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Gazette

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— PART 1 —

MINERALS AND PETROLEUM

MP301*

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Amendment Regulations (No. 2) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Amendment Regulations (No. 2) 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 *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007*.

4. Regulation 274 amended

In regulation 274(1)(a) delete “1 January 2009;” and insert:

1 January 2010;

By Command of the Governor,

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

— PART 2 —

AGRICULTURE AND FOOD

AG401*

AGRICULTURAL PRODUCTS ACT 1929

CITRUS FRUITS ORDER 2008

Made by the Minister for Agriculture and Food under section 3D.

1. Citation

This order may be cited as the *Agricultural Products (Citrus Fruits) Order 2008*.

2. Prohibition on sale of certain citrus fruits

The sale, except for the purpose of export from the State, of citrus fruits that are below market grade (under-grade) as specified under the *Citrus Fruits Grading Code 2008* is prohibited.

Dated: 23 December 2008.

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402*

AGRICULTURAL PRODUCTS ACT 1929

CITRUS FRUITS ORDER 2008

Made by the Minister for Agriculture and Food under section 3F.

1. Citation

This Code may be cited as the *Citrus Fruits Grading Code 2008*.

2. Commencement

This Code comes into operation on the day of its publication in the *Government Gazette*.

3. Interpretation

In this Code—

“**mature**” means meeting the minimum standard of maturity approved by the Director General for the relevant variety, when tested in a manner approved by the Director General;

“**Grower organisation**” means Western Australian Fruit Growers Citrus Council.

4. Grades

- (1) Citrus must be graded as
 - (a) Market grade; or
 - (b) under-grade.
- (2) Citrus graded as market grade must be mature.
- (3) Citrus graded as under-grade must not be sold as fresh fruit.

5. Notification of minimum standard

Before the start of a season the Director General is to notify the grower organisation of the minimum standard of maturity approved by the Director General for each variety of citrus for that season.

Dated: 23 December 2008.

TERRY REDMAN MLA, Minister for Agriculture and Food.

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987

CANCELLED ASSOCIATIONS

TOODYAY FOLK CLUB AND FESTIVALS INCORPORATED—A0034341Y
 FIRST CITY HOUSING COLLECTIVE INC—A1010851V
 DARLING RANGE LADIES GOLF ASSOCIATION (INC)—A1003919R
 FERNDALE PRIMARY SCHOOL PARENTS AND CITIZENS' ASSOCIATION
 INCORPORATED—A0821075D
 THE PROBUS CLUB OF MOSMAN PARK INCORPORATED—A1000809J
 CARINE BASEBALL CLUB (INC)—A1000763K
 JURIEN RATEPAYERS' AND PROGRESS ASSOCIATION—A0820351X
 YORK DAY CARE CENTRE INC.—A1003481U
 HYPERACTIVE HELP—A0780068G
 FLORA VALLEY REC. CLUB INC.—A1009023C
 TRIBAL FUSION BELLYDANCE ASSOCIATION OF AUSTRALASIA
 INCORPORATED—A1012599Z
 TERRA AUSTRALIS 2001 WA ASSOCIATION INCORPORATED—A1009260V

Notice is hereby given that, pursuant to section 35 of the *Associations Incorporation Act 1987*, the incorporation of the above-named associations have been cancelled as from the date of this notice.

Dated: 16 January 2009.

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

ELECTORAL

EC401*

REAL ESTATE AND BUSINESS AGENTS ACT 1978**REAL ESTATE AND BUSINESS AGENTS SUPERVISORY BOARD (ELECTIONS)
REGULATIONS 1980**

NOTICE OF ELECTION

Real Estate and Business Agents,
 Supervisory Board.

In accordance with regulation 3 of the *Real Estate and Business Agents Supervisory Board (Elections) Regulations 1980* and the *Real Estate and Business Agents Act 1978*.

Notice is hereby given that an election of one (1) elected member and one (1) deputy elected member of the Real Estate and Business Agents Supervisory Board, as constituted under section 7 of the *Real Estate and Business Agents Act 1978* will take place at the office of the Returning Officer, 2nd floor, 111 St Georges Terrace Perth on the 26th day of March 2009, closing at 10.00 am on such date.

The vacancies in the membership of the Board to be filled at such election are specified hereunder—

One (1) Elective Member (term expiring 26th April 2013)

One (1) Elective Deputy Member (term expiring 26th April 2013)

Nominations of candidates shall be made in accordance with the *Real Estate and Business Agents Supervisory Board (Elections) Regulations 1980* and must be received by the Returning Officer at his office not later than 12.00 noon on the 23rd February 2009.

Dated this day of 23rd January 2009.

IAN BOTTERILL, Returning Officer.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

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

Schedule 1

Description of Place

Beaconsfield Primary School (fmr) at Cnr Hampton Road, Lefroy Road, and McCleery Street, Beaconsfield; Lot 4686 on DP 27242 being Res 5046 and being the whole of the land contained in CLT V 3124 F 680.

Maylands Police Station and Quarters (fmr) at 196 Guildford Road, Maylands; Lot 154 on Plan 1885 being the whole of the land contained in C/T V 2697 F 317.

National Bank (fmr), Leonora at Tower Street, Leonora; Lot 801 on DP 300470 being the whole of the land contained in C/T V 1909 F 891.

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that it has resolved that—

1. the place listed in Schedule 2 is of cultural heritage significance, and is of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the place should be entered in the Register of Heritage Places on an interim basis.

The place will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The place listed in Schedule 2 is vested in the Crown, or in a person on behalf of the Crown, in right of the State.

The Heritage Council hereby invites submissions as to whether the place listed in Schedule 2 should be entered in the Register of Heritage Places on a permanent basis. The submissions must be in writing and should be forwarded to the address set out below not later than 5 March 2009.

Schedule 2

Description of Place

Wiluna District Hospital Group (fmr) at Scotia Street, Wiluna; Lot 1486 on DP 190728 being Res 32988 and the whole of the land contained in CLT V 3099 F 182 and Lot 1487 on DP 190728 being Res 42372 and the whole of the land contained in CLT V 3099 F 183.

STEPHEN CARRICK, A/Director,
Office of the Heritage Council of W.A.,
108 Adelaide Terrace, East Perth WA 6004.

Dated: 23 January 2009.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Leslie John Biffin of 79 Hickman Road, Silver Sands

Elliott George Levitt of South Terrace, Bentley

Harold Steele of 54/7 Clere Pass, Canning Vale

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,
Court and Tribunal Services.

JU402*

JUSTICES OF THE PEACE ACT 2004
APPOINTMENT

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

Kerry Gaye Sanderson of 7 Tyrell Street, Nedlands.

RAY WARNES, Executive Director,
Court and Tribunal Services.

LANDS

LA401*

LAND ADMINISTRATION ACT 1997
INSTRUMENT OF DELEGATION

DPI 557/2002v3

I, Brendon John Grylls, MLA, acting as the body corporate Minister for Lands continued by section 7(1) of the *Land Administration Act 1997* (“the Act”)—

- (a) Under section 59(1)(e) of the *Interpretation Act 1984*, revoke the previous delegation made by the Minister for Lands in favour of the Minister for Water Resources by instrument dated 12 March 1998; and
- (b) Under sections 9 and 159(e) of the Act, delegate to the Minister responsible for the administration of the *Water Agencies (Powers) Act 1984*, the powers and duties under the following Parts of the Act—
 - Part 9, Divisions 2, 3, 4, 5, and 6—Taking interests in land, procedure for taking interests in land and designating for a public work, entry on to land, use and disposal of land designated for a public work, and general provisions; and
 - Part 10—Compensation.

This delegation shall come into operation on the date this instrument is published in the *Government Gazette*.

Dated this 18th day of December 2008.

The Common Seal of the Minister for Lands was hereunto affixed by me—

Hon BRENDON JOHN GRYLLS MLA, Minister for Lands.

in the presence of—

ANNE POLSKI, Witness.

LOCAL GOVERNMENT

LG401*

BUSH FIRES ACT 1954

Shire of Ravensthorpe

APPOINTMENT OF OFFICERS

In accordance with the provisions of the *Bush Fires Act 1954*, the following appointments have been made by the Shire of Ravensthorpe.

Chief Bush Fire Control Officer	—	Rodney Clarence Daw, AFSM, ASM
Deputy Chief Bush Fire Control Officer (North Highway 1)	—	Andrew Duncan
Deputy Chief Bush Fire Control Officer (South Highway 1)	—	Richard Miller Foulds

Fire Control Officers

Paul Corey	Shire
Steven John Ball	Shire
Simon Richard Williams	Jerdacuttup Brigade
James Mollett	Jerdacuttup Brigade
Eric Atherton	Jerdacuttup Brigade
Paul Bell	Jerdacuttup Brigade
Timothy John Bridger	Nth Ravensthorpe Brigade
Peter Kuiper	West River Brigade
Brett Timothy Kershaw	West River Brigade
Dick Kuiper	West River Brigade
Brian Rawlinson	Munglinup Brigade
Andrew Chambers	Nth Ravensthorpe Brigade
Bradley Spencer Clarke	Mt Short Brigade
Doug Bray	Jerdacuttup Brigade
Ronald Charles Gibson	Munglinup Brigade
Andrew John Bott	Munglinup Brigade
Colin Wayne Guest	Nth Ravensthorpe Brigade
Keith Rowe	Ravensthorpe Brigade
Bernard Charles Fetherstonhaugh	Munglinup Brigade
Peter James Blond	Hopetoun Central Brigade
Michael John Gordon	Bandalup Brigade
Joe Hughes	Jerdacuttup Brigade
Malcolm Gregory Tilbrook	Nth Ravensthorpe Brigade
Gavin William Gibson	Munglinup Brigade
Luke Webster	Cocanarup Brigade
Francis Richard Norrish	West River Brigade
Kevin Peter Roberts	West River & Lake Grace
John Mudie	West River & Jerdacuttup

Fire Weather Officers

Rodney Clarence Daw, AFSM, ASM
 Andrew Duncan
 Andrew Chambers
 Michael John Gordon
 Richard Miller Foulds

PASCOE DURTANOVICH, Acting Chief Executive Officer.

LG402***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 in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedules hereunder shall be gross rental value for the purposes of rating with effect from—

- *SCHEDULE "A"*—17 December 2008;
- *SCHEDULE "B"*—13 January 2009; and
- *SCHEDULE "C"*—1 July 2009.

JENNIFER MATHEWS, Director General.

Schedule**ADDITIONS TO GROSS RENTAL VALUE AREA
SHIRE OF AUGUSTA-MARGARET RIVER**

All those portions of land comprised in the schedules below—

SCHEDULE "A"

All that portion of land being Lot 3154 as shown on Deposited Plan 153047.

SCHEDULE "B"

All that portion of land being Lot 72 and Lot 73 as shown on Deposited Plan 54866.

SCHEDULE "C"

All that portion of land being Lot 42 and Lot 43 as shown on Diagram 76846; Lot 411 and Lot 412 as shown on Deposited Plan 28565.

MARINE/MARITIME

MX401*

**WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
CLOSURE—BELMONT WATER SKI AREA**

Department for Planning and Infrastructure,
Fremantle WA, 23 January 2009.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the Department by this notice temporarily revokes Notice TR401 as published in the *Government Gazette* on 10 September 2002 and hereby closes the Belmont Water Ski Area for water skiing from 1500 hrs to sunset on Monday 26 January 2009.

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

MX402*

**WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
PROHIBITION OF FREESTYLE DRIVING—PERSONAL WATERCRAFT
Narrows Bridge Freestyle Area**

Department for Planning and Infrastructure,
Fremantle WA, 23 January 2009.

Acting pursuant to the powers conferred by Section 66 paragraph (b) of the *Western Australian Marine Act 1982*, and Regulation 50A(1)(b) of the *Navigable Waters Regulations 1958*, the department by this notice revokes sub paragraph (1) of the notice published in the *Government Gazette* on 03 December 1999 relating to the Narrows—Personal Watercraft Freestyle Driving Area.

Providing that this revocation will apply only on Monday 26 January 2009 between the hours of 1500 and sunset for the purpose of spectator craft mooring during Lotterywest Skyworks 2009.

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

MX403*

**WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
RESTRICTED SPEED AREAS—ALL VESSELS
Prohibited Swimming Area**

Department for Planning and Infrastructure,
Fremantle WA, 23 January 2009.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department by this notice limits the speed of motor vessels to 8 knots between the hours of 1500 and

2200 on Monday 26 January 2009, in all of the waters north of a line drawn east/west from Quarry Point at 31° 58.268' S, 115° 50.041' E to the Mill Point foreshore at 31° 58.275' S, 115° 50.807' E and extending upstream to the Causeway Bridge.

The above closure and speed restriction is not applicable to approved vessels or persons involved in approved aquatic events or associated with Lotterywest Skyworks 2009.

Acting pursuant to the powers conferred by Regulation 10A(b) of the *Navigable Waters Regulations 1958*, the department by this notice prohibits swimming or bathing between the hours of 1500 and 2200 on Monday 26 January 2009, in all of the waters north of a line drawn east/west from Quarry Point at 31° 58.268' S, 115° 50.041' E to the Mill Point foreshore at 31° 58.275' S, 115° 50.807' E and extending upstream to the Causeway Bridge.

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

MX404*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
DECLARATION OF EMERGENCY VESSELS

Department for Planning and Infrastructure,
Fremantle WA, 23 January 2009.

Acting pursuant to the powers conferred by Regulation 19H of the *Navigable Waters Regulations 1958*, I hereby declare the Swan River Trust vessel "Wilma Vincent", Registration Number C893, to be an emergency vessel for the 26th and 27th January 2009 and exempt from the provisions of the Regulations whilst the master of the vessel is acting in the course of his/her duties and where he/she reasonably believe that it is expedient and safe to do so.

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

MINERALS AND PETROLEUM

MP401*

PETROLEUM ACT 1967
GRANT OF EXPLORATION PERMIT

Exploration Permit No. EP464 has been granted to Exceed Energy (Australia) Pty Ltd to have effect for a period of six (6) years from 15 January 2009.

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

MP402*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Karratha.

In accordance with Regulation 49(2)(c) of the *Mining Act 1978* notice is hereby given that the licences are liable to forfeiture under the provision of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

PAUL ROTH M, Warden.

To be heard in the Warden's Court, Karratha on Friday, 6 March 2009.

GASCOYNE MINERAL FIELD

P09/401—Matich, Brett Robert
P09/404—Bellotti, Roy James
Bellotti, Barry John
Bellotti, Rodney Laurence
P09/440—Millar, James Arthur
Cook, Trevor Bruce
P09/449—Ausnom Pty Ltd

MP403***MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Karratha.

In accordance with Regulation 49 of the *Mining Act 1978* notice is hereby given that the licences are liable to forfeiture under the provision of Section 96(2)(ba) and 96(2)(b) for breach of covenant, viz. failure to comply with the prescribed expenditure conditions.

PAUL ROTH M, Warden.

To be heard in the Warden's Court, Karratha on Friday, 6 March 2009.

WEST PILBARA MINERAL FIELD

P47/1241—Dashorst, Christopher Gerrard
 P47/1242—Dashorst, Christopher Gerrard
 P47/1243—Dashorst, Christopher Gerrard
 P47/1244—Dashorst, Christopher Gerrard

MP404***MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Karratha.

In accordance with Regulation 49 of the *Mining Act 1978* notice is hereby given that the licences are liable to forfeiture under the provision of Section 96(2)(ba) and 96(2)(b) for breach of covenant, viz. failure to comply with the prescribed expenditure conditions.

PAUL ROTH M, Warden.

To be heard in the Warden's Court, Karratha on Friday, 6 March 2009.

GASCOYNE MINERAL FIELD

P09/389—Soklich, Pamela Ann
 McCorkell, Gary William
 P09/423—Paulson, John David
 Lawson, Robert Clarence
 P09/444—National Gemstones Australia Pty Ltd
 Ryan, Norman

WEST PILBARA MINERAL FIELD

P47/1105—Pas, Johan Pieter
 Kapitany, Tamas

MP405***MINING ACT 1978**

FORFEITURE

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for the non-lodgement of the annual Operations Report (Form 5).

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
EXPLORATION LICENCE		
09/1220	Millar, James Arthur	Gascoyne
28/1636	Harlap, Osnat	North East Coolgardie
28/1637	Harlap, Osnat	North East Coolgardie
59/1164	Sovereign Seas Pty Ltd	Yalgoo
80/3143	Crossland Mines Pty Ltd	Kimberley

PLANNING AND INFRASTRUCTURE

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
 Town Planning Scheme No. 11—Amendment No. 167

Ref : 853/6/3/8 Pt 167

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 18 December 2008 for the purpose of—

1. Amending the Scheme map by changing the zoning of Lot 4 Harrington Road, Margaret River from “Rural” to “Special Rural”.
2. Introducing the following Special Provisions as ‘SR38’ of Schedule 1 as follows—

Specify Area of Locality (A)		Special Provisions to Refer to (A)
SR38	Lot 4 Harrington Road, Margaret River	<ol style="list-style-type: none"> 1. Subdivision shall be generally in accordance with the plan of Subdivision and Development Guide Plan Revision B dated December 2007 and this Plan shall form part of this scheme. 2. Clearing of flora shall only take place within those areas designated as building envelopes on the plan of subdivision, with the exceptions specified under the EPA’s Clearing Regulations. 3. The disposal of liquid and solid waste shall be carried out by the installation of a sewerage disposal system, to the satisfaction of the local authority and located no closer than 30 metres from any natural water course and be at least a minimum of 2m vertical separation from the highest known water table or bedrock. 4. The construction of dams requires the approval of Council. 5. Each dwelling shall be serviced by a storage tank from rainfall collection of no less than 92,000 litres. 6. All development shall comply with the following development guidelines— <ol style="list-style-type: none"> (i) buildings shall not be constructed of a height greater than 8 metres in accordance with Council’s formulae for determining height. (ii) Buildings shall be of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the local authority. (iii) Outbuildings should be of a similar form, colour and materials as the associated dwelling. 7. Livestock shall only be permitted on those lots that are predominantly cleared and shall not reach levels as to cause land degradation. In such circumstances, Council may direct a landowner to remove such livestock. 8. Strategic firebreaks and individual lot firebreaks shall be constructed by the developer to the satisfaction of the local Authority and the Fire and Emergency Services Authority. 9. At the time of subdivision, Council shall recommend to the Western Australian Planning Commission that the subdivider be required to prepare a detailed Fire Management Plan to the satisfaction of Council and the Fire and Emergency Services Authority. The land the subject of this amendment shall not be developed or used unless in conformity with the abovementioned Fire Management Plan. The Fire Management Plan may be varied from time to time by the Council provided that affected landowners are notified in writing. A copy of the Fire Management Plan shall be provided to the landowners and a copy shall be kept at the office of the Council and made available for public inspection during normal office hours.

Specify Area of Locality (A)	Special Provisions to Refer to (A)
	<p>10. At the time of subdivision the Council shall recommend to the Western Australian Planning Commission that a condition be imposed on any approval that a 15 metre setback for the vineyard from the western boundary be implemented by removal of some vine rows. Within this setback, buffer planting to a width of 5 metres shall also be required with appropriate species to the satisfaction of the Council.</p> <p>11. At the time of subdivision tree planting as depicted on the guide plan shall be implemented to the satisfaction of Council.</p> <p>12. The existing cottage located on proposed Lot 41 (see subdivision guide plan) may be used for accommodation purposes which are to be ancillary to the main single dwelling.</p>

S. HARRISON, Shire President.
G. EVERSLED, Chief Executive Officer.

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
Town Planning Scheme No. 11—Amendment No. 160

Ref : 853/6/3/8 Pt 160

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 18 December 2008 for the purpose of—

1. Amending the Scheme map by changing the zoning of proposed Lots 62, 63 and portion of Lots 60 and 64 Tanah Merah Road, Margaret River from “Rural” to “Special Use” with a notation “ER” (Eco Resort).
2. Introducing the symbols “ER” in the Legend of the Scheme Map to represent the Eco-Resort use.
3. Amending the Scheme Text by inserting in Schedule III—Special Use Sites the following—

Lot and Location	Permitted Uses (see Clause 4.8)
Lots 62, 63 and portion of Lots 60 and 64 Tanah Merah Road, Cowaramup	<ol style="list-style-type: none"> 1. This zone is to facilitate the development of an Eco Resort comprising the following uses that are permitted within this zone— <ul style="list-style-type: none"> - Flora and fauna eco-park, - 2 dwellings, - 18 duplex chalets (total 36), - Licensed Restaurant limited to 85 seats, - Reception and Library, - Convention Centre, - Vintage car and military museum, - Exhibition centre, - Recreational Facilities, and - Other uses considered by the local government to be complementary to the operation of an eco-resort. 2. Subdivision and development shall be in accordance with the Subdivision and Development Guide Plan adopted by Council on the 28 November 2007 forming part of this Scheme. 3. The Council may endorse or refuse any proposed modifications to the approved Subdivision and Development Guide Plan by way of resolution of Council. Where modifications to the Development Concept Plan are proposed, the Council shall require the modifications to be advertised for public comment for a period of 21 days prior to considering the proposed modification.

Lot and Location	Permitted Uses (see Clause 4.8)
	4. The Council shall forward a copy of any modifications referred to in point 3, once these have been considered by Council to the Western Australian Planning Commission for its consideration. The modified Subdivision and Development Guide Plan will not come into effect until endorsed by the Western Australian Planning Commission (WAPC).

S. HARRISON, Shire President.
G. EVERSHED, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Denmark
Town Planning Scheme No. 3—Amendment No. 78

Ref: 853/5/73 Pt 78

1. Rezoning Lot 371 Horsley Road, Denmark from the Rural to Residential, with an R12.5 density code and Special Residential Zones
2. Amending the Scheme Maps accordingly
3. Amending Appendix 14—Special Residential Zone Provisions relating to Specified Area No. 9 as follows—

Inserting in column 1 “Lot 371 Horsley Road, Denmark”

Replacing i) a) With “For Lot 369 Kearsley Road, the minimum lot size should be no less than 2000m² and the average lot size no less than 3000m². For Lot 371 Horsley Road the minimum lot size shall be 2000m²”

Replacing i) b) the words “Subdivision shall generally be in accordance with the Subdivision Guide Plan” with “Subdivision shall generally be in accordance with the Subdivision Guide Plans, endorsed by the WAPC and signed by the CEO, for Lot 369 Kearsley Road and Lot 371 Horsley Road.”

Inserting a new clause iv) g) “In Lot 371 Horsley Road, Council may request the Commission to impose a condition at the subdivision stage for planting of endemic native vegetation consisting of trees and understorey bushes together with verge tree planting.”

Inserting a new clause v) d) “All buildings shall be single storey except where it can be demonstrated to Council that a variation is required for reasons of the site’s physical constraints (such as laterite rock outcrops or shallow subcrop, topography, lot shape or remnant vegetation).

Inserting a new clause ix) b) “In Lot 371 Horsley Road, on-site effluent disposal shall be by way of an approved Alternative Effluent Disposal System.

Deleting existing clause xi)

Renumbering existing clause x) to xi)

Inserting a new clause x) Roads within the zone shall be—

- located in a manner which is sympathetic to the topography and minimises visual impact.
- drained underground and kerbed to meet the requirements and specification of Council.

Inserting a new clause xii) “Provision shall be made to Council’s satisfaction to ensure prospective purchasers of land within Special Residential Zone Area No. 9 acknowledge and accept these Special Provisions prior to entering into an agreement to acquire, and for Lot 371 Horsley Road, that—

- water pump station buffers exist on properties as depicted on the Subdivision Guide Plan for the area.
- the Special Residential Zone is located adjacent to a rural area in which rural activities are carried out.

J. K. BARROW, Shire President.
D. STEWART, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Kondinin
 Town Planning Scheme No. 1—Amendment No. 1

Ref: 853/4/14/3 Pt 1

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 Kondinin local planning scheme amendment on 23 December 2008 for the purpose of re-classifying Lot 65 Unity Street, Karlgarin from 'Public Purpose—School Site' reserve to 'Rural Townsite' zone and amending the Scheme Map accordingly.

B. W. YOUNG, Shire President.
 P. R. WEBSTER, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet
 Town Planning Scheme No. 3—Amendment No. 47

Ref: 853/5/14/4 Pt 47

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 Plantagenet local planning scheme amendment on 4 December 2008 for the purpose of—

1. Rezoning Lot 138 Lowood Road, Mount Barker from Rural to Residential (R15).
2. Amending the Scheme Maps accordingly.

K. M. FORBES, Shire President.
 R. STEWART, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham
 Town Planning Scheme No. 2—Amendment No. 60

Ref: 853/2/28/4 Pt 60

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 City of Rockingham local planning Scheme Amendment on the 18th December 2008 for the purpose of—

1. Amending the Scheme Maps by—
 - (a) Rezoning Lot 81 Safety Bay Road, Shoalwater from 'Residential R15' to 'Special Commercial' and including the Additional Use Notation of 'A26'.
 - (b) Recoding Lot 82 Safety Bay Road, Shoalwater from 'Residential R15' to 'Residential R30'.
2. Amending the Scheme Text by inserting new Additional Use No.26 into Schedule No. 2 as follows—

No.	Site Description	Additional Use	Special Conditions
26	Lot 81 (No. 218) Safety Bay Road, Shoalwater	Residential— (b) Grouped Dwellings or (c) Multiple Dwellings	Residential development must be in accordance with the R30 Residential Density Code

B. SAMMELS, Mayor.
 ANDREW HAMMOND, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Quairading
Town Planning Scheme No. 2—Amendment No. 4

Ref: 853/4/26/2 Pt 4

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 Quairading local planning scheme amendment on 30 December 2008 for the purpose of—

1. Deleting the clause 4.3 that is titled “Discretion to Modify Development Standards”.
2. In Clause 7.4.2 substituting a “D” use for an “AA” use.

D. C. RICHARDS, Shire President.
G. A. FARDON, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Geraldton-Greenough

Town Planning Scheme No. 4 (Greenough)—Amendment No. 137

Ref: 853/3/7/6/Pt137

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 City of Geraldton-Greenough local planning scheme amendment on 12 January 2009 for the purpose of—

1. Deleting the following text from Appendix III Special Rural Zone 1 Additional Requirements to Clause 3.9 and the Zoning and Development Table—
 - (a) Minimum lot size shall be 1ha with an average lot size within any subdivision of 2ha.
 - (h) For Lot 100 of Victoria Location 2983 Webber Road the average lot size shall be 1.1ha.
2. Inserting the following text into Appendix III Special Rural Zone 1 Additional Requirements to Clause 3.9 and the Zoning and Development Table—
 - (a) The minimum lot size shall be 1ha.
 - (b) Subdivision to generally accord with an endorsed and adopted subdivision guide plan.
3. Inserting the following text into clause (g) of the Appendix III Additional Requirements and Modifications as follows—
 - (iii) Stocking rates for lots with an effective area of less than 1ha available for grazing are to be calculated separately in consultation with Department for Agriculture and Food and have regard for irrigation of pastures where required.
4. Re-numbering the existing provisions as required.

I. CARPENTER, Mayor.
A. BRUN, Chief Executive Officer.

PI409*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Mandurah

Town Planning Scheme No. 3—Amendment No. 90

Ref: 853/6/13/12 Pt 90

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 City of Mandurah local planning scheme amendment on 29 December 2008 for the purpose of—

1. Rezoning Lot 3 Old Coast Road, Herron from ‘Rural’ to ‘Rural Residential’.
2. Amending the Scheme Maps accordingly.

P. CREEVEY, Mayor.
M. R. NEWMAN, Chief Executive Officer.

PI410*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Harvey

Town Planning Scheme No. 1—Amendment No. 67

Ref: 853/6/12)18 Pt 67

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Harvey Local Planning Scheme Amendment on 29th December 2008 for the purpose of—

1. Including Lot 1000 Paris Road and portion of Victoria Road reserve, Australind in the 'Light Industry' Zone.
2. Amending the scheme map accordingly.
3. Amending Schedule 5—Additional Requirements—Industrial Zones as follows—

Remove "Prior to the relocation or decommissioning of Water Authority Waste Water Treatment Works Site no light industry will be permitted within a 500 metre radius of the treatment site that involves the manufacturing of foodstuffs or handling of unpacked foodstuffs" from Schedule 5, under AREA 1—AUSTRALIND LIGHT INDUSTRIAL AREA of the scheme text.

After SUB-AREA 5, Point 5, add the following text—

AREA 3—AUSTRALIND LIGHT INDUSTRIAL AREA (RESTRICTED)

1. No land-use within the restricted area as shown on the approved Subdivision Guide Plan shall be permitted as a right. All uses listed under Table 16—Zoning and Development Standards of the Scheme require the special approval of Council. When making a determination Council shall have regard to—
 - (a) Environmental Protection Authority's (EPA) Guidelines for separation distances between industrial and sensitive landuses;
 - (b) Impact on the overall amenity of the area; and
 - (c) Adjoining light and service industries.
2. Where an application does not meet the requirements above—
 - (a) A scientific study, based on site and industry specific information must be presented to demonstrate to Council that any variation will not result in unacceptable impacts to the area; or
 - (b) The application be modified to reduce emissions through engineering controls such as process design, process enclosure or other means.
3. In addition to Zoning and Development Table, Council may consider the following uses—
 - Services Premises
 - Veterinary Hospital
 - Private Recreation
 - Veterinary Clinic
 - Health Centre
4. Prior to the approval of any development being approved within the Area 3 precinct, design guidelines shall be prepared and approved by Council The design guidelines shall address the following matters—
 - Building setbacks
 - Building height
 - Building materials
 - Restrictions on transportable building and sea containers
 - Open space and landscaping
 - Vehicle crossovers—design, treatment and materials
 - Location and nature of parking areas
 - Fencing—style and materials
 - Storage areas
 - Other design elements that may improve the appearance and amenity of the locality.
5. Unless in an area set aside for display purposes, a person shall not place or stock any fuel or raw material product or waste or manufacture, in front of a building line other than the building line of a service station.
6. Council shall not approve the erection of more than one sign on any lot and no sign shall exceed 4m² in area.
7. The façade or facades of any building as seen from an adjoining road shall be constructed of brick unless in the opinion of Council, the design and materials of the proposed buildings are of sufficiently high standard to compliment the locality.

8. In an accessible position at the rear of the building shall be provided a gated enclosure of not less than 10m² in area, with a concrete base, upon which shall be provided a rubbish receptacle of size nominated by Council and an incinerator complying with the Bush Fires Act.
9. The use of pre-used materials for visible structures shall be prohibited.
10. Subdivision shall generally be in accordance with a subdivision guide plan certified by the Shire Clerk and endorsed by the Western Australian Planning Commission.
11. Council shall require payment by the landowner or subdivider of a contribution as per the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No. 1.
12. The owner or subdivider of the land shall inform prospective purchasers of land in this area of those provisions relating to the Australind Light Industrial Estate as contained in Schedule 5 of the Scheme Text and such other provisions of the Scheme that may affect it.
13. The further subdivision of Pt Lot 3 shall not be permitted until such time as a comprehensive drainage plan has been prepared to the satisfaction of Council.
14. The owner or subdivider is required to establish a landscape buffer to provided a visual screening along the Australind Bypass Road. The land required for the landscape buffer is to be of a sufficient width as determined by the Western Australian Planning Commission.

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

PI411*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Harvey
Town Planning Scheme No. 1—Amendment No. 80

Ref: 853/6/12)18 Pt 80

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the Shire of Harvey Local Planning Scheme Amendment on 29th December 2008 for the purpose of rezoning a 1553m² portion of Lot 123 Ommaney Road, Brunswick Junction from "Service Station" to "General Industry".

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

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988
LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming & Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
12713	Raymond John Ward & Yvonne Kaye Ward	Application for the grant of a Producer's Licence licence in respect of premises situated in Yornup and known as Boronia Gully Estate	22.02.2009
12707	Robert Victor Markowski	Application for the grant of a Wholesaler's licence in respect of premises situated in Beiliar and known as Port City Vintners	09.02.2009

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i>			
12706	Compass Group (Australia) Pty Ltd	Application for the grant of a Special Facility-Canteen Licence in respect of premises situated in Newman and known as Resource Evaluation Group Southern Flank Mobile Camp Wet Mess	26.01.2009
12636	Hala Agencies Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Cockburn Central and known as Hala Agencies Pty Ltd	27.01.2009
APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
31160	Wang Nominees Pty Ltd	Application for the grant of an extended trading permit—liquor without a meal, in respect of premises situated in Perth and known as Grand Palace Restaurant and Reception	09.02.2009

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

Dated: 21 January 2009.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Kathleen Pearl Dwyer, late of Saint Vincent's Aged Care, 224 Swan Street, Guildford in the State of 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 11th day of December 2008 are required by the executor to send particulars of their claims addressed to the Executor of the Estate, care of Slater & Gordon, Lawyers of 26 Stirling Street, Bunbury by 23 February 2009 after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Constantine Nicolaidis, late of 37 Forder Street, Noranda, 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 26 May 1998 at Nedlands, are required by the administrator, Paraskevi Voula Nelson of c/o Lynn & Brown Lawyers, 5 Collier Road, Morley WA to send particulars of their claims to her by 27 February 2009, after which date the administrator may convey or distribute the assets of the estate, having regard only to the claims of which she then has notice.

ZX403*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their

claims to me on or before the 23 February 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Brooker, Margaret, late of Brightwater The Oaks 2-10 Oakwood Crescent, Waikiki, formerly of Brightwater 31 Mildenhall Crescent, Huntingdale, died 3.12.2008 (DE33033952EM26)

Bryant, Susan May, late of Hamersley Aged Care Facility, 441 Rokeby Road, Subiaco, formerly of 13 Hakea Road, Woodlands, died 10.11.2008 (DE19652305EM38)

Chase, Robert, late of 34 Vittoria Road, Glen Iris, died 27.08.2007 (DE33045110EM27)

Dale, Florabelle Campbell, also known as Florabelle Dale, late of Armadale Nursing Centre, 21 Angelo Street, Armadale, formerly of 8 Cooke Street, Hilton, died 13.01.2009 (DE19902560EM38)

Davis, Stella Enid, late of Koh-I-Noor Nursing Home, 34 Pangbourne Street, Wembley, formerly of 15 Burt Street, Mount Lawley, died 24.11.2008 (DE19641234EM15)

Gainey, Stanley Francis, late of Craigmont Nursing Home, Third Avenue, East Maylands, formerly of Flat 29 Mertome Village, Bayswater, died 8.12.2008 (DE19925626EM16)

Hayes, Roy Bernard, late of St Georges Nursing Home, Essex Street, Bayswater, died 29.11.2008 (DE33041443EM110)

Higgins, Nellie Pauline, late of Hollywood Aged Care Centre, 118-120 Monash Avenue, Nedlands, formerly of Unit 3 Melvista Lodge, 69 Melvista Avenue, Nedlands, died 17.12.2008 (DE19743969EM26)

Holloway, Raymond Jack, late of St Andrew's Care Facility, 37 Burwood Road, Balcatta, formerly of 5A Smith Street, Karrinyup, died 16.12.2008 (DE19891212EM36)

Jones, Francis Desmond, late of 60b Mulligan Drive, Greenwood, died 29.12.2008 (DE19724341EM15)

Marr, William Leopold, late of Junjuwa Aboriginal Community, Fitzroy Crossing, died 17.12.2004 (DE33032431EM16)

McVee, Joyce Evelyn, late of Sarah Hardey House, 222 Cammillo Road, Kelmscott, died 24.10.2008 (DE19863787EM32)

Moore, Hubert Alexandra, also known as Hubert Alexander Moore, late of 2 Belham Street, Bayswater, died 30.11.2008 (DE19790207EM27)

Pittaway, Mary Zelma, late of Amaroo Village, Buckley Caring Centre, 60 Stalker Road, Gosnells, died 28.12.2008 (DE19903608EM16)

Porter, Beryl Jean, late of Parkland Villas, Villa 107 / 2 Hungerford Avenue, Halls Head, died 29.11.2008 (DE19733086EM23)

Saich, Milos, late of 1 Bradford Street, Mount Lawley, died 25.12.2008 (DE19742116EM13)

Sentis, Joannis, also known as Yianni, late of 3 Bayswater Street, Bedford, died 14.12.2008 (DE19831717EM22)

Somerset, Albert Henry, late of C/-Joseph Banks Aged Care, 58 Canna Drive, Canning Vale, died 19.11.2008 (DE19773450EM37)

Smith, William Ronald, late of 30 Waller Street, Lathlain, died 29.11.2008 (DE19670748EM22)

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

ZX404*

PUBLIC TRUSTEE ACT 1941
ADMINISTERING 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 23rd day of January 2009.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Adrian Douglas Hardie DE19802449EM311	16 Watson Street, Bassendean	23/11/2008	15/1/2009
Violet Mary Marguerita Rodda DE19651372EM36	Unit 3 Retirement Village, Third Avenue, Mandurah	16/12/2008	15/1/2009
George Reginald Noden DE19860119EM17	Bentley Park Village, 10 Gordon Way, Bentley	28/11/2008	20/1/2009