

**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

3701



PERTH, FRIDAY, 20 JULY 2001 No. 144

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Environmental Protection Act 1986—Environmental Protection (Port of Esperance Noise Emissions) Approval 2001	3703-8
Rules of Harness Racing 1999—Notice of Amendment	3708-9

PART 2

Fair Trading.....	3710
Justice.....	3710-1
Local Government.....	3711-2
Minerals and Energy	3712-5
Parliament.....	3715
Planning.....	3715-22
Premier and Cabinet.....	3723
Public Notices—	
Deceased Estates	3725-6
Travel Compensation Fund.....	3726
Racing, Gaming and Liquor	3723
Transport.....	3724

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher
P.O. Box 8448,
Perth Business Centre 6849

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2001 (Prices include GST).

Deceased Estate notices, (per estate)—\$20.55

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$48.00

Other articles in Public Notices Section—\$48.00 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$9.55

Bulk Notices—\$178.20 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

ENVIRONMENTAL PROTECTION

EP301*

Environmental Protection Act 1986

Environmental Protection (Port of Esperance Noise Emissions) Approval 2001

Made by the Minister for the Environment under regulation 17(7) of the *Environmental Protection (Noise) Regulations 1997* after receiving a report from the Authority for the purposes of the regulation.

1. Citation

This Approval may be cited as the *Environmental Protection (Port of Esperance Noise Emissions) Approval 2001*.

2. Duration of approval

- (1) This approval comes into operation on the day on which it is published in the *Gazette*, and stops being in force at midnight on 31 December 2004, unless it is revoked before that time or is continued in force under subsection (2).
- (2) If, on or before 30 June 2004, the Port Authority applies for a further approval under regulation 17 to allow the noise emitted from the Port to exceed or vary from the standard prescribed by regulation 7, then this Approval continues in force until the Minister either grants or refuses to grant that application.

3. Interpretation

- (1) In this Approval —
 - “**abnormal event**” means an unexpected event the occurrence of which is beyond the immediate control of, and could not reasonably have been foreseen by, the Port Authority (such as an accident or emergency, a breakdown of plant or equipment or extreme weather conditions);
 - “**assigned level**” means a noise level determined under clause 6;
 - “**building**” has the same meaning as in regulation 8;
 - “**CBH**” means Co-operative Bulk Handling Limited, a company registered under the *Companies (Co-operative) Act 1943*;
 - “**construction work**” has the same meaning as in regulation 13;
 - “**impulsiveness**” has the same meaning as in regulation 9;

- “**influencing factor**” has the same meaning as in regulation 8;
- “**L_{A 1} assigned level**” means an assigned level which, measured as an **L_{A Slow}** value, is not to be exceeded for more than 1% of any period of 4 hours;
- “**L_{A 10} assigned level**” means an assigned level which, measured as an **L_{A Slow}** value, is not to be exceeded for more than 10% of any period of 4 hours;
- “**L_{A max} assigned level**” means an assigned level which, measured as an **L_{A Slow}** value, is not to be exceeded at any time;
- “**L_{A Slow}**” has the same meaning as in regulation 2(1);
- “**modulation**” has the same meaning as in regulation 9;
- “**Port**” means the Port of Esperance under the *Port Authorities Act 1999*;
- “**Port Authority**” means the Esperance Port Authority established under the *Port Authorities Act 1999*;
- “**regulation**” means regulation of the *Environmental Protection (Noise) Regulations 1997*;
- “**tonality**” has the same meaning as in regulation 9.

4. **Approval to emit noise contrary to the standard**

Approval is granted to the Port Authority to allow the noise emitted from the Port to exceed or vary from the standard prescribed by regulation 7(1).

5. **Conditions of approval**

- (1) For the purposes of clause 4, regulations 7(1) and (2), 8(2) and 9(3) do not apply in relation to the noise emitted from the Port while this Approval is in force and is being complied with.
- (2) However, this Approval is granted subject to the conditions that —
 - (a) noise emitted from the Port complies with clauses 6 and 7; and
 - (b) the Port Authority complies with clauses 10, 11, and 12.

6. **Maximum permitted noise levels**

- (1) Noise emitted from the Port during the period ending at midnight on 31 December 2002, when received at other premises of a kind described in column 1 of an item in the Table in Schedule 1, at a time of day referred to in column 2 of the item, must not exceed the assigned level specified in column 3 of the item opposite the time of day.
- (2) Noise emitted from the Port on or after 1 January 2003, when received at other premises of a kind described in column 1 of an item in the Table in Schedule 2, at a time of day referred to in column 2 of the item, must not exceed the assigned level specified in column 3 of the item opposite the time of day.

7. Permitted tonality, impulsiveness and modulation

Noise emitted from the Port, when received at other premises, must be free, for at least 99% of any period of 4 hours, from any tonality, impulsiveness and modulation.

8. Determining levels of noise emission

For the purpose of assessing the level or character of noise emitted from the Port, the following are not taken into account —

- (a) noise emissions of a kind referred to in regulation 3;
- (b) noise emitted from the grain handling operations carried on at the Port by CBH;
- (c) noise received at premises occupied by CBH;
- (d) noise emitted as a result of construction work carried on at the Port;
- (e) noise emitted by safety warning devices attached to plant or equipment for the purpose of ensuring that the Port Authority complies with its obligations under the *Occupational Safety and Health Act 1984*;
- (f) noise received at premises owned by the Port Authority.

9. Noise resulting from abnormal events

An emission of noise that contravenes clause 6 or 7 is taken not to breach a condition of this Approval if —

- (a) the emission is a result of the occurrence of an abnormal event;
- (b) if the emission contravenes clause 7 — it is a result of an event the occurrence of which results in the accidental or unintended emission of the noise;
- (c) the Port Authority takes all reasonably practicable measures to stop the emission as soon as is reasonably practicable; and
- (d) the Port Authority notifies the Chief Executive Officer and the chief executive officer of the Shire of Esperance of the occurrence of the abnormal event within 21 days after the day on which it occurred, or within any further time allowed by the Chief Executive Officer on the application of the Port Authority.

10. Abnormal events register

- (1) The Port Authority must keep an abnormal events register for the purposes of this Approval.
- (2) If an abnormal event or any other event results in the emission of noise that contravenes clause 6 or 7, the Port Authority must enter in the register the following particulars —
 - (a) the nature of the event;

- (b) the date and time of the occurrence of the event;
 - (c) details of the contravention, including the level and characteristics of the noise (if known) and the duration of the emission;
 - (d) the measures taken by the Port Authority to stop the emission;
 - (e) the measures (if any) taken by the Port Authority to prevent, or minimise the possibility of —
 - (i) a similar event occurring in the future; or
 - (ii) the emission of noise that contravenes clause 6 or 7 if a similar event occurs in the future.
- (3) The Port Authority is to make the register available for inspection by an inspector on request.

11. Periodic reports

- (1) On or before 31 December 2001, the Port Authority must give to the Chief Executive Officer a report setting out the measures the Port Authority proposes to take to ensure that noise emitted from the Port on or after 1 January 2003 will comply with clause 6(2).
- (2) On or before 30 September 2002, the Port Authority must give to the Chief Executive Officer a report setting out the measures the Port Authority has taken, and any measures the Port Authority proposes to take, to ensure that noise emitted from the Port on or after 1 January 2003 will comply with clause 6(2).
- (3) If the Port Authority does not apply for a further approval under regulation 17 on or before 30 June 2004, then on or before that day the Port Authority must give to the Chief Executive Officer a report setting out the measures that the Port Authority has taken, and any measures that the Port Authority proposes to take, to ensure that the noise emitted from the Port will comply with regulation 7 on and after 1 January 2005.

12. Application for further r. 17 approval

- (1) If the Port Authority applies for a further approval under regulation 17 on or before 30 June 2004, the application must be accompanied by a noise management plan, being a plan for the reduction, as far as reasonably practicable, of the emission of noise from the Port during the period for which the further approval is sought.
- (2) The noise management plan must —
 - (a) identify the sources of noise emissions from the Port;
 - (b) identify the options available for reducing noise from each source;
 - (c) set out a cost benefit analysis for the implementation of each of those options;

- (d) set out the minimum noise levels for the Port that the Port Authority considers can reasonably and practicably be achieved; and
- (e) set out the measures that the Port Authority considers it can reasonably and practicably take to achieve those minimum noise levels.

Schedule 1 — Assigned levels before 1 January 2003

[cl. 6(1)]

Item	Column 1 Type of premises receiving noise	Column 2 Time of day	Column 3		
			Assigned level (dB)		
			L_{A10}	L_{A1}	L_{Amax}
1.	Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday	45 + influencing factor	55 + influencing factor	65 + influencing factor
		0900 to 1900 hours Sunday and public holidays	43 + influencing factor	50 + influencing factor	65 + influencing factor
		1900 to 2200 hours all days	43 + influencing factor	50 + influencing factor	55 + influencing factor
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	43 + influencing factor	45 + influencing factor	55 + influencing factor
2.	Noise sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	60	75	80
3.	Commercial premises	All hours	60	75	80
4.	Industrial and utility premises	All hours	65	80	90

Schedule 2 — Assigned levels on and after 1 January 2003

[cl. 6(2)]

Item	Column 1 Type of premises receiving noise	Column 2 Time of day	Column 3 Assigned level (dB)		
			L_{A10}	L_{A1}	L_{Amax}
			1.	Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday
		0900 to 1900 hours Sunday and public holidays	40 + influencing factor	50 + influencing factor	65 + influencing factor
		1900 to 2200 hours all days	40 + influencing factor	50 + influencing factor	55 + influencing factor
		2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	40 + influencing factor	45 + influencing factor	55 + influencing factor
2.	Noise sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	60	75	80
3.	Commercial premises	All hours	60	75	80
4.	Industrial and utility premises	All hours	65	80	90

JUDY EDWARDS, Minister for the Environment.

RACING, GAMING AND LIQUOR

RA301

RULES OF HARNESS RACING 1999

Notice of Amendment

Notice is hereby given that the Committee of the Western Australian Trotting Association at Gloucester Park, East Perth, on the 12th July 2001 resolved by majority of members of the Committee that the Rules of Harness Racing 1999 be amended as follows—

Local Rule 43 be inserted as follows—

LR43. Drivers to report attendance

- (1) A driver engaged to drive a horse in a race shall report his or her attendance at the racecourse to the club or other body conducting the meeting at least 60 minutes before the time fixed for the start of the race.
- (2) A person who fails to comply with sub-rule (1) is guilty of an offence.

G. PAPADOPOULOS, President.

— PART 2 —

FAIR TRADING

FT401**ASSOCIATIONS INCORPORATION ACT 1987**

Section 35

THE WA MAZDA DEALERS ASSOCIATIONS INC

Notice is hereby given that the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated the 17th day of July 2001.

S. MEAGHER, Manager,
Registration Services for Commissioner for Fair Trading.

JUSTICE

JM401**CORPORATIONS LEGISLATION**

On 15 July 2001 the *Corporations Act 2001* of the Commonwealth commenced, by proclamation in the *Commonwealth Gazette* of 13 July 2001. As a consequence the following Western Australian Acts and regulations commenced at the following times—

Act or Regulation	Commencement
<i>Corporations (Administrative Actions) Act 2001</i>	immediately before the <i>Corporations Act 2001</i> of the Commonwealth, see section 2
<i>Corporations (Ancillary Provisions) Act 2001</i>	immediately before the <i>Corporations Act 2001</i> of the Commonwealth, see section 2
<i>Corporations (Consequential Amendments) Act 2001</i>	at the same time as the <i>Corporations Act 2001</i> commences (other than Parts 9, 11 and 31 and section 181(3)), by proclamation in <i>Gazette</i> of 29 June 2001, p. 3257
<i>Corporations (Ancillary Provisions) Regulations 2001</i>	immediately before the <i>Corporations Act 2001</i> of the Commonwealth, see regulation 2
<i>Bills of Sale Regulations 2001</i>	at the same time as the <i>Corporations Act 2001</i> commences, see regulations 2

Note: the *Corporations (Commonwealth Powers) Act 2001* of Western Australia commenced on 29 June 2001, by proclamation in *Gazette* of 29 June 2001, p. 3257.

PETER RICHARDS, Acting Commissioner for Corporate Affairs.

JM402**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

Ms Diane Jillian Kennedy of 4 Baltic Ridge, Yakamia, Albany
to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director,
Court Services.

JM403*EX OFFICIO JUSTICE OF THE PEACE*

It is hereby notified for public information that Cr John Douglas Gregory has been appointed under Section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Northam during his term of office as the President of the Shire of York.

GARY THOMPSON, Executive Director,
Court Services.

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT ACT 1960***Shire of Dandaragan***BUILDING SURVEYOR**

It is hereby notified for public information that Mr Edwin Roy O'Meara has been appointed Building Surveyor for the Shire of Dandaragan effective from 9th April 2001 pursuant to the following—

1. To exercise powers under Section 374(1b) of the Local Government Miscellaneous Provisions Act 1960.

It is hereby notified that the appointment of Mr L. Welch as Building Surveyor of the Shire of Dandaragan is hereby cancelled.

Dated 22 June 2001.

L. A. VICARY, Acting Chief Executive Officer.

LG402**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1995***Shire of Dandaragan*

The appointment of Mr Edwin Roy O'Meara and Mr Walter Raymond Hockley as "Authorised Persons" for the purpose of Section 245A of the Local Government (Miscellaneous Provisions) Act 1995 is hereby notified for public information.

Dated 22 June 2001.

L. A. VICARY, Acting Chief Executive Officer.

LG403***LOCAL GOVERNMENT ACT 1995****HEALTH ACT 1911***City of Geraldton***Memorandum of Imposing Rates 2001/2002**

At a meeting of the Geraldton City Council held on 16 July 2001, it was resolved that the rates and charges specified hereunder be imposed on all rateable property within the City of Geraldton in accordance with the Local Government Act 1995 and the Health Act 1911 for the period 1 July 2001 to 30 June 2002.

Dated this 17th day of July 2001.

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

Schedule of Rates and Charges Levied

General Rates

9.7872 cents in a dollar on Gross Rental Values on all rateable land within the District.

9.7872 cents in a dollar on Unimproved Values on all rateable land within the District.

The Urban Farmland rate will be the same as the General Rate imposed on the City.

Minimum Rates

A minimum rate of \$549.55 for each separate location on Gross Rental Values within the District.

A minimum rate of \$549.55 for each separate location on Unimproved Values within the District.

Administration Charge

A charge of \$7.50 for the Two Instalment option and \$22.50 for the Four Instalment option.

Interest on Instalments

Interest will be charged on each instalment at the rate of 5.5% per annum calculated on a daily basis. Instalments which are not paid by the due date will be charged penalty interest at the rate of 10% per annum calculated on a daily basis and the ratepayer's instalment option may be revoked.

Penalty Interest Charged on Overdue Rates and Charges

The rate of penalty interest is 10% per annum calculated on a daily basis.

Due Dates for Payment of Rates and Service Levies for 2000/2001

Two Instalment Plan	Four Instalment Plan
7 September 2001	7 September 2001
7 November 2001	7 November 2001
	7 January 2002
	7 March 2002

Sanitation

Rubbish Rate Residential areas

\$126.00 per annum for one standard service for 240/120 ltr MGB.

Eligible pensioners entitled to a concessional rate of (10%) for a standard service. An eligible pensioner is a pensioner under the provisions of the Rates and Charges (Rebates and Deferments) Act 1992, as amended.

Commercial properties

\$142.00 per annum for one standard service for a 240 ltr MGB.

Non Rateable properties

\$174.00 per annum for a standard service for a 240 ltr MGB.

NOTE: Additional sanitation services attract GST.

R. W. JEFFERIES, Chief Executive Officer.

MINERALS AND ENERGY

MN401

MINING ACT 1978
NOTICE OF INTENTION TO FORFEIT

Department of Minerals & Energy,
 Perth WA 6000.

In accordance with Regulation 50(b) of the Mining Act, 1978, notice is hereby given that unless the rent due on the undermentioned licences and leases is paid on or before 15 August 2001, it is the intention of the Hon Minister for Mines under the provisions of Sections 96A(1) and 97(1) of the Mining Act, 1978-1983 to forfeit such for breach covenant, viz, non-payment of rent.

JIM LIMERICK, Director General.

Number	Holder	Exploration Licences	Mineral Field
08/1111	Slayed Pty Ltd		Ashburton
08/1129	Goldfields Exploration Pty Ltd		Ashburton
31/313	Heron Resources Ltd		North Coolgardie
31/384	Kemp, Peter		North Coolgardie
38/392	Delta Gold Ltd		Mt Margaret
38/907	Fargo Resources NL		Mt Margaret
38/1056	Fargo Resources NL		Mt Margaret
38/1105	Johnson's Well Mining NL		Mt Margaret
38/1108	Johnson's Well Mining NL		Mt Margaret
38/1110	Johnson's Well Mining NL		Mt Margaret
38/1112	Johnson's Well Mining NL		Mt Margaret
38/1115	Johnson's Well Mining NL		Mt Margaret
38/1147	Johnson's Well Mining NL		Mt Margaret
38/1148	Johnson's Well Mining NL		Mt Margaret
39/546	Vassileff, Peter		Mt Margaret
39/674	Voyager Gold NL		Mt Margaret
39/708	Gutnick Resources NL		Mt Margaret
39/714	Gutnick Resources NL		Mt Margaret
39/719	Gutnick Resources NL		Mt Margaret
39/721	Heron Resources Ltd		Mt Margaret
39/728	Gutnick Resources NL		Mt Margaret
39/742	Gutnick Resources NL		Mt Margaret
39/743	Gutnick Resources NL		Mt Margaret
39/776	Gutnick Resources NL		Mt Margaret
39/780	Gutnick Resources NL		Mt Margaret
39/782	Gutnick Resources NL		Mt Margaret
39/784	Gutnick Resources NL		Mt Margaret
39/148	Gutnick Resources NL		Mt Margaret
40/149	Gutnick Resources NL		Mt Margaret
40/151	Gutnick Resources NL		Mt Margaret
40/152	Gutnick Resources NL		Mt Margaret
40/155	Gutnick Resources NL		Mt Margaret
40/156	Gutnick Resources NL		Mt Margaret
45/976	Newcrest Mining Ltd		Pilbara
45/1747	Newcrest Mining Ltd; Newcrest Operations Ltd		Pilbara
53/694	Polymetals Pty Ltd		East Murchison
53/695	Polymetals Pty Ltd		East Murchison
57/419	Australian Gold Resources Ltd		East Murchison
57/435	Australian Gold Resources Ltd		East Murchison
57/436	Australian Gold Resources Ltd		East Murchison
57/437	Australian Gold Resources Ltd		East Murchison
57/438	Australian Gold Resources Ltd		East Murchison
57/439	Australian Gold Resources Ltd		East Murchison
57/440	Australian Gold Resources Ltd		East Murchison
57/441	Australian Gold Resources Ltd		East Murchison
57/442	Australian Gold Resources Ltd		East Murchison
57/450	Australian Gold Resources Ltd		East Murchison
57/457	Australian Gold Resources Ltd		East Murchison
57/479	Australian Gold Resources Ltd		East Murchison
57/486	Australian Gold Resources Ltd		East Murchison
59/833	Attgold Pty Ltd		Yalgoo
69/1147	Sir Samuel Mines NL		Warburton
69/1421	Blinders Pty Ltd		Warburton
70/1354	Mega-Min Resources NL		South West
70/2199	Darcey, William Peter; Garreg Pty Ltd		South West
70/2200	Darcey, William Peter; Garreg Pty Ltd		South West
77/762	Barclay Holdings Ltd		Yilgarn
77/931	Aurora Gold (WA) Pty Ltd		Yilgarn
77/934	Tectonic Resources NL		Yilgarn
77/973	Swiftel Ltd		Yilgarn
80/2147	Nickel Ventures NL		Kimberley

Number	Holder	Mineral Field
Mining Leases		
27/102	Newcrest Operations Ltd; Tele-IP Ltd	North East Coolgardie
29/61	Western Areas NL	North Coolgardie
38/340	Green, Peter Donald; Rymer, Gregory Arthur	Mt Margaret
39/154	Wells Gold Corporation Ltd	Mt Margaret
39/155	Wells Gold Corporation Ltd	Mt Margaret
39/156	Wells Gold Corporation Ltd	Mt Margaret
45/271	Newcrest Mining Ltd; Newcrest Operations Ltd	Pilbara
45/272	Newcrest Mining Ltd; Newcrest Operations Ltd	Pilbara
45/273	Newcrest Mining Ltd; Newcrest Operations Ltd	Pilbara
53/340	Creasy, Mark Gareth; Normandy Yandal Operations Ltd	East Murchison
70/490	Cattamarra Coal Pty Ltd; Eustace, Reginald Robert; Rio Tinto Exploration Pty Ltd	South West
70/491	Cattamarra Coal Pty Ltd; Eustace, Reginald Robert; Rio Tinto Exploration Pty Ltd	South West
70/492	Cattamarra Coal Pty Ltd; Eustace, Reginald Robert; Rio Tinto Exploration Pty Ltd	South West
70/771	Eaton, Ann Elizabeth	South West
77/634	Venables, Allan Stanley	Yilgarn
77/804	Goodhill, Ronald Walter	Yilgarn

MN402**MINING ACT 1978**

Department of Minerals and Energy,
Perth WA 6000.

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

CLIVE BROWN, MLA, Minister for State Development; Tourism;
Small Business; Goldfields-Esperance.

Number	Holder	Mineral Field
Exploration Licences		
47/949	Chandram Pty Ltd	West Pilbara
51/861	Brosnan, Allan Neville; Flint, Warwick John	Murchison
53/807	Robinson, Kim	East Murchison
Mining Leases		
38/429	Anglogold Australasia Ltd; Austwhim Resources NL; French, Donald Victor; Green, Peter Edward; McKeaig, Beverley Dawn	Mt Margaret
45/512	Corry, Michael Kingsley; Danks, Kevin Graham; Perkins, Joyce Evelyn	Pilbara
General Purpose Lease		
15/4	Kelly, Grace Beryl	Coolgardie

MN403**MINING ACT 1978**

Department of Minerals and Energy,
Perth WA 6000.

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

CLIVE BROWN, MLA, Minister for State Development.

Number	Holder	Mineral Field
38/550	Artane Minerals NL; Creasy, Mark Gareth; Legendre, Bruce Robert; Wasse, Bernfried Gunter	Mt Margaret

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

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

Short Title Of Bill	Date of Assent	Act No.
Petroleum Legislation Amendment Bill 2001	July 13 2001	11 of 2001
Building Societies Amendment Bill 2001	July 13 2001	12 of 2001

Dated July 16 2001.

L. B. MARQUET, Clerk of the Parliaments.

PLANNING

PD401***METROPOLITAN REGION TOWN PLANNING SCHEME ACT**

DECLARATION OF PLANNING CONTROL AREA No. 52

BUSH FOREVER SITES 125, 253 AND 295
CITIES OF ARMADALE, GOSNELLS AND WANNEROO**General Description**

The Hon Minister for Planning and Infrastructure has granted approval to the declaration of a Planning Control Area over land at Lot 2001 and 1 Flynn Drive, Neerabup (295), Warton Rd, Forrestdale (254) and Lot 1602 Balfour St, Southern River (125), as shown on Western Australian Planning Commission Plans Numbered 3.1469, 3.1470 and 3.1480.

Purpose of the Planning Control Area

The purpose of the Planning Control Area is for Bush Forever (Future Parks and Recreation). The Commission considers that the Planning Control Area is required to ensure that no further development occurs on this land, which might prejudice this purpose until it may be reserved for the purpose of one or more of the aforementioned purposes in the Metropolitan Region Scheme.

Duration And Effects

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette* or until revoked by the Western Australian Planning Commission with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a Planning Control Area without the prior approval of the Western Australian Planning Commission. The penalty for failure to comply with this requirement is \$2,000 and, in the case of a continuing offence, a further fine of \$200 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the Western Australian Planning Commission in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Where the Planning Control Area is Available for Public Inspection

Ministry for Planning
1st floor, 469 Wellington Street
PERTH WA

JS Battye Library
Alexander Library Building
NORTHBRIDGE WA

Municipal offices of—

City of Armadale
7 Orchard Avenue
ARMADALE WA

City of Gosnells
2120 Albany Highway
GOSNELLS WA

City of Wanneroo
1204 Wanneroo Road
ASHBY WA

PETER MELBIN, Secretary, Western Australian Planning Commission.

PD402***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF BRIDGETOWN-GREENBUSHES

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 54

Ref: 853/6/5/3 Pt 54

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Bridgetown-Greenbushes Town Planning Scheme Amendment on 15 July 2001 for the purpose of—

1. Adding to clause 3.4 'Development and its Approval' a new sub-clause to read—
 - 3.4.9 Where the Council grants planning approval—
 - (a) the development approval shall be substantially commenced within two years, or such other period as specified in the approval, after the date of determination; and
 - (b) the approval lapses if the development has not substantially commenced before the expiration of that period.
 - 3.4.10 An application may be made to the Council for an extension of the term of planning approval at any time prior to the expiry of the approval period in sub-clause 3.4.9 (a).
2. Rezoning Lot 2 of Town Lot 41 Hampton Street, Bridgetown from 'Parks & Recreation' to 'Commercial'.
3. Amending sub-clause 4.7.2 'Residential Development Zone' to read—
 - 4.7.2 Prior to the approval of any development Council may require a plan of re-subdivision to be prepared, approved and implemented.
4. Rezoning Lot 20 of Town Lot 366 Sutton Close from 'Residential Development' to 'Special Additional Use'.
5. Adding to Schedule 2—Section 1 Special Additional Use Zones, the following—

Location	Permitted Uses and Conditions of Use
Lot 20 of Town Lot 366 Sutton Close Bridgetown	1. Additional Uses Permitted: Telecommunications Infrastructure Public Recreation
6. Adding the following interpretations to Section 1.6—Interpretations of the Scheme Text as follows—
 - (a) Between the interpretations of "Art & Craft Centre" and "Bed and Breakfast" insert the following—
"Aquaculture" shall have the same meaning as given to the term and for the purposes of the *Fish Resources Management Act 1994 (as amended)*;
 - (b) Between the interpretations of "Tavern" and "Transport Depot" insert the following—
"Telecommunications Infrastructure" means any part of infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network;
7. Adding the following use classes to Table 1—Zoning Table—
 - (a) Between the use classes 'Afforestation' and 'Bed and Breakfast' insert 'Aquaculture'. Opposite the use class 'Aquaculture' place the symbol "AA" under the zone 'Rural' and "X" under the zones 'Parks & Recreation', 'Residential', 'Commercial', 'Industrial', 'Rural', 'Special Rural', 'Residential Development', 'Service Industry' and 'Special Residential'.

- (b) Between the use classes 'Tavern' and 'Transport Depot' insert 'Telecommunications Infrastructure'. Opposite the use class 'Telecommunications Infrastructure' place the symbol "AA" under the following zones: 'Parks & Recreation', 'Residential', 'Commercial', 'Industrial', 'Rural', 'Special Rural', 'Residential Development', 'Service Industry' and 'Special Residential'.
8. Removal of 'Radio/TV Installation' from Section 1.6—Interpretations and Table 1—Zoning Table.
 9. Inserting '4.12 Telecommunications Infrastructure' under 'Part IV—General Provisions Relating to Zones' of 'Contents' in numerical order.
 10. Adding the following provisions to 'Part IV—General Provisions Relating to Zones' proceeding 'Section 4.11 Holiday Accommodation'—
 - 4.12 Telecommunications Infrastructure
 - 4.12.1 An application for Council's Planning Consent will be required for the development of all telecommunications infrastructure (overhead cabling, telecommunications towers, radio communication dishes, etc) excluding those listed in the Telecommunications (Low-Impact Facilities) Determination 1997 and subsequent amendments to that determination.
 - 4.12.2 Applications for the development of telecommunications infrastructure shall be accompanied by the plans and information required for applications for Planning Consent under clause 3.4.2 and will be considered in relation to the following—
 - (i) consistency with the objectives and purpose of the zone or reserve;
 - (ii) social and economic benefits of the proposal;
 - (iii) the impact of the proposal upon the landscape, heritage and environmental values of the locality;
 - (iv) co-ordination with other services; and
 - (v) any relevant policy adopted by the Council.
 - 4.12.3 Sub-clauses 4.12.1 and 4.12.2 also relate to applications for telecommunications infrastructure on Crown Land. Such applications must be accompanied by written consent of the Department of Land Administration and the vesting/management authority.

B. KAVANAGH, President.

A. MacNISH, Chief Executive Officer.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF BROOME

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 1

Ref: 853/7/2/4 Pt 1

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Broome Town Planning Scheme Amendment on 26 June 2001 for the purpose of—

1. Modifying the Scheme Maps to rezone—
 - (a) a portion of Part Dampier Location 236 from Public Purposes WS-Water Supply to Special Use Zone-AAU Airport and Aviation Uses; and
 - (b) Part Dampier Location 311 and Part Dampier Location 270, Broome Road from General Rural to Special Use Zone-AAU Airport and Aviation Uses as listed in Schedule 3 and depicted on the Amendment Map.
2. Introducing conditions regarding use and development of the airport in Schedule 3 for the Airport and Aviation Uses as follows—

Schedule 3—Special Use Zones

Amend No.	Description of the Land	Special Use	Conditions
1	Part Dampier Location 236, Part Dampier Location 311, and Part Dampier	Airport and Aviation Uses	1. Permitted uses— <u>1A. Direct Airport and Aviation Uses</u> <ul style="list-style-type: none"> • Runways, taxiways, movement areas, airport navigation aids, airport lighting, associated services, aircraft parking, aprons and aircraft hard standing areas • Air traffic control, rescue and fire fighting services, pilot/meteorological briefing and airport radio/radar support facilities

Amend No.	Description of the Land	Special Use	Conditions		
	Location 270, Broome Road.		<ul style="list-style-type: none"> • Airport passenger terminal, including aerobridges, arrival/departure/transit passenger processing facilities, baggage handling/storage areas, secure areas, airline lounges, airport/airline administration and staff amenities and office accommodation, interview rooms and staff amenities for State/Commonwealth regulatory agencies • Aircraft maintenance facilities, aircraft refuelling/storage facilities • General aviation terminal for use by itinerant light aircraft not associated with main passenger terminal • Aircraft hangars and offices and associated apron/parking areas • Flight training facilities and dedicated on-airport student accommodation • Flight catering facilities • Air freight and cold storage facilities • Airline support facilities, including ramp handling storage and maintenance • Customs, Immigration, Quarantine building(s) including under-bond storage and animal housing facilities • Airport plant and equipment buildings and facilities • Standby power generation plant and associated workshops • Airport sewerage disposal/treatment plant • Airport maintenance, mechanical workshops, storage and vehicle parking areas • Airport management and maintenance, residential accommodation <p><u>1 B. Indirect Airport and Aviation Uses.</u></p> <ul style="list-style-type: none"> • Access roads, footpaths and parking areas for use by the General Public • Terminal kerbside set down and pick-up areas • Taxi, coach and limousine parking and holding areas • Public short and long term car parks • Car rental support facilities • Valet support facilities and associated parking and storage areas • Airport administration and associated parking • Airline, tenant and concessionaire staff parking • Airport service station • Airport advertising and signage <p><u>1C. Other uses, permitted only when within the airport terminal or integrated with the terminal complex.</u></p> <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Food and Beverage* • Newsagency and/or gift shop • Arts and crafts • Duty free • Terminal advertising • Medical rooms and chemist • Automatic tellers and Currency Exchange </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Public telephones • Tourism reception • Accommodation booking • Internet facilities • Airport business centre • Car rental counters • Baggage trolleys </td> </tr> </table> <ul style="list-style-type: none"> • Amusement/vending machines <p>*Food and Beverage uses shall be subject to Council Environmental Health Regulations and Approvals</p> <p><u>2. Site and Development Requirements—</u></p> <p>Notwithstanding Clause 8.2 of the Scheme, planning approval will not be required for any use listed in 1A and 1B above. This exemption will also apply to those uses listed in 1C when located within the development area designating the Airport Terminal area in a Structure Plan for the zone agreed by Council. Notwithstanding the above, with regard to development standards, which include the landscaping, layout, design, scale and location of airport buildings and other airport facilities, building setbacks, car parking areas, service areas, access ways and any other aspect of development in the zone, all uses listed in 1A, 1B, and 1C will generally comply with the intentions and provisions of the Scheme. The development of uses in 1A, 1B, and 1C shall comply with the control or guidance of any</p>	<ul style="list-style-type: none"> • Food and Beverage* • Newsagency and/or gift shop • Arts and crafts • Duty free • Terminal advertising • Medical rooms and chemist • Automatic tellers and Currency Exchange 	<ul style="list-style-type: none"> • Public telephones • Tourism reception • Accommodation booking • Internet facilities • Airport business centre • Car rental counters • Baggage trolleys
<ul style="list-style-type: none"> • Food and Beverage* • Newsagency and/or gift shop • Arts and crafts • Duty free • Terminal advertising • Medical rooms and chemist • Automatic tellers and Currency Exchange 	<ul style="list-style-type: none"> • Public telephones • Tourism reception • Accommodation booking • Internet facilities • Airport business centre • Car rental counters • Baggage trolleys 				

Amend No.	Description of the Land	Special Use	Conditions
			<p>relevant International or Commonwealth government statutes regulations, or standards and be subject to the approval, accreditation and/or recommendations of relevant International or Commonwealth government agencies.</p> <p>Any development of a use listed in 1C, which is outside the agreed area of the Airport Terminal requires planning approval and must comply with site and development standards applied to the proposed use elsewhere in the Scheme unless otherwise approved by Council.</p> <p>3. Where Condition 2 applies development in the zone shall comply with the Building Code of Australia.</p> <p>4. Where Condition 2 applies the airport owner shall upon completion of any development provide to the Council a copy of the Civil Aviation Safety Authority license to operate at the new airport, or copies of all other relevant licenses, certificates, clearances, audits, recommendations and/or any other accreditation demonstrating that the development has occurred in accordance with the appropriate requirements, standards and/or recommendations and, where a structure is involved, an engineering certificate from a Certified Professional Engineer.</p> <p>5. When considering development applications on land adjoining the Special Use zone or on land beneath the defined Obstacle Limitation Surface, the Council shall not determine the application without first seeking and receiving confirmation from the airport operator that approval of the proposed development will not adversely affect the airport's physical or operational integrity under any circumstances at any time in the future.</p> <p>6. When assessing a proposal for any use not listed in Condition 1 in the scheme the Council may at its discretion permit a use in the zone in accordance with Section 4.3 of the Scheme provided Council is satisfied that—</p> <ul style="list-style-type: none"> • such uses are in existence at airports within Australia or overseas • there is a demand for such services to be provided. • it will not compromise the physical and operational integrity of the site; and • any other matters Council may consider relevant.
			<p>3. Add the following definitions in alphabetical order to Schedule 1—Definitions—</p> <p>“<u>Airport and Aviation Uses</u> means a licensed International/domestic airport for the arrival and departure of aircraft, the processing of air freight and passengers travelling by air, the use of the airport facilities by the general public and the development of direct and indirect aviation facilities and infrastructure.”</p> <p>“<u>obstacle limitation surface</u> means a horizontally and vertically defined airspace boundary in the vicinity of an airport that has been specified and/or endorsed by the airport operator as representing the maximum desirable height above Australian Height Datum of any building, antenna, other structure or natural feature on land directly underneath the surface.”</p> <p>4. Adding to the Legend on the Scheme Maps under “Special Use Zone” the following—</p> <p>AAU—Aviation and Airport Uses</p> <p>5. Add a new clause, 6.1.8—</p> <p>“6.1.8 New Broome International Airport—Broome Road</p> <p>61.8.1 <u>Objective</u></p> <p>To control development within the Obstacle Limitation Surface to ensure the safety of airport operations and the ability to operate to its potential.</p> <p>6.1.8.2 All new land use, development and structures including towers and antennae, any alterations to roof lines and any increase in the height of a building or structure within the Obstacle Limitation Surface depicted on the Obstacle Limitation Surface Plan and shown on the Scheme Map as Obstacle Limitation Surface shall be subject to the following—</p> <p>(a) Notwithstanding any other provisions of this Scheme, when considering development applications on land adjoining the Broome International Airport Special Use zone or on land beneath the defined Obstacle limitation Surface, the Council shall not determine the application without first seeking and receiving confirmation from the airport operator that approval of the proposed development will not adversely affect the airport's physical or operational integrity under any circumstances at any time in the future.</p> <p>(b) Notwithstanding any other provisions of this Scheme, the Council shall not grant consent to any development unless it is satisfied, that such development will not constitute an obstruction, hazard or potential hazard to aircraft flying in the vicinity and may consult with and consider the advice of the Civil Aviation Safety Authority in making such determination.</p>

- (c) Development will not be permitted unless the proposed height of the development has been considered and approved by the Civil Aviation Safety Authority and any other relevant authority controlling airport operations.
 - (d) Illuminated signs, pylon signs above a roof line, flashing lights on buildings or land within the approach areas to the airport which are situated within, or adjacent to the Obstacle Limitation Surface, will not be permitted unless the proposed signs and lights have been considered and approved by the Civil Aviation Safety Authority and any other relevant authority controlling airport operations.
6. Add to Clause 8.2 the following sub-clause—
- “(e) any development in the Special Use Zone—Airport and Aviation Uses that is listed in Condition No. 1, as described within Schedule 3”

K. FONG, President.
G. S. POWELL, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF DARDANUP

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 113

Ref: 853/6/9/6 Pt 113

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Dardanup Town Planning Scheme Amendment on 12 July 2001 for the purpose of—

1. Inserting Part VIII “Local Planning Policy Framework” and the following clauses into the Scheme Text—

8.1 Local Planning Policies

The Local Government may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area so as to apply—

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the Scheme area in or one or more parts of the Scheme area, and may amend or add to or rescind the Policy.

8.2 Relationship of Local Planning Policies to Scheme

8.2.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

8.2.2 A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the policy is designed to achieve before making its determination.

8.3 Procedure for Making or Amending a Local Planning Policy

8.3.1 If a local government resolves to prepare a Local Planning Policy, the local government—

- (a) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of—
 - (i) where the draft Policy may be inspected;
 - (ii) the subject and nature of the draft Policy; and
 - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- (b) may publish a notice of the proposed Policy in such a manner and carry out such other consultation as the local government considers appropriate.

8.3.2 After expiry of the period within which submissions may be made, the local government is to—

- (a) review the proposed Policy in the light of any submissions made; and
- (b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

8.3.3 If the local government resolves to adopt the Policy, the local government is to—

- (a) publish notice of the Policy once in a newspaper circulating in the Scheme area; and
- (b) if, in the opinion of the local government, the Policy affects the interests of the Commission, forward a copy of the Policy to the Commission.

8.3.4 A Policy has effect on publication of a notice under clause 8.3.3(a).

8.3.5 A copy of each Local Planning Policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the local government.

8.3.6 Clauses 8.3.1 to 8.3.5, with any necessary changes, apply to the amendment of a Local Planning Policy.

8.4 Revocation of Local Planning Policy

A Local Planning Policy may be revoked by—

- (a) the adoption by a local government of a new Policy under clause 8.3 is expressed to supersede the existing Local Planning Policy; or
- (b) publication of a notice of revocation by the local government once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area.”

2. Replacing section 7.6 “Relaxation of Provisions” (including clauses 7.6.1 and 7.6.2) and replacing with “Variations to Site and Development Standards and Requirements” and the following clauses—

“7.6.1 Except for development in respect of which the Residential Planning Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

7.6.2 In considering an application for planning approval under this clause, where in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to—

- (a) give written notice of the variation in a form approved by the Council to the owners of all lots adjoining the subject land and any other person who, in the opinion of Council would be adversely affected for a period of not less than 14 days from the day the notice is served or published; and
- (b) have regard to any expressed views prior to making its determination to grant the variation.

7.6.3 The power conferred by this clause may only be exercised if the local government is satisfied that—

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 7.2.4; and
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.”

3. Inserting the following clauses into the Scheme Text—

7.10 Unauthorised Existing Developments

7.10.1 The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.

7.10.2 Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.

8.2 Permitted Development

Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require planning approval of the local government—

- (a) a home office.

4. Modifying clause 4.9.1 of the Scheme text by inserting the following words between “permitted by the scheme,” and “is hereby extinguished”—

“or is at variance to any Council approval or development standard within the Scheme,”

5. Inserting in alphabetical order the following definitions into Section 1.8.1 “Interpretation” of the Scheme Text—

“Home Office” means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not—

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling.

“Industry - Cottage” means a trade or light industry producing or displaying either pottery, clothing, glass blowing, small scale foodstuffs, wood crafts or art from local crafts people and artists and which—

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in the Residential zone, does not employ any person not a member of the occupier’s household;

(c) consists of a workshop or studio which may incorporate a sales component whereby goods sold are largely locally produced; and

(d) does not occupy an area in excess of 50 square metres.

“Industry - Rural” means—

(a) an industry handling, treating, processing or packing rural products; or

(b) a workshop servicing plant or equipment used for rural purposes.

“Museum” means any land or buildings used to exhibit cultural or historical artefacts.

“Restaurant” means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988;

6. Modifying Appendix I—Zoning Table of the Scheme Text by—

(a) Including the use 4.23 “Industry – Cottage” as an “AP” use within the Residential and Small Holding zones; a “PS” use within the General Farming zone and a “P” use within the Light Industry zone.

(b) Replacing the use class 8.6 “Rural Industry” with “Industry—Rural”; and delete the definition of “Rural industry” in section 1.8.1.

(c) Including the use class 6.8 “Museum” as a “PS” use in the Commercial, Showroom/Warehouse, Commercial A, General Farming and Tourist Uses zones and an “AP” use within the Small Holding zone.

(d) Replacing the use class 2.4 “Licensed Restaurant” with “Restaurant” and include the use as an “AP” use in the General Farming and Small Holding zones in addition to the other zones already listed within.

(e) Replacing the letter “P” in the General Farming zone column with the letters “AP” against the use class 8.12 “Dog Kennels—more than two dogs”.

7. Adding to Section 3.14.1 of the Scheme Text the following—

“(s) Council may permit an amendment to the position or size of a building envelope if it is shown to the satisfaction of Council at the time of application for planning approval that a proposed relocation is desirable or necessary and having regard to the criteria set out in clause 7.6.2. and shall not exceed 10% of any lot area.”

M. T. BENNETT, President.

M. L. CHESTER, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF GERALDTON

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 6

Ref: 853/3/2/7 Pt 6

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Geraldton Town Planning Scheme Amendment on 12 July 2001 for the purpose of—

1. Rezoning Pt Lot 6 Allen Street, Wonthella from “Development” to “Industry—Service”.
2. Rezoning Lot 160 Allen Street, Wonthella from “Development” to “Industry—Service” and applying a “Builders Storage Yard” Additional Use.
3. Adding the following to Schedule 2 of the Scheme Text—

ADDITIONAL USES

SITE

USES

Lot 160 Allen Street

Builders Storage Yard

4. Amending the Scheme Maps accordingly.

P. G. COOPER, Mayor.

R. JEFFRIES, Chief Executive Officer.

PREMIER AND CABINET

PR401**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 cancelled the temporary appointment of Hon S. McHale MLA as Minister for Health during the period 7 to 15 July 2001 (both dates inclusive)

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

RACING, GAMING AND LIQUOR

RA401**LIQUOR LICENSING ACT 1988****SUMMARY OF LIQUOR LICENSING APPLICATIONS**

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
8373	Applex Enterprises Pty Ltd & Inklo Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Applecross and known as Apple X Cafe/Restaurant	8/8/2001
8398	Minora Investments Pty Ltd	Application for that grant of a Special Facility licence in respect of premises situated in Rockingham and known as Leisure Inn Rockingham	13/8/2001
8410	Colin Ernest Ashby and Christine Mary Ashby	Application for the grant of a Producer—Wine licence in respect of premises situated in Karnup and known as Amarillo Vines	15/8/2001
8412	Eagle Vale Estate Pty Ltd	Application for the grant of a Producer—Wine licence in respect of premises situated in Witchcliffe and known as Eagle Vale Estate Pty Ltd	19/8/2001
8413	Pent Pty Ltd	Application for the grant of a Special Facility licence in respect of premises situated in Leederville and known as The Cosmopolitan	12/8/2001
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
8582	Seascape Holdings Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Subiaco and known as Black Tom's Bar & Grill	31/7/2001
8622	Hadios Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Beechboro and known as Beeches Tavern	31/7/2001

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

HUGH HIGHMAN, Director of Liquor Licensing.

TRANSPORT

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS
2001 AVON DESCENT MEDIA LAUNCH
GARVEY PARK
SWAN RIVER

Department of Transport,
 Fremantle WA, 20 July 2001.

ACTING pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub-paragraph d(1)(iii) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River. Provided that this revocation will apply only to official bona fide competitors at the Coates Hire Avon Descent Media Launch and other bona fide vessels associated with the event, in an area of the Swan River extending from the Disabled Persons Ramp at Garvey Park to 200 metres downstream of Ron Courtney Island between the hours of 0630 and 0900 on Thursday 2 August 2001 and will not apply to normal traffic.

After 0900 hours on Thursday 2 August 2001 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991.

GARY HODGE, Acting Director General of Transport.

TR402*

NAVIGABLE WATERS REGULATIONS
WATER SKI AREAS
BAREFOOT WATER SKIING
BARKERS BRIDGE

Department of Transport,
 Fremantle WA, 20 July 2001.

ACTING pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport, by this notice defines and sets aside all that portion of the Swan River commencing at a point 175 metres upstream of Barkers Bridge and extending for 750 metres upstream, for the purpose of barefoot water skiing, providing that this area is confined to members of the Australian Barefoot Water Ski Club (Western Australian Division (Inc)) and will only apply between the hours of 0800 and 1800 hours on the dates listed hereunder—

Saturday	6th	October	2001.
Saturday	17th	November	2001.
Saturday	1st	December	2001.
Saturday	15th	December	2001.
Saturday	12th	January	2002.
Saturday	2nd	February	2002.
Saturday	23rd	February	2002.
Saturday	9th	March	2002.
Sunday	10th	March	2002.
Saturday	20th	April	2002.
Saturday	4th	May	2002.

GARY HODGE, Acting Director General of Transport.

TR403

SHIPPING AND PILOTAGE ACT 1967

OFFICE OF THE MINISTER FOR PLANNING AND INFRASTRUCTURE

It is hereby notified for general information that His Excellency the Governor, in Executive Council has approved in accordance with Section 4 of the Shipping and Pilotage Act 1967—

- the appointment of Noel Samuel Westcot Dyson as a Pilot at the Port of Onslow limited to the pilotage of vessels to and from the Onslow Solar Salt facility.

These appointments are in accordance with the Shipping and Pilotage Act 1967.

A. MacTIERNAN, Minister for Planning and Infrastructure.

PUBLIC NOTICES

ZZ101**TRUSTEES ACT 1962***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 20th August 2001 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Brady, Evelyn Alma, Late of 2/11 Galion Way, Spearwood, died 11/6/2001, (DEC33343500DP4)

Buckland, Edward John, Late of 2 Adelphi Street, Bayswater, died 4/7/2001, (DEC33351400DC4)

Campbell, Gertrude Grace Margaret, Late of Rowethorpe Nursing Home, Hillview Terrace, Bentley, died 4/7/2001 (DEC33357500DL4)

Cumming, Gordon Alfred, Late of 19 Brie Crescent, Kalamunda, died 14/6/2001, (DEC33336800DA2)

Eyton, George Edwin, Late of 34B Scouler Way, Bateman, died 27/6/2001, (DEC33355600DP4)

Farmer, Olive Margaret, Late of Lakeside Nursing Home, 68 Lyall Street, Redcliffe, formerly of 26 Pomfret Road, Spearwood, died 13/4/1995, (DEC33213000DS2)

Gordon, Lindsay Bruce, Late of Valencia Nursing Home, 24 Valencia Road, Carmel, died 21/5/2001, (DEC33285300DG4)

Jones, Margaret Dawson, Late of 2 Cygnet Place, Lynwood, died 25/5/2001, (DEC33297000DC3)

Jorgensen, Vivian Hope, Late of 142 Safety Bay Road, Shoalwater, died 7/7/2001, (DEC33354500DS2)

Laffer, Mary Joyce, Late of 3/53 Second Avenue, Shoalwater, died 1/7/2001, (DEC33344100DA3)

Leslie, Adelaide Esther Florence, Late of 23 Hartfield Road, Forrestfield, formerly of 12 Wood Street, Inglewood, died 22/6/2001, (DEC33343100DL3)

Limbourne, Thomas William, Late of 34 Adina Way, Rockingham, died 14/6/2001, (DEC33352600DL4)

Mann, Harry, Late of Moora Frail Aged Lodge, Dandaragan Street, Moora, died 13/6/2001, (DEC33349000DP2)

Olsen, Madge, Late of 7B Ruse Court, Padbury, died 1/7/2001, (DEC33348200DS3)

Woods, Francis Joseph, Late of Kingsley Lodge, 190 Twickenham Road, Kingsley, died 3/6/2001, (DEC33342100DL4)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office, 565 Hay Street,
Perth WA 6000.
Telephone: 222 6777

ZZ201**TRUSTEES ACT 1962***Notice to Creditors and Claimants*

Maria Borowiak, late of 11/10 James Street, Bassendean in the State of Western Australia, Cleaner, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estate of the deceased who died on 5 April 2001, are required by the Executrix Gwendoline Ellen Fenech care of her solicitors Brian Smith & Stewart of 26 Helena Street, Midland in the said State to send particulars of their claims to them by no later than 21 August 2001 after which date the Executrix may convey or distribute the assets having regard only to the claims of which she then has notice.

ZZ401**PARTNERSHIP ACT 1895**

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership between Tijuana Holdings Pty Ltd ACN 066 787 246 and Leodolf Pty Ltd ACN 088 365 128 trading as Home Tone is dissolved as at 22 June 2001.

It is hereby notified that from 22 June 2001, Leodolf Pty Ltd will no longer accept responsibility for any debts incurred by, for or on behalf of the partnership business trading as Home Tone.

ROBYN OLSEN, Sole Director/Secretary
Leodolf Pty Ltd.

ZZ402*

TRAVEL COMPENSATION FUND

SERVICE OF NOTICES

TRUST DEED Cl. 26

A notice to the Travel Compensation Fund is duly given if it is—

- (a) delivered or sent by prepaid post to the Fund's postal address at 4th Floor, 303 Pitt Street, Sydney New South Wales 2000;
- (b) sent by facsimile to the Fund's facsimile address at 02—92672100; or
- (c) transmitted by e-mail to the Fund's e-mail address at *mail@tcf.org.au*

A notice that is delivered or sent by prepaid post to the Fund's postal address is taken to have been delivered to the Fund on the third day following the day on which it was posted.

A notice sent to the Fund's facsimile address is taken to have been delivered to the Fund on the next business day after it was sent.

A notice transmitted by e-mail is taken to have been delivered to the Fund on the next business day after transmission.

CARLO C. BRATTONI, Chief Executive Officer.
Travel Compensation Fund.

17 July 2001

Order your Bound Volumes of Government Gazette 2001

An attractively presented set of 4 Bound Volumes
of Government Gazette

For Government Departments and private firms who presently arrange binding for their copies of Government Gazettes, the State Law Publisher is now offering a subscription covering 4 Quarterly Volumes at a cost of \$983.40.

The Gazettes will be bound in black cloth with gold foil lettering on the spine and personalised by the addition of the client's name in gold lettering on the front cover.

PLEASE NOTE

On the rare occasion where extra gazettes are published in one quarter, a fifth volume may be required. In this instance the extra cost involved will be borne by the State Law Publisher and not passed on to clients.

For further information please contact:

State Law Publisher

Telephone: 9321 7688

CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER																																																																									
SUBSCRIPTION CHARGES 2002																																																																									
<p>All subscriptions are for the period from 1 January to 31 December 2002. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include postage by surface mail unless stated otherwise.</p>																																																																									
<p style="text-align: center;">GOVERNMENT GAZETTE</p> <p>General <i>Government Gazettes</i> are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.</p> <p>Special <i>Government Gazettes</i> are published periodically.</p> <p>All Gazettes \$</p> <table style="width: 100%;"> <tr> <td>Within WA</td> <td style="text-align: right;">750.20</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">777.70</td> </tr> <tr> <td>Overseas (airmail)</td> <td style="text-align: right;">1,168.20</td> </tr> <tr> <td>Bound Volumes of full year</td> <td style="text-align: right;">1,013.10</td> </tr> </table> <p>Electronic Gazette Online (includes all Gazettes from Jan 1998)</p> <table style="width: 100%;"> <tr> <td>Existing hard copy subscriber</td> <td style="text-align: right;">173.80</td> </tr> <tr> <td>Electronic Subscription only</td> <td style="text-align: right;">578.60</td> </tr> <tr> <td><i>Gazettes on CD ROM from 1998</i> (per year).....</td> <td style="text-align: right;">694.10</td> </tr> </table> <hr/> <p style="text-align: center;">INDUSTRIAL GAZETTE</p> <p>Industrial Gazette is published monthly.</p> <table style="width: 100%;"> <tr> <td>Within WA</td> <td style="text-align: right;">301.40</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">359.70</td> </tr> <tr> <td>Overseas (airmail)</td> <td style="text-align: right;">502.70</td> </tr> <tr> <td><i>Gazettes on CD ROM from 1998</i> (per year).....</td> <td style="text-align: right;">300.30</td> </tr> </table> <hr/> <p style="text-align: center;">HANSARD</p> <p>Hansard is printed and distributed weekly during parliamentary sessions.</p> <table style="width: 100%;"> <tr> <td>Within WA</td> <td style="text-align: right;">480.70</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">594.00</td> </tr> <tr> <td>Overseas (airmail)</td> <td style="text-align: right;">643.50</td> </tr> <tr> <td>Bound Volumes of Hansard</td> <td></td> </tr> <tr> <td>Within WA</td> <td style="text-align: right;">580.80</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">618.20</td> </tr> <tr> <td><i>Hansards on CD ROM from 1999</i> (per year)</td> <td style="text-align: right;">578.60</td> </tr> </table>	Within WA	750.20	Interstate	777.70	Overseas (airmail)	1,168.20	Bound Volumes of full year	1,013.10	Existing hard copy subscriber	173.80	Electronic Subscription only	578.60	<i>Gazettes on CD ROM from 1998</i> (per year).....	694.10	Within WA	301.40	Interstate	359.70	Overseas (airmail)	502.70	<i>Gazettes on CD ROM from 1998</i> (per year).....	300.30	Within WA	480.70	Interstate	594.00	Overseas (airmail)	643.50	Bound Volumes of Hansard		Within WA	580.80	Interstate	618.20	<i>Hansards on CD ROM from 1999</i> (per year)	578.60	<p style="text-align: center;">STATUTES</p> <p>Bound Statutes Bound volumes are posted during March of the following year.</p> <table style="width: 100%;"> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Within WA.....</td> <td style="text-align: right;">258.50</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">286.00</td> </tr> <tr> <td>Overseas</td> <td style="text-align: right;">291.50</td> </tr> <tr> <td>Half Calf Bound Statutes</td> <td style="text-align: right;">710.60</td> </tr> <tr> <td><i>Bound Volumes on CD ROM from 1998</i> (per year)</td> <td style="text-align: right;">257.40</td> </tr> </table> <p>Loose Statutes Statutes are posted weekly as they become available.</p> <table style="width: 100%;"> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Within WA.....</td> <td style="text-align: right;">276.10</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">286.00</td> </tr> <tr> <td>Overseas (airmail)</td> <td style="text-align: right;">409.20</td> </tr> </table> <p>Sessional Bills Bills are posted weekly as they become available.</p> <table style="width: 100%;"> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Within WA</td> <td style="text-align: right;">380.60</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">398.20</td> </tr> <tr> <td>Overseas (airmail)</td> <td style="text-align: right;">595.10</td> </tr> </table> <p>Electronic Statutes Online Includes all Acts, Regulations, Bills, Acts by year, Index to Statutes, Hansard, etc</p> <table style="width: 100%;"> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>1st user</td> <td style="text-align: right;">679.80</td> </tr> <tr> <td>2nd and each additional user (each)</td> <td style="text-align: right;">339.90</td> </tr> <tr> <td>More than 10 users (each).....</td> <td style="text-align: right;">170.50</td> </tr> </table> <hr/> <p>Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.</p>		\$	Within WA.....	258.50	Interstate	286.00	Overseas	291.50	Half Calf Bound Statutes	710.60	<i>Bound Volumes on CD ROM from 1998</i> (per year)	257.40		\$	Within WA.....	276.10	Interstate	286.00	Overseas (airmail)	409.20		\$	Within WA	380.60	Interstate	398.20	Overseas (airmail)	595.10		\$	1st user	679.80	2nd and each additional user (each)	339.90	More than 10 users (each).....	170.50
Within WA	750.20																																																																								
Interstate	777.70																																																																								
Overseas (airmail)	1,168.20																																																																								
Bound Volumes of full year	1,013.10																																																																								
Existing hard copy subscriber	173.80																																																																								
Electronic Subscription only	578.60																																																																								
<i>Gazettes on CD ROM from 1998</i> (per year).....	694.10																																																																								
Within WA	301.40																																																																								
Interstate	359.70																																																																								
Overseas (airmail)	502.70																																																																								
<i>Gazettes on CD ROM from 1998</i> (per year).....	300.30																																																																								
Within WA	480.70																																																																								
Interstate	594.00																																																																								
Overseas (airmail)	643.50																																																																								
Bound Volumes of Hansard																																																																									
Within WA	580.80																																																																								
Interstate	618.20																																																																								
<i>Hansards on CD ROM from 1999</i> (per year)	578.60																																																																								
	\$																																																																								
Within WA.....	258.50																																																																								
Interstate	286.00																																																																								
Overseas	291.50																																																																								
Half Calf Bound Statutes	710.60																																																																								
<i>Bound Volumes on CD ROM from 1998</i> (per year)	257.40																																																																								
	\$																																																																								
Within WA.....	276.10																																																																								
Interstate	286.00																																																																								
Overseas (airmail)	409.20																																																																								
	\$																																																																								
Within WA	380.60																																																																								
Interstate	398.20																																																																								
Overseas (airmail)	595.10																																																																								
	\$																																																																								
1st user	679.80																																																																								
2nd and each additional user (each)	339.90																																																																								
More than 10 users (each).....	170.50																																																																								

