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— PART 1 —

PROCLAMATIONS

AA101*

MARINE AND HARBOURS ACT 1981

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council—

- (a) cancel the proclamation made under that Act and published in the *Gazette* on 30 July 1982 p. 2933; and
- (b) withdraw from The Minister for Transport and revest in the Crown the land vested in The Minister for Transport by that proclamation; and
- (c) vest in The Minister for Transport, the body corporate established by section 8(1) of that Act, the property set out in Schedule 1.

Given under my hand and the Public Seal of the State on 10 August 2010.

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

Schedule 1—Emu Point Boat Harbour

Lot 350 on Deposited Plan 40463, being the whole of the land in Qualified Certificate of Crown Land Title Volume LR3153 Folio 954 and being Reserve 49354.

RACING, GAMING AND LIQUOR

RG301

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RWWA RULES OF HARNESS RACING 2004

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 13 August 2010 resolved that,

“The amendments to the Australian Handicapping Rules be adopted, taking effect from the 1st September 2010 and further, the amended rules replace the existing National Handicapping Rules contained in the RWWA Rules of Harness Racing.

Notice is hereby given that the RWWA Rules of Harness Racing 2004 be amended as follows with effect from 1 September 2010—

Amendment to National Rules

Delete and Replace entirely, Part 22 NATIONAL HANDICAPPING RULES

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park WA 6017, or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

TRANSPORT

TR301*

Road Traffic Act 1974

**Road Traffic (Inspection of Vehicles)
Notice 2010**

Made by the Minister under section 29 of the Act.

1. Citation

This notice is the *Road Traffic (Inspection of Vehicles) Notice 2010*.

2. Commencement

This notice comes into operation as follows —

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

3. Terms used

exempt interstate vehicle means a vehicle, other than a heavy vehicle or a vehicle referred to in clause 7, that —

- (a) is licensed or registered in another State or a Territory in the name of the person applying for the grant of a vehicle licence in respect of the vehicle; and
- (b) is shown to the satisfaction of the Director General to have been so licensed or registered for at least 12 months;

hail damage, in relation to a motor vehicle, means damage done to the vehicle by hail in the storm on 22 March 2010;

heavy vehicle has the meaning given in the *Road Traffic (Licensing) Regulations 1975* regulation 3(1);

new vehicle means a vehicle that has not previously been licensed or registered in this State or elsewhere, a production model of which has been approved by the Director General;

repairable write-off has the meaning given in the *Road Traffic (Written-Off Vehicle Register) Regulations 2003* regulation 2;

tractor means a motor vehicle that —

- (a) is designed —
 - (i) for use primarily in industry (whether in the public or private sector) including, without limiting the meaning of industry, agriculture, earth moving and forestry; and

- (ii) to be driven or controlled by a person carried in or on the vehicle;

and

- (b) is not designed —
 - (i) for use primarily for the carriage on roads of passengers or goods; or
 - (ii) for hauling a semi-trailer;

tractor plant means a motor vehicle that —

- (a) is, or has permanently attached to it, an excavator, road roller, road grader, bulldozer, mechanical shovel, plough, rotary hoe or similar plant; and
- (b) is designed to be driven or controlled by a person carried in or on the vehicle; and
- (c) is not suitable for the carriage of any load other than accessories necessary for the operation of the vehicle;

WOVR has the meaning given in the *Road Traffic (Written-Off Vehicle Register) Regulations 2003* regulation 2.

4. **Vehicles required to be inspected before grant of a licence**

The grant of a vehicle licence in respect of a vehicle in respect of which this clause applies is prohibited unless —

- (a) the vehicle has been examined; and
- (b) a certificate of inspection has been issued pursuant to the Act that the vehicle —
 - (i) meets the prescribed standards and requirements referred to in section 29(1) of the Act; and
 - (ii) is fit for the purpose for which the licence is desired.

5. **Application of clause 4**

- (1) Clause 4 is declared to apply in respect of all vehicles other than these vehicles —
 - (a) a new vehicle;
 - (b) a tractor or tractor plant;
 - (c) an exempt interstate vehicle;
 - (d) a motor vehicle referred to in subclause (2).
- (2) Clause 4 is declared not to apply in respect of a motor vehicle if —
 - (a) a vehicle licence was in force in respect of the vehicle on 22 March 2010; and
 - (b) the vehicle was registered in WOVR as a repairable write-off because of hail damage to the vehicle and for no other reason; and
 - (c) the registration of the vehicle in the WOVR has been cancelled under the *Road Traffic (Written-Off Vehicle Register) Regulations 2003* regulation 16; and

- (d) a vehicle licence has not been in force in respect of the vehicle at any time since the cancellation referred to in paragraph (c); and
 - (e) the application for the grant of a vehicle licence in respect of the vehicle is accompanied by a statement referred to in subclause (3).
- (3) The statement referred to in subclause (2)(e) must —
- (a) be made by a person who holds a repairer's certificate under the *Motor Vehicle Repairers Act 2003* Part 3; and
 - (b) state that the vehicle does not have any hail damage that results in the vehicle not meeting the prescribed standards and requirements referred to in section 29 of the Act or not being fit for the purpose for which the vehicle licence is desired; and
 - (c) be in the form approved by the Director General.

6. Vehicles required to be inspected before renewal of a licence

The renewal of a vehicle licence in respect of a vehicle in respect of which this clause applies is prohibited unless —

- (a) the vehicle has been examined; and
- (b) a certificate of inspection has been issued pursuant to the Act that the vehicle —
 - (i) meets the prescribed standards and requirements referred to in section 29(1) of the Act; and
 - (ii) is fit for the purpose for which the licence is required.

7. Application of clause 6

Clause 6 is declared to apply in respect of these vehicles —

- (a) a motor vehicle in respect of which an omnibus licence is granted, or is to be applied for, under the *Transport Co-ordination Act 1966* Part III Division 2;
- (b) a motor vehicle in respect of which a taxi-car licence is issued, or is to be applied for, under the *Transport Co-ordination Act 1966* Part IIIB;
- (c) a motor vehicle that is, or is to be, operated as a taxi using taxi number plates issued under the *Taxi Act 1994* Part 3;
- (d) a motor vehicle that is fitted with seats for 13 or more persons, including the driver;
- (e) a motor vehicle that is, or is to be, used solely or principally for the carriage of children to and from school and is fitted with seats for 8 or more persons, including the driver;
- (f) a motor vehicle that is, or is to be, used solely or principally under a hiring agreement and is fitted with seats for 8 or more persons, including the driver;

- (g) a motor vehicle that is, or is to be, used solely or principally by a driving instructor for the purposes of the instruction of drivers and is fitted with the modifications required by the *Motor Vehicle Drivers Instructors Regulations 1964*.

8. Clause 6 not to apply to certain short-term renewals of licence

Clause 6 is declared not to apply in relation to the grant of a vehicle licence (the *new licence*) by way of the renewal of an existing vehicle licence (the *previous licence*) if —

- (a) when the previous licence was granted the vehicle was examined (the *relevant examination*) and a certificate of inspection issued pursuant to the Act; and
- (b) the new licence is to be granted for a period that expires not more than 12 months after the date of the relevant examination.

9. Notice to apply throughout Western Australia

The provisions of this notice are declared to apply throughout the State.

10. Revocation

The *Road Traffic (Inspection of Vehicles) Notice 2008* is revoked.

S. O'BRIEN, Minister for Transport.

— PART 2 —

CONSUMER PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATED ASSOCIATION

West Australian Taxi Association (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: 18 August 2010.

SUSAN NULSEN, Director,
Business Services,
for Commissioner of Consumer Protection.

ELECTORAL

EC401*

MARKETING OF POTATOES ACT 1946

ELECTION OF OFFICERS

Potato Marketing Corporation of Western Australia

Nominations are called from eligible candidates for the election of—

Elective Member (1)

Nominations will be accepted from Friday 27 August 2010.

Nomination forms are to be completed in accordance with the *Marketing of Potatoes Regulations 1987* and must reach me no later than 12.00 noon on Friday 10 September 2010. Should an election be necessary, voting will close at 4.00 pm on Tuesday 5 October 2010.

Note: Nomination forms shall be signed by the candidate, a proposer and seconder, all of whom shall be persons enrolled on the Potato Marketing Corporation of Western Australia electoral roll.

HOW TO LODGE NOMINATIONS

- **By Hand:** Western Australian Electoral Commission
Level 2, 111 St Georges Terrace
Perth WA 6000
- **By Post:** GPO Box F316
Perth WA 6841
- **By Fax:** 9226 0577

Nomination forms are available either from the Potato Marketing Corporation of Western Australia office or from me at the Western Australian Electoral Commission. Originals of faxed nominations must be mailed or hand-delivered to the Returning Officer.

ALL MEMBERS! Have you changed your address?

If so, please advise the Potato Marketing Corporation of Western Australia of your new address.

IAN BOTTERILL, Returning Officer.
Phone: 9214 0456
Email: waec@waec.wa.gov.au

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

DECLARATION OF A LOCATION

I, William Lee Tinapple, the Delegate of the Designated Authority in respect of the offshore area of Western Australia and on behalf of the Commonwealth—Western Australia Offshore Petroleum Joint Authority, pursuant to the provisions of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, hereby declare the following block to be a location.

Hamersley Range Map Sheet

Block No.	Field	Location No.
170	Tusk	6SL/09-0

This block is the subject of Petroleum Exploration Permit No. WA-246-P.

Dated at Perth on this 16th day of August 2010.

W. L. TINAPPLE, Executive Director,
Petroleum Division.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

DECLARATION OF A LOCATION

I, William Lee Tinapple, the Delegate of the Designated Authority in respect of the offshore area of Western Australia and on behalf of the Commonwealth—Western Australia Offshore Petroleum Joint Authority, pursuant to the provisions of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, hereby declare the following block to be a location.

Hamersley Range Map Sheet

Block No.	Field	Location No.
97	Corvus	7SL/09-0

This block is the subject of Petroleum Exploration Permit No. WA-246-P.

Dated at Perth on this 16th day of August 2010.

W. L. TINAPPLE, Executive Director,
Petroleum Division.

MP403*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

DECLARATION OF A LOCATION

I, William Lee Tinapple, the Delegate of the Designated Authority in respect of the offshore area of Western Australia and on behalf of the Commonwealth—Western Australia Offshore Petroleum Joint Authority, pursuant to the provisions of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, hereby declare the following blocks to be a location.

Hamersley Range Map Sheet

Block Nos.	Field	Location No.
14, 15, 85, 86 and 87	Julimar—Brunello—Balnaves	11SL/09-0

These blocks are the subject of Petroleum Exploration Permit No. WA-356-P.

Dated at Perth on this 16th day of August 2010.

W. L. TINAPPLE, Executive Director,
Petroleum Division.

MP404*

Commonwealth of Australia
OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006
SURRENDER OF EXPLORATION PERMIT WA-400-P

The surrender of Exploration Permit WA-400-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Executive Director,
Petroleum Division.

PARLIAMENT

PA401*

LOCAL GOVERNMENT ACT 1995
SHIRE OF DARDANUP STANDING ORDERS LOCAL LAW 2009
Disallowance of local law

It is hereby notified for public information that the Legislative Council has disallowed the following Local Law made under the *Local Government Act 1995*—

The *Shire of Dardanup Standing Orders Local Law 2009* published in the *Gazette* on 22 March 2010 and tabled in the Legislative Council on 30 March 2010.

Disallowance is effective on and from Thursday, 19 August 2010.

MALCOLM PEACOCK, Clerk of the Parliaments.

Date 19 August 2010.

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Gingin
Town Planning Scheme No. 8—Amendment No. 103

Ref: TPS/0082

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 Gingin local planning scheme Amendment on 10 August 2010 for the purpose of—

1. Rezoning a portion of Lot 18 Crest View, Lennard Brook from “Rural” to “Rural Living” zone.
2. Amending the Scheme Maps accordingly.
3. Inserting additional text to Appendix 6—“Rural Residential” zone—Provisions relating to specified areas—Rural Residential 6, and following the provisions that relate to Moondah Ridge—Stage 1, to read as follows—

MOONDAH RIDGE—STAGE 2

- (a) Portion of Swan Location 1371 being part Lot 18 Crest View, Lennard Brook.
- (b) Development of the site is to be carried out in accordance with the Subdivisional Guide Plan as adopted by the Local Government and endorsed by the Western Australian Planning Commission and any approved modifications thereto.
- (c) In addition to a building licence for any building, the proponent shall obtain written consent from Council for the siting of the building on the Lot. No dwelling will be approved within 300m of areas cultivated for viticulture.
- (d) A Fire Management Plan shall be prepared for the subject land and specific fire protection measures as set out in the plan implemented to the specifications of the Local Government. The Fire Management Plan must address fire protection issues including, but not limited to, the provision of fire fighting water supply and fire hydrants, fire services access and the allocation of a site for the location of a fire fighting facility.
- (e) Notifications on Titles are required as a component of the subdivision, informing potential purchasers that the area may be subject to chemical spray drift, dust, noise and odour from nearby rural activities.

- (f) The eastern boundary of Moondah Ridge—Stage 2 that interfaces with rural land shall be planted and maintained with an internal vegetation buffer of a minimum width of 20 metres. The required landscaping will generally be in accordance with the provisions of the Shire of Gingin Landscaping Policy 1.17 and a Landscaping Plan endorsed by the Shire.

GEORGE A GIFFORD, Shire President.
DAVID T. BURT, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 234

Ref: 853/6/16/7 Pt 234

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 Murray local planning scheme amendment on 10 August 2010 for the purpose of modifying the Special Use provisions in Schedule 5 of the Scheme Text under the heading (B) that relate to Lot 1379 Nanga Road, Dwellingup by—

1. Replacing the words “Outline Development Plan” with the words “Subdivision/Development Guide Plan” as approved from time to time by Council.
2. Inserting “private recreation” as an ‘AA’ use.
3. Modifying that permissibility of the use single house (owners’ residence) from an incidental ‘IP’ use to a permitted ‘P’ use.
4. Deleting the word ‘only’ from Special Provision 1.

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

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Perth

City Planning Scheme No. 2—Amendment No. 13

Ref: 853/2/10/26 Pt 13

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 Perth local planning scheme amendment on 7 July 2010 for the purpose of—

1. Amending the Building Heights Plan by deleting—
 - ‘The height of the building used solely for non-residential purposes shall not exceed a height of 18 metres’.
 - ‘The height of the building used solely for residential purposes shall not exceed a height of 27 metres’.
 - ‘A building which is used for both residential and non-residential purposes may exceed 18 metres in height if the height of that portion of the building used for non-residential purposes does not exceed 18 metres, however the height of such a building will not exceed 27 metres’.
 and replace with—
 - ‘The height of a building shall not exceed 29 metres’.
2. Amending the definition of ‘landscaped area’ in Schedule 4 by deleting reference to—
 - ‘swimming pools, barbeque areas or children’s playgrounds’
3. Amending section P10 West Perth of Schedule 6—Variations to Residential Design Codes, to reads as follows—
 - ‘In the Residential Scheme Use Area, fifty per cent of the site shall be designed, developed and maintained as open space, of which at least twenty five percent of the site should be landscaped area’.

L. M. SCAFFIDI, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988 LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
13593	Shiki Ventures Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Belmont and known as Zushibento Restaurant.	13/09/2010
13597	Giovanni Napolitano	Application for the grant of a Restaurant licence in respect of premises situated in East Perth and known as Infinity Cafe.	24/09/2010
13503	Albarossa Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in City Beach and known as Floreat Beach Kiosk.	26/09/2010

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

Dated: 20 August 2010.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and Claimants of George Maitland Buchanan late of St Andrews Care Facility, 313 Main Street, Balcatta, Western Australia, Retired Electrician 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 10 July 2010 are required by the Trustee ANZ Trustees Limited ACN 006 132 332 of Level 36, 55 Collins Street, Melbourne, Vic 3000 to send particulars of their claim to them by 5 October 2010 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX402

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Jean Vernon late of 12 Nind Street, Albany, Western Australia.

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 25 April 2010, are required by the trustee of the late Jean Vernon of C/- Haynes Robinson Solicitors of PO Box 485 Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 18th day of August 2010.

HAYNES ROBINSON.