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— PART 1 —

FISHERIES

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 5) 2005

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 5) 2005*.

2. Commencement

These regulations come into operation on 4 October 2005.

3. The regulations amended

The amendments in these regulations are to the *Fish Resources Management Regulations 1995**.

[* *Reprint 4 as at 14 November 2003.*

For amendments to 3 August 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 130-1, and Gazette 1 March and 3 June 2005.]

4. Schedule 1 amended

(1) Schedule 1 Part 1 is amended as follows:

(a) in items 2 and 3 by deleting “26.00” and inserting instead —

“ 27.00 ”;

(b) in item 5 by deleting “16.00” and inserting instead —

“ 17.00 ”.

- (2) Schedule 1 Part 2 is repealed and the following Part is inserted instead —

“

Part 2 — Application fees

[reg. 135]

Fees	\$
1. Fishing boat licence, grant or renewal (reg. 118)	70.00
For transfer	390.00
For variation	390.00
2. Carrier boat licence, grant or renewal (reg. 120)	70.00
For transfer	390.00
For variation	390.00
3. Commercial fishing licence, grant or renewal (reg. 122)	70.00
4. Recreational fishing licence, grant, variation or renewal (reg. 124) —	
(a) Fishing for rock lobster	32.00
(b) Fishing for marron	22.00
(c) Fishing for abalone	38.00
(d) Fishing for all freshwater fish (other than crustaceans) in waters south of 29 degrees south latitude above the tidal influence including all lakes, dams, rivers and their tributaries	22.00
(e) Fishing by means of a fishing net	27.00
(f) all the activities specified in paragraphs (a) to (e) endorsed on one licence	75.00
5. Rock lobster pot licence, grant or renewal (reg. 126)	70.00
For transfer	265.00
6. Application for authority to use another boat (reg. 132)	390.00
7. Grant of permit under section 80 of the Act	380.00
8. Fish processor's licence under section 83 of the Act	380.00
For renewal	75.00
For transfer	445.00
For variation (other than as set out in item 9)	445.00
9. Variation of fish processor's licence to change place at which fish may be processed under the licence	445.00
10. Aquaculture lease, grant or renewal (reg. 67)	2 000.00
11. Aquaculture licence under section 92 of the Act —	
In respect of freehold land	140.00
In respect of non-freehold land	628.00
For renewal	70.00
For transfer (freehold land)	140.00
For transfer (non-freehold land)	460.00
For variation (freehold land)	140.00
For variation (non-freehold land)	460.00
12. Authorisation under section 66 of the Act	267.00
For renewal	70.00
For transfer	392.00
For variation	392.00
13. Oyster fishing licence (reg. 128)	265.00
For renewal	70.00
14. Exclusive licence, grant or renewal (reg. 166)	628.00
15. Authority to take fish for scientific purposes (reg. 178)	70.00
16. Authority to bring in non-endemic fish (reg. 176)	125.00
17. Temporary transfer of part entitlements under section 141 of the Act	125.00
18. Register — notation under section 127 of the Act	125.00
Register — variation under section 131 of the Act	125.00
Register — removal of record under section 131 of the Act ...	125.00
19. Authority to take or handle fish for genetic or chemical extraction or analysis (reg. 179)	628.00

	Fees	\$
20.	Aquatic eco-tourism operator's licence (reg. 128B) or restricted fishing tour operator's licence (reg. 128J)	55.00
	For renewal	60.00
	For transfer	335.00
	For variation	335.00
21.	Fishing tour operator's licence (reg. 128J)	55.00
	For renewal	60.00
	For transfer	335.00
	For variation	335.00

- (3) Schedule 1 Part 3 item 1 is deleted and the following item is inserted instead —

“

1.	Fish processor's licence	
	Types of processing establishments —	
(a)	processing establishment that is erected on land and that is used for processing either rock lobsters or prawns	700.00
(b)	processing establishment that is erected on land and that is used for processing both rock lobsters and prawns	1 395.00
(c)	processing establishment that is erected on land and that is used for processing any fish including rock lobsters and prawns	1 730.00
(d)	processing establishment that is erected on land and that is used for processing any fish including either rock lobsters or prawns	1 040.00
(e)	processing establishment that is erected on land and that is used for processing any fish other than rock lobsters and prawns	340.00
(f)	seagoing processing establishment that is used solely for processing fish including rock lobsters and prawns taken by it	340.00
(g)	seagoing processing establishment that is used solely for processing fish including rock lobsters and prawns taken by other boats	340.00

”

- (4) Schedule 1 Part 3 item 2(a) is amended by deleting “280.00” and inserting instead —

“ 295.00 ”.

- (5) Schedule 1 Part 3 items 4 and 5 are deleted and the following items are inserted instead —

“

4.	Aquatic eco-tourism operator's licence or restricted fishing tour operator's licence
	Types of operation —
(1)(a)	Using —
(i)	one boat with a surveyed length of more than 7.5 m and an open water passenger capacity of 20 persons or less and an associated power boat with a length of 4.5 m or more but 7.5 m or less, in one zone; or

”

(ii)	one or more boats with a surveyed length of 7.5 m or less and a combined open water passenger carrying capacity of 20 persons or less, in one zone	220.00
(b)	In addition to the fee specified in item 4(1)(a) —	
(i)	for each additional 10 passengers or part thereof	110.00
(ii)	for each additional associated power boat with a surveyed length of 4.5 m or more but 7.5 m or less	220.00
(iii)	for a licence to operate the boat in more than one zone, for each additional zone	110.00
(iv)	for each additional boat specified in the licence with a surveyed length of more than 7.5 m and an open water passenger capacity of 20 persons or less	220.00
(2)(a)	A land based operation authorised to operate in one zone with not more than 20 tourists taking part in the tour	220.00
(b)	In addition to the fee specified in item 4(2)(a) —	
(i)	for each additional capacity of 10 tourists ...	110.00
(ii)	for a licence to operate in more than one zone, for each additional zone	110.00
(3)(a)	A combination of boat and land or boat and aircraft operations with a total passenger carrying capacity of 20 persons or less, authorised to operate in one zone and a maximum of 2 boats with a surveyed length of 4.5 m or more but 7.5 m or less	220.00
(b)	In addition to the fee specified in item 4(3)(a) —	
(i)	for each additional capacity of 10 tourists or part thereof	110.00
(ii)	for each additional associated power boat with a surveyed length of 4.5 m or more but 7.5 m or less	220.00
(iii)	for a licence to operate a boat in more than one zone, for each additional zone	110.00
5.	Fishing tour operator's licence	
	Types of operation —	
(1)(a)	Using a boat with a surveyed length of more than 7.5 m and an open water passenger capacity of 20 persons or less and an associated power boat with a length of 4.5 m or more but 7.5 m or less, in one zone	545.00
(b)	In addition to the fee specified in item 5(1)(a) —	
(i)	for each additional associated power boat with a surveyed length of more than 7.5 m and a maximum passenger carrying capacity of 20 passengers or less	545.00
(ii)	for each additional associated power boat with a surveyed length of more than 4.5 m but less than 7.5 m	270.00
(iii)	for each additional passenger carrying capacity of 10 passengers or a part thereof ..	270.00
(iv)	for a licence to operate in more than one zone, for each additional zone	545.00

(2)(a)	A land based operation, authorised to operate in one zone with a maximum capacity of 20 passengers	220.00
(b)	In addition to the fee specified in item 5(2)(a) —	
(i)	for each additional 10 passengers carrying capacity or part thereof	110.00
(ii)	for a licence to operate in more than one zone, for each additional zone	110.00
(3)(a)	A combination of boat and land or boat and aircraft operations with a total passenger carrying capacity of 20 persons or less, authorised to operate in one zone and a maximum of 2 boats with a surveyed length of 4.5 m or more but 7.5 m or less	545.00
(b)	In addition to the fee specified in item 5(3)(a) —	
(i)	for each additional capacity of 10 passengers or part thereof	270.00
(ii)	for each additional associated power boat with a surveyed length of 4.5 m or more but 7.5 m or less	270.00
(iii)	for a licence to operate a boat in more than one zone, for each additional zone	545.00

”.

By Command of the Administrator,

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

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Upper Gascoyne

REPEAL LOCAL LAW 2005

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the Shire of Upper Gascoyne resolved to make the following Local Law on the 24th day of March, 2005:

The following Local Laws are repealed—

Hawkers Local Law published in the *Government Gazette* of 26 August 1927.

Appointment of Employees Local Law published in the *Government Gazette* of 16 January 1942.

Damage to Roads Local Law published in the *Government Gazette* of 21 September 1951.

Extractive Industries Local Law published in the *Government Gazette* of 12 March 1963.

Long Service Leave Local Law published in the *Government Gazette* of 23 March 1965.

Caravan Parks and Camping Grounds Local Law published in the *Government Gazette* of 31 March 1971.

Prevention of Damage to Streets Local Law published in the *Government Gazette* of 27 June 1975.

Dated this 24th day of March 2005.

The Common Seal of the Shire of Upper Gascoyne was affixed by authority of a Resolution of Council in the presence of—

R. M. COLLINS, Shire President.
JOHN L. NEWTON, Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI301*

Subiaco Redevelopment Act 1994

**Subiaco Redevelopment (Subtracted Area)
Regulations 2005**

Made by the Governor in Executive Council under section 4(2) of the Act.

1. Citation

These regulations are the *Subiaco Redevelopment (Subtracted Area) Regulations 2005*.

2. Commencement

These regulations come into operation on the day on which they are published in the *Gazette*.

3. Schedule 1 to the Act replaced

- (1) In this regulation —

“**Schedule 1**” means the *Subiaco Redevelopment Act 1994**
Schedule 1.

[* *Reprinted as at 25 February 2000.*

*For subsequent amendments see Western Australian
Legislation Information Tables for 2004, Table 1, p. 437.]*

- (2) When an order under regulation 4 takes effect, Schedule 1 is repealed and the following Schedule is inserted instead —

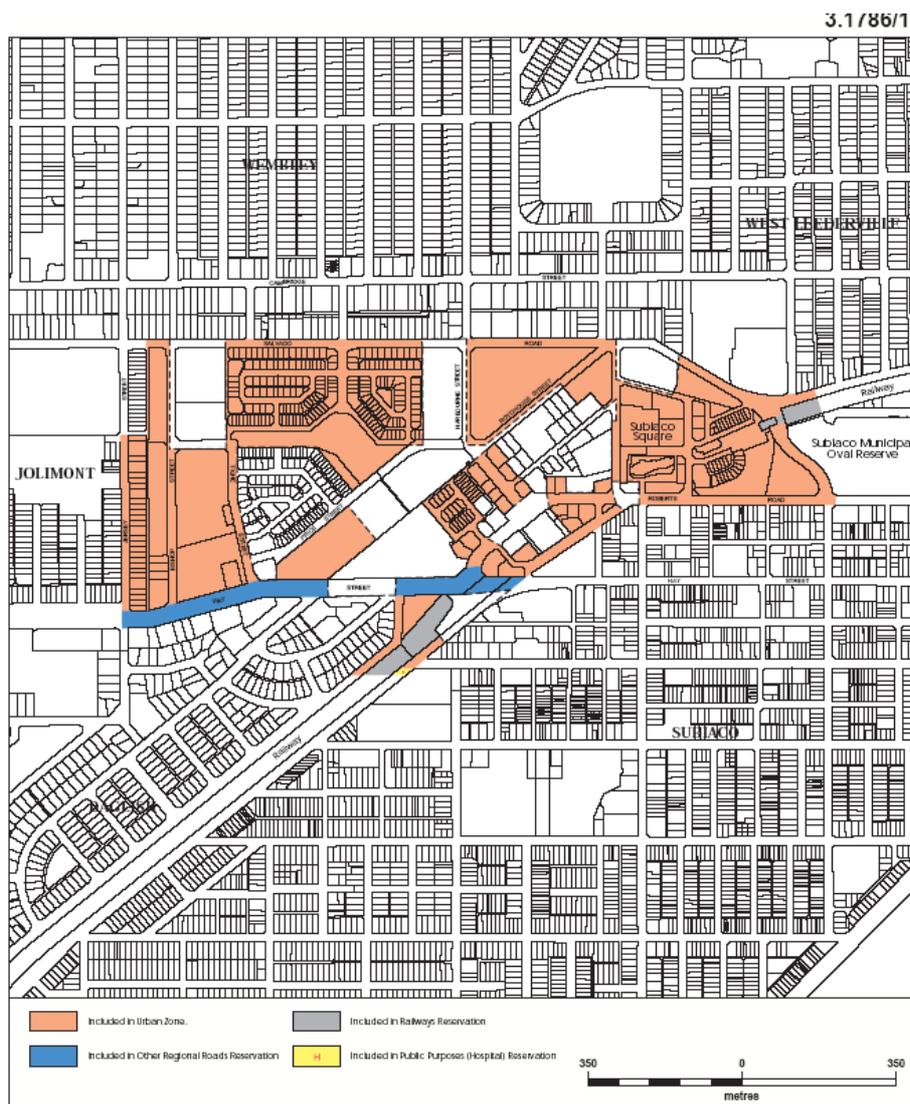
“

Schedule 1

[Section 4]

Redevelopment Area

All of the land outlined by a broken black and white line on Plan No. 3.1786/1 held at the office of the Authority. For guidance, the redevelopment area is indicated in the following representation of Plan No. 3.1786/1 —



4. Minister may amend planning schemes

- (1) The Minister may, by order published in the *Gazette*, amend the Metropolitan Region Scheme or the *City of Subiaco Town Planning Scheme No. 4* to provide for —
 - (a) land in the subtracted area to be included in the area to which that scheme applies; and
 - (b) the land to have a reservation or zoning under that scheme the same as, or similar to, that which applied to the land immediately before it ceased to be in the redevelopment area.
- (2) In subregulation (1) —

“subtracted area” means the area to be subtracted from the redevelopment area by regulation 3.
- (3) An order takes effect at the beginning of the day after the day on which it is published in the *Gazette*.

5. Transitional matters to do with *City of Subiaco Town Planning Scheme No. 4*

- (1) This regulation applies in relation to land included under regulation 4(1) in the area to which the City Scheme applies, but only to the extent that the City Scheme has not been amended to expressly exclude the application of this regulation.
- (2) The provisions of the Redevelopment Scheme that applied in relation to the land before it was included in the area to which the City Scheme applies continue to apply in relation to that land as if they were a part of the City Scheme but with —
 - (a) references to the Authority being read as references to the City of Subiaco; and
 - (b) any other modifications necessary to enable the provisions to apply as if they were a part of the City Scheme administered by the City of Subiaco.
- (3) Provisions of the Redevelopment Scheme that are listed in the Table to this subregulation do not continue to apply under subregulation (2).

Table

clauses 1 to 4	clause 34
clause 6(e)	clause 37
clauses 10 to 14	clause 39
clause 16	clauses 50 to 68
clauses 17 to 24	Schedule 2 to 5
clause 26	Appendix 2
clauses 29 to 31	

- (4) Provisions applying under subregulation (2) prevail to the extent of any inconsistency with another provision of the City Scheme.
- (5) The General Planning Policies, Precinct Planning Policies, and Design Manuals adopted under the Redevelopment Scheme and listed in Schedule 1 are to be treated as if —
 - (a) they were policies prepared under the provisions applying under subregulation (2); and
 - (b) to the extent of any inconsistency with any other provision of the City Scheme, they prevailed over that provision.
- (6) In this regulation —

“City Scheme” means the *City of Subiaco Town Planning Scheme No. 4*;

“Redevelopment Scheme” means the redevelopment scheme in force under Part 4 of the Act immediately before an order under regulation 4 takes effect.

6. Other transitional matters

When an order under regulation 4 takes effect, the effect, if any, of a decision previously made by the Authority about a development application or approval continues.

7. Expiry of regulations

- (1) These regulations expire if the Minister has made an order under regulation 4(1) but there is no longer any land in relation to which regulation 5 applies, unless these regulations have already expired under subregulation (2).
- (2) These regulations expire at the end of the period of 4 years commencing on the day on which they come into operation, unless they have already expired under subregulation (1).
- (3) The expiry of these regulations does not affect the amendment made by regulation 3(2) nor an amendment made by an order under regulation 4(1).

Schedule 1 — Adopted policies and manuals

[r. 5(5)]

General Planning Policies

Planning Policy 1.1	The Redevelopment Area
Planning Policy 1.2	Neighbourhood design
Planning Policy 1.3	Land Uses in the Project Area
Planning Policy 1.4	Residential Development
Planning Policy 1.5	Subdivision Design
Planning Policy 1.6	Environment Assessment
Planning Policy 1.7	Resource Efficiency
Planning Policy 1.8	The Urban Landscape
Planning Policy 1.9	Movement
Planning Policy 1.10	Car Parking
Planning Policy 1.11	Heritage
Planning Policy 1.12	Public Art
Planning Policy 1.13	Safety
Planning Policy 1.14	Signage
Planning Policy 1.15	Roof Mounted Structures

Precinct Planning Policies

Planning Policy 2.1	Precinct 1 — Station
Planning Policy 2.2	Precinct 2 — Roydhouse
Planning Policy 2.3	Precinct 3 — Centro Place
Planning Policy 2.4	Precinct 4 — Salvado
Planning Policy 2.5	Precinct 5 — Bishop Street
Planning Policy 2.6	Precinct 6 — Greenway
Planning Policy 2.7	Precinct 7 — Price Street

Design Manual

Subiaco Redevelopment Residential Design Manual November 1996

By Command of the Governor,

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

PI302*

Subiaco Redevelopment Act 1994

Subiaco Redevelopment (Return of Redeveloped Land) Order 2005

Made by the Minister under the *Subiaco Redevelopment (Subtracted Area) Regulations 2005* regulation 4.

1. Citation

This order is the *Subiaco Redevelopment (Return of Redeveloped Land) Order 2005*.

2. Commencement

This order takes effect at the beginning of the day after the day on which it is published in the *Gazette*.

3. Metropolitan Region Scheme amended

- (1) The amendments in this clause are to the Metropolitan Region Scheme made under the *Metropolitan Region Town Planning Scheme Act 1959* Part III.
- (2) The scheme is amended by including in the area to which it applies the land in the subtracted area, as defined in the *Subiaco Redevelopment (Subtracted Area) Regulations 2005* regulation 4.
- (3) The scheme is amended as required to give the land included by subclause (2) the reservation or zoning under the scheme that is shown in the plan described as "Subiaco Redevelopment Area – Proposed MRS Normalisation" dated 1 July 2005, held at the office of the Western Australian Planning Commission established under the *Western Australian Planning Commission Act 1985* section 4.
- (4) Schedule 1 contains a representation of that plan.

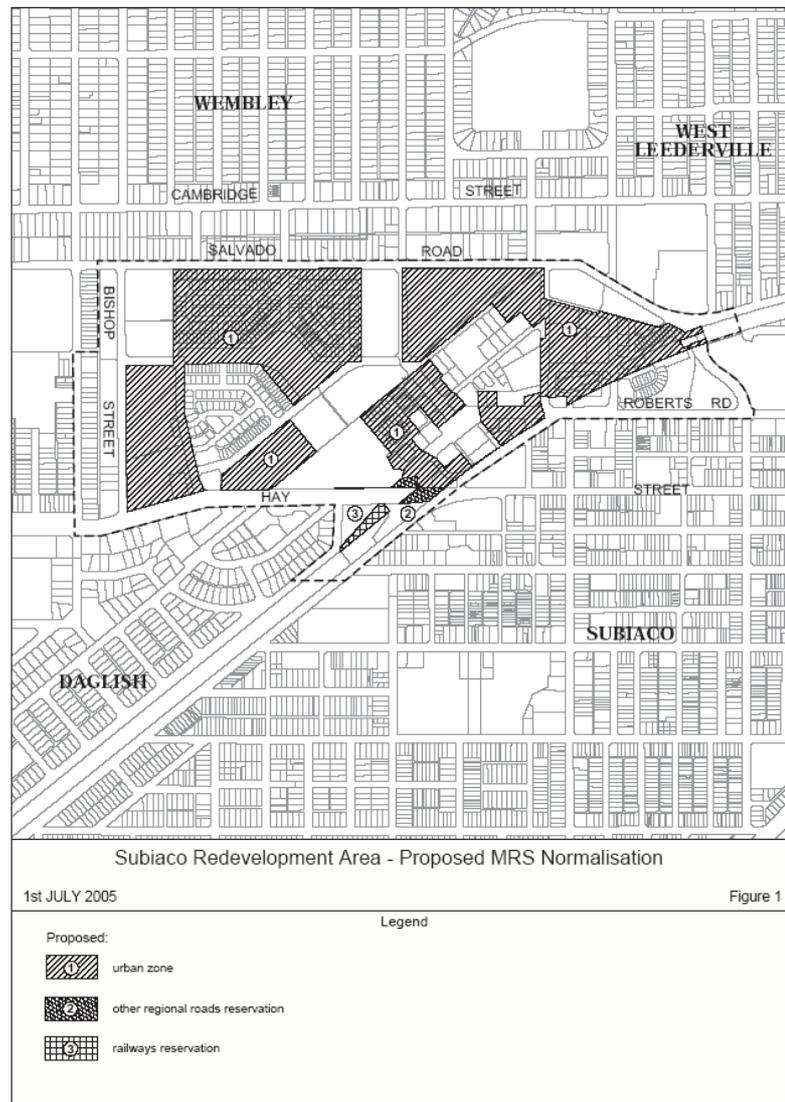
4. City of Subiaco Town Planning Scheme No. 4 amended

- (1) The amendments in this clause are to the *City of Subiaco Town Planning Scheme No. 4* made under the *Town Planning and Development Act 1928*.
- (2) The scheme is amended by including in the area to which it applies the land in the subtracted area, as defined in the *Subiaco Redevelopment (Subtracted Area) Regulations 2005* regulation 4.

- (3) The scheme is amended as required to prevent any reservation or zoning under the scheme from applying to the land included by subclause (2) other than a reservation or zoning under the provisions applying under the *Subiaco Redevelopment (Subtracted Area) Regulations 2005* regulation 5(2).

Schedule 1 — Reservation and Zoning for Metropolitan Region Scheme

[cl. 3(4)]



ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

TRANSPORT

TR302*

Road Traffic Act 1974

**Road Traffic (Written-Off Vehicle Register)
Amendment Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Written-Off Vehicle Register) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Road Traffic (Written-Off Vehicle Register) Regulations 2003**.

[* *Published in Gazette 31 October 2003, p. 4595-610.*]

3. Regulation 2 amended

Regulation 2 is amended as follows:

- (a) by deleting the definition of “vehicle identifier”;
- (b) by inserting the following definition in its appropriate alphabetical place —

“

“**identifier**” means —

- (a) in relation to a vehicle manufactured before 1 July 1988 —
 - (i) if the vehicle has an individual chassis identification number or an engine identification number in accordance with regulation 52 of the Vehicles Standards — that number; or
 - (ii) if there is no such number — any number legibly and durably stamped on the vehicle by the vehicle’s manufacturer;
- (b) in relation to a vehicle manufactured after 30 June 1988 —
 - (i) if the vehicle has a vehicle identification number allocated in accordance with a

national standard incorporated in the Australian Design Rules — that number; or

- (ii) in any other case — any number legibly and durably stamped on the vehicle by the vehicle's manufacturer to identify the vehicle;
- (c) if the Director General has, under a written law, allotted a number to replace a number mentioned in paragraph (a) or (b) — the replacement number; or
- (d) if a number referred to in paragraph (a), (b) or (c) has been replaced under a corresponding law of the Commonwealth, another State or a Territory — the replacement number;

”.

4. Regulation 9 amended

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

“ its ”.

5. Regulation 11 amended

Regulation 11(1)(b) is amended by deleting “vehicle” from the second place in which it occurs.

6. Regulation 15 amended

Regulation 15(1) is amended as follows:

- (a) in paragraph (a) by deleting “vehicle identifier” and inserting instead —
“ identifier ”;
- (b) in paragraph (b) by deleting “vehicle identifier” and inserting instead —
“ identifier ”;
- (c) in paragraph (c) by deleting “vehicle identifier” and inserting instead —
“ the identifier ”.

By Command of the Governor,

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

TR301*

Road Traffic Act 1974

Road Traffic (Licensing) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Licensing) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Road Traffic (Licensing) Regulations 1975**.

[* Reprinted as at 20 September 2002.

For amendments to 24 February 2005 see Western Australian Legislation Information Tables for 2003, Table 4, p. 339, and Gazette 28 May, 27 July and 24 December 2004.]

3. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) in the definition of “repairable write-off” by deleting “regulation 7” and inserting instead —
“ regulation 2 ”;
- (b) in the definition of “Written-Off Vehicle Register” by deleting “regulation 12” and inserting instead —
“ regulation 13 ”.

By Command of the Governor,

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

TR303*

Road Traffic Act 1974

Road Traffic (Vehicle Standards) Amendment Regulations (No. 4) 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Vehicle Standards) Amendment Regulations (No. 4) 2005*.

2. The regulations amended

The amendments in these regulations are to the *Road Traffic (Vehicle Standards) Regulations 2002**.

[* *Published in Gazette 9 August 2002, p. 3903-4020.*
For amendments to 24 February 2005 see Western Australian Legislation Information Tables for 2003, Table 4, p. 340, and Gazette 28 May 2004.]

3. The Glossary amended

The Glossary is amended as follows:

- (a) in the definition of “repairable write-off” by deleting “regulation 7” and inserting instead —
“ regulation 2 ”;
- (b) in the definition of “Written-Off Vehicle Register” by deleting “regulation 12” and inserting instead —
“ regulation 13 ”.

By Command of the Governor,

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

TR304*

Port Authorities Act 1999

Port Authorities Amendment Regulations (No. 4) 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Port Authorities Amendment Regulations (No. 4) 2005*.

2. The regulations amended

The amendments in these regulations are to the *Port Authorities Regulations 2001**.

[* *Reprint 1 as at 20 May 2005.*]

3. Schedule 2 amended

Schedule 2 Division 5 is amended as follows:

- (a) in item 1 by deleting “0.33” and inserting instead —
“ 0.3373 ”;

- (b) in item 2 by deleting “0.033” and inserting instead —
“ 0.03373 ”;
- (c) in item 3 by deleting “583.00” and inserting instead —
“ 595.00 ”.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976

APPOINTMENT

Agric. 491/89

Department of Agriculture
South Perth WA 6151.

I, Kim Chance, Minister for Agriculture and Forestry, acting in accordance with the provisions of the Western Australian Meat Industry Authority Act 1976, hereby appoint pursuant to Sections 8 and 9, the following as a member of the Western Australian Meat Industry Authority for a term of office to expire on 3 March 2006.

Des Griffiths Member.

KIM CHANCE, MLC, Minister for Agriculture and Forestry.

AG402*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 of the Soil and Land Conservation Act 1945, the following person is appointed a member of the District Committee for the Dandalup-Murray Land Conservation District, (*which Committee was established by an Order in Council, published in the Gazette 18 June 2004 at pp. 2120-2121*). The appointment is for a term ending on 30 June 2007.

- (1) pursuant to Section 23 (2b) (b) of the Act, Morris Ashley Bessant of North Dandalup is appointed a member of the Committee on the nomination of the Shire of Murray.
- (2) delete Morris Ashley Bessant of North Dandalup from the landuser category of the Committee.

Dated this day 9th day of September 2005.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG403*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 of the Soil and Land Conservation Act 1945, the following person is appointed a member of the District Committee for the Dardanup Land Conservation District, (*which Committee was established by an Order in Council, published in the Gazette of 11 September 1992 at pp. 4595-4597 and amended in the Gazette of 23 April 1993 at pp. 2174-2175 and an Amendment Order approved by Executive Council on 1 December 1998 (refer to Department of Agriculture reference: 881843V02P00)*). The appointment is for a term ending on 31 March 2008.

- (1) pursuant to Section 23 (2b) (b) of the Act, Carmel Nora Boyce of Dardanup is appointed a member of the Committee on the nomination of the Shire of Dardanup.
- (2) delete Peter Bass of Dardanup from representing the Shire of Dardanup.

Dated this day 9th day of September 2005.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG404***SOIL AND LAND CONSERVATION ACT 1945****APPOINTMENT**

Under Section 23 of the Soil and Land Conservation Act 1945, the following person is appointed a member of the District Committee for the Gingin Land Conservation District, (*which Committee was established by an Order in Council, published in the Gazette 16 December 1983 at p. 4898 and amended in the Gazettes of 10 October 1986 at pp. 3876-3877, 7 June 1991 at pp. 2801-2802, 12 November 1993 at p. 6124, 30 September 1994 at p. 4960, 8 December 1995 at p. 5938 and an Amendment Order approved by Executive Council on 9 March 1999 {refer to Department of Agriculture reference: 881706V05P0A} and amended in the Gazettes of 27 April 2001 at pp. 2210-2211 and 16 December 2003 at pp. 5097-5098*). The appointment is for a term ending on 31 December 2006.

(1) pursuant to Section 23 (2b) (b) of the Act, David William Roe of Beermullah is appointed a member of the Committee on the nomination of the Shire of Gingin.

(2) delete George Alexander Gifford of Gingin from representing the Shire of Gingin.

Dated this day 20th day of July 2005.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG405***SOIL AND LAND CONSERVATION ACT 1945****ESPERANCE LAND CONSERVATION DISTRICT**

(Appointment of Members of District Committee) Instrument 2005

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Esperance Land Conservation District (Appointment of Members) Instrument 2005*

2. Appointment of members

Under section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Esperance Land Conservation District) Order 1985**, the following members are appointed to the land conservation district committee for the Esperance Land Conservation District—

- (a) on the nomination of the Shire of Esperance: Brian Norman Pearce of Esperance;
- (b) on the nomination of the Shire of Ravensthorpe: Dorothy Ruth Kirchner of Esperance;
- (c) to represent the Western Australian Farmers Federation (Inc): Garry English of Gibson;
- (d) to represent the Pastoralists and Graziers Association of Western Australia: Garry Graham Hyde of Cascade; and
- (e) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Heidi McCrea of Salmon Gums
 - (ii) David Albert Johnson of Esperance
 - (iii) Marjorie Stephen of Esperance
 - (iv) Leon Trevor Bowman of Grasspatch
 - (v) Suzanne Dawne Smithson of Gibson
 - (vi) District Manager, Department of Conservation and Land Management, Esperance

(*Published in the Gazette of 6 September 1985 at pp. 3491-3493, and amended in the Gazettes of 20 March 1987 at p. 981, 1 December 1989 at pp. 4441-42, 25 May 1990 at p. 2389, 21 December 1990 at p. 6217, 30 July 1993 at pp. 4120-21, 24 June 1994 at p. 2830 and an Amendment Order approved by Executive Council on 4 November 1997 {refer to Department of Agriculture reference: 881744V05P00} and amended in the Gazette of 21 June 2002 at p. 2931).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 August 2008.

Dated this day 9th day of September 2005.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG406***SOIL AND LAND CONSERVATION ACT 1945****GREENOUGH LAND CONSERVATION DISTRICT**

(Appointment of Members of District Committee) Instrument 2005

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Greenough Land Conservation District (Appointment of Members) Instrument 2005*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Greenough Land Conservation District) Order 1995**, the following members are appointed to the land conservation district committee for the Greenough Land Conservation District—

- (a) on the nomination of the Shire of Greenough: Lyle Boyle of Moonyoonooka and Barry John Edmunds of Greenough;
- (b) to represent the Western Australian Farmers Federation (Inc): Francis Michael Clune of Bringoo; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Yvonne Anne Marsden of Kojarena
 - (ii) Roseanne Oliveri of Greenough
 - (iii) Diane Elizabeth Hamilton of Bringoo
 - (iv) Greg Burrows of Chapman Valley
 - (v) André Garnaut of Geraldton

(*Published in the Gazette of 23 June 1995 at pp. 2425-2426 and amended in the Gazettes of 27 April 2001 at pp. 2211-2212 and 7 June 2005 at p. 2558).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 30 June 2008.

Dated this day 20th day of July 2005.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

AG407***SOIL AND LAND CONSERVATION ACT 1945****MORAWA LAND CONSERVATION DISTRICT****(Appointment of Members of District Committee) Instrument 2005**

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Morawa Land Conservation District (Appointment of Members) Instrument 2005*.

2. Appointment of members

Under section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Morawa Land Conservation District) Order 1985**, the following members are appointed to the land conservation district committee for the Morawa Land Conservation District—

- (a) on the nomination of the Shire of Morawa: Gavin Ross Treasure of Morawa;
- (b) to represent the Western Australian Farmers Federation (Inc): David Baxter of Koolanooka; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Wallace Joseph Barnes of Canna
 - (ii) Warren Paul Carslake of West Morawa
 - (iii) Stuart James Agar of Merkanooka
 - (iv) John Adrian Pulbrook of Morawa
 - (v) Garry Peter Collins of Morawa
 - (vi) Andrew John Moore of Morawa
 - (vii) Michael Eric Sasse of Merkanooka
 - (viii) Trevor John Tapscott of Morawa

(*Published in the Gazette of 3 May 1985 at pp. 1588-89 and amended in the Gazettes of 26 May 1989 at pp. 1576-1577 and 11 September 1992 at p. 4597 and an Amendment Order approved by Executive Council on 2 December 1997 (refer to Department of Agriculture reference: 881737V05POH)).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 August 2008.

Dated this day 9th day of September 2005.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

CEMETERIES

CC401*

CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD

In pursuance of the powers conferred by section 53 of the Cemeteries Act 1986, the Metropolitan Cemeteries Board hereby records having resolved on 28 April 2005, to set the following fees effective from July 1st, 2005. The fees shall be payable upon application for services at Karrakatta, Fremantle, Pinnaroo, Midland, Guildford and Rockingham Cemeteries detailed hereunder.

FEES & CHARGES INCLUSIVE OF 10% GST (except where indicated)

Description	Cemetery				
	Karrakatta	Fremantle	Pinnaroo	Midland	Guildford
INTERMENT & GRAVES					
Grant of Right of Burial (25 Years):					
Selected Areas	Quote	Quote		Quote	Quote
Vault Construction (Grant will apply)				DELETED	
CREMATION & ASHES					
Cremation Fees:					
Child Cremation (under 13 years)	497.20	497.20	497.20		
MEMORIALS					
Additional fee for 229 x 229 plaque - individual position		261.80			
Memorial Seat - Jarrah	3,532.10		3,430.90		
Memorial Seat - Granite	3,05	3,05			
Standard Rose - In Bed - First Inscription (143 x 117mm plaque)	2,985.40	2,985.40			
Standard Rose in Selected area		Quote			

CONSUMER AND EMPLOYMENT PROTECTION

CE401

MINES SAFETY AND INSPECTION ACT 1994

INSTRUMENT OF DECLARATION

Made under section 6A (2) of the Mines Safety and Inspection Act 1994.

The Minister for Consumer and Employment Protection, being the Minister responsible for the Mines Safety and Inspection Act 1994 and the Occupational Safety and Health Act 1984, hereby declares that all of the provisions of the Mines Safety and Inspection Act, 1994 and the Regulations under the Act, shall apply from the date of publication of this instrument in the Gazette until the instrument is rescinded or modified to the workplaces specified in Schedule 1 and work specified in Schedule 2.

SCHEDULE 1

Workplaces

All sites used for fabrication of reconstituted limestone blocks where the fabrication is carried out in close proximity to and associated with limestone mining, which supplies material for the block fabrication process.

SCHEDULE 2

Description of Work

The fabrication of reconstituted limestone blocks including but not restricted to crushing, screening, conveying, handling, mixing, fabrication and drying and associated operations.

Dated 5 September 2005.

JOHN KOBELKE, Minister for Consumer and Employment Protection.

EDUCATION

ED401***CURTIN UNIVERSITY OF TECHNOLOGY ACT 1966****REPEAL AND ESTABLISHMENT OF A NEW STATUTE**

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 35 of the *Curtin University of Technology Act 1966*, has approved the repeal of Statute No. 9—*Election of Student Guild Representatives to Council* and the establishment of a new Statute No. 9—*Election of Student Members on the Council* as set out in the attached schedule.

Hon. LJILJANNA RAVLICH, MLC, Minister for Education and Training.
M. C. WAUCHOPE, Clerk of the Executive Council.

CURTIN UNIVERSITY OF TECHNOLOGY**STATUTE NO. 9****ELECTION OF STUDENT MEMBERS ON THE COUNCIL**

1.0 This Statute applies to the election of students to the Council of the University pursuant to paragraph (ga) of Section 9 of the *Curtin University of Technology Act 1966*.

2.0 For the purposes of this Statute and Rules made pursuant to the Statute, a "study period" is a period of continuous study in a unit, which may be a semester or a trimester.

3.0 Of the two positions on the Council for students

3.1 One shall be filled by a student enrolled in a program leading to the degree of bachelor, or bachelor with honours or their equivalent;

3.2 One shall be filled by a student enrolled in a postgraduate program leading to a postgraduate award of Graduate Certificate, Graduate Diploma, Master or Doctor.

4.0 The following persons may be candidates—

4.1 a student whose program of study is anticipated to extend to cover the period of the advertised term of office of the position to be filled

4.2 a student who will be able to attend scheduled Council meetings and workshops without special air travel arrangements being made to enable such attendance.

provided that an employee of the University other than a casual employee is ineligible to be a candidate.

5.0 A member of the Council elected under this Statute ceases to hold office prior to the expiry of the normal term, when any one of the following circumstances occurs—

5.1 The person has completed all the requirements for his or her academic award, and has therefore ceased to be a student

5.2 The person has applied for and been granted leave of absence for one or more study periods

5.3 The person has been excluded from the course in which he or she was enrolled, or been excluded from the University either permanently or for a period equivalent to the duration of at least one study period

5.4 The person becomes an employee of the University other than in a casual capacity.

6.0 When a member of the Council ceases to be a member for any of the reasons listed in section 4.0 above, and there are at least six months remaining in what would otherwise have been the term of office, the Council will co-opt a student to fill the casual vacancy.

The Common Seal of Curtin University of Technology was hereto affixed on the 25th day of July 2005 by the authority of the Vice-Chancellor.

JEANETTE HACKET, A/Vice-Chancellor.

GEM CHEONG, Administrative Secretary.

By Command of the Governor

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

FISHERIES

FI401**FISH RESOURCES MANAGEMENT ACT 1994**

STATEMENT OF DETERMINATION

Abalone Management Plan 1992

I Peter Rogers, Executive Director of the Department of Fisheries Western Australia, pursuant to clause 11(3) of the *Abalone Management Plan 1992*, hereby make a determination in regard to the maximum quantity of abalone that may be taken from the relevant areas of the Abalone Managed Fishery during the licensing period commencing on 1 April 2005, as set out below—

Area 1

9,900 kilograms of Roe's abalone (whole weight)
1,200 kilograms of Greenlip abalone (meat weight)
0 kilograms of Brownlip abalone (meat weight)

Area 2

19,800 kilograms of Roe's abalone (whole weight)
31,200 kilograms of Greenlip abalone (meat weight)
7,900 kilograms of Brownlip abalone (meat weight)

Area 3

32,000 kilograms of Greenlip abalone (meat weight)
7,500 kilograms of Brownlip abalone (meat weight)

Area 4

0 kilograms of Greenlip abalone (meat weight)
0 kilograms of Brownlip abalone (meat weight)

Area 5

20,000 kilograms of Roe's abalone (whole weight)

Area 6

12,000 kilograms of Roe's abalone (whole weight)

Area 7

36,000 kilograms of Roe's abalone (whole weight)

Area 8

15,000 kilograms of Roe's abalone (whole weight)

Dated this 8th day of September 2005.

P. P. ROGERS, Executive Director.

HEALTH

HE401***MEDICAL ACT 1894**

THE MEDICAL BOARD OF WESTERN AUSTRALIA

Orders of the Board

Inquiry No: 1998-139

Date Heard: 17 August 2004, 28 June 2005, 21 July 2005 and 6 September 2005

Date Delivered: 6 September 2005

In the matter of Dr Ameen Ahmed Bham and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to Section 13 of the Medical Act.

Before: Professor C.A. Michael AO, MD, FRCOG, FRACOG, DDU (Chair); Dr P. Wallace OAM MB CHB FRACGP FRACRRM; Ms P. Giles BA LLB (Hons); Dr R. Capolingua MB BS; Mr P. Walker FIMM FAIM.

Upon hearing submissions from Ms Melanie Naylor, Counsel Assisting the Medical Board, and Mr Robert Butcher, Counsel for Dr Bham, the Board orders that—

1. The Inquiry be re-opened to consider the issue of penalty of costs.
2. Dr Bham's name be removed from the Register for 1 month from 12 September 2005.
3. Dr Bham pay the Board's reasonable costs of the hearing on 17 August 2004 and the penalty hearing on 6 September 2005.

Dated the 9th day of September 2005.

(Sgd) Registrar.

HE402*

MEDICAL ACT 1894
THE MEDICAL BOARD OF WESTERN AUSTRALIA
Amended Orders of the Board

Date Heard: 23 August 2005

Date Amended Notice Delivered: 1 September 2005

And in the matter of Dr Ian Ferris Gulland and in the matter of re-registration by the Medical Board of Western Australia.

Before: Professor C.A. Michael AO, MD, FRCOG, FRACOG, DDU; Ms P. Giles BA LLBHons; Associate Professor G. Riley MRC Psych., FRACGP, FRANZCP; Professor B.A.R Stokes AM, MBBS, FRACS; Dr R. Capolingua MBBS; Mr P. Walker FIMM FAIM; Mr Nicholas Mullany LLB (Hons)(West Aust) BCL (Oxon); Ms Ann White.

At its meeting on 23 August 2005, and the Board considered an application by Dr Gulland dated 22 August 2005 to amend the Orders made 28 July 2005, and resolved that—

1. The Orders made by the Board on 28 July 2005 be rescinded and the following orders be substituted.
2. On 1 August 2005, Ian Ferris Gulland be restored to the Register of medical practitioners;
3. For the first three years of Mr Gulland's restoration to the Register, he be subject to the following conditions—
 - (i) That he practice medicine solely at Centro Galleria Medical Centre, Unit 2, 166 Collier Road, Morley.
 - (ii) That he work as a medical practitioner for no longer than 28 hours per week;
 - (iii) That he have no contact of any kind with Mr Markarian, including personal, social, or financial contact;
 - (iv) That he undergo regular supervision by his general practitioner in relation to his mental health, his overall health and his fitness to practice;
 - (v) That every three months from 1 August 2005, Mr Gulland's general practitioner provide a report to the Medical Board as to Mr Gulland's mental health, overall health, and fitness to practice medicine, at Mr Gulland's cost;
 - (vi) That Mr Gulland attend at a psychiatrist of the Board's choosing, and that psychiatrist shall report to the Board, in the event that the Board so orders.
4. That the Registrar forward—
 - (i) a copy of these Orders;
 - (ii) a copy of the Board's reasons for decision in this re-registration hearing;
 - (iii) a copy of the Board's reasons for decision in the two Inquiries into Mr Gulland's conduct to Dr Vasantha Preetham, and to the Practice Manager of the Centro Galleria Medical Centre.
5. That Mr Gulland have liberty to apply to the Board for an amendment of these Orders at any time.

Dated the 2nd day of September 2005.

(Sgd) Registrar.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS

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

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Harvey	Patricia Eileen	CS6-532	9/09/2005	9/09/2005	30/07/2008
Little	Jonathon William	CS6-534	9/09/2005	9/09/2005	30/07/2008

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
McAuliffe	Stephen Brian	CS6-035	25/08/2005

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

BRIAN YEARWOOD, Director, Contracted Services.

JU402*

INTERGOVERNMENTAL AGREEMENT—CRIMES AT SEA

This Agreement is made on 16 November 2000.

Between

the Commonwealth of Australia
the State of New South Wales
the State of Victoria
the State of Queensland
the State of Western Australia
the State of South Australia
the State of Tasmania
the Northern Territory

Given That

- (a) the Commonwealth and the States have agreed to a cooperative scheme to apply the criminal law of the States extraterritorially in the areas adjacent to the coast of Australia; and
- (b) the cooperative scheme is given the force of law by the following laws—
 - (i) Crimes at Sea Act 2000 (Commonwealth);
 - (ii) Crimes at Sea Act 1998 (New South Wales);
 - (iii) Crimes at Sea Act 1999 (Victoria);
 - (iv) Crimes at Sea Act 2000 (Queensland) [as anticipated];
 - (v) Crimes at Sea Act 2000 (Western Australia);
 - (vi) Crimes at Sea Act 1998 (South Australia);
 - (vii) Crimes at Sea Act 1999 (Tasmania);
 - (viii) Crimes at Sea Act 2000 (Northern Territory) [as anticipated]; and
- (c) clause 5 of the cooperative scheme authorises the making of an intergovernmental agreement providing for the division of responsibility for administering and enforcing the law relating to crimes at sea.

Clause 1

THE COMMONWEALTH AND THE STATES AGREE AS FOLLOWS**1. Definitions**

In this Agreement—

adjacent area means an area where the law of a State is applied by Commonwealth law.

adjacent State, in relation to an adjacent area, means the State whose laws are applied to that area by Commonwealth law.

applied laws, in relation to a State, means the substantive and procedural laws applied to the State by clauses 2 and 3 of the cooperative scheme.

arrival State means the participating State in which an Australian ship next arrives, with the alleged offender on board, after an offence has been committed on or from that ship within the adjacent area of another participating State.

Australian ship has the meaning given by clause 1 of the cooperative scheme.

authority has the meaning given in clause 3 of the cooperative scheme.

Commonwealth means the Commonwealth of Australia.

cooperative scheme means the legislative and administrative scheme for applying and enforcing criminal law in the areas adjacent to the coast of Australia, set out in Schedule 1 to the Crimes at Sea Act 2000 (Commonwealth).

participating State means a State that is party to the cooperative scheme and this Agreement.

State has the meaning given by clause 1 of the cooperative scheme.

2 Duty etc of an authority of an adjacent State

An authority (other than a court) of a State that has a power, duty or function (other than a power, duty or function involving the exercise of judicial power) under a provision of the criminal law of that State that is also an applied law, has a corresponding power, duty or function under the applied law.

3. International obligations to be observed

In exercising or performing powers, duties and functions under the cooperative scheme, the parties and their agencies must act so as to avoid any breach by Australia of its international obligations, in particular under the United Nations Convention on the Law of the Sea, having regard especially to the responsibilities of Australia with respect to ships of the Australian flag, and to the rights of other countries in the maritime areas to which the arrangements in this Agreement apply.

4. Application of primary responsibility

(1) In respect of an alleged offence in an adjacent area, the adjacent State has primary responsibility for taking investigation and prosecution action under its applied laws in any of the following circumstances—

- (a) the conduct occurs on, from or in relation to, a fixed or floating platform or other installation in that area;

- (b) the conduct occurs on or from an Australian ship and the next place of entry to Australia is, or is intended to be at the time the conduct occurs, within that State;
- (c) the alleged offender is an Australian citizen whose next place of entry to Australia is, or is intended to be at the time the conduct occurs, within that State.

(2) However—

- (a) the arrival State has primary responsibility for taking investigation and prosecution action if the conduct occurs on or from an Australian ship and the next place of entry to Australia is within that State; and
- (b) the Commonwealth has primary responsibility for taking investigation and prosecution action in respect of any alleged offence on or from an Australian Defence Force ship when it is outside the limits of a State.

5. Investigatory etc decision to conform to standard

A decision of an authority of the State (or the Commonwealth) having primary responsibility under clause 4 whether to investigate, or further investigate, or prosecute or seek extradition, must be taken in the same manner and subject to the same considerations and policies as apply to decisions in relation to other similar alleged offences against the laws of that State or the Commonwealth.

6. Undertaking to consult

(1) Where more than one party may take investigation or prosecution action in relation to the same alleged offence, the parties concerned must consult at the request of any of them on how the matter should be dealt with.

(2) If, following consultation, it appears that one of those parties may more conveniently take action to investigate or prosecute the alleged offence, it should do so.

7. Undertaking to assist other parties

Bearing in mind the possible difficulties for any single party of taking action at sea in relation to an alleged offence—

- (a) any other party must, on request, give whatever assistance it considers practicable to the party with primary responsibility in relation to the alleged offence; and
- (b) the Commonwealth must, on a request for assistance being made to the Attorney-General of the Commonwealth by the Attorney-General of the State with primary responsibility in relation to the alleged offence, use its best endeavours to secure that assistance from any relevant Commonwealth department, body or agency (including the Australian Defence Force, the Australian Customs Service and the Australian Federal Police), and any such assistance may include—
 - (i) the gathering of evidence; or
 - (ii) the provision of investigating personnel; or
 - (iii) the provision of transport, communication facilities or information.

8. Date of effect

This agreement comes into effect on the commencement of Schedule 1 to the *Crimes at Sea Act 2000* of the Commonwealth.

SIGNED by the Honourable Minister for Justice And Customs of the Commonwealth of Australia)))	
In the presence of: Paul Griffiths)	Amanda Vanstone
SIGNED by the Honourable Attorney-General of the State of New South Wales))	
in the presence of: John Dietrich)	Bob Debus
SIGNED by the Honourable Attorney-General of the State of Victoria))	
In the presence of: Ruvani Wickremesinghe)	Rob Hulls
SIGNED by the Honourable Attorney-General of the State of Queensland))	
in the presence of: Constance Johnson)	Rod Welford
SIGNED by the Honourable Attorney-General of the State of Western Australia))	
in the presence of: J Thomson)	Peter Foss
SIGNED by the Honourable Attorney-General of the State of South Australia))	
in the presence of: J. Selth)	Trevor Griffin

SIGNED by the Honourable Attorney-General)	
of the State of Tasmania)	
in the presence of:)	Peter Patmore
P. Maloney)	
SIGNED by the Honourable Attorney-General)	
of the Northern Territory)	
in the presence of:)	Denis Burke
Paul Manuell)	

LAND

LA401

TRANSFER OF LAND ACT 1893
APPOINTMENT

Department of Land Information
Midland.

DLI File: 1236 2004

His Excellency the Lieutenant-Governor and Administrator in Executive Council is pleased to appoint under section 6 of the *Transfer of Land Act 1893* Susan Elizabeth Dukes as Deputy Commissioners of Titles.

GRAHAME SEARLE, Chief Executive.

LOCAL GOVERNMENT

LG501***BUSH FIRES ACT 1954***Shire of East Pilbara*

NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND
2005-2006 Fire Break Notice

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, notice is hereby given to all owners and/or occupiers of land within the Shire of East Pilbara, that owners and/or occupiers of land are required to carry out fire prevention/mitigation works in accordance with this notice on land owned or occupied by them by the 30th October 2005. All works required by this Notice shall be maintained all year round.

(1) Land in Townsites

- 1.1 where the area of land is 2000 square metres (approximately ½ an acre) or less, all flammable material shall be reduced over the whole of the land.
- 1.2 where the area of land exceeds 2000 square metres, firebreaks of at least three metres in width should be cleared of all flammable material immediately inside and along the boundaries of the land. Where there are buildings on the land additional firebreaks three metres in width shall be cleared immediately surrounding each building.

(2) Land outside Townsites

- 2.1 Two firebreaks should surround all buildings on land that is outside townsites. Not less than two metres wide and cleared of all flammable material. The inner firebreak is to be not more than twenty metres from the perimeter of the building or group of buildings and the outer firebreak not less than 100 metres from the inner firebreak.
- 2.2 The fuel load must be reduced from the whole of the land between the firebreaks as required in paragraph 1.1 above.

If it is considered impractical, for any reason to construct firebreaks and/or reduce the flammable fuel load as required by this notice, you may apply to the Council or its duly authorised Officer for permission to provide firebreaks in alternative positions or take alternative action to remove or abate fire hazards. If permission is not granted by Council or its duly authorised officer you must comply with the requirements of this notice. Approval may only be granted up to and before the 30th October in any year. If approval is not granted then the owner/or occupier shall comply with the requirements of this Notice.

"Flammable material" does not include green growing trees or green growing plants in gardens.

If the requirements of this notice are carried out by burning, such burning must comply with the relevant provisions of the Bush Fires Act.

The penalty for failing to comply with this notice is a fine of up to \$5000. A person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice, if it is not carried out by the owner or occupier by the date required by this notice.

There is a restricted burning period all year round throughout the Shire of East Pilbara.

ALLEN COOPER, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

INTENTION TO FORFEIT

Department of Industry and Resources,
Perth WA 6000.

In accordance with Regulation 50(b) of the Mining Regulations, 1981, notice is hereby given that unless the rent due on the undermentioned mining tenements is paid on or before 7 October 2005, it is the intention of the Minister for State Development under the provisions of Sections 96A(1) and 97(1) of the Mining Act, 1978 to forfeit such for breach covenant, viz, non-payment of rent.

JIM LIMERICK, Director General.

Number	Holder	Mineral Field
Exploration Licences		
69/1724	Tyson Resources Pty Ltd	Warburton
77/1051	Axis Consultants Pty Ltd	Yilgarn
Mining Leases		
27/237	Crook, Donald Robin; Edson, Gordon Keith	North East Coolgardie
70/1055	Simcoa Operations Pty Ltd	South West

MP402

MINING ACT 1978

CANCELLED FORFEITURE

Department of Industry and Resources,
Perth WA 6000.

In accordance with Section 97A(8) of the Mining Act 1978, I hereby cancel the forfeiture on the undermentioned mining lease forfeited for breach of covenant viz; automatic forfeiture for non payment of penalty imposed on the lease and restore the lessee to its former estate.

ALAN CARPENTER, MLA, Minister for State Development.

Number	Holder	Mineral Field
52/638	Davis, Donald William	Peak Hill

MP403

MINING ACT 1978

FORFEITURE

Department of Industry and Resources,
Perth WA 6000.

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

ALAN CARPENTER, MLA, Minister for State Development.

Number	Holder	Exploration Licence	Mineral Field
38/907	Fargo Resources Pty Ltd		Mt Margaret
70/1960	Leo Mining Pty Ltd		South West
80/2459	Austar Mining Corporation NL		Kimberley

MP404

MINING ACT 1978
FORFEITURE

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A(1) and 97(1) of the Mining Act 1978 that the undermentioned mining tenement is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

ALAN CARPENTER, MLA, Minister for State Development.

Number	Holder	Exploration Licence	Mineral Field
04/1229	Hitch, William Staverton; Tyson Resources Pty Ltd; Wolzak, Karl William		West Kimberley

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Serpentine-Jarrahdale
Town Planning Scheme No. 2—Amendment No. 115

Ref: 853/2/29/3 Pt 115

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 Serpentine-Jarrahdale town planning scheme amendment on 12 September 2005 for the purpose of—

1. Rezoning Lots 66 and 100 South Western Highway, Byford, from 'Rural' to 'Rural Living A'.
2. Introducing the following special provisions for subdivision and development of the subject land under appendix 4A of the Scheme—
 1. Within the 'Rural Living A' zone the following land uses are permitted, or are permitted at the discretion of the Council—
 - Permitted Uses ('P')
 - i. Single House
 - ii. Public Recreation
 - iii. Public Utility
 - Discretionary Uses ('AA')
 - i. Home Occupation
 - ii. Home Business
 - iii. Ancillary Accommodation
 - iv. The keeping of goats and sheep only

All other uses are prohibited.

In exercising its discretion in respect of 'AA uses, the Council having regard to the 'Planning Guidelines for Nutrient Management' contained in the Shire of Serpentine-Jarrahdale Rural Strategy, shall only permit such uses where it is satisfied following consultation with relevant government agencies that the land use does not involve excessive nutrient application or clearing of land, or risk of damage to any on site vegetation.

2. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate or landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the permitted or discretionary uses identified under special provision 1.
3. Notwithstanding special provision 2, vegetation within the areas designated as 'Strategic Revegetation' and/or 'Building Exclusion' on the endorsed Subdivision Guide Plan are not permitted to be removed. This strictly includes the 13 Marri (*Eucalyptus calophylla*) trees identified across the subject land as significant in the feeding cycle of the Red-Tail, Black and Baudin Cockatoos (*Calyptorhynchus funereus latirostris*). Lots which contain these trees, or any areas of 'Strategic Revegetation' and/or 'Building Exclusion' are to have a suitable notification placed on the certificate of title (prior to creation) advising of this requirement to the satisfaction of the Council.
4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan, prepare and implement prior to clearance of subdivision a Landscape, Revegetation and Habitat Management Plan for the areas identified on the endorsed Subdivision Guide Plan as 'Strategic Revegetation' and 'Building Exclusion'. The plan is to specifically demonstrate the following to the satisfaction of the Council—
 - i. For the areas designated as 'Strategic Revegetation', suitable planting of indigenous trees, shrubs and ground cover species to the satisfaction of the Council to fulfil functions of nutrient stripping, ecological linkages and visual and noise screening in these areas;
 - ii. For the areas designated as 'Building Exclusion', suitable planting of indigenous species to consolidate areas of remnant vegetation, and to reinforce nutrient stripping and ecological linkages in these areas to the satisfaction of the Council.For both areas, the Plan is to include details of a plant schedule, nominating each species, the spacings of each species, the numbers of plants required and the size of each plant to be used at the time of planting, together with the anticipated height of each plant at maturity.
5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
6. The subdivider shall prepare and implement a Fire Management Plan prior to clearance of subdivision that identifies and implements the construction requirements relative to strategic firebreaks, fire hydrants, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Council and the Fire Emergency Services Authority.
7. Notwithstanding the obligations of the subdivider under clause 5.12.9(e) of the Scheme, the subdivider shall prepare and implement a Drainage Management Plan prior to clearance of subdivision to the satisfaction of the Council. The Plan is to be prepared in accordance with best management practices for water sensitive urban design, focussing on nutrient stripping capabilities within the drainage system and the on site detention and retention of drainage flows. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drainage system.
8. At the time of submitting a building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which show site contours, building exclusion and revegetation areas, all existing trees and stands of vegetation, those trees and vegetation proposed to be removed and retained, and proposals for additional tree planting and maintenance.
9. The keeping of goats and sheep where permitted pursuant to special provision 1 shall be subject to the prior approval of the Council. Approval shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Where the keeping of goats or sheep are proposed, the landowner will be responsible for the fencing of any remnant vegetation (including that planted by the subdivider) to the satisfaction of the Council. No horses or other ungulates are permitted to be kept on any lots whatsoever.
10. Any multiple use or pedestrian paths as may be required by the Council shall be constructed at the subdivider's cost prior to clearance of the subdivision.
11. For those lots partially affected by the 300 metre poultry farm buffer extending into the northern portion of the subject land as indicated on the endorsed Subdivision Guide Plan, a suitable notification is to be placed on the certificate of title prior to creation of the lots advising that adverse impacts from the poultry farm operation may be experienced. Accordingly, no dwelling or habitable structure is permitted to be established within the 300 metre buffer area.
12. With regard to subdivision, development and ongoing use of the subject land, the following conditions must be complied with to the satisfaction of Main Roads WA and the Council at all times—
 - i. No earthworks shall encroach onto South Western Highway reserve.

- ii. No stormwater drainage shall be discharged onto South Western Highway reserve;
 - iii. No verge vegetation within the South Western Highway or Thomas Road reserves shall be damaged;
 - iv. No direct vehicle access shall be permitted onto the South Western Highway or Thomas Road reserves from the proposed lots abutting these reserves.
13. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
14. Prior to clearance of subdivision, Butcher Road is required to be suitably upgraded to the specifications and satisfaction of the Council. This includes upgrading of the intersection with Thomas Road.
15. Residential development to be constructed on the lots which abut Thomas Road shall incorporate noise attenuation measures in conformity with Australian Standard AS 2107:2000 (Acoustics- Recommended design sound levels and reverberation times for building interiors) to reduce the impact of traffic noise emanating from Thomas Road and this requirement to be enshrined by way of notification on the certificate of title under Section 12A of the Town Planning and Development Act 1928 (as amended).
3. Amending the Scheme Map accordingly.

D. L. NEEDHAM, President.
J. ABBISS, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Geraldton
Town Planning Scheme No. 3—Amendment No. 29

Ref: 853/3/2/7 Pt 29

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Geraldton town planning scheme amendment on 12 September 2005 for the purpose of—

1. Removing Additional Use from rear portion of Lot 10 Urch Street, Geraldton.
2. Amending the Scheme Maps accordingly.
3. Adding the following to Schedule 2 of the Scheme Text—

ADDITIONAL USES

SITE	USES
Front Portion Approximately 6300m ² Lot 10 Urch Street	Additional uses are those Permitted in Table 1 City Centre Zone

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

POLICE

PO401*

ROAD TRAFFIC ACT 1974

TEMPORARY SUSPENSION OF REGULATIONS

I, Neil Lawrence Royle, Inspector (Specialist Traffic Operations) being the delegated officer of the Minister for Transport under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by Section 83(1) of that Act, and the consent of the Local Authorities having been obtained and nominated for the purposes of—

N. L. ROYLE, Inspector (Specialist Traffic Operations).

A Geraldton Harriers Running Club Marathon by members/entrants of the Geraldton Harriers Running Club Inc on 7 August 2005 between the hours of 07:00 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Kempton Street, Crowther Street, Chapman River Bridge, Chapman Road, Glenfield Beach Drive, Hillview Road, Tailer Street, Whitehall Road in the Shire of Greenough and City of Geraldton.

A Dampier Half and Quarter Marathon by members/entrants of the Karratha Dampier Running Club on 13 August 2005 between the hours of 16:00 Hrs and 18:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on Church Road, Central Avenue, Dampier Road, Burrup Road in the Dampier Area.

A Cycle Race by members/entrants of the Southern Districts Cycling Club on 14 August 2005 between the hours of 08:00 Hrs and 15:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Raeburn Road, Heath Road, Chevin Road, Coventry Road, Urch Road, Peet Road in Roleystone.

All participants to wear approved head protection at all times.

A Duathlon (Run Ride Run) by members/entrants of the Sports Performance and Management on 4 September 2005 between the hours of 06:45 Hrs and 09:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Riverside Road, Beach Street, Philimore Street in the area of East Fremantle.

All participants to wear approved head protection for the cycle event.

A Cycle Event by members/entrants of the Midland Cycle Club & Cyclewest on 28 August 2005 between the hours of 12:00 Hrs and 17:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Brookton Highway, Westdale Road and Great Southern Highway, from Karragullen to Beverley.

All participants to wear approved head protection at all times.

A Cycle Club Ride—Cycle Sportif Event by members/entrants of the South West Cycle Club Inc on 21 August 2005 between the hours of 10:00 Hrs and 15:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Coalfields Road, Collie-Preston Road, McAlinden Road, Powerhouse Road and Piavanni Road in Shire of Collie.

All participants to wear approved head protection at all times.

A Cycle Race—Handicap by members/entrants of the Karratha Cycle Club Inc on 4 September 2005 between the hours of 09:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Central Avenue, Parker Point Road, The Esplanade, Church Road, Dampier Road and Burrup Road, Dampier/Burrup Peninsula.

All participants to wear approved head protection at all times.

A Cycle Race—Yarri Road and Return by members/entrants of the Eastern Goldfields Cycle Club on 3 September 2005 between the hours of 14:00 Hrs and 15:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on Yarri Road in the City of Kalgoorlie.

All participants to wear approved head protection at all times.

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			
10964	Broome Tide Lugger Cruises Pty Ltd	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Broome and known as Broome's Pearling Lugger Experience	04/10/2005

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i>			
10967	Ida Lloyd Pty Ltd	Application for the grant of a Special Facility—Packet/Transport licence in respect of premises situated in Broome and known as Ida Lloyd	11/10/2005
10969	HBK (WA) Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Kalgoorlie and known as Hogs Breath Cafe (Kalgoorlie)	26/09/2005
10963	Wai Kwong Lam and InAe Cho	Application for the grant of a Restaurant licence in respect of premises situated in Willetton and known as Yuki Japanese Restaurant	27/09/2005
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
24943	Orebo Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Manjimup and known as Manjimup Hotel	02/10/2005
24524	Winstyle Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Joondalup and known as The Old Bailey Tavern	29/09/2005
24624	Maylat Pty	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in North Fremantle and known as Wilson's Swan Hotel	13/09/2005
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
232164	Ironbark Brewery Australia Pty Ltd	Application to add, vary or cancel a condition of the Tavern licence in respect of premises situated in Caversham and known as The Ironbark Brewery	27/09/2005

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

Dated: 14 September 2005.

P. MINCHIN, Director of Liquor Licensing.

TREASURY AND FINANCE

TF401*

TAXATION ADMINISTRATION ACT 2003

COMMISSIONER'S PRACTICES

Under the provisions of section 127 of the Taxation Administration Act 2003, the following Commissioner's Practice is hereby published for public information—

LT 16.0 LAND TAX—CONCESSION FOR LAND USED FOR A CARAVAN PARK, PARK HOME PARK, OR CAMPING GROUND

Full details of each Commissioner's Practice can be obtained from the Office of State Revenue website at www.osr.wa.gov.au.

B. SULLIVAN, Commissioner of State Revenue,
Department of Treasury and Finance.

DECEASED ESTATES

ZX401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Hayden, James Michael late of Craigwood Nursing Home, Gardner Street, Como, Retired Accountant died on 14 February 2005.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 14 February 2005 are required by the deceased's personal representative, Eric Eng Wei Tan to send particulars of their claims to him at Robertson Hayles, Solicitors of Level 3, 33 Barrack Street, Perth WA 6000 within one month of the date of publication hereof after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated 16 September 2005.

ERIC TAN.

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 1962 as amended relates in respect of the estate of Horace Hanstrum late of 57 Ogden Street Collie in the State of Western Australia who died on 26th August 2005 are required by the personal representative to send particulars of their claims addressed to the executor of the Estate of Horace Hanstrum of 57 Ogden Street Collie deceased care of Young & Young, 5 Spencer Street Bunbury by the 14th day of October 2005 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZX403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Will of Hester Naomi Sing late of 1 William Street, Goomalling in the State of Western Australia, Widow, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustee's Act, 1962, relates) in respect of the estate of the deceased who died on 13th August, 2005 are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 21st October, 2005 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

ZX404**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 16th October 2005, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Anderson, Violet Jean, late of Unit 3/47 Ewart Street Midvale, died 27/4/05, (DE19764102EM27)

Banjac, Vasilija, late of Unit 7/3 Kelvin Street Maylands, died 24/3/05, (DE33041071EM22)

Clugson, Mary, late of Peter Arney Home 1 Gentilli Way Salter Point, died 14/8/05, (DE19682267EM113)

Elroy, Richard, late of 16 Flora Way Bunbury, died 11/12/04, (DE33036301EM13)
Hagan, Wallace Leslie, late of 23 Harvest Road North Fremantle formerly of 5 Jakob Place Hamilton Hill, died 21/8/05, (DE19692056EM15)
Letchford, Phyllis Olive, late of 74 Lissiman Street Gosnells, died 22/8/05, (DE19800203EM37)
Masiello, Donato Antonio also known as Tony Masiello, late of Lathlain Care Facility 63 Archer Street Carlisle, died 1/7/04, (DE33024443EM214)
Selfe, David Stanley, late of Koh-l-Noor Nursing Home 34 Pangbourne Street Wembley, died 15/8/05, (DE19670950EM23)
Smith, Sharon Gail, late of 95 Walter Street Gosnells, died 2/8/05, (DE33028187EM213)
Vickery, Glen Robert Edmund, late of RAAF Memorial Estate 9 Perry House Bull Creek, died 12/8/05, (DE19820213EM26)
Voroshilov, Guiseppe also known as Joe Voroshilov, late of Ascot Nursing Home 29 Neville Street Bayswater, died 10/2/04, (DE30277810EM26)
Webb, Edward Thomas, late of 24 Valencia Road Carmel, died 26/6/05, (DE30225670EM27)
Williamson, Joane Mary, late of 67C Belvidere Street Belmont, died 28/8/05, (DE19712449EM34)

SHAUN WILLIAM CONLIN, A/Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.
Telephone 9222 6777.

WESTERN AUSTRALIA
RETIREMENT VILLAGES ACT 1992

Price: \$9.05 counter sales
Plus postage on 105 grams

RETIREMENT VILLAGES REGULATIONS 1992

***Price: \$5.30 counter sales**
Plus postage on 55 grams

* Prices subject to change on addition of amendments.



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