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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2008 AND NEW YEAR HOLIDAY PERIOD 2009

Publishing Dates and times

Tuesday, 30 December 2008 at 3.30 pm

Friday, 2 January 2009 at 3.30 pm

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Tuesday, 23 December 2008 at 12 noon

Tuesday, 30 December 2008 at 12 noon

— PART 1 —

ENVIRONMENT AND CONSERVATION

EV301*

Conservation and Land Management Act 1984

Conservation and Land Management (Coral Bay Restricted Areas) Amendment Notice 2008

Made by the Director General under the *Conservation and Land Management Regulations 2002* regulation 5.

1. Citation

This notice is the *Conservation and Land Management (Coral Bay Restricted Areas) Amendment Notice 2008*.

2. Commencement

This notice comes into operation as follows —

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

3. Notice amended

This notice amends the *Conservation and Land Management (Coral Bay Restricted Areas) Notice 2003*.

4. Clause 3 amended

- (1) In clause 3 insert in alphabetical order:

northern portion of the restricted area means all of the restricted area that is not in the southern portion of the restricted area;

southern portion of the restricted area means all of the restricted area that is south of a line extending through the restricted area at 23.15349 degrees south latitude.

- (2) In clause 3 in the definition of *restricted area* delete “clause 4.” and insert:

clause 4;

5. Clause 5 amended

- (1) At the beginning of clause 5 insert:

- (1) The following activities are prohibited at all times in the northern portion of the restricted area —
- (a) the cleaning, scaling, gutting and filleting of fish;
 - (b) the anchoring of a vessel;
 - (c) the operation of a vessel (other than a vessel that is not motorised and is not wind-propelled);
 - (d) the anchoring of a vessel by placing the anchor on a beach.

- (2) In clause 5:

- (a) delete “The following” and insert:

- (2) The following

- (b) before “restricted area” insert:

southern portion of the

- (3) At the end of clause 5 insert:

- (3) Subclauses (1)(b), (c) and (d) and (2)(b), (c) and (d) do not apply to —

- (a) a vessel that —

- (i) has been declared to be an emergency vessel under the *Navigable Waters Regulations 1958* regulation 19H; and
- (ii) is being used as an emergency vessel in accordance with the terms of that declaration;

or

- (b) a vessel that is brought into the restricted area because it is damaged or seeking a safe anchorage in failing weather or under other emergency conditions.

KEIRAN McNAMARA, Director General.

FISHERIES

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 8) 2008

Made by the Governor in Executive Council.

1. Citation

These are the *Fish Resources Management Amendment Regulations (No. 8) 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 1 January 2009.

3. Regulations amended

These regulations amend the *Fish Resources Management Regulations 1995*.

4. Regulation 16E amended

- (1) In regulation 16E(1) insert in alphabetical order:

West Coast Region Division 1 fish means a fish referred to in Schedule 3 Part 3 Division 1.

- (2) In regulation 16E(1) in the definition of *single-sided fillet* delete “fish.” and insert:

fish;

- (3) After regulation 16E(3d) insert:

- (3E) The master of a boat, other than a fishing boat, being used by 2, 3 or 4 persons for taking fish in the West Coast Region must ensure that the number of West Coast Region Division 1 fish on, or attached to, the boat, and any tender or other vessel operating with or attached to the boat, at any one time is not more than twice the grouped bag limit for that Region.

Penalty: a fine of \$10 000 and the penalty provided in section 222 of the Act.

- (3F) The master of a boat, other than a fishing boat, being used by more than 4 persons for taking fish in the West Coast Region must ensure that the number of West Coast Region Division 1 fish on, or attached to, the boat, and any tender or other vessel operating with or attached to the boat, at any one time is not more than twice the grouped bag limit for that Region plus 2 West Coast Region Division 1 fish for each person in excess of 4 persons so using the boat.

Penalty: a fine of \$10 000 and the penalty provided in section 222 of the Act.

5. Regulation 16K inserted

At the beginning of Part 4 Division 3 Subdivision 4 insert:

16K. Possession limits — finfish at the Abrolhos Islands reserve or the Abrolhos Islands Fish Habitat Protection Area

For the purposes of section 51(1) of the Act, the maximum quantity of finfish that a person may be in possession of —

- (a) in the Abrolhos Islands reserve; or
- (b) in the Abrolhos Islands Fish Habitat Protection Area within the meaning given in Schedule 2 Part 2 Division 3 Subdivision 1 clause 2(2),

is —

- (c) 10 kg of fillets of finfish; or
- (d) one day’s bag limit of whole fish or fish trunks.

6. Schedule 2 amended

- (1) In Schedule 2 Part 2 Division 3 Subdivision 1 clause 2(1) delete “Area.” and insert:

Area during the period beginning on 1 November in a year and ending on 31 January in the following year.

- (2) In Schedule 2 Part 2 Division 3 Subdivision 2 in the item relating to “Snapper, Pink” before paragraph (c) insert:

- (a) when taken or brought onto land from the waters of the West Coast Region that are south of 31°00' south latitude —
- (i) during the period beginning on 1 January 2009 and ending on 31 December 2009 450
- (ii) on or after 1 January 2010 500

7. Schedule 3 amended

- (1) In the heading to Schedule 3 Part 3 Division 1 delete “**7 fish**” and insert:

4 fish

- (2) In Schedule 3 Part 3 Division 1 delete “7” and insert:

4

- (3) In Schedule 3 Part 3 Division 1 column 2 of the item relating to “Snapper, Pink,” delete “4” and insert:

2

8. Schedule 12 amended

In Schedule 12 Part 2 item 4 after “16E(3c),” insert:

16E(3E), 16E(3F),

By Command of the Governor,

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

HEALTH

HE301*

Hospitals and Health Services Act 1927

**Hospitals (Services Charges) Amendment
Regulations (No. 4) 2008**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Hospitals (Services Charges) Amendment Regulations (No. 4) 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. Regulations amended

These regulations amend the *Hospitals (Services Charges) Regulations 1984*.

4. Schedule 1 amended

- (1) In Schedule 1 item 1(c) delete “\$39.70” and insert:

\$40.80

- (2) In Schedule 1 item 1(d) delete “\$139” and insert:

\$140.10

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG101*

CORRECTION

SOIL AND LAND CONSERVATION ACT 1945

An error occurred in the notice published under the above heading on page 4881 of the *Government Gazette* dated 14 November 2008, reference AG406 is corrected as follows—

Delete “Minlya Station” and insert “Middalya Station”.

AG401*

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

DECLARED PLANT

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 *Praxelis clematidea* (praxelis) to be a declared plant, for the whole of the State and every part of the State, generally, that is assigned to categories P1, P2 for the whole of the State.

Dated: 11 December 2008.

CHRIS RICHARDSON, Chairman.

AG402*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 (2b)(c) of the Soil and Land Conservation Act 1945, on the nomination of the WA Farmers Federation (Inc), David John Hutton of Capel is appointed a member of the Capel Land Conservation District, (*the Committee was established by an Order in Council, published in the Gazette of 23 April 1993 at pp. 2170-2172 and Amendment Orders approved by Executive Council on 2 July 1996, 13 August 1996 and 1 December 1998 {refer to Department of Agriculture reference: 881848V02POT}*).

The appointment is for a term ending on 31 March 2011.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 17th of December 2008.

AG403*

SOIL AND LAND CONSERVATION ACT 1945

CARNARVON LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2008

Made by the Deputy Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Carnarvon Land Conservation District (Appointment of Members) Instrument 2008*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Carnarvon Land Conservation District) Order 1983**, the following members are appointed to the land conservation district committee for the Carnarvon Land Conservation District—

- (a) on the nomination of the Shire of Carnarvon: Maurice Battilana of Carnarvon and Edward Charles Smith of Carnarvon; and
- (b) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Marie Taffe of Carnarvon
 - (ii) Tony Taffe of Carnarvon
 - (iii) Bevan Gray of Carnarvon
 - (iv) Alexandra Harper of Carnarvon
 - (v) Dave Bauer of Carnarvon
 - (vi) Leslie Graham George of Carnarvon
 - (vii) Rowland Hill of Carnarvon
 - (viii) Susan Evelyn Van Dongen of Carnarvon
 - (ix) Keith Herbert Collier of Carnarvon
 - (x) John Knowles Stretch of Carnarvon
 - (xi) Manager, Department of Water, Gascoyne Region
 - (xii) Environmental Officer, Department of Main Roads, Gascoyne Region

(*Published in the Gazette of 16 December 1983 at p. 4897 and amended in the Gazettes of 13 March 1987 at pp. 662-663, 10 June 1988 at pp. 1936-1937, 13 December 1991 at pp. 6150-6151, 25 August 1995 at p. 3845, 7 June 1996 at p. 2389 and an Amendment Order approved by Executive Council on 28 January 1998 {refer to Department of Agriculture reference: 881708V02P0Q}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 October 2011.

ROBERT A. NULSEN, Deputy Commissioner of Soil and Land Conservation.

Dated this day 26th of November 2008.

AG404*

SOIL AND LAND CONSERVATION ACT 1945

CUE LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2008

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Cue Land Conservation District (Appointment of Members) Instrument 2008*

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Cue Land Conservation District) Order 1989**, the following members are appointed to the land conservation district committee for the Cue Land Conservation District—

- (a) on the nomination of the Shire of Cue: Peter Money of Cue
- (b) to represent the Pastoralists and Graziers Association of Western Australia: James Pitman of Karbar Station; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Bethel Pitman of Karbar Station
 - (ii) Michael James Clinch of Nallan Station
 - (iii) Sandra Ann Clinch of Nallan Station
 - (iv) Michael Anthony Prendergast of Lakeside Station
 - (v) Anette Prendergast of Lakeside Station
 - (vi) Martin King of Austin Downs Station
 - (vii) Tom Jackson of Austin Downs Station
 - (viii) Joanna Jackson-King of Austin Downs Station
 - (ix) Barbara Jackson of Austin Downs Station

(*Published in the Gazette of 26 May 1989 at pp. 1582-1583, and amended in the Gazette of 30 November 1993 at p. 6405 and an Amendment Order approved by Executive Council on 21 April 1998 {refer to Department of Agriculture reference: 881770V02P08}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring 30 November 2011.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 17th of December 2008.

AG405***SOIL AND LAND CONSERVATION ACT 1945****ESPERANCE LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2008**

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 2008*

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: Ron (Doc) Reynolds of Esperance;
- (b) to represent the Western Australian Farmers Federation (Inc): Yvonne Hallam of Grass Patch and Robert Alan Agnew of Esperance;
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Edward Richard English of Esperance
 - (ii) David Wesley Ford of Myrup
 - (iii) Claire Mitchell of Esperance
 - (iv) Catherine Field of Esperance
 - (v) Garry English of Esperance
 - (vi) District Manager, Department of Environment and Conservation, 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 30 November 2011.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 15th of December 2008.

AG406***SOIL AND LAND CONSERVATION ACT 1945****MERREDIN LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2008**

Made by the Deputy Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Merredin Land Conservation District (Appointment of Members) Instrument 2008*

2. Appointment of members

Under section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Merredin Land Conservation District) Order 1984**, the following members are appointed to the land conservation district committee for the Merredin Land Conservation District—

- (a) on the nomination of the Shire of Merredin: John Lloyd Simmonds of Merredin;
- (b) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Paddy Crook of Merredin

- (ii) Grant Philip Bennett of North Hines Hill
- (iii) Robert John Gray of Nokaning
- (iv) David William Morley of Merredin
- (v) Joseph Hamilton Crook of Merredin
- (vi) Andrew (Roy) Butler of Merredin
- (vii) Douglas William James Geier of Nukarnie
- (viii) Carol Francis Whitehead of Merredin
- (ix) Gregory Malcolm Giles of Nokaning

(*Published in the Gazette of 25 May 1984 at p 1406 and amended in the Gazettes of 22 January 1988 at pp. 156-157, 28 June 1991 at pp. 3114-3116, 29 May 1992 at p. 2179, 12 February 1993 at pp. 1207-1208, 29 September 1995 at pp. 4652-4653 and an Amendment Order approved by Executive Council on 16 December 1997 {refer to Department of Agriculture reference: 881724V03P00} and amended in the Gazette of 8 April 2003 at pp. 1114-1115.

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 October 2011.

ROBERT A. NULSEN, Deputy Commissioner of
Soil and Land Conservation.

Dated this day 14th of November 2008.

AG407*

SOIL AND LAND CONSERVATION ACT 1945

MORAWA LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2008

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 2008*.

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) 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) Michael Eric Sasse of Merkanooka
 - (vii) John Damian Ryan of Morawa
 - (viii) David James Coaker of Moraw

(*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: 881737V05P0H}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 30 November 2011.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 12th of December 2008.

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987
REINSTATEMENT
GEOCONFERENCES (WA) 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 12 December 2008.

GREG GOAD, A/Manager, Associations and Charitable Collections
for Commissioner for Consumer Protection.

CE402*

ASSOCIATIONS INCORPORATION ACT 1987
REINSTATEMENT

FISHING INDUSTRY WOMEN'S ASSOCIATION OF WEST AUSTRALIA 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 12 December 2008.

AARON RAYNER, A/Director, Business Services
for Commissioner for Consumer Protection.

CORRECTIVE SERVICES

CS401*

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 Commissioner of the Department of Corrective Services 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 |
|---------------|------------------|---------------|--------------------|----------------------|--------------------|
| Baker | Keri Kiriona | CS9-355 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Beverley | John Claude | CS9-356 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Campbell | Michael | CS9-357 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Gomez | Andre Jude | CS9-358 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Hayward | Vickie Denise | CS9-359 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Lewis | Neville Bramwell | CS9-360 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Parkes | Harry Anthony | CS9-361 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Pryce-Howells | Thomas William | CS9-362 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Stewart | Julie Louise | CS9-363 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Van Orsouw | John | CS9-364 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Williams | Ralph | CS9-365 | 12/12/2008 | 12/12/2008 | 30/07/2011 |
| Wissemann | Timothy James | CS9-366 | 12/12/2008 | 12/12/2008 | 30/07/2011 |

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

BRIAN LAWRENCE, CSCS Contract Manager.

CS402*

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 Commissioner of the Department of Corrective Services 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 |
|----------|------------------|---------------|--------------------|----------------------|--------------------|
| Molloy | Colin John | CS9-367 | 17/12/2008 | 15/12/2008 | 30/07/2011 |
| McCarthy | Nicholas Bradley | CS9-368 | 17/12/2008 | 15/12/2008 | 30/07/2011 |
| Lolohea | Feleti Tau | CS9-369 | 17/12/2008 | 15/12/2008 | 30/07/2011 |

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

BRIAN LAWRENCE, CSCS Contract Manager.

EDUCATION

ED401*

PUBLIC EDUCATION ENDOWMENT ACT 1909**APPOINTMENT**

Office of the Minister for Education,
Perth 2008.

His Excellency the Governor in Executive Council, acting under the provisions of section 2 of the *Public Education Endowment Act 1909*, has been pleased to approve the appointment of Mr Colin Pettit as a Trustee of the Public Education Endowment Trust for a term expiring on 21 November 2011 and the re-appointment of Mrs Norma Jeffery as a Trustee of the Public Education Endowment Trust for a term expiring on 21 November 2011.

Dr ELIZABETH CONSTABLE MLA, Minister for Education.

G. M. PIKE, Clerk of the Council.

ED402*

MURDOCH UNIVERSITY ACT 1973**AMENDING STATUTE**

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 25 of the *Murdoch University Act 1973*, has approved amendments to Statute No 5—Academic Council as set out in the attached schedule.

Dr ELIZABETH CONSTABLE MLA, Minister for Education;
Tourism; Women's Interests.

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

Murdoch University

STATUTE 5—ACADEMIC COUNCIL FINALISED LEGISLATION

1. The Academic Council shall be a committee constituted by this Statute for the purposes of section 18(1) of the Act and is the principal academic body of the University. Subject to the authority of the Senate, the functions of the Academic Council are—

- (a) to determine the policies of the University on academic aspects of the University, including teaching and learning, admission of students, credit for prior learning, assessment and academic progress of students, and research, and to make Rules on such matters where it deems this appropriate;
- (b) to determine the courses and majors to be offered by the University, subject to the authority of the Vice Chancellor as academic principal and chief executive officer of the University;
- (c) to recommend to the Senate on the making, amending or repealing of Regulations concerning the requirements for the award of degrees, diplomas and certificates (other than honorary awards), the Division Regulations and the Library Regulation's; Senate shall make or amend Regulations in these areas only after considering the advice of the Council;

- (d) to conduct periodic reviews of the quality of teaching and research within Schools;
 - (e) to award degrees, diplomas and certificates on behalf of the Senate;
 - (f) to award University Medals;
 - (g) to perform such other functions conferred on Council by Statute, Regulations or resolution of the Senate;
 - (h) to advise the Senate and the Vice Chancellor on the University's strategic plan, on any matters either of them refer to it, and on any broad issues of importance to the academic life of the University community;
 - (i) to consider reports and recommendations from the Divisions or the Guild of Students on any matters relevant to the functions of Council.
2. The members of the Academic Council shall be—
- (a) A President elected by the members of the Academic Council from among the full-time academic staff of the University of the rank of Associate Professor or above.
 - (b) The persons holding the following offices, *ex officio*—
 - Vice-Chancellor;
 - Faculty Deans;
 - President of the Guild of Students;
 - Deputy Vice-Chancellor (Academic);
 - Deputy Vice-Chancellor (Corporate);
 - Deputy Vice-Chancellor (Research);
 - Deputy Vice-Chancellor (Faculty, Enterprise & International);
 - Education Vice-President of the Guild of Students;
 - Guild General Secretary.
 - (c) Twelve persons elected by and from among the permanent and temporary academic staff of the University with contracts 50% or more full-time.
 - (d) One academic staff member from the regional campuses. This person shall be elected from among the permanent and temporary academic staff of the University with contracts 50% or more full-time: (i) whose contract specifies that they are based at a campus other than the Murdoch Campus, or (ii) whose primary office is located at a campus other than the Murdoch Campus, or (iii) who are employees of Murdoch University clinics or research centres that are based in the City of Rockingham, the Town of Kwinana or the Peel region (as defined in the W.A. Regional Development Commissions Act). In addition to these people, all coordinators of units taught at a campus other than the Murdoch Campus in the year of the election are entitled to vote for this position.
 - (e) Three elected students: one elected by and from among the postgraduate students, one elected by and from among the undergraduate students and one elected by and from the students whose course is based at one of the regional campuses. A person who is a member of the staff of the University with a contract 50% or more full-time is not eligible for election as a student member.
 - (f) Two persons elected by and from among the permanent and temporary general staff of the University with contracts 50% or more full-time.
 - (g) Any person or persons co-opted under section 21(2)(d) of the Act.
3. (1) Elections for the President and members of the Academic Council shall be conducted in the manner prescribed by the Election Regulations.
- (2) The President and elected staff members of Council shall hold office for three years, commencing and ending at the start of second semester in the relevant year. The elected student members shall hold office for one calendar year.
- (3) The election of staff members to Council shall be staggered that four of the academic staff elected under section 2(c) shall be elected each year, the regional academic staff member shall be elected every third year and the general staff members shall be elected in separate years.
- (4) Any elected member shall cease to hold office when he or she ceases to be eligible for election to that position, or resigns. The following arrangements shall apply for filling casual vacancies.
- President of Council: an election shall be held to fill the balance of the term.
 - Elected staff member: an election shall be held to fill the balance of the member's term, unless that balance is less than six months.
 - Elected student member: the Secretariat of the Guild of Students shall appoint a replacement member from among those students eligible for election to the position.
- (5) An elected member who has served two successive terms is not eligible for re-election until twelve months after the second term expires.
4. The Council shall appoint a Deputy President from among its elected members, to hold office for a calendar year. In the absence of the President of the Academic Council the Deputy President shall act as Chair at any meeting. In the absence of the President and Deputy President the Council shall elect a Chair for the meeting.

5. (1) The quorum for meetings shall be one half or the next higher whole number of members of the Council for the time being, or ten members, whichever is the less.
- (2) Each member shall have a deliberative vote at any meeting of the Academic Council and where there is an equality of votes, the Chair shall have the casting vote as well as a deliberative vote.
- (3) A meeting of the Academic Council may be held at any time on the initiative of the Vice-Chancellor or Chair of the Academic Council. A meeting shall be held within fourteen days after lodgement with the Secretary of a request for a meeting signed by not less than three members of the Council.
- (4) The position of any member of the Academic Council who has been absent from three consecutive meetings of the Council, without leave of the Council, shall become vacant.

ED403*

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911
AMENDING STATUTE

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 33 of the *University of Western Australia Act 1911*, has approved Amending Statute No. 1 of 2008 as set out in the attached schedule.

Dr ELIZABETH CONSTABLE MLA, Minister for Education;
Tourism; Women's Interests.
G. M. PIKE, Clerk of the Executive Council.

His Excellency the Governor in Executive Council, acting pursuant to the provisions of Section 33 of the *University of Western Australia Act 1911*, has been pleased to approve the Statute made by the Senate of The University of Western Australia which is set out in the schedule hereunder.

Dr ELIZABETH CONSTABLE MLA, Minister for Education.

Schedule

AMENDING STATUTE NO. 1 OF 2008

1. STATUTE 7—ADMISSION TO COURSES OF THE UNIVERSITY

Clause 3 is amended to read as follows—

3. All applicants for admission to a course of the University are required to produce satisfactory documentary evidence of their qualifications and proof of identity and citizenship and may be required to produce other documentation pertaining to their suitability to undertake a specific course as set out in the rules governing that course and approved by the Academic Board.

2. STATUTE 12—METHOD OF ELECTION BY CONVOCATION OF PERSONS TO BE MEMBERS OF THE SENATE

Clauses 6(g) and (h) are deleted.

Clause 18 is deleted and replaced by the following—

18. The distribution of votes cast in the ballot must be carried out by the method described in the appendix to this Statute.

The following appendix is attached—

APPENDIX

Distribution of Votes

1. Each voting paper is given a value of 1, and is distributed to the candidate who is first in the voter's order of preference.
2. The following procedure is repeated until a candidate has been elected for each vacancy.
 - (1) The vote for each continuing candidate is determined by adding the values of all the papers allocated to that candidate.
 - (2) The total residual vote is determined by adding the value of the individual candidates' votes.
 - (3) The quota is determined by dividing the total residual vote by one more than the number of unfilled vacancies, ignoring the fraction, and adding 1.
 - (4) If one or more candidates has a vote at least as great as the quota, the one with the highest vote is declared elected and the surplus of the electee's votes over the quota is distributed to the continuing candidates as follows—
 - (a) The surplus is determined by subtracting the quota from the electee's vote.
 - (b) The transfer fraction is determined by dividing the surplus by the electee's vote.

- (c) The value of each of the electee's papers being transferred is adjusted by multiplying it by the transfer fraction.
- (d) Each paper is distributed to the continuing candidate next highest in the voter's order of preference. If no such candidate is specified the paper is set aside as exhausted.
- (5) If, on the other hand, no candidate has a vote at least as great as the quota, the candidate with the smallest vote is eliminated and each of that candidate's papers is distributed to the continuing candidate next highest in the voter's order of preference and if no such candidate is specified the paper is set aside as exhausted.
3. If, in the application of the above procedure, two or more candidates have the same number of votes then it will be decided by lot which candidate shall be elected or eliminated first.

3. STATUTE 25—METHOD OF ELECTION OF MEMBERS OF THE SENATE UNDER SECTION 10(C) AND 10a(1) OF THE UNIVERSITY ACT

The statute is repealed.

The Common Seal of The University of Western Australia was hereto affixed by authority of the Senate.

Attested by—

ALAN ROBSON, Vice-Chancellor.

By Command of the Governor,

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

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994
FULL-MOON AND EASTER CLOSURE TIMES IN THE WEST COAST ROCK
LOBSTER MANAGED FISHERY

For the purposes of Clause 9B of the *West Coast Rock Lobster Management Plan 1993* the closure times during the period commencing on 1 February 2009 and ending on 30 June 2009 are—

- (a) 9, 10 and 11 February;
(b) 11, 12 and 13 March;
(c) 10, 11 and 12 April;
(d) 9, 10 and 11 May; and
(e) 8, 9 and 10 June.

The baiting and pulling of pots in Zone C of the Fishery during these closure times is prohibited.

STUART SMITH, Chief Executive Officer.

Dated this 4th day of December 2008.

HEALTH

HE401*

TOBACCO PRODUCTS CONTROL ACT 2006
APPOINTMENT OF AN INVESTIGATOR PURSUANT TO SECTION 76

I, Dr Peter Flett, Chief Executive Officer of the Department of Health, hereby appoint Diane Sarah D'Silva, a person employed in the Public Service under the *Public Sector Management Act 1994* Part 3, as an investigator for the purposes of the *Tobacco Products Control Act 2006*.

Dr PETER FLETT, Chief Executive Officer,
Department of Health.

Dated: 11 December 2008.

HE402***MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) REVOCATION ORDER
(No. 3) 2008**

Made by the Chief Psychiatrist under section 20.

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation 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) clause 3—on the day after that day.

3. Revocation of designation

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

Schedule 1

| Name | | Profession |
|-------------|---------|---------------------|
| Bowdidge | David | Psychologist |
| Coleman | Ruth | Mental Health Nurse |
| Fell | Lucia | Mental Health Nurse |
| McGinley | Nicole | Mental Health Nurse |
| Wyper | Shirley | Mental Health Nurse |

Date 15 December 2008.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

HE403***MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (No. 3) 2008**

Made by the Chief Psychiatrist under section 20.

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 2) 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) clause 3—on the day after that day.

3. Authorised mental health practitioner

The mental health practitioners specified in Schedule 1 to this order are designated as authorised mental health practitioners.

Schedule 1

| Name | | Profession |
|--------------|----------|---------------------|
| Booth | Mark | Mental Health Nurse |
| Brown | Claire | Mental Health Nurse |
| Chesi | Michael | Psychologist |
| Cunningham | Rachel | Mental Health Nurse |
| Dean | Sian | Mental Health Nurse |
| Duffus | Kristy | Mental Health Nurse |
| Ferguson | Lucia | Mental Health Nurse |
| Holmes | Cliff | Social Worker |
| Julian | Jonathan | Mental Health Nurse |
| Jubb-Shanley | Maureen | Mental Health Nurse |
| Kuppasami | Kervin | Mental Health Nurse |
| Mettner | Luke | Mental Health Nurse |
| Murdock | Jane | Mental Health Nurse |

Schedule 1—continued

| Name | | Profession |
|-------------|----------|---------------------|
| O'Neill | Rosemary | Mental Health Nurse |
| Rankin | Reginald | Mental Health Nurse |
| Read | Ian | Mental Health Nurse |
| Sands | Claire | Mental Health Nurse |
| Tan | Anita | Psychologist |
| Taylor | Carey | Mental Health Nurse |

Date 15 December 2008.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

LOCAL GOVERNMENT

LG101*

*CORRECTION***LOCAL GOVERNMENT ACT 1995***Shire of Augusta Margaret River*

(Basis of Rates)

Department of Local Government
and Regional Development.

DLGRD: AM5-4#06.

It is hereby notified for public information that an error has been made in the notice published in the *Government Gazette* of 14 March 2008 on page 842 concerning the Basis of Rates for the Shire of Augusta Margaret River. The error is to be corrected by—

deleting the words "Lot 4 as shown on Plan 21583" where they appear under Schedule "A" on line 3 and;

deleting the words "Lot 11 as shown on Deposited Plan 25522" where they appear under Schedule "C" on line 1.

JENNIFER MATHEWS, Director General.

LG401

LOCAL GOVERNMENT ACT 1995*City of Melville*

APPOINTMENTS

It is hereby notified for public information that Ahmed Shakib, Johannes H. Van Der Heyden and Gary Michael Constantine has been appointed as an Authorised Person at Garden City Shopping Centre (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Section 9.10, 9.13 and 9.15 of the Local Government Act 1995.

SHAYNE SILCOX Chief Executive Officer.

LG402*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey*ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES AND PUBLIC PLACES
AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on 9th December, 2008, to make the *Shire of Harvey Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2008*.

The *Shire of Harvey Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* published in the *Government Gazette* on 23rd June, 2000 and as amended and published in the *Government Gazette* on 3rd November, 2000, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|------|------------------|--|
| 1 | 1.2 | In Clause 1.2, delete the title " <i>Road Traffic Code 1975</i> " where it appears and substitute the title " <i>Road Traffic Code 2000</i> ". |
| 2 | 1.2 | In Clause 1.2, delete the title " <i>Liquor Licensing Act 1988</i> " where it appears and substitute the title " <i>Liquor Control Act 1988</i> ". |
| 3 | 1.2 | In Clause 1.2, delete the title " <i>Town Planning and Development Act 1928</i> " where it appears and substitute the title " <i>Planning and Development Act 2005</i> ". |
| 4 | 2.1(a) | In subclause (a) of Clause 2.1, delete the measurement "6m" where it appears in the second line and substitute "10m". |
| 5 | 2.1(h) | Delete subclause (h) of Clause 2.1. |
| 6 | 2.3(1)(a) | In paragraph (a) of Clause 2.3(1), delete the title " <i>Liquor Licensing Act 1988</i> " where it appears and substitute the title " <i>Liquor Control Act 1988</i> ". |
| 7 | 4.1 | In Clause 4.1 in the interpretation "advertising sign" delete the words "but excludes" and substitute the words "and includes". |
| 8 | 6.8(1)(c) | In paragraph (c) of Clause 6.8(1), delete the title " <i>Weights and Measures Act 1915</i> " where it appears and substitute the title " <i>Trade Measurement Administration Act 2006</i> ". |
| 9 | 8.1(b) | In subclause (b) of Clause 8.1, delete the words "regulations 33 and 34" and substitute the words "regulation 33". |
| 10 | Schedule 1 | In Schedule 1 in relation to clause 2.1(a) delete the measurement "6m" and substitute "10m". |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG403*

CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995
Shire of Harvey

CEMETERIES AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Cemeteries Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Cemeteries Local Law* published in the *Government Gazette* on 23 June 2000 as amended and published in the *Government Gazette* on 9th January, 2001, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|------|------------------|--|
| 1 | 1.2(1) | In subclause (1) of clause 1.2 insert in the correct alphabetical order the definition "'Act" means the <i>Cemeteries Act 1986</i> ;" |
| 2 | 3.2 | In clause 3.2 substitute "clause 3.4" with "clause 3.3". |
| 3 | 7.20(3) | Substitute subclause (3) of clause 7.20 with the following— “(3) An aggrieved person whose licence has been terminated under subclause (1) may apply to the State Administrative Tribunal for a review of the decision of the Board in accordance with section 19(2) of the Act.” |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG404*

BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

Shire of Harvey

BUSH FIRE BRIGADES AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Bush Fires Act 1954* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Bush Fire Brigades Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Bush Fire Brigades Local Law* published in the *Government Gazette* on 11th June, 2001, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|------|------------------|---|
| 1 | 1.2(1) | In clause 1.2(1), in the definition of “brigade member” delete the word “associate” and substitute the word “auxiliary”. |
| 2 | 1.2(1) | In clause 1.2(1), in the definition of “rules” delete the following “as varied from time to time under clause 2.5”. |
| 3 | 1.2(2)(f) | In paragraph (f) of clause 1.2(2), delete the words “training officer” and substitute the words “Training Officer” |
| 4 | 1.2(2) | In clause 1.2(2)— (a) delete the word “or” at the end of paragraph (h)— (b) delete the symbol “,” at the end of paragraph (i) and substitute the symbol and word “; or” ; and (c) add paragraph “(j) a Communications Officer.” |
| 5 | 2.5 | Delete the whole of clause 2.5 “Variation of Rules” and renumber clauses 2.6, 2.7 and 2.8 as clauses 2.5, 2.6 and 2.7 respectively |
| 6 | 3.6 | In clause 3.6, delete the word “April” and substitute the word “July”. |
| 7 | 3.8 | In clause 3.8, delete the title “Department of Conservation and Land Management” and substitute the title “Department of Environment and Conservation”. |
| 8 | 3.9 | In clause 3.9, delete the word “annual” and substitute the word “April”. |
| 9 | 3.10 | In clause 3.10, delete the word “annual” and substitute the word “April”. |
| 10 | 3.11(1) | Delete subclause (1) of clause 3.11 and substitute the following “(1) The Secretary is to forward a copy of— (a) minutes of the annual general meeting; and (b) the current audited financial statements and statement of assets and liabilities, of a bush fire brigade to the Local Government within one month after the meeting.” |
| 11 | 3.11(2) | In subclause (2) of clause 3.11, delete the words “Local Government” and substitute the words “local government”. |
| 12 | 3.13 | In clause 3.13, delete the words— (a) “Deputy Chief Fire Control Officer”, in the heading and substitute the words “Deputy Chief Fire Control Officers”; (b) delete the words “Chief Bush Fire Officer” and substitute the words “Chief Bush Fire Control Officer”; and (c) delete the words “Deputy Chief Fire Officer” and substitute the words “Deputy Chief Fire Control Officers”. |
| 13 | 4.1 | In paragraph (b) of clause 4.1 delete the word “associate” and substitute the word “auxiliary”. |
| 14 | 4.3 | In clause 4.3, delete the word “Associate” were mentioned and substitute the word “Auxiliary”. |
| 15 | 4.6 | In clause 4.6, delete the words “30 April” and “Chief Bush Fire Control Officer” and substitute the following “31 July” and “Local Government” respectively. |
| 16 | 6.2 | In clause 6.2, delete the words “30 April” and substitute the words “31 July”. |

| Item | Clauses Affected | Description |
|------|---------------------------------|---|
| 17 | 6.3 | Delete the whole of clause 6.3 and substitute the following— “ 6.3 Operating and Capital funding requests Operating and Capital funding requests from bush fire brigades need to be received by the Local Government by the 15 December in each year in order to be considered in the next following Emergency Services Levy (ESL) budget.” |
| 18 | First Schedule Clause 2.6 | In clause 2.6 of the First Schedule, delete the words “Local Government” and substitute the words “local government”. |
| 19 | First Schedule Clause 3.3(1) | In paragraph (g) of clause 3.3(1) of the First Schedule— (a) delete the words “Chief Bush Fire Control Officer” and substitute the words “local government”, and (b) delete the words “30 April” and substitute the following “31 July”. |
| 20 | First Schedule Clause 3.5 | In paragraph (c) of clause 3.5 of the First Schedule, delete the title “Bush Fire Service of WA” and substitute the title “Authority”. |
| 21 | First Schedule Clause 3.5 | In paragraph (g) of clause 3.5 of the First Schedule, delete the word “liase” and substitute the word “liaise”. |
| 22 | First Schedule Clause 3.6 | In paragraph (a) of clause 3.6 of the First Schedule, delete the words “Local Government” and substitute the words “local government”. |
| 23 | First Schedule Clause 3.9 | In clause 3.9 of the First Schedule, delete the words “30 April” and substitute the following “31 July”. |
| 24 | First Schedule Clause 4.1(2) | In paragraph (b) of clause 4.1(2) of the First Schedule, Delete the word “annual” and substitute the word “November”. |
| 25 | First Schedule Clause 4.2(1) | In clause 4.2(1) of the First Schedule, after the words “Equipment Officer,” insert the words “Communications Officer,”. |
| 26 | First Schedule Clause 5.3(1) | In clause 5.3(1) of the First Schedule, delete the word “April” and substitute the word “July”. |
| 27 | First Schedule Clause 5.4(1) | Delete subclause (1) of clause 5.4 of the First Schedule and substitute the following— (1) Ordinary Meeting The quorum for an ordinary meeting of the bush fire brigade is at least 50% of the number of officers. Special and Annual General Meetings The quorum for a special or annual general meeting of the bush fire brigade is at least 50% of the number of members of the bush fire brigade, or ten members, whichever is the least. |
| 28 | First Schedule Clause 7.1(2) | In subclause (2) of clause 7.1 of the First Schedule, delete the words “1 May” and substitute the following “1 August”. |
| 29 | First Schedule Clause 7.3 | In clause 7.3 of the First Schedule, delete the words “1 April” and “31 March” and substitute the words “1 July” and “30 June” respectively. |
| 30 | First Schedule Clause 7.4(1) | In subclause (1) of clause 7.4 of the First Schedule, delete the word “President,” and in subclause (2) delete the words “President or”. |
| 31 | First Schedule Clause 8.2 | In clause 8.2 of the First Schedule, delete the numerals “200” at the end of the Proxy Form and substitute the numerals “20”. |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG405*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey***CONTROL AND MANAGEMENT OF THE HARVEY COMMONAGE (RESERVE NO. 22977)
AMENDMENT LOCAL LAW 2008**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Control and Management of the Harvey Commonage (Reserve No 22977) Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Local Laws relating to the Control and Management of the Harvey Commonage (Reserve No 22977)* published in the *Government Gazette* on 10th September, 1999 and as amended and published in the *Government Gazette* on 4th February, 2000, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|-------------|-------------------------|--|
| 1 | (1.1) | In clause (1.1) delete the words “Business Day” and substitute the words “business day” and delete the word “Shire” and substitute the words “Local Government”. |
| 2 | (1.1) | In clause in the definition of “Caretaker”, delete the word “Council” and substitute the words “the Local Government”. |
| 3 | (1.1) | In clause (1.1), in the definition of “livestock” delete the words “and such other animals as Council may include within this definition” and substitute a “full stop” for the “comma” after the word ‘Act’. |
| 4 | (1.1) | In clause (1.1) insert in the appropriate alphabetical order the definition “Local Government” means the Shire of Harvey.” |
| 5 | (1.1) | In clause (1.1), in the definition “the Shire Office”— (i) delete the word “Shire”; and (ii) delete the word “Shire” and substitute the words “Local Government”. |
| 6 | (1.1) | In clause (1.1) in the definition “Shire Ranger”— (i) delete the word “Council” and substitute the words “the Local Government”; and (ii) delete the words “pursuant to the 1960 Act”. |
| 7 | (2.1) | Delete the heading and clause (2.1) and substitute the following heading and clause— “The Local Government, C.E.O. and Delegates Not Generally Bound (2.1) These Local Laws do not bind the Local Government, the C.E.O. or the delegates of either except to the extent expressly stated.” |
| 8 | (2.2) | Delete clause (2.2) and its heading and renumber clauses (2.3) to (2.6) as clauses (2.2) to (2.5) respectively. |
| 9 | (2.3) | In clause (2.3), delete the word “Any” and substitute the words “Subject to section 5.41 of the 1995 Act, any” |
| 10 | (2.5) | In clause (2.5) insert between the words “delegate” and “any” the words “to the C.E.O.”. |
| 11 | (3.1) | In clause (3.1) delete the word “Council” and substitute the words “The Local Government”. |
| 12 | (3.2) | In clause (3.2) delete the word “Council” and substitute the words “The C.E.O.”. |
| 13 | (3.3) & (3.4) | Delete the heading “Conditions of Appointment” and clauses (3.3) and (3.4). |
| 14 | (3.5) & (3.6) | Renumber clauses (3.5) and (3.6) as clauses (3.3) and (3.4) respectively |
| 15 | (5.1) | In clause 5.1 delete the words “Shire offices” and substitute the words “Local Government offices”. |
| 16 | (5.6) | In subclause (b) of clause (5.6) delete the word “Council” and substitute the words “the Local Government”. |
| 17 | (6.3) | In clause (6.3) delete the words “Such appeal to be determined by the Minister for Local Government.” |
| 18 | (7.1) | In clause (7.1) delete the word “Council” and substitute the words “Local Government”. |
| 19 | (7.2) | In clause (7.2) delete the word “Shire”. |
| 20 | (8.4) | In subclause (a) of clause (8.4), delete the words “Shire Offices” and substitute the word “Office”. |

| Item | Clauses Affected | Description |
|------|------------------|--|
| 21 | (12.1) | In clause (12.1) after the word "Council" insert the words "under sections 6.16 and 6.19 of the 1995 Act". |
| 22 | (12.2) | In clause (12.2), delete the word "Council" and substitute the words "The Local Government". |
| 23 | (12.4) | In clause (12.4), delete the words "at the Shire Offices". |
| 24 | (12.10) | In subclause (a) of clause (12.10) delete the words "a Shire Office" and substitute the words "the Local Government". |
| 25 | (13.1) | In clause (13.1), delete the word "Council" and substitute the words "The Local Government". In the heading of clause (13.1) delete the word "Council" and substitute the words "the Local Government". |
| 26 | (13.2) | In clause (13.2), delete the word "Council" and substitute the words "The Local Government". |
| 27 | (13.3) | In clause (13.3) delete the words "Court of competent jurisdiction" and substitute the words "Magistrates Court". |
| 28 | (14.2) | In clause (14.2), delete the word "Council" and substitute the words "the Local Government". |
| 29 | (14.3) | In clause (14.3), delete the word "Council" and substitute the words "the Local Government". |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG406*

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
Shire of Harvey
DOGS AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Dog Act 1976* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Dogs Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Dogs Local Law* published in the *Government Gazette* on 20th March, 2001, as amended and published in the *Government Gazette* on 23rd November, 2001, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|------|------------------|--|
| 1 | 1.3 | In clause 1.3 in the appropriate alphabetical order insert the definition— ““dangerous dog” means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;” |
| 2 | 1.3 | In clause 1.3, delete the title " <i>Town Planning and Development Act 1928</i> " where it appears and substitute the title " <i>Planning and Development Act 2005</i> ". |
| 3 | 5.1 | In subclause (1) of clause 5.1, delete the word "Dogs" and substitute the words "Subject to section 8 of the Act and section 66J of the <i>Equal Opportunity Act 1984</i> , dogs". |
| 4 | Schedule 3 | In the first column of the second row of offences delete "& (c)" |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG407*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey***FENCING AMENDMENT LOCAL LAW 2008**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Fencing Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Fencing Local Law* published in the *Government Gazette* on 23rd June, 2000, as amended and published in the *Government Gazette* on 22nd December, 2000, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|-------------|-------------------------|---|
| 1 | 1.3 | In clause 1.3, delete the title " <i>Town Planning and Development Act 1928</i> " the two times it appears and substitute the title " <i>Planning and Development Act 2005</i> ". |
| 2 | 1.4 | Insert a new clause as follows— <p style="margin-left: 40px;">"1.4 Licence Fees and Charges</p> <p>All licence fees and charges applicable under this Local Law shall be determined by the Local Government from time to time in accordance with section 6.16 of the <i>Local Government Act 1995</i>"</p> |
| 3 | 3.1 and 3.2 | Delete clauses 3.1 and 3.2 and substitute the following clause— <p style="margin-left: 40px;">"3.1 Fences Within Front Setback Areas</p> <p>(1) A person shall not, without the written consent of the Local Government erect, or repair a free-standing fence greater than 1200mm in height, within 3 metres of the front set-back area of a Residential Lot within the district.</p> <p>(2) In determining an application for a building licence in respect of a fence, the Local Government may approve the erection of a fence of a height greater than 1200mm within 3 metres of the front setback area of a Residential Lot only if the fence on each side of the driveway into the Lot across the front boundary is to be angled into the Lot for a distance of not less than 1500mm along the frontage to a distance of not less than 1500mm from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.</p> <p>(3) The provision of sub-clause (2) shall not apply to a fence—</p> <p style="margin-left: 80px;">(a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or</p> <p style="margin-left: 80px;">(b) that does not adjoin the primary frontage".</p> |
| 4 | 3.3, 3.4 and 3.5 | Re-number clauses 3.3, 3.4 and 3.5 as clause 3.2, 3.3 and 3.4 respectively |
| 5 | 4.1 | Delete clause 4.1 and substitute the following clause— <p style="margin-left: 40px;"><u>"4.1 Fencing Materials</u></p> <p>(1) A person shall construct any fence on a Residential Lot, a Commercial Lot or an Industrial Lot from only those materials specified for a sufficient fence in respect of such lot in the First or Second Schedule or some other material approved by the Local Government.</p> <p>(2) Where the Local Government approves the use of pre-used materials in the construction of a fence under subclause (1), that approval shall be conditional on the applicant for approval painting or treating the pre-used material as directed by the Local Government."</p> |
| 6 | 6.1 | In clause 6.1— <p style="margin-left: 40px;">(a) In the second line of subclause (1) between the words "may" and "give" insert the commas and words ", subject to section 3.25 of the <i>Local Government Act 1995</i>, "</p> <p style="margin-left: 40px;">(b) In the second line of subclause (3) between the words "may" and "by" insert the commas and words ", in accordance with Part 3 Division 3 Subdivision 3 of the <i>Local Government Act 1995</i>, "</p> |

| Item | Clauses Affected | Description |
|------|------------------|--|
| 7 | First Schedule | Delete Item A of the First Schedule and substitute the following Item— “A. A fully enclosed timber fence built to manufacturer’s specifications or in accordance with established construction techniques, the height of the fence to be 1800mm except with respect to the front setback area for which there is no minimum height but which is subject to clause 3.1”. |
| 8 | First Schedule | In Item B of the First Schedule, delete the words “sheeting which” and substitute the words “or steel sheeting erected to manufacturer’s specifications or which otherwise” |
| 9 | First Schedule | In clause (b) of Item B of the First Schedule insert the words “or steel” after the word “cement” and before the word “sheet”. |
| 10 | First Schedule | In clause (d) of Item B of the First Schedule insert the words “except with respect to the front set back area for which there is no minimum height but which is subject to clause 3.1” after the dimension “1800mm”. |
| 11 | First Schedule | In clause (d) of Item C of the First Schedule insert the words “except with respect to the front set back area for which there is no minimum height but which is subject to clause 3.1” after the dimension “1800mm”. |
| 12 | First Schedule | In item D of the First Schedule insert the words “having a minimum overall height of 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 3.1,” after the third word “fence” and before the word “which”. |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG408*

LOCAL GOVERNMENT ACT 1995

Shire of Harvey

PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Parking and Parking Facilities Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Parking and Parking Facilities Local Law* published in the *Government Gazette* on 23rd June, 2000, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|------|------------------|--|
| 1 | 1.3 | In clause 1.3 delete the title “ <i>Road Traffic Code 1975</i> ” where it appears and substitute “ <i>Road Traffic Code 2000</i> ”. |
| 2 | 1.3 | In clause 1.3 in the appropriate alphabetical order insert the definition ““ACROD sticker” has the meaning given to it by the Code”. |
| 3 | 1.3 | In clause 1.3 in the definition “Symbol” delete the words and numerals “Australian Standard 1742.11-1989” and substitute the words and numerals “Australian Standard 1742.11-1999”. |
| 4 | 3.9 | In clause 3.9 insert after subclause (2) the following subclause— “(3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a permissive parking stall or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that— (a) the driver’s vehicle displays an ACROD sticker; and |

| Item | Clauses Affected | Description |
|------|------------------|--|
| | | (b) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.” |
| 5 | 4.2 | In subclause (1) of clause 4.2 delete the letter “A” at the beginning of the sentence and substitute the words “Subject to subclause (2), a”. |
| 6 | 4.2 | In clause 4.2 insert the new subclause— “(2) (a) This subclause applies to a driver if— (i) the driver’s vehicle displays an ACROD sticker; and (ii) a disabled person to which the ACROD sticker relates is either the driver of the vehicle or a passenger in the vehicle. (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.” and renumber subclauses (2), (3), (4), (5) and (6) as subclauses (3), (4), (5), (6) and (7) respectively. |
| 7 | 4.2 | In subclause (7) of clause 4.2 delete the words “subclause (5)” and substitute the words “subclause (6)”. |
| 8 | 4.7 | In clause 4.7(2) delete the words “A person” and substitute the words “Subject to any law relating to intersections with traffic control signals, a person”. |
| 9 | 4.7 | In paragraph (e) of clause 4.7(2) delete the numeral “9” and substitute the numeral “10”. |
| 10 | 4.7 | In paragraph (l) of clause 4.7(2) delete the numeral “6” and substitute the numeral “10”. |
| 11 | 4.7 | In clause 4.7(3)— (a) delete the numeral “9” and substitute the numeral “10”; (b) delete paragraph (c); (c) in paragraph (a) insert the word “or” after the symbol “,”; and (d) in paragraph (b) delete the symbol and word “; or” and substitute the symbol “.”. |
| 12 | 4.7 | In clause 4.7(4)— (a) delete the numeral “18” and substitute the numeral “20”; (b) delete paragraph (c); (c) in paragraph (a) insert the word “or” after the symbol “,”; and (d) in paragraph (b) delete the symbol and word “; or” and substitute the symbol “.”. |
| 13 | 4.7 | In clause 4.7 add the following subclause— (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing. |
| 14 | 7.2 | Delete clause 7.2 and renumber clause 7.3 as clause 7.2 |
| 15 | Second Schedule | In the Second Schedule— (a) in item 14 substitute clause 4.2 (2) (a) with clause 4.2 (3) (a) (b) in item 15 substitute clause 4.2 (2) (b) with clause 4.2 (3) (b) (c) in item 16 substitute clause 4.2 (2) (c) with clause 4.2 (3) (c) |

| Item | Clauses Affected | Description |
|------|------------------|---|
| | | (d) in item 17 substitute clause 4.2 (3) with clause 4.2 (4) (e) in item 18 substitute clause 4.2 (5) (a) with clause 4.2 (6) (a) |
| 16 | Second Schedule | In the Second Schedule insert the following after Item No. 39 "40 4.14(a) Parking vehicle exposed for sale 35" and renumber Items 40,41,42,43,44,45, and 46 as 41,42,43,44,45,46 and 47 respectively. |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG409*

LOCAL GOVERNMENT ACT 1995

Shire of Harvey

LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Local Government Property Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Local Government Property Local Law* published in the *Government Gazette* on 23 June 2000 as amended and published in the *Government Gazette* on 4th May, 2007, is referred to as the principal Local Law. The principal Local Law is amended as follows;

| Item | Clauses Affected | Description |
|------|------------------|---|
| 1 | 1.2 | In clause 1.2 delete the title " <i>Liquor Licensing Act 1988</i> " and substitute " <i>Liquor Control Act 1988</i> ". |
| 2 | 3.4(2) | In paragraph (h) of clause 3.4(2) delete the title " <i>Liquor Licensing Act 1988</i> " and substitute " <i>Liquor Control Act 1988</i> ". |
| 3 | 3.13(1) | In paragraph (a) of clause 3.13(1) delete the numeral "3" and substitute "(3)". |
| 4 | 3.15(1) | In paragraph (a) of clause 3.15(1) delete the title " <i>Liquor Licensing Act 1988</i> " and substitute " <i>Liquor Control Act 1988</i> ". |
| 5 | 3.16(d) | In paragraph (d) of clause 3.16 delete the title " <i>Liquor Licensing Act 1988</i> " and substitute " <i>Liquor Control Act 1988</i> ". |
| 6 | 7.1 | In clause 7.1, delete the words "regulations 33 and 34" and substitute "regulation 33". |
| 7 | 8.4 | Delete subclause (2) of clause 8.4 and renumber subclause (3) as subclause (2). |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG410*

LOCAL GOVERNMENT ACT 1995

Shire of Harvey

REPEAL LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Harvey resolved on 9th December, 2008, to make the following Local Law.

PART 1—INTRODUCING MATTERS

1.1 Title

This Local Law may be cited as the *Shire of Harvey Repeal Local Law 2008*.

1.2 Content and Intent

(1) This Local Law—

- (a) Provides for the repeal of obsolete Local Laws;
- (b) Identifies the obsolete Local Laws by giving their names, date they were first published in the *Gazette* and any date of subsequent Amendments.

(2) This Local Law is intended to result in—

- (a) More efficient and effective Local Government, by removing obsolete Local Laws.

PART 2—SUBSTANCE OF THIS LAW**2.1 Repeal**

The following Local Laws are hereby repealed—

- Heavy Traffic published in the *Government Gazette* on 13th March, 1914.
- Traffic—Motor Cycles published in the *Government Gazette* on 12th April, 1929.
- Dogs published in the *Government Gazette* on 1st August, 1930.
- Buildings—minimum area published in the *Government Gazette* on 17th June, 1949.
- Control of Harvey Recreation Ground published in the *Government Gazette* on 24th September, 1954.
- Control of Eastwell Park published in the *Government Gazette* on 31st August, 1955.
- Control of Australind Estuary Reserves published in the *Government Gazette* on 31st August, 1955.
- Prevention of Damage to Streets published in the *Government Gazette* on 11th November, 1965.
- Local Government Model By-laws (Caravan Parks) No 2 published in the *Government Gazette* on 9th March, 1966.
- Draft Model By-law Relating to Storage of Inflammable Liquid No 12 published in the *Government Gazette* on 4th June, 1970.
- Local Government Draft Model By-law (Motels No 3) Amendment published in the *Government Gazette* on 5th September, 1975.
- Stalls published in the *Government Gazette* on 16th August, 1985.
- Standing Orders Amendment published in the *Government Gazette* on 26th July, 1991.
- Standing Orders Amendment published in the *Government Gazette* on 21st April, 1998.

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. Parker, Chief Executive Officer.

LG411*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey***STANDING ORDERS AMENDMENT LOCAL LAW 2008**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Harvey resolved on the 9th December, 2008, to make the *Shire of Harvey Standing Orders Amendment Local Law 2008*.

In this Local Law, the *Shire of Harvey Standing Orders Local Law 2001* published in the *Government Gazette* on 2nd November, 2001, is referred to as the principal Local Law. The principal Local Law is amended as follows—

| Item | Clauses Affected | Description |
|------|------------------|--|
| 1 | 1.3(1) | In clause 1.3(1) insert in the appropriate alphabetical order the following interpretations— “employee” means an employee of the Shire of Harvey and includes a person under a contract for services with the Shire; “Local Government” means the Shire of Harvey; “member” means a councillor on the Council as well as the councillors who hold the office of President and Deputy President; |

| Item | Clauses Affected | Description |
|------|------------------|---|
| | | “person presiding” means the person presiding at a meeting of the council or a meeting of the electors whether it be the President, Deputy President, a councillor chosen by the Council at a Council meeting or a councillor or elector chosen by the electors at an electors meeting;”. |
| 2 | 3.2 | Delete subclause (1) of clause 3.2 and substitute the following subclause— “(1) The order of business at any ordinary meeting of the Council is to be as determined by the Council from time to time.”. |
| 3 | 3.3(2) | In clause 3.3(2)— (i) delete the word “Chairperson” and substitute the words “person presiding”; and (ii) delete the words “an answer” and substitute the words “a response”. |
| 4 | 3.3(3) | In clause 3.3(3) delete the word “answer” and substitute the word “response”. |
| 5 | 3.3(4) | In clause 3.3(4)— (i) delete the word “Chairperson” and substitute the words “person presiding”; and (ii) delete the word “answer” and substitute the word “response” the two times it appears. |
| 6 | 3.3(5) | In clause 3.3(5) delete the words “Local Government”. |
| 7 | 3.3(6) | In clause 3.3(6) delete the word “Answers” and substitute the word “Responses”. |
| 8 | 3.4(1) | In clause 3.4(1)— (i) delete the words “Chairperson of the Council/Committee meeting” and substitute the words “person presiding at the Council meeting or presiding member of the Committee meeting”; and (ii) delete the word “Councillors” and substitute the word “members”. |
| 9 | 3.4(2) | In clause 3.4(2)— (i) delete the words “Chairperson of the Council/Committee meeting” and substitute the words “person presiding at the Council meeting or presiding member of the Committee meeting”; (ii) delete the word “Councillors” and substitute the word “members”; and (iii) delete the words “Chairperson” where it appears in the last line and substitute the words “person presiding at the Council meeting or presiding member of the Committee meeting”. |
| 10 | 3.4(4) | In clause 3.4(4)— (i) delete the word “an answer” and substitute the word “a response”; (ii) delete the words “Chairperson” where it appears in the second last line and substitute the words “person presiding at the Council meeting or presiding member of the Committee meeting”; and (iii) delete the word “Councillors” and substitute the word “members”. |
| 11 | 3.8(1) | In clause 3.8(1) delete the word and numeral “clause 2” and substitute the word and numeral “subclause (2)”. |
| 12 | 3.8(2) | In clause 3.8(2) delete the word and numeral “clause 1” and substitute the word and numeral “subclause (1)”. |
| 13 | 3.9(7) | In clause 3.9(7) delete the word “subclause” and substitute the word “paragraph”. |
| 14 | 4.2(2) | Delete subclause (2) of clause 4.2 and substitute the following subclause— “(2) A member of the Council or a committee in receipt of confidential information is not to disclose such information except to the extent permitted by Regulation 6(3) of the Local Government (Rules of Conduct) Regulations 2007.” |

| Item | Clauses Affected | Description |
|------|------------------|--|
| 15 | 8.4(2) | Delete subclause (2) of clause 8.4 and substitute the following subclause— (2) No member of the Council or a committee is to use offensive or objectionable expressions in reference to any member or any other person. |
| 16 | 12.7(4) | Delete subclause (4) of clause 12.7. |
| 17 | 14.1(3)(b) | In paragraph (b) of clause 14.1(3) delete the words “of the Council” where they appear after the word “employee”. |
| 18 | 19.1(3) | In clause 19.1(3) delete the words “Local Government” where they appear twice and substitute the words “local government”. |

Dated: 9th December, 2008.

The Common Seal of the Shire of Harvey was affixed under the authority of a resolution of Council in the presence of—

Cr P. F. MONAGLE, Shire President.
M. A. PARKER, Chief Executive Officer.

LG412*

LOCAL GOVERNMENT ACT (MISCELLANEOUS PROVISIONS) 1960

City of Mandurah

APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that Phillip Dryden Dunn, Phoebe Lee Morgan, Kerry Ann Woodbury and Rebecca Louise Webb have been appointed as Rangers and Pound Keepers pursuant to Part XX, Section 449 of the *Local Government Act (Miscellaneous Provisions) 1960*.

MARK R. NEWMAN, Chief Executive Officer.

LG413*

HEALTH ACT 1911

Shire of Dundas

ORDER RELATING TO UPGRADE OR DEMOLITION

The Shire of Dundas hereby give notice that a Health order relating to an upgrade or demolition has been served on the residential property situated at 14 Mines Road Norseman with the last known owners being RA & CA Anderson of PO Box 75 Kambalda West WA.

For any enquires regarding this order please contact the undersigned before 60 days from the date of this notice or the house will be demolished.

RICHARD BROOKES, Chief Executive Officer.

8th December 2008.

LG414*

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

Shire of Collie

OUTSTANDING RATES AND CHARGES

Notice is hereby given that the Shire of Collie intends to revest the land described below to the crown under section 6.74 of the WA Local Government Act 1995 if the outstanding rates and charges representing more than three years arrears is not paid in full by the 16 January 2009.

Any person having claiming to have an interest in the land may within 30 days of the date of this notice, lodge and objection to the revestment.

Signed for and on behalf of the Shire of Collie on 1 December 2008.

J. B. WHITEAKER, Chief Executive Officer.

Description of Land etc.

| Description of the land | Plan/ Diagram Number | Area M2 | Title Number | Names of owners and all other persons appearing to have an estate or interest in the land | Others appearing to have an interest in the land | Outstanding rates and charges as at 1 December 2008 |
|------------------------------|----------------------------|------------|-----------------------|---|--|---|
| Lot 322 Earl Street, Cardiff | P222277 | 1012 | Volume 804 folio 16 | EA Marsh | Nil | \$6,573.36 |
| Lot 44 Shotts, Collie | P143858 | 1012 | Volume 856 folio 2 | C Adamson | Nil | \$5,235.43 |
| Lot 61 Shotts, Collie | P143858 | 976 | Volume 1016 folio 759 | JA Burdi | Nil | \$5,235.43 |

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982*Shire of Harvey***RESTRICTED SPEED AREA—ALL VESSELS**

Logue Brook Dam

Department for Planning and Infrastructure,
Fremantle WA, 19 December 2008.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department by this notice, revokes paragraph (b) (12) of Notice MH401 as published in the *Government Gazette* on 25 October 1991 and hereby limits the speed of motor vessels to five (5) knots within the following area—

LOGUE BROOK DAM: All the waters in the northern and south-eastern arms of the dam, as indicated by buoys in the water and signs on the foreshore, and waters within 60 metres of the shoreline excluding water ski take-off areas.

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

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982**NAVIGABLE WATERS REGULATIONS 1958***Shire of Harvey***WATER SKI TRAINING AREA**

Logue Brook Dam

Department for Planning and Infrastructure,
Fremantle WA, 19 December 2008.

Acting pursuant to the powers conferred by Section 48A of the *Navigable Waters Regulations 1958*, the department by this notice revokes sets aside the following area of Navigable Water for the purpose of Water Skiing, from and including Saturday 20th December 2008—

LOGUE BROOK DAM: The waters of the main eastern arm of the dam to the east of the public water ski area, as indicated by buoys in the water and signs on the foreshore, are set aside for the teaching and training of competition water skiing by members of the West Australian Water Ski Association Inc. and are under the control of the Logue Brook Dam Water Ski Club, PROVIDING HOWEVER that skiing is not permitted within 60 metres of the foreshore.

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

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**GRANT OF EXPLORATION PERMIT**

Exploration Permit No. WA-419-P has been granted to Emerald Gas Pty Ltd to have effect for a period of six (6) years from 11 December 2008.

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

MP402***PETROLEUM (SUBMERGED LANDS) ACT 1982****GRANT OF EXPLORATION PERMIT**

Exploration Permit No. TP/24 has been granted to Emerald Gas Pty Ltd to have effect for a period of six (6) years from 11 December 2008.

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

MP403***PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****GRANT OF EXPLORATION PERMIT**

Exploration Permit No. EP 463 has been granted to Emerald Gas Pty Ltd to have effect for a period of six (6) years from 11 December 2008.

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

MP404***MINING ACT 1978****INTENTION TO FORFEIT**

Department of Industry 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 under mentioned licences and leases is paid on or before 12 January 2008 it is the intention of the Minister for Resources 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.

STEDMAN ELLIS, Deputy Director General.

| Number | Holder | Exploration Licence | Mineral Field |
|---------|--|---------------------|---------------|
| 08/1776 | Auriongold Exploration Pty Ltd | | Ashburton |
| 09/1304 | Richmond; William Robert Kalgoorlie Boulder Resources Ltd | | Gascoyne |

| Number | Holder | Mineral Field |
|--------------------------------------|--|------------------|
| <i>Exploration Licence—continued</i> | | |
| 09/1305 | Richmond; William Robert Kalgoorlie Boulder Resources Ltd | Gascoyne |
| 09/1420 | Sammy Resources Pty Ltd | Gascoyne |
| 38/1826 | Clement Resources Ltd | Mt Margaret |
| 39/1072 | King Eagle Resources Pty Ltd | Mt Margaret |
| 40/56 | Kookynie Resources Pty Ltd | North Coolgardie |
| 40/203 | Adelaide Prospecting Pty Ltd | North Coolgardie |
| 45/1444 | Creasy; Mark Gareth | Pilbara |
| 45/2979 | Bookaburna Minerals Pty Ltd | Pilbara |
| 45/2980 | Bookaburna Minerals Pty Ltd | Pilbara |
| 45/2981 | Bookaburna Minerals Pty Ltd | Pilbara |
| 52/1863 | Swancove Enterprises Pty Ltd | Peak Hill |
| 59/1285 | Morganti; Romano Natale | Yalgoo |
| 69/2144 | Wotiph Pty Ltd | Warburton |
| 69/2145 | Wotiph Pty Ltd | Warburton |
| 69/2146 | Wotiph Pty Ltd | Warburton |
| 70/2529 | Vistarise Ltd | South West |
| 80/3535 | Baracus Pty Ltd | Kimberley |
| 80/3687 | Colchis Resources Pty Ltd | Kimberley |
| 80/3688 | Colchis Resources Pty Ltd | Kimberley |
| 80/3689 | Colchis Resources Pty Ltd | Kimberley |
| 80/3690 | Colchis Resources Pty Ltd | Kimberley |
| 80/3691 | Colchis Resources Pty Ltd | Kimberley |
| 80/3692 | Colchis Resources Pty Ltd | Kimberley |
| <i>Mining Lease</i> | | |
| 16/405 | Paddington Gold Pty Ltd | Coolgardie |
| 16/406 | Paddington Gold Pty Ltd | Coolgardie |
| 24/388 | Paddington Gold Pty Ltd | Broad Arrow |
| 40/37 | FMR Investments Pty Limited | North Coolgardie |
| 57/506 | Quinn; Michael Thomas | East Murchison |

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

| Title of Act | Date of Assent | Act No. |
|---|------------------|------------|
| Training Legislation Amendment and Repeal Act 2008 | 10 December 2008 | 44 of 2008 |
| Mineral Sands (Eneabba) Agreement Amendment Act 2008 | 10 December 2008 | 45 of 2008 |
| Police (Medical and Other Expenses for Former Officers) Act 2008 | 10 December 2008 | 46 of 2008 |
| Surrogacy Act 2008 | 10 December 2008 | 47 of 2008 |
| Iron Ore Processing (Mineralogy Pty Ltd) Agreement Amendment Act 2008 | 10 December 2008 | 48 of 2008 |

PETER J. MCHUGH, Acting Clerk of the Parliaments.

15 December 2008.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Augusta-Margaret River

Town Planning Scheme No. 11—Amendment No. 192

Ref: 853/6/3/8 Pt 192

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River local planning scheme amendment on 2 December 2008 for the purpose of—

1. Introducing an Additional use Right to the Special rural zone on Lot 8 Loaring Place, Margaret River, to provide for a Lodging House and Day Spa on the land by amending Appendix IV of the Scheme to reflect the following—

| Street | | Particulars of Land | Additional Use Permitted and any Specific Conditions of Operation |
|--------|-------------------------------------|-------------------------------------|---|
| A26 | Corner Caves Road and Loaring Place | Lot 8 Loaring Place, Margaret River | Four bedroom lodging house and incidental day spa of no greater than 120m ² in size. |

2. Amending the Scheme map by changing the zoning of Lot 8 Loaring Place, Margaret River from “Special Rural” to “Special Rural with an Additional Use Right”.

S. HARRISON, Shire President.
G. EVERSLED, 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. 193

Ref: 853/6/3/8 Pt 193

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River local planning scheme amendment on 2 December 2008 for the purpose of—

1. Rezoning Lot 1032 Redgate Road, Witchcliffe from ‘Rural’ to ‘Future Development Zone’ as depicted on the Scheme Amendment Map.
2. Identifying Lot 1032 Redgate Road, Witchcliffe as ‘Structure Plan Area No. 4’ 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 | Matter to be addressed in Structure Plans (in addition to clause 4.7.4.4) | Associated Provisions |
|----------------|------------------------------------|---|--|---|
| 4 | Lot 1032 Redgate Road, Witchcliffe | Orderly and Proper expansion of the Witchcliffe Townsite to be generally in accordance with the Witchcliffe Village Strategy. | The following issues are to be investigated, and methods of resolution/implementation are to be addressed by the structure plan, to the satisfaction of the Local Government and the relevant Government Authorities: <ul style="list-style-type: none"> • Provision of upgraded services to existing dwellings within the Witchcliffe Village; | Unless all relevant government authorities including the local government approve alternative servicing arrangements, all lots and development shall be connected to reticulated water and sewer system. A covenant is to be placed on the development to prevent people having cats as pets so that biodiversity values can be protected and maintained. |

| Area No. (SPA) | Description of Land Area | Land Use Expectations | Matter to be addressed in Structure Plans (in addition to clause 4.7.4.4) | Associated Provisions |
|----------------|--------------------------|-----------------------|--|--|
| | | | <ul style="list-style-type: none"> • Provision of electricity via sustainable sources; • Provision of an alternative and sustainable wastewater recycling scheme by the developer; • Provision of rainwater tanks or other mechanism to catch and use rain water; • Drainage based on Water Sensitive Design principles including erosion control; • Provision of affordable housing; • Preparation of design guidelines to ensure a sustainable form of housing including solar passive design and orientation; • Solar passive lot orientation; • Reuse of greywater; • The impacts of agricultural practises on the future development area. | <p>A notice in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) shall be placed on the Certificate(s) of Title of the proposed lots(s), advising purchasers that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. The structure plan is to be informed by the following studies, strategies and plans, and they are to be submitted with the Structure Plan:</p> <ul style="list-style-type: none"> • Environmental Assessment; • An Environmental Corridor/Stream Zone Management Plan which includes management of areas of wetland on the site, prepared by a qualified consultant in accordance with EPA Guidance Statement No. 33 (June 2005)—Environmental Guidance for Planning and Development; • A Public Open Space and Landscaping Strategy Plan, which incorporates the retention and enhancement of native vegetation. Revegetation should use appropriate native plan species, known to naturally occur in the subject area (local provenance) and should include species of varying heights and appearance to soften the built form and scale of the development; • A Traffic, Pedestrian and Cycle Management Plan, including developer contributions towards the implementation of the plan. • A Fire Management Plan including appropriate setbacks from native vegetation recognising the objective to minimise clearing of quality vegetation in the context of the Witchcliffe Strategy; |

| Area No. (SPA) | Description of Land Area | Land Use Expectations | Matter to be addressed in Structure Plans (in addition to clause 4.7.4.4) | Associated Provisions |
|----------------|--------------------------|-----------------------|---|---|
| | | | | <ul style="list-style-type: none"> • An ethnological and archaeological survey conducted by a qualified consultant; • 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; • A Geotechnical Report; • A Stormwater and Drainage Management Plan Incorporating Water Sensitive Urban Design principles detailed in the Planning and Management Guidelines for Water Sensitive Urban Design (State Planning Commission, 1994) and the Stormwater Management Manual for Western Australia (Department of Environment, 2004). The Plan shall also identify areas at risk of erosion associated with drainage at this site, and recommend erosion control options to be investigated at the subdivision stage. • An integrated effluent/waste water and recycled water management plan; and • An Agricultural Impact Assessment, determining the appropriate control measures including separation distance, building design and vegetation planting, to screen and buffer the residential component from neighbouring agricultural practices. |

S. HARRISON, Shire President.

G. EVERSLED, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 20—Amendment No. 131

Ref: 853/6/6/21 Pt 131

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Busselton local planning scheme amendment on 25 November 2008 for the purpose of—

1. Amending Clause 19 (1) of District Town Planning Scheme 20 to state—
 19. DEVELOPMENT
 - (1) “No person shall on a Scheme Reserve, without the approval of the Council—
 - (b) remove, damage, lop or prune any tree, shrub, or indigenous vegetation;”
2. Amending Clause 28 (3) of the District Town Planning Scheme No. 20 to state—
 28. WETLAND AREAS
 - (3) “A person must now fill, clear, drain or carry out earthworks on any land to which this Clause applies or, on any such land, construct any building or a levee for any purpose, or damage a tree, shrub, or indigenous vegetation, except with the consent of Council.”
3. Amending Schedule 1 of District Town Planning Scheme No. 20 to include—

“**Vegetation**” means any tree, shrub or plant regardless of condition or age.

W. HARTLEY, Shire President.
ANDREW MacNISH, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 20—Amendment No. 76

Ref: 853/6/6/21 Pt 76

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Busselton local planning scheme amendment on 30 October 2008 for the purpose of—

1. Rezoning Lot 5 (Diagram 90087) Chambers Road, Carburnup River from “Agriculture” to “Bushland Protection”.
2. Rezoning that portion of Lot 5 (Plan 20354) Gibb Road, Metricup from “Agriculture” to “Bushland Protection” shown as Lots 51, 52 and 53 on the Development Guide Plan.
3. Amending the Scheme Map accordingly.

W. HARTLEY, Shire President.
ANDREW MacNISH, Chief Executive Officer.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

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

Hon T. K. Waldron MLA to act temporarily in the office of Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education in the absence of the Hon D. T. Redman MLA for the period 10 to 24 January 2009 (both dates inclusive).

P. CONRAN, Director General,
Department of the Premier and Cabinet.

PC402*

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

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

Hon T. K. Waldron MLA to act temporarily in the office of Minister for Regional Development; Lands; Minister Assisting the Minister for State Development; Minister Assisting the Minister for Transport in the absence of the Hon B. J. Grylls MLA for the period 20 December 2008 to 11 January 2009 (both dates inclusive).

P. CONRAN, Director General,
 Department of the Premier and Cabinet.

PC403*

APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Chief Justice of Western Australia, the Honourable Wayne Stewart Martin, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following period—

14 to 21 January 2009 (both dates inclusive).

P. CONRAN, Director General,
 Department of the Premier and Cabinet.

SALARIES AND ALLOWANCES TRIBUNAL

SX401*

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION VARIATION

The determination of the Salaries and Allowances Tribunal made on 4th April 2008 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination, set out below—

Amend and include in Part 1 of the First Schedule the following—

| Agency | Office | Classification |
|--------------------------|--------------|-----------------|
| Public Sector Commission | Commissioner | Group 4 Maximum |

Dated at Perth this 9th December 2008.

PROFESSOR M. C. WOOD,
 Chairman.

W. S. COLEMAN AM,
 Member.

Salaries And Allowances Tribunal.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Luis Gouvêla Dos Reis, 11 Davon Street, Hamilton Hill, Meatworker, 29 August 2004.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased person are required by the deceased's representative, Keith Gordon Sorensen to send particulars of their claims to him at K G Sorensen, Barrister & Solicitor, Level 1, 16 Irwin Street, Perth WA 6000 by 18 January 2009 after which date the deceased's representative may convey or distribute the assets, having regard only to the claims of which he has then received notice.

K. G. SORENSEN.

ZX402*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 19 January 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Carlyon, William Rashleigh Frederick, late of Bunbury Gardens Nursing Centre, 39 Hayes Street, Bunbury, died 18.11.2008 (DE19852712EM212)

Daniels, Verona Amelia, late of 205 Leach Highway, Willagee, died 17.10.2008 (DE31050629EM214)

Gregg, Mary Gwendoline Madge, late of Windsor Park Nursing Home, 110 Star Street, Carlisle, died 1.12.2008 (DE33028233EM36)

Hubert, Reggie, late of Yulanya Residential Care Facility, Morgan Street, Port Hedland, died 16.06.2005 (DE33059477EM37)

Norris, Gertrude Madge, late of Craigmont Nursing Home, Third Avenue, Maylands, died 18.11.2008 (DE19810270EM12)

Price, Evelyn Veronna, late of Kelmscott River Gardens Nursing Home, 89 Clifton Street, Kelmscott, formerly of 17 Pages Way, Martin, died 15.09.2008 (DE19981134EM37)

Wicsing, Kaejear, late of unit 9/96 Seventh Avenue, Maylands, died 5.07.2008 (DE33066323EM110)

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

ZX403*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the estate of John Michael Jones, late of Unit 8, 413 Canning Highway, Como, 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 Deceased, who died on the 19th day of June 2008, are required by the trustee Craig Gerard McKie of care of Norton & Smailes, Ground Floor, 38 Colin Street, West Perth, to send particulars of their claims to him within thirty (30) days of the date of publication of this advertisement, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

CRAIG GERARD McKIE, Administrator.

ZX404

PUBLIC TRUSTEE ACT 1941
ADMINISTRATION OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 19th day of December 2008.

JOHN SKINNER, Public Trustee,
565 Hay Street, Perth WA 6000.

| Name of Deceased | Address | Date of Death | Date Election Filed |
|--|--|-----------------|---------------------|
| James Aubrey Allen DE19971279EM27 | 58 Canada Street Dianella | 12 August 2008 | 9/12/2008 |
| Michael Breck Campbell DE33059598EM37 | 67 Telford Court Stirling | 4 April 2007 | 9/12/2008 |
| Thelma May Edwards DE30223195EM16 | Homes of Peace Walter Road Inglewood | 29 October 2008 | 9/12/2008 |

ZX405

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Ronald Edwin Holder late of 11/307 Wharf Street, Queens Park in the State of Western Australia, Deceased.

Creditors and other persons having claims in respect of the Estate of Ronald Edwin Holder (deceased), who died between the 24th June 2008 and 26th June 2008 are required by the Executor Natalie Patricia Britton of 4 Leaf Place, Seville Grove in the State of Western Australia, to send particulars of their claims to her within one month and one day from the date of publication of this notice after which date the said Executor may convey or distribute the assets having regard only to the claims of which she has had notice, and the said Executor shall not be liable to any person of whose claim she has had no notice at the time of administration or distribution.

PUBLIC NOTICES

ZZ401

NOTICE OF FINAL MEETING**Members of J.P. Collins Pty Ltd**

Notice is hereby given of the final meeting of the members of J.P. Collins Pty Ltd to accept the Liquidator's Report on the members' voluntary liquidation of the company. The Liquidator's report details the final Profit & Loss appropriation, the Liquidation account and the Shareholders' distribution account.

The meeting will be held in the boardroom of R.J. Campbell & Associates at Suite 1, Level 2, 459 Hay Street, Perth at 2 pm on Friday, 16 January 2009.

ROBERT JOHN CAMPBELL CPA, Liquidator of
members' voluntary liquidation.

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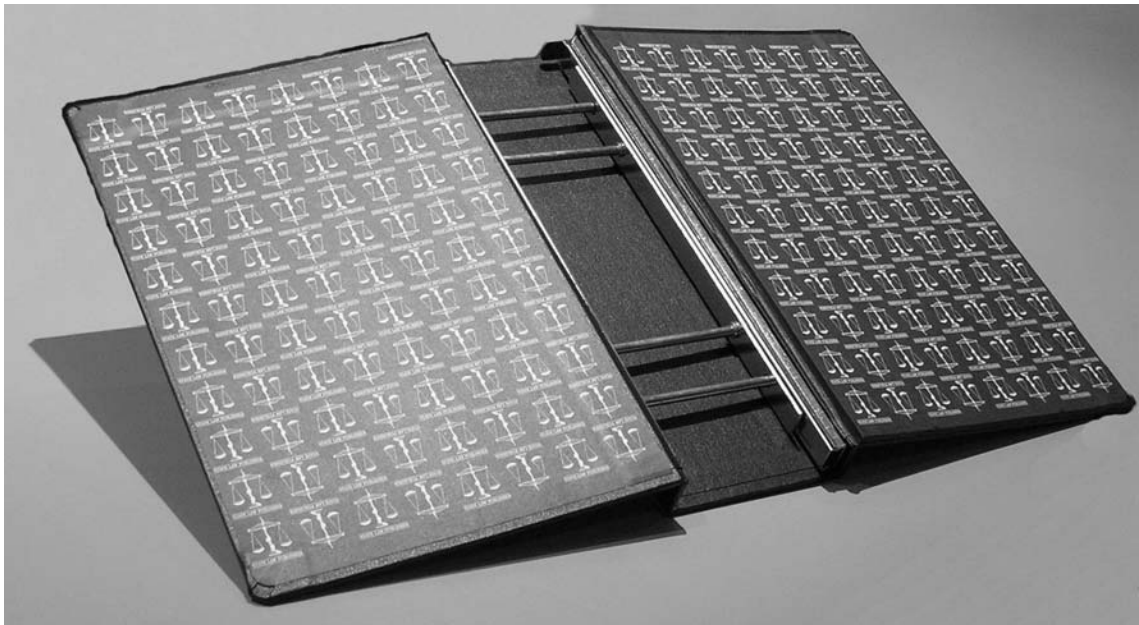
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