the Western Australian Industrial Relations Commission (WAIRC).

BACKGROUND

Until 1984 the remuneration of the positions of Commissioner, Senior Commissioner and Chief Commissioner was dealt with as prescribed offices under the *Salaries and Allowances Act 1975*.

The *Industrial Arbitration Act 1984* amended section 20 of the *Industrial Arbitration Act 1979* and specified a fixed link to judicial salaries.

The Chief Commissioner's salary and expense allowance was to be the same as a Judge of the District Court.

The Senior Commissioner was to receive 95 per cent of the salary and 66.67 per cent of the annual expense allowance received by the Chief Commissioner.

The Commissioners were to receive 90 per cent of the salary and 50 per cent of the annual expense allowance received by the Chief Commissioner.

Accordingly, up until the legislative amendments in 2002, the salaries of the members of the WAIRC had been linked to the salaries of the judiciary.

The *Industrial Relations Reform Act 2002* at section 186 legislated that all positions in the Commission, other than the President, were prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975*.

It also established that existing remuneration rates would remain in place until the Tribunal's first determination. Furthermore no existing Commission member would receive less remuneration.

Under the new legislation, the Tribunal issued its first determination in 2003 and maintained the link with judicial salaries. Accordingly the Commissioners received a 9.2 per cent adjustment to their salaries. However at that time the Tribunal noted that—

“Continuation of the linkage will remain under review”.

In its judicial report on salaries of December 2003, the Tribunal continued its review into the matter and noted that—

“In the opinion of the Tribunal it would not be appropriate in the circumstances of the review automatically to pass on the current recommended judicial increase in salary...Accordingly, this determination has the effect of fixing the salary rates applicable to Commissioners at their current levels.”

In April 2004 the Tribunal granted the WAIRC members an increase of 3.6 per cent with effect from 1 May 2004. This was inline with the general increase for Special Division members and Prescribed Officer holders.

The Tribunal subsequently undertook a comprehensive review of the remuneration of the Commissioners of the WAIRC. It commissioned input from independent remuneration experts as well as from the Government and the WAIRC itself.

CURRENT ENQUIRY

Through this review the Tribunal has received valuable input from the independent remuneration experts, Government and the WAIRC and all input has been considered.

1. Input from Mercer Consulting

In mid-2004, Mercer Consulting was engaged by the Tribunal to undertake an independent review and provide advice on the remuneration of members of the WAIRC. In its work value assessment of the Commissioners' roles, it identified that the Commissioners are required to exercise, at their discretion, four different types of power in fulfilling their duties.

1. Judicial as in determining contractual benefit claims;
2. Administrative as in registration of industrial agreements;
3. Arbitral as in resolving matters in a way, which could reasonably have been agreed between the parties;
4. Legislative as in issuing orders enforcing or preventing certain conduct

The Tribunal noted from this that, whilst Commissioners do exercise judicial power, only a portion of their work is of this nature.

It identified that the role of the Commissioners was complex, diverse and discretionary. When compared to other jurisdictions it assessed the work value thus:

“ We conclude with a high degree of confidence that WAIRC Commissioners exercise a broader range of powers and functions than their Commissioner counterparts in other jurisdictions, hence they would have a higher work value. However, Mercer cannot further conclude that the work value of WAIRC Commissioners is equivalent to Deputy Presidents elsewhere. We expect it would be lower, but not significantly lower.”

It went on to note and explained specifically that:

“When compared with similar positions in other jurisdictions Mercer notes that the WAIRC Commissioners are higher [in work value] than other Commissioners...are marginally higher than Deputy Presidents in South Australia and Queensland, but significantly lower than Deputy Presidents in the AIRC and IRCNSW”

Mercer's report also provided comment on the historical linkage with the judiciary by providing a qualified acceptance of its relevance.

“Mercer's view in relation to a link with the judiciary is that we consider the link to be an appropriate one, but we do not believe a fixed link to be appropriate by itself...We found that other external benchmarks are also relevant, and we believe that the automatic and fixed percentage link to be the potential cause of error.”

2. Input from the Government

In its submission to the Tribunal, the Government expressed the view that this fixed judicial link should be broken.

“The desire to break the previously existing nexus between the salaries of the WAIRC members and the judiciary was the reason for making the [legislative] amendment.”

It also expressed the view that—

“The focus of the work done and the skills required are therefore different from those in the mainstream court system and warrant separate consideration...The Government believes that the salaries and allowances of Commissioners should reflect a balanced, fair and reasonable approach and be comparable with that of their equivalents in other jurisdictions.”

3. Input from the Commissioners of the WAIRC

The Commissioners of the WAIRC considered, in their submission to the Tribunal, that there still was relevance in the long-standing judicial link as a material consideration in the future. It strongly suggested that the five guiding principles; independence, recruitment and retention, workload and related factors, comparative remuneration data and economic circumstances which were used by the Commonwealth review of 2002 and resulted in the special 17 per cent increase, still impacted equally on the WAIRC.

The Tribunal considered the current relevance of each of these principles to the WAIRC.

Independence

Although the Tribunal is aware of the importance of the actual and perceived independence of the WAIRC, in its determination of April 2004 it did not accept the argument, strongly stated by the Commissioners, that a direct link with judicial salaries was important in preserving this independence.

Recruitment and Retention

The Tribunal is of the opinion that remuneration is not the sole factor that influences a person's decision to accept or reject appointment to the WAIRC. No evidence has been presented to the Tribunal of any major impediments to attracting quality candidates to the WAIRC.

The Tribunal considers that retention issues are not highly significant in the assessment of remuneration in this case.

Workload and Related factors

The Tribunal accepts the view of the independent remuneration experts that the Commissioner's role has an onerous workload and complexities, together with much diversity, and full and public accountability. The Tribunal has given due weight to this in its deliberations.

Comparative remuneration data

The Tribunal has noted the advice from Mercer Consulting on the issue of comparative work value and has itself examined the relativities interstate with Commissioners and Deputy President positions in other states. Although, as Mercer has pointed out, making comparisons is not easy, the Tribunal considers that the salaries of WAIRC Commissioners warrant some comparison with the Deputy Presidents' salaries in Queensland and South Australia.

Economic circumstances

In its deliberations on the Commissioners' remuneration rates the Tribunal has given consideration to a range of economic and other indices, as is its practice in all its determinations. These have included the latest relevant data issued by the Australian Bureau of Statistics, such as the 2004 December Quarter Consumer Price Index (CPI) and the 2004 August Quarter Average Weekly Earnings Index, and a number of Government and private sector forecasted movements in CPI and wages. It also has considered the Western Australian Wage Cost Index and Average Weekly Earnings for 2004 and the Government's current Wages Policy. The Tribunal has been mindful of increases received by other officeholders under its jurisdiction over the past twelve months.

DETERMINATION

The Tribunal has considered all of the information, general and specific, available to it in formulating this determination of the remuneration of the Commissioners of the WAIRC. The determination reflects the particular account taken of the following role-related factors.

1. The Commissioners' roles are complex and demanding in their work value, workload and accountabilities.
2. There is a dimension of judicial power in the Commissioners' roles, though this power does not characterise all or even the greater part of their work.
3. Examination of the roles of the Industrial Relations Deputy Presidents and Commissioners in other states show some specific elements of comparison with some states. Where these have been established, they have been taken into account.
4. The Commissioners operate within the context of the Western Australian public sector. Relativities with the remuneration levels set by the Tribunal for other senior executives within this sector have been considered.
5. The existing internal remuneration relativities between the Chief Commissioner, the Senior Commissioner and the Commissioners have been reviewed and deemed by the Tribunal to continue to be appropriate.

The Tribunal, accordingly, pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975*, determines the Commissioners of the Western Australian Industrial Relations Commission are entitled to remuneration on the following basis with effect from 1 May 2005.

- The holder of the office of Chief Commissioner is entitled to a salary of \$249662 per annum.

- The holder of the office of Senior Commissioner is entitled to a salary of \$237179 per annum.
- The holders of the office of Commissioner are entitled to a salary of \$224696 per annum.

The holder of the office of Chief Commissioner is entitled for business and private use to the provision of a fully maintained "Prestige" vehicle, selected from the Government's Common Use Contract no. 012A1994, Items 1008 (Prestige Class) and 1009 (Restricted Prestige Class), as amended from time to time. Vehicles with supercharged or V8 engines are not included.

The holders of the offices of Senior Commissioner and Commissioner are entitled for business and private use to the provision of a fully maintained "Prestige" vehicle, selected from Item 1008 (Prestige Class), as amended from time to time.

The determination will now issue.

Signed at Perth this 23rd day of March 2005.

PROFESSOR M. C. WOOD, Chairman.
J. A. S. MEWS, Member.
M. L. NADEBAUM, Member.
Salaries and Allowances Tribunal.

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ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

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Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the abovenamed deceased who died on the 19th day of February 2005, are required by the personal representative Rosemary Verna Wheatley of c/- Franklyn Simon Wheatley, PO Box 1363, West Perth, Western Australia to send particulars of their claims to her by the 2nd day of May 2005 after which date the personal representative may convey or distribute the assets having regard only to the claims of which she then has notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 1st May 2005 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Cowie, May, late of Unit 5/3 Darley Street South Perth, died 7/9/2004, (DE19900160EM32)

Daws, Sidney John, late of Alex Miles Lodge 1 Ernest Drive Beverley, died 5/3/2005, (DE33017355EM17)

Dean, Phyllis Arlene, late of Unit 10/4 Madana Place Craigie, died 3/2/2005, (DE19581517EM16)

Magyar, Imre also known as Jimmy Magyar, late of Unit 6/7 Tulare Turn Joondalup, died 19/2/2005, (DE19871661EM13)

Mitchell, Roderick, late of 34 Snook Crescent Hilton, died 13/3/2005, (DE19763723EM32)

Peters, Ralph Stafford, late of Leslie A Watson Nursing Home 18 Roebuck Drive Salter Point formerly of Parry House 74 Warlingham Drive Lesmurdie, died 23/2/2005, (DE19713495EM16)

Reid, Hugh, late of Ascot Residential Health & Aged Care 29 Neville Street Ascot, died 28/1/2004, (DE33029368EM16)

Tarr, Imre also known as Eric Tarr, late of Unit 25/44 Seventh Avenue Maylands, died 3/1/2005, (DE33039601EM12)

Taylor, Robert, late 1/27 Attfield Street Maddington, died 25/1/2005, (DE19942642EM23)

Thompson, Ronald Charles, late of James Brown House 171 Albert Street Osborne Park, died 14/3/2005, (DE19850254EM27)

Toohy, William John, late of Room 8/238 Beaufort Street Perth formerly of St Ritas Nursing Home 25 View Street North Perth, died 19/11/2004, (DE19752546EM23)

Woods, Dorothy Joan, late of 111 Drummond Street Bedford, died 17/2/2005, (DE19781854EM12)

Wright, David Charles also known as David Charles Bliss Wright, late of 7 Leslie Street Mandurah formerly of 18A Casilda Place Cooloongup, died 22/2/2005, (DE19751047EM17)

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