



**WESTERN  
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GOVERNMENT  
Gazette**

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**CONTENTS**

**PART 1**

	Page
Country Areas Water Supply Act 1947—	
Arrowsmith Water Reserve Order 2008.....	2000
Country Areas Water Supply Amendment By-laws 2008.....	2006
Dathagnoorara Water Reserve Order 2008.....	2002
Dookanooka Water Reserve Order 2008.....	2004
Laverton Water Reserve and Catchment Area Order 2008.....	1998
Marbellup Brook Catchment Area Order 2008.....	1996
Health Act 1911—Shire of Northampton—Health Amendment Local Laws 2008.....	1993
Local Government Act 1995—Shire of Northampton—Health Amendment Local Laws 2008.....	1993
Magistrates Court Act 2004—Magistrates Court (General) Amendment (Road Traffic) Rules 2008.....	1991
Metropolitan Water Supply, Sewerage, and Drainage Act 1909—Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008.....	2009
Proclamations—State Supply Commission Amendment Act 2008—No. 15 of 2008.....	1987
State Trading Concerns Act 1916—State Trading Concerns (Authorisation) Amendment Regulations 2008.....	1994
Stock Diseases (Regulations) Act 1968—Enzootic Diseases Amendment Regulations (No. 3) 2008.....	1987

**PART 2**

Agriculture.....	2014
Consumer and Employment Protection.....	2014
Deceased Estates.....	2028
Fisheries.....	2015
Heritage.....	2016
Justice.....	2017
Local Government.....	2017
Marine/Maritime.....	2017
Minerals and Petroleum.....	2017
Planning and Infrastructure.....	2019
Premier and Cabinet.....	2026
Racing, Gaming and Liquor.....	2027
Workcover.....	2027
WorkSafe.....	2028

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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**STATE SUPPLY COMMISSION AMENDMENT ACT 2008**

No. 15 of 2008

PROCLAMATION

Western Australia

By His Excellency

*Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *State Supply Commission Amendment Act 2008* section 2 and with the advice and consent of the Executive Council, fix 26 May 2008 as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 20 May 2008.

By Command of the Governor,

ERIC RIPPER, Treasurer.

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## AGRICULTURE

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AG301\*

Stock Diseases (Regulations) Act 1968

### **Enzootic Diseases Amendment Regulations (No. 3) 2008**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Enzootic Diseases Amendment Regulations (No. 3) 2008*.

**2. Commencement**

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. The regulations amended**

The amendments in these regulations are to the *Enzootic Diseases Regulations 1970*.

**4. Regulation 100 amended**

Regulation 100(1) is amended by inserting in the appropriate alphabetic position —

“

“**approval to transport**” means approval given under regulation 107A(1);

”.

**5. Regulation 103 replaced**

Regulation 103 is repealed and the following regulation is inserted instead —

“

**103. When pearl oysters can be transported**

(1) Except as provided in subregulation (2), a person shall not transport pearl oysters —

- (a) out of a hatchery; or
- (b) off a quarantine site; or
- (c) out of a zone of the Western Australian pearl oyster fishery.

(2) Subregulation (1) does not apply if —

- (a) there is a certificate of health in force in relation to the pearl oysters; or
- (b) the pearl oysters are transported in accordance with an approval to transport.

Penalty: a fine of \$5 000.

”.

**6. Regulation 104 amended**

Regulation 104(1)(a) is amended by deleting “at least 600 pearl oysters” and inserting instead —

“

as many pearl oysters as an approved fish pathologist reasonably requires for testing

”.

**7. Regulation 107 amended**

Regulation 107(1) is amended as follows:

- (a) in paragraph (a) by deleting “at least 300 pearl oysters” and inserting instead —

“

as many pearl oysters as an approved fish pathologist reasonably requires for testing

”.

- (b) in paragraph (b) by deleting “at least 300 formalin-seawater fixed pearl oysters” and inserting instead —

“

as many formalin-seawater fixed pearl oysters as an approved fish pathologist reasonably requires for testing

”

**8. Regulation 107A inserted**

After regulation 107 the following regulation is inserted —

“

**107A. Approval to transport**

- (1) The Chief Inspector may, in writing, approve the transport of pearl oysters if —
- (a) an approved fish pathologist has tested, in accordance with regulation 107, a sample of those pearl oysters; and
  - (b) the fish pathologist —
    - (i) is not satisfied of the matters referred to in regulation 106(1)(a) because of the presence of oyster oedema disease in the sample; or
    - (ii) is not satisfied of the matters referred to in regulation 106(1)(b) because of the presence of oyster oedema disease among pearl oysters at the hatchery, quarantine site or other place where the pearl oysters are being held, in the preceding 12 months.
- (2) An approval to transport remains in force for 2 weeks from the day on which it was given unless, before then, it ceases to be in force under regulation 110.

”

**9. Regulation 108 amended**

Regulation 108(1) is amended by deleting the full stop at the end of paragraph (b) and inserting instead —

“

; and

- (c) advising the person that if the reason for not issuing the certificate of health is the presence of oyster oedema disease in the sample, he or she may apply to the Chief Inspector for an approval to transport the pearl oysters —
- (i) out of a hatchery; or
  - (ii) off a quarantine site; or

- (iii) out of a zone of the Western Australian pearl oyster fishery.

”

**10. Regulation 109 amended**

Regulation 109 is amended by deleting “a pearling inspector (within the meaning of the *Pearling Act 1990*)” and inserting instead —

“

an inspector as defined in the *Pearling Act 1990*

”

**11. Regulation 109A inserted**

After regulation 109 the following regulation is inserted —

“

**109A. Chief Inspector to notify approval to transport**

Within 24 hours after giving an approval to transport pearl oysters, the Chief Inspector is to give notice of that approval to —

- (a) an inspector as defined in the *Pearling Act 1990*; and
- (b) the fish pathologist who tested the sample of pearl oysters to which the approval relates.

”

**12. Regulation 110 amended**

Regulation 110(1) is amended after “certificate of health” —

“ or approval to transport ”.

**13. Various references to penalty clauses amended**

- (1) Each provision listed in the Table to this subregulation is amended by deleting the penalty clause and inserting instead —

“

Penalty: a fine of \$1 000, but the minimum penalty is a fine of \$100.

”

**Table**

r. 5(1)	r. 13(1)
r. 31(5)	r. 49

- (2) Each provision listed in the Table to this subregulation is amended by inserting after “Penalty:” —

“ a fine of ”.

**Table**

r. 6B(2)	r. 20(3)	r. 27	r. 40
s. 78(1)	r. 78(2)	r. 79(1)	r. 79(3)
r. 79(4)	r. 79(5)	r. 80(1)	r. 80(3)

r. 81(5)	r. 82(1)	r. 82(2)	r. 82(3)
r. 83	r. 84(1)	r. 84(2)	r. 84(3)
r. 84(5)	r. 84A	r. 84B(1)	r. 84D(1)
r. 84E(2)	r. 84E(3)	r. 84E(4)	r. 84F(1)
r. 84F(2)	r. 84G	r. 84H	r. 84I(1)
r. 84I(2)	r. 84J(1)	r. 84J(3)	r. 84K(2)
r. 84L	r. 84M(1)	r. 84M(2)	r. 84N(1)
r. 84N(2)	r. 84P(1)	r. 84P(3)	r. 84Q(2)
r. 84R	r. 84S(1)	r. 84S(3)	r. 84T
r. 84U	r. 84V(1)	r. 84V(3)	r. 84W(2)
r. 84X	r. 84Y(1)	r. 84Y(3)	r. 84Y(4)
r. 84Z(1)	r. 85(1)	r. 85C	r. 85D(1)
r. 85D(2)	r. 85D(3)	r. 85D(4)	r. 85E(1)
r. 85E(2)	r. 85E(3)	r. 85E(4)	r. 85F(1)
r. 85F(2)	r. 85F(3)	r. 85G	r. 85H(1)
r. 85H(5)	r. 85I(2)	r. 85I(3)	r. 85I(4)
r. 85J(1)	r. 85J(2)	r. 85K	r. 85L(1)
r. 85L(2)	r. 85M(2)	r. 85M(4)	r. 85N(2)
r. 85O	r. 85P(1)	r. 85P(2)	r. 85Q(1)
r. 85Q(2)	r. 85S(2)	r. 85S(4)	r. 85S(5)
r. 85T(2)	r. 85U	r. 85V(2)	r. 85V(4)
r. 85W(2)	r. 85W(4)	r. 85X(2)	r. 85Y
r. 85Z(2)	r. 85Z(4)	r. 101(1)	r. 101(2)
r. 101(3)	r. 102(4)	r. 104(4)	r. 104(7)

By Command of the Governor,

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

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## JUSTICE

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JU301\*

Magistrates Court Act 2004

### **Magistrates Court (General) Amendment (Road Traffic) Rules 2008**

Made by the Magistrates Court.

#### **1. Citation**

These rules are the *Magistrates Court (General) Amendment (Road Traffic) Rules 2008*.

**2. Commencement**

These rules come into operation as follows:

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day on which the *Road Traffic Amendment Act 2006* section 6 comes into operation.

**3. The rules amended**

The amendments in these rules are to the *Magistrates Court (General) Rules 2005*.

**4. Rule 51A repealed**

Rule 51A is repealed.

**5. Rule 51B amended**

Rule 51B(2) is amended by deleting “or 51A”.

**6. Rule 52 amended**

- (1) Rule 52(1) is amended as follows:
  - (a) by deleting “or 51A”;
  - (b) by deleting all of the subrule after “section 76” and inserting instead a full stop.
- (2) Rule 52(2) is amended by deleting “, 6 or 9” and inserting instead —  
“ or 6 ”.

**7. Rule 54 amended**

Rule 54 is amended as follows:

- (a) by inserting after “special application,” —  
“ or ”;
- (b) by deleting “or 103(6)”.

**8. Schedule 2 amended**

- (1) Schedule 2 is amended in each of Forms 5 and 6 by deleting “issue” and inserting instead —  
“ grant ”.
- (2) Schedule 2 is amended by deleting Form 9.

Dated: 16 May 2008.

STEVEN HEATH, Chief Magistrate.  
E. WOODS, Deputy Chief Magistrate.  
PAUL M. HEANEY, Magistrate.  
J. PACKINGTON, Magistrate.

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## LOCAL GOVERNMENT

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LG301\*

**HEALTH ACT 1911**  
**LOCAL GOVERNMENT ACT 1995**

*Shire of Northampton*

**HEALTH AMENDMENT LOCAL LAWS 2008**

Made by the Council of the Shire of Northampton at its Ordinary Meeting under Section 342 of the *Health Act 1911* and in accordance with Subdivision 2, Division 2, Part 3 of the *Local Government Act 1995*.

### 1. Citation

This local law may be cited as the *Shire of Northampton Health Amendment Local Laws 2008*.

### 2. Operation

This local law will come into operation on the day on which it is published in the *Government Gazette*.

### 3. Principal Local Laws

In this amendment local law, the *Shire of Northampton Health Local Laws 2007* published in the *Government Gazette* on 16 July 2007 are referred to as the Principal local laws.

### 4. Principal local laws amended

The Principal local laws are amended as follows—

#### 4.1 Section 1.3 Interpretation amended

The definition of “water” is deleted and substituted with—

“water” means drinking water within the meaning of the Australian Drinking Water Guidelines as published by the National Health and Medical Research Council in 2004 and as amended from time to time: and”.

#### 4.2 Sections 2.1.4, 2.2.1, 8.3.9, 9.2.4 and Schedule 5 amended

In subsections 2.1.4(c), 2.1.4(d), 2.2.1(c), 8.3.9(c), section 9.2.4 and Schedule 5 the words “wash hand basin” are deleted and substituted with the words “hand wash basin”.

#### 4.3 Sections 2.2.1, 8.2.5 amended

In subsections 2.2.1(2), 8.2.5(1)(b) and 8.2.5(3) the words “hand basin” are deleted and substituted with the words “hand wash basin”.

#### 4.4 Section 5.3.2 amended

In subsection 5.3.2(1) after the word “zoned” in line two insert the words “special residential,”.

#### 4.5 Section 8.3.9 amended

In subsection 8.3.9(b) the word “obnoxious” is deleted.

#### 4.6 Section 9.1.4 amended

Subsection 9.1.4(b) is amended by deleting the words “*Offensive Trades (Fees) Regulations 1976*” and substituting the words “*Health (Offensive Trades Fees) Regulations 1976*”.

#### 4.7 Section 9.1.8 deleted

Delete section 9.1.8.

Passed at an ordinary meeting of the Council of the Shire of Northampton held on the 19 March 2008.

The Common Seal of the Shire of Northampton was affixed by authority of a resolution of the Council in the presence of—

G. V. PARKER, Shire President.  
G. L. KEEFFE, Chief Executive Officer.

Consented to—

J. DODDS, Executive Director, Public Health.

Dated this 28th day of April 2008.

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**TREASURY AND FINANCE**

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TF301\*

State Trading Concerns Act 1916

**State Trading Concerns (Authorisation)  
Amendment Regulations 2008**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *State Trading Concerns (Authorisation) Amendment Regulations 2008*.

**2. Commencement**

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. The regulations amended**

The amendments in these regulations are to the *State Trading Concerns (Authorisation) Regulations 1998*.

**4. Schedule 1 amended**

- (1) Schedule 1 Part 1 is amended as follows:
  - (a) by deleting “Chemistry Centre (WA)”;
  - (b) by deleting “Department of Environment” and inserting instead —  
“ Department of Environment and Conservation ”.
- (2) Schedule 1 Part 2 is amended as follows:
  - (a) by deleting the item relating to the “Chemistry Centre (WA)”;
  - (b) in the item relating to the “Department of Environment”, by deleting “Department of Environment” in the first place where it occurs (in the heading) and inserting instead —

“

Department of Environment and Conservation

”.

”.

- (c) in the item relating to the “Department of Environment”, by deleting “Department of Environment” in the second and third places where it occurs and inserting instead —

“

Department of Environment and Conservation

”.

- (d) in the item relating to the “Department of Industry and Resources”, by inserting at the end of the item —

“

The provision by the Department of Industry and Resources of advertising opportunities, or opportunities having a purpose similar to advertising, in relation to its activities.

”.

## 5. Schedule 2 amended

- (1) Schedule 2 Part 1 is amended by inserting in the appropriate alphabetical position —

“ Chemistry Centre (WA) ”.

- (2) Schedule 2 Part 2 is amended by inserting the following item in the appropriate alphabetical position —

“

### Chemistry Centre (WA)

The provision by the Chemistry Centre (WA) of scientific support (primarily chemistry based) to industry and to the public.

In this item —

“**scientific support**” includes —

- (a) providing analytical information; and
- (b) providing expert advice and expert evidence; and
- (c) solving problems; and
- (d) carrying out investigative and applied research projects.

”.

By Command of the Governor,

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

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**WATER/SEWERAGE**

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WA301\*

Country Areas Water Supply Act 1947

**Marbellup Brook Catchment Area Order 2008**

Made by the Governor in Executive Council under section 9(1) of the Act.

**1. Citation**

This order is the *Marbellup Brook Catchment Area Order 2008*.

**2. Commencement**

This order comes into operation as follows:

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Marbellup Brook Catchment Area boundaries altered**

The boundaries of the catchment area called the Marbellup Brook Catchment Area are altered from those —

- (a) shown bordered - - - - - on the Department of Water plan WRC 3226; and
- (b) constituted and defined by Order in Council published in the *Government Gazette* 21 December 2007,

to those —

- (c) shown bordered  and shaded grey on the Department of Water plan WRC 3226; and
- (d) outlined by means of coordinates annexed to that plan.

**4. Information plan of the Marbellup Brook Catchment Area**

The boundary of the Marbellup Brook Catchment Area as altered by this order is shown for information purposes in the plan in Schedule 1.



WA302\*

## Country Areas Water Supply Act 1947

## Laverton Water Reserve and Catchment Area Order 2008

Made by the Governor in Executive Council under section 9(1) of the Act.

### 1. Citation

This order is the *Laverton Water Reserve and Catchment Area Order 2008*.

### 2. Commencement

This order comes into operation as follows:

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

### 3. Laverton Water Reserve boundaries and name altered

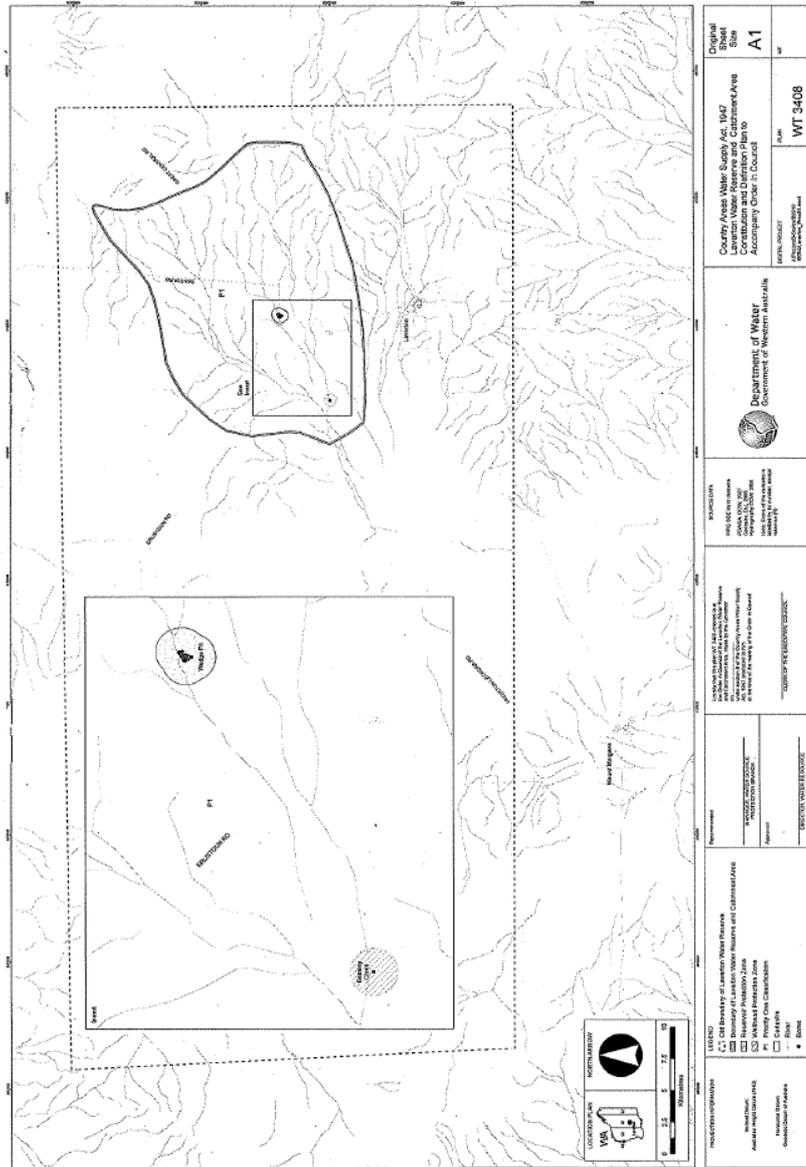
- (1) The boundaries of the water reserve called the Laverton Water Reserve are altered from those —
  - (a) shown bordered - - - - - on the Department of Water plan WT3408; and
  - (b) constituted and defined by Order in Council published in the *Gazette* 4 June 1975,to those —
  - (c) shown bordered  and shaded grey on the Department of Water plan WT3408; and
  - (d) outlined by means of coordinates annexed to that plan.
- (2) The name of the water reserve as altered by subclause (1) is altered to be the Laverton Water Reserve and Catchment Area.

### 4. Information plan of the Laverton Water Reserve and Catchment Area

The boundary of the Laverton Water Reserve and Catchment Area as altered by this order is shown for information purposes in the plan in Schedule 1.

## Schedule 1 — Laverton Water Reserve and Catchment Area

[cl. 4]



By Command of the Governor,

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

WA303\*

## Country Areas Water Supply Act 1947

**Arrowsmith Water Reserve Order 2008**

Made by the Governor in Executive Council under section 9(1) of the Act.

**1. Citation**

This order is the *Arrowsmith Water Reserve Order 2008*.

**2. Commencement**

This order comes into operation as follows:

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Arrowsmith Water Reserve boundaries altered**

The boundaries of the water reserve called the Arrowsmith Water Reserve are altered from those —

- (a) shown bordered - - - - - on the Department of Water plan WT3409; and
- (b) constituted and defined by Order in Council published in the *Gazette* 23 March 1990,

to those —

- (c) shown bordered **=====** on the Department of Water plan WT3409; and
- (d) outlined by means of coordinates annexed to that plan.

**4. Information plan of the Arrowsmith Water Reserve**

The boundary of the Arrowsmith Water Reserve as altered by this order is shown for information purposes in the plan in Schedule 1.



WA304\*

## Country Areas Water Supply Act 1947

**Dathagnoorara Water Reserve Order 2008**

Made by the Governor in Executive Council under section 9(1) of the Act.

**1. Citation**

This order is the *Dathagnoorara Water Reserve Order 2008*.

**2. Commencement**

This order comes into operation as follows:

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Dathagnoorara Water Reserve boundaries altered**

The boundaries of the water reserve called the Dathagnoorara Water Reserve are altered from those —

- (a) shown bordered - - - - - on the Department of Water plan WT3410; and
- (b) constituted and defined by Order in Council published in the *Gazette* 26 June 1992,

to those —

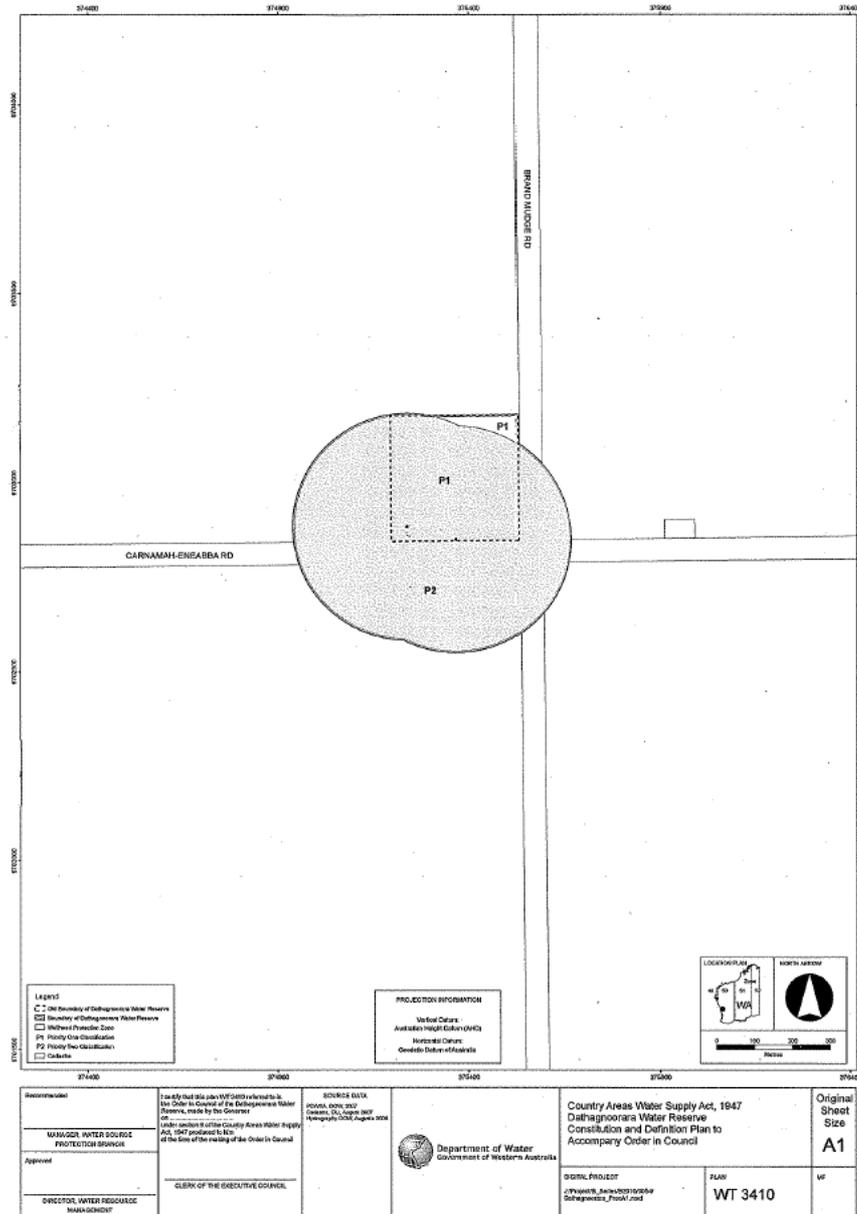
- (c) shown bordered **=====** on the Department of Water plan WT3410; and
- (d) outlined by means of coordinates annexed to that plan.

**4. Information plan of the Dathagnoorara Water Reserve**

The boundary of the Dathagnoorara Water Reserve as altered by this order is shown for information purposes in the plan in Schedule 1.

# Schedule 1 — Dathagnoorara Water Reserve

[cl. 4]



By Command of the Governor,

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

WA305\*

## Country Areas Water Supply Act 1947

**Dookanooka Water Reserve Order 2008**

Made by the Governor in Executive Council under section 9(1) of the Act.

**1. Citation**

This order is the *Dookanooka Water Reserve Order 2008*.

**2. Commencement**

This order comes into operation as follows:

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Dookanooka Water Reserve boundaries altered**

The boundaries of the water reserve called the Dookanooka Water Reserve are altered from those —

- (a) shown bordered - - - - - on the Department of Water plan WT3411; and
- (b) constituted and defined by Order in Council published in the *Gazette* 26 June 1992,

to those —

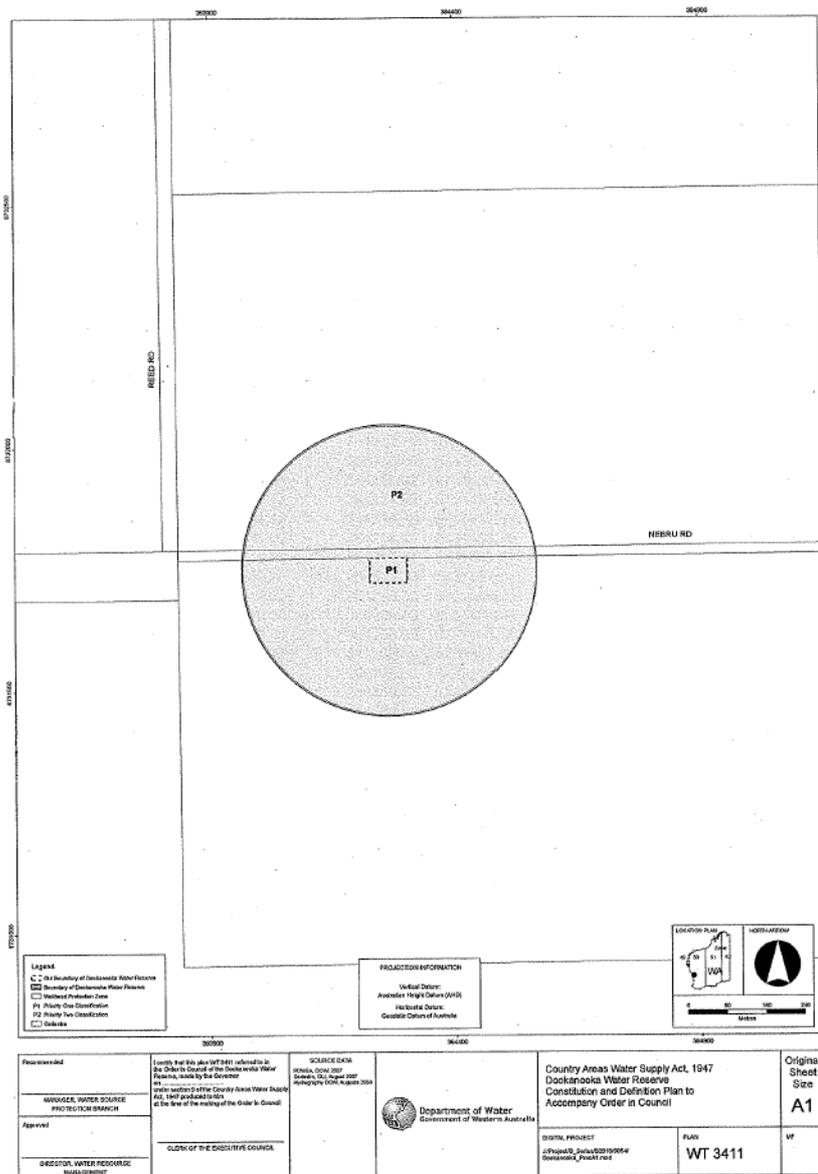
- (c) shown bordered  and shaded grey on the Department of Water plan WT3411; and
- (d) outlined by means of coordinates annexed to that plan.

**4. Information plan of the Dookanooka Water Reserve**

The boundary of the Dookanooka Water Reserve as altered by this order is shown for information purposes in the plan in Schedule 1.

# Schedule 1 — Dookanooka Water Reserve

[cl. 4]



By Command of the Governor,

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

WA306\*

## Country Areas Water Supply Act 1947

**Country Areas Water Supply Amendment  
By-laws 2008**

Made by the Minister under the *Country Areas Water Supply Act 1947* and the *Water Agencies (Powers) Act 1984*.

**1. Citation**

These by-laws are the *Country Areas Water Supply Amendment By-laws 2008*.

**2. Commencement**

These by-laws come into operation as follows:

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day after the day on which these by-laws are published in the *Gazette*.

**3. The by-laws amended**

The amendments in these by-laws are to the *Country Areas Water Supply By-laws 1957*.

**4. By-law 1A amended**

By-law 1A is amended by inserting before the definition of “commercial purposes” —

“

“**Australian Standard**” means a document having that title published by Standards Australia;

”.

**5. By-laws 60, 61 and 62 inserted**

After by-law 59 the following by-laws are inserted —

“

**60. Branches and fittings**

Except with the Corporation’s written authority, no branch or fitting is to be connected to a private service pipe within a distance of one metre on the consumer’s side of the Corporation’s stop-cock or water meter.

**61. Installation of backflow prevention devices**

- (1) If the Corporation is of the opinion that a private service presents a contamination risk to water supplied by the Corporation's water supply system, the Corporation may, by notice in writing, require the owner or occupier of the land on which the private service is laid to install a backflow prevention device on the private service.
- (2) The backflow prevention device must —
  - (a) meet the requirements of —
    - (i) in the case of a backflow prevention device that is an air gap or break tank — Australian Standard 2845.2-1996; or
    - (ii) in the case of any other backflow prevention device — Australian Standard 2845.1.1998;
  - and
  - (b) be selected and installed in accordance with Australian Standard 3500.1:2003.
- (3) A reference in sub-bylaw (2) to an Australian Standard includes a reference to any amendment to that standard made before the commencement of the *Country Areas Water Supply Amendment By-laws 2008*.
- (4) A notice under sub-bylaw (1) must specify the following —
  - (a) the date by which the backflow prevention device must be installed (being a date not earlier than 7 days after the date on which the notice is given to the owner or occupier);
  - (b) the manner in which the backflow prevention device must be selected and installed;
  - (c) the place on the private service where the backflow prevention device must be installed.
- (5) A notice under sub-bylaw (1) may specify either or both of the following —
  - (a) the type of backflow prevention device required to be installed;
  - (b) the level of contamination risk the Corporation is of the opinion that the private service presents.
- (6) An owner or occupier who fails to comply with a notice given to the owner or occupier under sub-bylaw (1) commits an offence and is liable to a penalty not exceeding a fine of \$2 000 and a further penalty of \$200 for every day or part of a day during which the offence continues after notice of the offence

has been given by or on behalf of the Corporation to the offender.

**62. Testing and maintenance of backflow prevention devices**

- (1) A reference in this by-law to Australian Standard 2845.3:1993 includes a reference to any amendment to that standard made before the commencement of the *Country Areas Water Supply Amendment By-laws 2008*.
- (2) The owner or occupier of land on which a backflow prevention device is installed must ensure that the device is —
  - (a) tested and certified in accordance with, and at the intervals specified in, Australian Standard 2845.3:1993; and
  - (b) maintained in accordance with that standard.
- (3) A person who carries out testing for the purposes of sub-by-law (2) must ensure that a copy of the relevant test report referred to in Australian Standard 2845.3:1993 is lodged with the Corporation not later than 5 working days after the test is carried out.
- (4) If the Corporation is of the opinion that a backflow prevention device is not operating in accordance with Australian Standard 2845.3:1993, the Corporation may, by notice in writing, require the owner or occupier of the property to ensure that the backflow prevention device is made good as specified in the notice.
- (5) A notice under sub-by-law (4) must specify —
  - (a) the work that is required to be done; and
  - (b) the manner in which the work is required to be done; and
  - (c) the date by which the work is required to be done (being a date not earlier than 7 days after the date on which the notice is given to the owner or occupier).
- (6) An owner or occupier who fails to comply with a notice given to the owner or occupier under sub-by-law (4) commits an offence and is liable to a penalty not exceeding \$2 000 and a further penalty of \$200 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

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WA307\*

Metropolitan Water Supply, Sewerage, and Drainage Act 1909

## Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008

Made by the Minister under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909*, the *Metropolitan Water Authority Act 1982* and the *Water Agencies (Powers) Act 1984*.

### 1. Citation

These by-laws are the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008*.

### 2. Commencement

These by-laws come into operation as follows:

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on the day after the day on which these by-laws are published in the *Gazette*.

### 3. The by-laws amended

The amendments in these by-laws are to the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

### 4. By-law 1.1 amended

By-law 1.1 is amended by inserting after the definition of “AS/NZS” —

“

“**Australian Standard**” means a document having that title published by Standards Australia;

”.

### 5. By-law 6.3 amended

By-law 6.3.6 is amended by deleting “No branch” and inserting instead —

“

Except with the Corporation’s written authority, no branch

”.

**6. By-law 15.8 amended**

- (1) By-law 15.8(a) is amended as follows:
- (a) by inserting after “The owner” —  
“ or occupier ”;
  - (b) by inserting after “these by-laws” —  
“ and the plumbing standards ”.
- (2) By-law 15.8(b) is amended by inserting after “owner” in the 3 places where it occurs —  
“ or occupier ”.

**7. Heading amended**

The heading “28.0 — Industrial wastes” is deleted and the following heading is inserted instead —

“

**28.0 — Industrial wastes and plumbing  
generally**

”.

**8. By-laws 28.7 and 28.8 inserted**

After by-law 28.6 the following by-laws are inserted —

“

**28.7 Installation of backflow prevention devices**

28.7.1 If the Corporation is of the opinion that a private service presents a contamination risk to water supplied by the Corporation’s water supply system, the Corporation may, by notice in writing, require the owner or occupier of the land on which the private service is laid to install a backflow prevention device on the private service.

28.7.2 The backflow prevention device must —

- (a) meet the requirements of —
  - (i) in the case of a backflow prevention device that is an air gap or break tank — Australian Standard 2845.2-1996; or
  - (ii) in the case of any other backflow prevention device — Australian Standard 2845.1.1998;

and

- (b) be selected and installed in accordance with Australian Standard 3500.1:2003.

28.7.3 A reference in by-law 28.7.2 to an Australian Standard includes a reference to any amendment to that standard made before the commencement of the *Metropolitan*

*Water Supply, Sewerage and Drainage Amendment  
By-laws 2008.*

28.7.4 A notice under by-law 28.7.1 must specify —

- (a) the date by which the backflow prevention device must be installed (being a date not earlier than 7 days after the date on which the notice is given to the owner or occupier); and
- (b) the manner in which the backflow prevention device must be selected and installed; and
- (c) the place on the private service where the backflow prevention device must be installed.

28.7.5 A notice under by-law 28.7.1 may specify either or both of the following —

- (a) the type of backflow prevention device required to be installed;
- (b) the level of contamination risk the Corporation is of the opinion that the private service presents.

28.7.6 An owner or occupier who fails to comply with a notice given to the owner or occupier under by-law 28.7.1 commits an offence and is liable to a penalty not exceeding \$2 000 and a further penalty of \$200 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

**28.8 Testing and maintenance of backflow prevention devices**

28.8.1 The owner or occupier of land on which a backflow prevention device is installed must ensure that the device is —

- (a) tested and certified in accordance with, and at the intervals specified in, Australian Standard 2845.3:1993; and
- (b) maintained in accordance with that standard.

28.8.2 A person who carries out testing for the purposes of by-law 28.8.1 must ensure that a copy of the relevant test report referred to in Australian Standard 2845.3:1993 is lodged with the Corporation not later than 5 working days after the test is carried out.

28.8.3 A reference in by-laws 28.8.1 or 28.8.2 to Australian Standard 2845.3:1993 includes a reference to any amendment to that standard made before the commencement of the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2008*.

**9. By-law 28.9 amended**

By-law 28.9.19.1 is amended as follows:

(a) in paragraph (a) —

- (i) by deleting “Where work is done other than in accordance with these by-laws and the plumbing standards or, in the opinion of the Corporation is defective, then” and inserting instead —

“

Where —

- (i) work is done other than in accordance with these by-laws or the plumbing standards or, in the opinion of the Corporation, is defective; or
- (ii) any part of a private service does not comply with these by-laws, or a requirement of the Corporation under these by-laws, in relation to backflow prevention devices,

then

”.

(ii) by inserting after “work was done” —

“ or the private service does not comply ”;

(b) by inserting after paragraph (b) —

“

Penalty:

- (a) for failure to comply with the terms of a notice issued for the purposes of paragraph (a)(i) — a fine of \$200 and a further penalty of \$50 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender;
- (b) for failure to comply with the terms of a notice issued for the purposes of paragraph (a)(ii) — a fine of \$2 000 and a further penalty of \$200 for every day or part of a day during which the offence continues after notice of the offence has been given by or on behalf of the Corporation to the offender.

”.

(c) in paragraph (c) by deleting “board” and inserting instead —

“ Corporation ”;

(d) by inserting after paragraph (c) —

“

(d) In this by-law —

“**work**” includes work of a kind specified to be water supply plumbing, sanitary plumbing or drainage plumbing in the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000* regulation 4.

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JOHN KOBELKE, Minister for Water Resources.

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## — PART 2 —

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### AGRICULTURE

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AG401\*

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**  
DECLARED ANIMALS

Agriculture Protection Board  
South Perth.

Acting pursuant to sections 35 and 36 of the *Agriculture and Related Resources Protection Act 1976*, the Agriculture Protection Board hereby declares the Slaty-headed Parakeet (*Psittacula himalayana*) to be a declared animal in respect of the whole of the State and every part of the State, generally, and to be assigned to categories A1, A2, A3.

Dated 20 May 2008.

CHRIS RICHARDSON, Chairman.

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AG402\*

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**  
DECLARED ANIMALS

Agriculture Protection Board  
South Perth.

Acting pursuant to Section 35 and 36 of the *Agriculture and Related Resources Protection Act 1976*, the Agriculture Protection Board hereby declares small hive beetle (*Aethina tumida*) to be a declared animal in respect of the whole of the State and every part of the State, generally, and to be assigned to the following categories—

A1, A2, A3 for all areas of the State outside the municipal districts of Broome; Derby-West Kimberley; Wyndham-East Kimberley and Halls Creek; and

A5 for the municipal districts of Broome; Derby-West Kimberley; Wyndham-East Kimberley and Halls Creek.

Dated 20 May 2008.

CHRIS RICHARDSON, Chairman.

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401\*

**ASSOCIATIONS INCORPORATION ACT 1987**  
REINSTATEMENT OF ASSOCIATION  
Beehive Montessori Foundation Inc

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the Associations Incorporation Act 1987.

Dated 19 May 2008.

ROBERT ALLEN, A/Director, Business Services  
for Commissioner for Consumer Protection.

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## FISHERIES

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FI401\*

**FISH RESOURCES MANAGEMENT ACT 1994**  
**BROOME PRAWN MANAGED FISHERY MANAGEMENT PLAN 1999**

Areas Closed to Fishing for Prawns

Notice No. 1 of 2008

I, Peter Millington, Chief Executive Officer of the Department of Fisheries, in accordance with clause 12 of the *Broome Prawn Managed Fishery Management Plan 1999* (the Plan), do hereby—

- 1 Cancel *Notice No. 1 of 2007*, dated 29 May 2007; and
- 2 Prohibit fishing for prawns in those parts of the Broome Prawn Managed Fishery (the Fishery), as described in the Plan, between the dates and times provided for in paragraphs (a) and (b) below—
  - (a) Fishing for prawns is prohibited in all waters described in Schedule 2 of the Plan from the date of gazettal of this notice until 1700 hours Western Standard Time (WST) on 25 May 2008; and
  - (b) Fishing for prawns is prohibited in all waters described in Schedule 2 of the Plan during the period commencing at 0800 hours WST on 10 August 2008 and ending at 1700 hours WST on 1 July 2009.

Dated this 18th day of May 2008.

P. J. MILLINGTON, Chief Executive Officer.

FI402\*

**FISHERIES ADJUSTMENT SCHEMES ACT 1987**

**WETLINE AND RELATED FISHERIES**

Voluntary Fisheries Adjustment Scheme Notice 2008

FD 269/07 [859A]

Made by the Minister under section 10B of the Act.

### 1. Citation

This notice may be cited as the *Wetline and Related Fisheries Voluntary Fisheries Adjustment Scheme Notice 2008*.

### 2. Interpretation

In this notice—

- “**associated managed fishery licence**” means a managed fishery licence on which a boat having the fishing boat licence number of a boat used to fish in the Fishery is specified as an authorised boat;
- “**authorisation**” means a commercial fishing licence, fishing boat licence, or associated managed fishery licence;
- “**committee**” means the Wetline and Related Fisheries Voluntary Fisheries Adjustment Scheme Committee of Management established by written instrument dated 14 November 2007 and made under section 11 of the Act;
- “**Fishery**” means the Wetline Fishery;
- “**managed fishery licence**” means a licence authorising a person to fish under the authority of a management plan;
- “**Related Fisheries**” means any other fishery in which a person authorised or entitled to fish in the Fishery is also authorised or entitled to engage in fishing by line or by net in accordance with a commercial fishing licence, a fishing boat licence (including by reference to any exception to an order made under section 43 of the *Fish Resources Management Act 1994*), or under the authority of a managed fishery licence;
- “**scheme**” means the *Wetline and Related Fisheries Voluntary Fisheries Adjustment Scheme 2008* established by clause 3;
- “**Wetline Fishery**” means commercial fishing for fish of the *Classes Chondrichthyes* and *Osteichthyes* by line or by net, and which is not regulated under a management plan or prohibited under the *Fish Resources Management Act 1994* or the *Fish Resources Management Regulations 1995*.

### 3. Establishment of fisheries adjustment scheme

A fisheries adjustment scheme is established in respect of the Fishery and the Related Fisheries to be known as the *Wetline and Related Fisheries Voluntary Fisheries Adjustment Scheme 2008*.

#### 4. Objective

The objective of the scheme is to reduce the size of the Fishery and the Related Fisheries by reducing—

- (a) the number of persons authorised to fish in the Fishery and the Related Fisheries; or
- (b) the number of boats that may be used for fishing in the Fishery and the Related Fisheries; or
- (c) both the number of persons authorised to fish in the Fishery and the Related Fisheries and the number of boats that may be used for fishing in the Fishery and the Related Fisheries.

#### 5. The fishery to which the scheme applies

The fishery to which the scheme applies is the Fishery and Related Fisheries.

#### 6. Who may offer to surrender an authorisation

Any person who is the holder of an authorisation is entitled to offer the surrender of an authorisation.

#### 7. Manner of operation

The manner of operation of the scheme shall be that—

- (a) invitations for offers to surrender authorisations shall be made in accordance with section 10C(4) of the Act and not later than 29 January 2010;
- (b) any offer shall be submitted to the committee in the form approved by the committee;
- (c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer; and
- (d) the Minister shall respond to any offer in accordance with section 10C(5) of the Act after considering any advice of the committee.

#### 8. Duration of the scheme

The scheme shall commence operation on the date it is published in the *Gazette* and cease operation on 26 March 2010.

#### 9. Terms of the scheme

The terms of the scheme are that, provided that the objective specified in clause 4 is attained, compensation in an amount agreed between the Minister and the holder of an authorisation shall be paid for the surrender of the authorisation.

Dated this 15th day of May 2008.

JON FORD, Minister for Fisheries.

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## HERITAGE

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HR401\*

### HERITAGE OF WESTERN AUSTRALIA ACT 1990

#### ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

#### Schedule 1

#### Description of Place

**Katanning Club** at 12 Amherst Street, Katanning; Lots 85 & 86 on Plan 309 being the whole of the land contained in C/T V 2228 F 973.

**Lower Kalgan River Bridge & Jetty Group** at Albany-Nanarup Road, Lower Kalgan; Lot 301 on DP 57147 being the whole of the land contained in CLT V 3149 F 239, Lot 300 on DP 57147 being the whole of the land contained in CLT V 3149 F 238, Lot 302 on DP 57147 being the whole of the land contained in CLT V 3149 F 240, That ptn of Lot 7578 on DP 186701 being part of Res 16871 & part of the land contained in CLT V 3149 F 237 as shown labelled X on DP 57148, together as shown in HCWA Survey Drawing No. 0089 prepared by Whelans.

**Saint Joseph's Catholic Church Group, Albany** at 120-60 Aberdeen Street, Albany; Lot 27 on D 21042 being the whole of the land contained in C/T V 1952 F 384, Lot 28 on Diagram 21042 being the whole of the land contained in C/T V 2120 F 334 & Lot 29 on Diagram 21042 being the whole of the land contained in C/T V 2120 F 335.

IAN BAXTER, Director,  
Office of the Heritage Council of W.A.,  
108 Adelaide Terrace, East Perth WA 6004.

Dated 23 May 2008.

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## JUSTICE

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JU401\*

**JUSTICES OF THE PEACE ACT 2004**  
RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—  
Valerie Glennys Gaddes of 11 Barnya Street, Armadale  
from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director, Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401\*

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

*Shire of Waroona*

APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that the following persons have been appointed as a Ranger and Pound Keeper pursuant to Part XX, Section 449 of the *Local Government (Miscellaneous Provisions) Act 1960*. The appointment is effective from 22 May 2008—

Jody Victoreia Newton  
Stephen Lewis Robinson  
Kathleen Jean Johnston  
Mark Wayne Corner

IAN CURLEY, Chief Executive Officer.

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## MARINE/MARITIME

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MX401\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**

WATER SKI AREA

*Shire Of Harvey*

Logue Brook Dam

Department for Planning and Infrastructure  
Fremantle WA, 23 May 2008.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations 1958, the department by this notice revokes Notice MX401 as published in the *Government Gazette* on 28 August 2005 and hereby closes Logue Brook Dam to water skiing until further notice.

DAVID HARROD, General Manager, Marine Safety  
Department for Planning and Infrastructure.

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## MINERALS AND PETROLEUM

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MP401\*

Commonwealth of Australia

**PETROLEUM (SUBMERGED LANDS) ACT 1967**

SURRENDER OF EXPLORATION PERMITS WA-325-P AND WA-327-P

The surrender of Exploration Permits WA-325-P and WA-327-P has been registered and will take effect on the date this notice appears in the *Government Gazette*.

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

**MP402\*****PETROLEUM ACT 1967**

## Section 99

**CANCELLATION OF EXPLORATION PERMITS EP369, EP405 AND EP410**

The Cancellation of Exploration Permits EP369, EP405 and EP410 held by Longreach Oil Limited will take effect on the date this notice appears in the *Government Gazette*.

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

**MP403\*****MINING ACT 1978**

## FORFEITURES

Department of Industry and Resources,  
PERTH WA 6000.

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

FRANCIS LOGAN MLA, Minister for Energy;  
Resources; Industry and Enterprise.

Number	Holder	Exploration Licence	Mineral Field
08/1382	Vistarise Ltd		Ashburton
		Mining Leases	
70/632	Ronald Barry Mainwaring Andres Murnik		South West
70/1112	Arthur Skiljan Neil Skiljan		South West

**MP404\*****MINING ACT 1978**

## FORFEITURES

Department of Industry and Resources,  
PERTH WA 6000.

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

FRANCIS LOGAN MLA, Minister for Energy;  
Resources; Industry and Enterprise.

Number	Holder	Exploration Licence	Mineral Field
70/2730	Rosella Creek Mining Ltd		South West
		Mining Leases	
70/219	Pearl McKinnon Green		South West
70/857	Pearl McKinnon Green		South West
70/1154	Pearl McKinnon Green		South West
70/1155	Pearl McKinnon Green		South West
80/467	Elizabeth Alexander Rolando Ernest Nanni		Kimberley

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**PLANNING AND INFRASTRUCTURE**

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Augusta-Margaret River*  
Town Planning Scheme No. 17—Amendment No. 23

Ref: 853/6/3/17 Pt 23

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Augusta-Margaret River local planning scheme amendment on 6 May 2008 for the purpose of—

- (1) Amending the Scheme map by changing the zoning of Lots 1, 68, 38, 39, 40, 41, 42 & 43 Town View Terrace, Margaret River from “Residential R20” to “Residential R30/40”.
- (2) Introducing the following Scheme Provisions under clause 5.4—
  - 5.4.8 Except where varied in accordance with clause 5.4.9, development within areas coded R30/40 shall comply with the provisions of the R30 Code.
  - 5.4.9 Notwithstanding the provisions of clause 5.4.8, the local government may permit grouped and multiple dwelling developments up to a maximum of the R30 Code where a development addresses the following additional performance criteria to a standard acceptable to the local government—
    - (a) buildings, in terms of the design of the building and the use of external building treatments and colours, are considered to be compatible with existing and potential new development in the same area;
    - (b) building elevations facing the street or other public places shall contain windows or other major or minor openings so as to present attractively to those street or public place;
    - (c) development is to be designed to avoid the need for high screen walls along the street frontage or within the front setback area;
    - (d) development is to include the implementation of a landscape plan. The plan is to address the need for ‘softening’ of the appearance of the development to the public areas and the provision of shade to dwellings;
    - (e) security gates and/or walls, if incorporated into any development shall be so sited as not to preclude the use of visitor parking space at any time; and
    - (f) developments are to demonstrate sustainable and water sensitive outcomes including solar passive orientation and construction and stormwater detention and collection.
  - 5.4.10 The local government will not support any application for subdivision or strata subdivision at a density of R40, unless it is consistent with an approved development.

S. HARRISON, Shire President.  
J. TRAIL, Chief Executive Officer.

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Augusta-Margaret River*  
Town Planning Scheme No. 11—Amendment No. 172

Ref: 853/6/3/8 Pt 172

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Augusta-Margaret river local planning scheme amendment on 6 May 2008 for the purpose of—

1. Rezoning Lots 1 and 2 Redgate Road and Location 2183 Bussell Highway, Witchcliffe from “Rural” to “Future Development Zone” as depicted on the Scheme Amendment Map.
2. Identifying Lots 1 and 2 Redgate Road and Location 2183 Bussell Highway, Witchcliffe as Structure Plan Area No. 2 as depicted on the Scheme Amendment Map.

3. Amending the Scheme Text by inserting in “Schedule X—Structure Plan Areas” the following—

Area No. (SPA)	Description of Land Area	Land Use Expectations	Matters to be addressed in Structure Plans (in addition to clause 4.7.4.4)	Associated Provisions
2	Lots 1 and 2 Redgate Road and Location 2183 Bussell Highway, Witchcliffe	Orderly and proper expansion of the Witchcliffe Townsite to be generally in accordance with the Witchcliffe Village Strategy.	<p>The following issues are to be investigated, and methods of resolution/ implementation are to be addressed by the structure plan—</p> <ul style="list-style-type: none"> <li>• Provision of upgraded services to existing dwellings within the Witchcliffe Strategy;</li> <li>• Provision of electricity via sustainable sources;</li> <li>• Provision of an alternative and sustainable wastewater recycling scheme provided by the developer and implemented to the satisfaction of the Local Authority;</li> <li>• Provision of rainwater tanks or other mechanisms to catch and use rain water;</li> <li>• Drainage based on Water Sensitive Urban Design principles;</li> <li>• Provision of affordable housing;</li> <li>• Preparation of design guidelines to ensure a sustainable form of housing including solar passive design and orientation;</li> <li>• Solar passive lot orientation; and</li> <li>• Reuse of greywater.</li> </ul>	<p>Unless all relevant Government authorities including the Local Government Authority approve the alternative servicing arrangements, all lots and development shall be connected to a conventional reticulated water and sewerage system.</p> <p>The Structure Plan is to be accompanied by the following studies—</p> <ul style="list-style-type: none"> <li>• Environmental Assessment;</li> <li>• Environmental Corridor/Stream Zone Management Plan;</li> <li>• Public Open Space and Landscaping Strategy Plan;</li> <li>• Traffic Management Plan;</li> <li>• Fire Management Plan including appropriate setbacks from native vegetation recognising the objective minimise clearing of quality vegetation;</li> <li>• An ethnological and archaeological survey conducted by a qualified consultant; and</li> <li>• A Community Infrastructure and Facilities Needs Plan, including the proposed primary school site and the investigation of developer contributions to implement the plan where necessary.</li> <li>• The structure plan may identify areas which require the preparation and endorsement of a further detailed structure plan and associated studies prior to any subdivision or development occurring on those identified areas. These identified areas will require sufficient planning</li> </ul>

Area No. (SPA)	Description of Land Area	Land Use Expectations	Matters to be addressed in Structure Plans (in addition to clause 4.7.4.4)	Associated Provisions
				<p>detail on the proposed Structure Plan to guide future detailed structure planning to the satisfaction of the Local Government and the Western Australian Planning Commission and to ensure co-ordinated urban design, environmental protection, landuse and development over the entire Structure Plan Area.</p> <ul style="list-style-type: none"> <li>Where there is a dispute between the local government and the proponent as to the level of detail required to meet the above requirements, the Department for Planning and Infrastructure will act as arbitrator.</li> </ul>

S. HARRISON, Shire President.  
J. TRAIL, Chief Executive Officer.

**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Fremantle*  
 Local Planning Scheme No. 4—Amendment No. 3

Ref: 853/2/5/8 Pt 3

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Fremantle local planning scheme amendment on 6 May 2008 for the purpose of—

Inserting the following text to Part 7 of the Scheme;

**7.7 Archaeological investigation**

**7.7.1** Subject to clause 7.7.2, where planning approval is granted in respect of a place within a Heritage Area or included on the Heritage List, the Council may impose a condition on that planning approval which requires an archaeological investigation of the place to be undertaken and a report of that investigation to be provided to the Council for its information prior to the commencement of that approved development.

**7.7.2** The condition referred to in clause 7.7.1 may be imposed where—

- (a) the place to which the planning approval relates—
  - (i) is a vacant site at the time the planning approval is granted; or
  - (ii) will be wholly or substantially redeveloped if the planning approval is implemented.
- (b) the Council has reasonable evidence the place may include contents, materials or objects that have aesthetic, historic, scientific, or social significance for the present community and future generations; and
- (c) the contents, materials and objects referred to in clause 7.7.2(b) are not subject to the *Aboriginal Heritage Act 1972*.

- 7.7.3 Where an archaeological investigation is required to be undertaken it shall be—
- (a) conducted at the expense of the applicant for planning approval;
  - (b) conducted by a suitably qualified person; and
  - (c) conducted in accordance with any local planning policies adopted by Council with respect to archaeological investigations provided any such policy has been approved by the Western Australian Planning Commission.
- 7.7.4 Clauses 7.7.1 to 7.7.3 do not affect the operation of the Aboriginal Heritage Act, 1972.

P. TAGLIAFERRI, Mayor.  
G MacKENZIE, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**

*Shire of Mullewa*

Local Interim Development Order No. 11

Ref: 513.03

In accordance with the provisions of Section 105, Division 3, Part 6 of the *Planning and Development Act 2005*, and by direction of the Minister for Planning and Infrastructure a summary as set out hereunder of the Shire of Mullewa Local Interim Development Order No. 11 made pursuant to the provisions of Divisions 2 and 3, Part 6 of that Act is hereby published for general information.

The Minister for Planning and Infrastructure has made copies of this Order available for inspection by any person free of charge at the offices of the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and at the office of the Shire Council during normal office hours.

SUMMARY

1. The Shire of Mullewa Local Interim Development Order No.11 contains provisions inter alia—
  - (a) That the Order applies to that part of the Shire of Mullewa specified in the Order.
  - (b) That, subject as therein stated, the Mullewa Shire Council is the authority responsible for its administration.
  - (c) That the carrying out of certain development on land within the scope of the Order without approval as stated therein is prohibited.
  - (d) Relating to the application for, and grant of approval for, development other than development permitted by the Order.
  - (e) Relating to development by a public authority.
  - (f) Relating to certain development permitted by this Order.
  - (g) Relating to the continuance of the lawful use of land and buildings.
  - (h) Relating to an application for a review based on a decision to refuse approval for development or conditions subject to which approval to carry out development is granted.
2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.

Dated: 31 March 2008.

T. A. HARTMAN, Chief Executive Officer.

PI405\*

**PLANNING AND DEVELOPMENT ACT 2005**

RESOLUTION DECIDING TO PREPARE A LOCAL PLANNING SCHEME

*Shire of Mullewa*

Local Planning Scheme No. 2

District Scheme

Form No. 2

Notice is hereby given that the Shire Council of the local government of Mullewa on 18th September 1996 passed the following Resolution—

Commence preparation of Town Planning Scheme No. 2 for the whole of the Shire of Mullewa.

Dated this 19th day of May 2008.

T. A. HARTMAN, Chief Executive Officer.

PI406\*

**PLANNING AND DEVELOPMENT ACT 2005***Shire of Murchison***LOCAL INTERIM DEVELOPMENT ORDER NO. 1**

Ref: 26/9/6/1

In accordance with the provisions of section 105, division 3, part 6 of the *Planning and Development Act 2005*, and by direction of the Minister for Planning and Infrastructure, a summary as set out hereunder of the Shire of Murchison Local Interim Development Order No. 1 made pursuant to the provisions of Divisions 2 and 3, Part 6 of that Act is published for general information.

The Minister for Planning and Infrastructure has made copies of this Order available for inspection by any person free of charge at the offices of the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and at the office of the Shire Council during normal office hours.

**SUMMARY**

1. The Shire of Murchison Local Interim Development Order No. 1 contains provisions inter alia—
  - (a) That the Order applies to that part of the Shire of Murchison specified in the Order.
  - (b) That, subject as therein stated, the Murchison Shire Council is the authority responsible for its administration.
  - (c) That the carrying out of certain development on land within the scope of the Order without approval as stated therein is prohibited.
  - (d) Relating to the application for, and grant of approval for, development other than development permitted by the Order.
  - (e) Relating to development by a public authority.
  - (f) Relating to certain development permitted by this Order.
  - (g) Relating to the continuance of the lawful use of land and buildings.
  - (h) Relating to an application for a review based on a decision to refuse approval for development or conditions subject to which approval to carry out development is granted.
2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.

Dated: 20 July 2008.

D. J. SELLENGER, Chief Executive Officer.

PI407\*

**PLANNING AND DEVELOPMENT ACT 2005****APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Murray***Town Planning Scheme No. 4—Amendment No. 220**

Ref: 853/6/16/7 Pt 204

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Murray local planning scheme amendment on 21 April 2008 for the purpose of—

1. Rezoning Lot 4 Paterson Road, Pinjarra from the Rural Zone to the “Special Rural” Zone and “Parks & Recreation” reserve as identified on the Scheme Amendment Map; and
2. The addition of the following special provisions to Schedule 4 of the Scheme—

(A) SPECIFIED LAND		(B) SPECIAL PROVISIONS RELATING TO (A)
SR 30	Lot 4 Paterson Road, Pinjarra	(i) Subject to the approval of the West Australian Planning Commission, Subdivision of the land within this Special Rural Zone shall be generally in accordance with the layout of the Subdivision Guide Plan adopted by the Council. <ol style="list-style-type: none"> <li>(a) The following uses are permitted—               <ul style="list-style-type: none"> <li>- Single House</li> <li>- Outbuilding</li> <li>- Public Utility</li> </ul> </li> <li>(b) The following uses that may be permitted at the discretion of Council (“AA”)—               <ul style="list-style-type: none"> <li>- Aged or Dependant Persons Dwelling</li> <li>- Home Occupation</li> <li>- Cottage Industry</li> <li>- Family Day Care</li> <li>- Rural Pursuit</li> <li>- Stables</li> </ul> </li> </ol>

(A) SPECIFIED LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
	<p>(c) The following uses that may be permitted at the discretion of Council subject to advertising ('SA')—</p> <ul style="list-style-type: none"> <li>- Bed and Breakfast</li> <li>- Cattery</li> </ul> <p>(d) All other uses are not permitted ('X').</p> <p>(ii) No lot should be less than 2 Hectares in area.</p> <p>(iii) All dwelling houses and effluent disposal system shall be developed within the building envelope depicted on the Subdivision Guide Plan. Council may upon application from a lot owner agree to vary the building envelope providing it can be demonstrated to the satisfaction of Council that the alternative envelope is suitable for house construction and achieves minimum site condition requirements for on-site wastewater disposal.</p> <p>(iv) The building envelope of Lot B shall have a required minimum pad thickness of 500mm.</p> <p>(v) No dwelling or buildings shall be constructed within 20 metres of a street alignment or rear boundary or within 10.0m of any other lot boundary unless the Council approves a lesser distance. That is, if Council is of the opinion that the topography or shape of the lot, or other natural flora upon it, makes it desirable to alter this provision, and the location of the building will not detract from the environmental quality of the area or from the amenity of existing or future residences on adjoining lots.</p> <p>(vi) No dam shall be constructed without the written approval of the Council.</p> <p>(vii) The keeping and stabling of livestock shall be in accordance with Council's Policy for the keeping and stabling of horses and shall comply with the type and number of livestock as recommended by the Department of Agriculture for the applicable pasture type. Individual landowners shall be responsible for organising and meeting all costs associated with preparation of grazing and stabling management plans for livestock following consultation with the Department of Agriculture. Notwithstanding the foregoing, Council may require the stocking rates to be reduced where, in the opinion of the Department of Agriculture, they are excessive or the land is subjected to soil degradation.</p> <p>(viii) No new dwelling shall be approved by Council unless it is connected to an alternative waste water treatment system with an adequate phosphorous retention capacity, as approved by the Health Department of Western Australia and with the base of the system or modified irrigation area being as specified in the condition of approval of the waste water system.</p> <p>(ix) Each new dwelling shall be provided with a supply of potable water from a roof catchment of not less than 120 square metres in projected area, connected to a storage tank with a minimum capacity of 92,000 litres.</p> <p>(x) Water Supply Provisions—</p> <ul style="list-style-type: none"> <li>(a) The subdivider shall make arrangements satisfactory to the Council to ensure that prospective purchasers of the lots are advised that no reticulated water supply can be provided by the Water Authority of Western Australia.</li> <li>(b) The land is subject to the provisions of the Water Authority of Western Australia's By-Laws applicable to underground water supply and pollution control. The subdivider/owner shall inform all prospective purchasers in writing of the Water Authority of Western Australia's requirements mentioned in (c) and (d) below.</li> <li>(c) A Well licence must be obtained prior to construction of a well or bore to draw groundwater. Groundwater may be drawn from each of the lots to supplement household water supply needs and to supply water</li> </ul>

(A) SPECIFIED LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
	<p>for irrigated development of an area of up to 1000m<sup>2</sup>. The maximum amount of groundwater permitted to be drawn shall be 1500 cubic metres annually.</p> <p>(d) Activities carried out on this land shall not contravene the Water Authority of Western Australia's By-Laws applicable to groundwater water pollution control.</p> <p>(xi) All fencing shall be open post and rail or post and wire construction and shall be maintained to the satisfaction of Council.</p> <p>(xii) A Fuel free zone, clear of all flammable material/vegetation, to a distance of 20 metres is required around all buildings.</p> <p>(xiii) The subdivider shall prepare and implement a Fire Management Plan as part of any application to subdivide and that plan is to be to the satisfaction of Council and Fire and Emergency Services Authority.</p> <p>(xiv) Prior to the sale of any subdivided lots the subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of the lots created are advised of those provisions of the Shire of Murray's Town Planning Scheme No. 4 which relate to the use and management of the land.</p> <p>(xv) The subdivider shall prepare and implement a Revegetation Plan as part of any application to subdivide and that plan is to address revegetation of drainage areas and minimising the visual impact of future development over the site to the satisfaction of the Council. The provisions of the Revegetation Plan are to be implemented as part of the Subdivision.</p> <p>(xvi) A 'Foreshore Reserve' shall be provided in accordance with approved Subdivision Guide Plan. The "Foreshore Reserve" shall be fenced to the requirements of the Shire of Murray.</p> <p>(xvii) The subdivider shall, in accordance with the landscape plan approved by the Council, plant indigenous trees and shrubs of a species and at a density and distribution to the prior satisfaction of the Council. The issue of clearances by the Council for the subdivision of the land shall be conditional on these trees and shrubs having reached a self sustaining stage of growth to cope with the ensuing summer.</p> <p>(xviii) 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 of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>(xix) A water management plan is to be prepared by the subdivider and approved by the Department of Water prior the granting of conditional subdivision approval.</p>

N. H. NANCARROW, Shire President.  
D. UNSWORTH, Chief Executive Officer.

PI408\*

**PLANNING AND DEVELOPMENT ACT 2005**

METROPOLITAN REGION SCHEME

*City of Gosnells*

Notice of Resolution—Clause 27

South Phillip Street Precinct

Amendment 1157/27

File No.: 812-2-25-33

Notice is hereby given that in accordance with Clause 27 of the Metropolitan Region Scheme, the Western Australian Planning Commission (WAPC) resolved on 8 April 2008 to transfer land from the urban deferred zone to the urban zone, as shown on WAPC plan 4.1539.

The City of Gosnells requested the 'parallel' amendment of its Town Planning Scheme No. 6 using the provisions of section 126(3) of the *Planning and Development Act 2005*. This request has subsequently been agreed to by the WAPC. Accordingly, the amendment to the Metropolitan Region Scheme and the City of Gosnells Town Planning Scheme No. 6 is effective from the date of publication of this notice in the *Government Gazette*.

The plan of the Metropolitan Region Scheme amendment may be viewed at the offices of—

- Western Australian Planning Commission, Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal office of the City of Gosnells.

MOSHE GILOVITZ, Secretary,  
Western Australian Planning Commission.

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

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

Hon J A McGinty MLA, to act temporarily in the office of Minister for Disability Services; Tourism; Culture and the Arts; Consumer Protection in the absence of the Hon S M McHale MLA for the period 21 to 25 May 2008 inclusive.

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

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PC402\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

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

Hon J R Ford MLC to act temporarily in the office of Minister for Corrective Services; Small Business in the absence of the Hon M M Quirk MLA for the period 22 to 30 May 2008 (both dates inclusive).

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

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PC403\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

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

Hon E S Ripper MLA, to act temporarily in the office of Minister for Police and Emergency Services; Community Safety; Water Resources; Sport and Recreation in the absence of the Hon J C Kobelke MLA for the period 22 to 27 June 2008 inclusive.

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

PC404\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

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

Hon D A Templeman MLA to act temporarily in the office of Minister for Planning and Infrastructure in the absence of the Hon A MacTiernan MLA for the period 24 May to 2 June 2008 (both dates inclusive).

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

PC405\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

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

Hon J C Kobelke MLA to act temporarily in the office of Treasurer; Minister for State Development in the absence of the Hon E S Ripper MLA for the period 26 July to 10 August 2008 (both dates inclusive).

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

## RACING, GAMING AND LIQUOR

RG401\*

**LIQUOR CONTROL ACT 1988**  
**LIQUOR APPLICATIONS**

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* 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, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
32104	Richard James Chadwick	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Wellstead and known as Cape Agencies	01.06.2008

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

Dated: 21 May 2008.

B. A. SARGEANT, Director of Liquor Licensing.

## WORKCOVER

WC401

**WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981**  
**REVOCATION OF EXEMPTION NOTICE**

Given by the Board for the purposes of section 168 of the *Workers' Compensation and Injury Management Act 1981*.

Notice is given that on 6 May 2008, the Governor, acting under section 168 of the *Workers' Compensation and Injury Management Act 1981* and with the advice and consent of Executive Council ordered the exemption given to the Commonwealth Bank of Australia Limited be revoked.

GREG JOYCE, Chairman of the Board.

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**WORKSAFE**

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WS401\*

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

(No. 13 of 2008)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Navan Pty Ltd T/A Octagon-BKG Lifts from the requirements of regulation 4.3(2)(c) of the Occupational Safety and Health Regulations 1996 in relation to the requirement for verification to be provided that the design of three models of Kleemann "Flexylift" hydraulic lifts rated at 450kg, 630kg and 1000kg complies with Section 5 of Australian Standard AS1735.3-2001.

Dated this 19th day of May 2008.

NINA LYHNE, WorkSafe Western Australia Commissioner.

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**DECEASED ESTATES**

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ZX401

**TRUSTEES ACT 1962  
DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the Estate of Robert Mitford Rowell, late of 44 Duncraig Road, Applecross in the State of Western Australia, Company Director, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 9th day of June 2007, are required by the Executrixes, Angela Joan Rowell and Elizabeth Ann Mitford Calder, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 23rd day of June 2008, after which date the said Executrixes may convey or distribute the assets, having regard only to the claims of which they have then had notice.

Dated the 19th day of May 2008.

GARRY E. SAME, Taylor Smart.

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 23/06/2008 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Abbott, Laurel Joyce, late of Unit 9, 126 Stoneham Street Tuart Hill, died 24.04.2008 (DE19743330EM22)

Armstrong, Mary Myrtle, late of 10b Mermaid Way Heathridge, died 25.04.2008 (DE31037573EM27)

Bamford, Graeme Hall, late of Unit 6, 7 Batt Court Noranda, died 30.01.2008 (DE19941431EM32)

Bicks, Noel Ellinor, late of Craigville Gardens 1 French Road Melville, died 13.05.2008 (DE19751252EM13)

Cartwright, Jack, late of Frank Prendergast House, 27 Pearson Drive Success, died 3.05.2008 (DE198915726EM36)

Coverley, Cynthia Gaye Anne, late of Unit 3, 23 Campion Avenue Balcatta, died 11.02.2008 (DE30332307EM213)

Dinsmore, Roy Ferguson, late of 10 Barnsley Street Queens Park, died 30.03.2008 (DE19931243EM32)

Eude, Daphne Mary, late of Kimberly Nursing Home, Kimberly Street Leederville, died 30.09.2007 (DE19950819EM110)

Gaughran, Dominick, late of 5/25 Hutton Street Collie, died 7.11.2007 (DE19840036EM15)

Horn, Constance Myrtle, late of 9 Mertz Court Hillarys, died 20.04.2008 (DE19730509EM17)  
Moran, Edna Dorothy, late of Belmont Community Nursing Home, 5 Kemp Place Rivervale, died 13.04.2008 (DE19842935EM16)  
Rockley, Beatrice Susannah, late of 134 Hillside Garden Village, 270 South West Highway Armadale, died 26.03.2008 (DE33031369EM23)  
Silich, Murray Douglas, late of 8 Tuart Street Geraldton, died 4.01.2008 (DE33063612EM38)  
Spunt, Eileen Maude, late of Como House 36-42 Talbot Avenue Como, died 24.04.2008 (DE19972229EM37)  
Watts, Kay Maxine, late of C/- St Josephs Lodge 16/162 Aberdeen Street Albany, died 6.12.2007 (DE19932481EM38)  
Westcott, Laurence Kevin, late of Unit 5/4 Keals Close Bentley, died 30.03.2008 (DE19894439EM37)  
Willis, Betty Constance, late of Bethanie Fields Nursing Home Eaton Drive Eaton, died 28.02.2008 (DE19681603EM37)

JOHN SKINNER, Public Trustee,  
Public Trust Office, 565 Hay Street,  
Perth WA 6000.  
Telephone 9222 6777.

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**ZX402**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Hyman Judah Hoffman, late of 13 Fairway East, Yokine, Western Australia, deceased.

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 17th day of July 2007 are required by the Executors Lionel Myer King and Graeme Eric Scott to send particulars of their claims by the 24th day of June 2008 to them care of Hammond King Touyz, Barristers and Solicitors, 3rd floor, 8 St George's Terrace, Perth, WA 6000 after which date the Executors may convey or distribute the assets, having regard only to the claims of which the Executors then have notice.

HAMMOND KING TOUYZ, Solicitors for the Executors,  
3rd Floor, 8 St George's Terrace,  
Perth, Western Australia.

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**ZX403**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Colin Thomas Mann, late of Unit 57, Springfields Retirement Village, 17-21 Hefron Street, Rockingham, Western Australia, deceased.

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 5th day of June 2007 are required by the Executor Lionel Myer King to send particulars of their claims by the 24th day of June 2008 to him care of Hammond King Touyz, Barristers and Solicitors, 3rd floor, 8 St George's Terrace, Perth, WA 6000 after which date the Executor may convey or distribute the assets, having regard only to the claims of which the Executor then has notice.

HAMMOND KING TOUYZ, Solicitors for the Executors,  
3rd Floor, 8 St George's Terrace,  
Perth, Western Australia.

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