

WESTERN AUSTRALIAN GOVERNMENT Gazette

5923



PERTH, FRIDAY, 9 NOVEMBER 2001 No. 223

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

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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 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Petroleum Products Pricing Act 1983

Petroleum Products Pricing Amendment Regulations (No. 3) 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Petroleum Products Pricing Amendment Regulations (No. 3) 2001*.

2. The regulations amended

The amendments in these regulations are to the *Petroleum Products Pricing Regulations 2000**.

[* *Published in Gazette 29 December 2000, p. 7981-5.*
For amendments to 10 October 2001 see Gazette 11 July and 23 August 2001.]

3. Part 3 inserted

After regulation 10 the following Part is inserted —

“

Part 3 — Infringement notices and modified penalties

11. Prescribed offences (s 31B)

The offences specified in Schedule 2 are the offences for which an infringement notice may be given under section 31B of the Act.

12. Prescribed modified penalties (s 31C)

The modified penalty specified opposite an offence in Schedule 2 is the modified penalty for that offence for the purposes of section 31C(2) of the Act.

13. Prescribed form of infringement notice (s 31C)

The form of an infringement notice is set out in Schedule 3 Form 1 for the purposes of section 31C(1) of the Act.

14. Prescribed form of withdrawal of notice (s 31E)

The form of a notice to withdraw an infringement notice is set out in Schedule 3 Form 2 for the purposes of section 31E(1) of the Act.

”

4. Schedules 2 and 3 inserted

After Schedule 1 the following Schedules are inserted —

“

Schedule 2 — Prescribed offences and modified penalties

[r. 11, 12]

	Prescribed offence	Modified Penalty	
		For a corporation	For an individual
<i>Petroleum Products Pricing Act 1983</i>			
1.	Section 11(1): failing to notify Commissioner of proposed increase in price or rate of declared petroleum products or service	\$2 000	\$800
2.	Section 14(1): selling or supplying controlled petroleum products or service above maximum price or rate	\$2 000	\$800
3.	Section 14(2): selling or supplying controlled goods or service on different terms than before maximum price or rate order	\$2 000	\$800
4.	Section 17: selling or supplying controlled petroleum products or service without separately specifying price or rate	\$2 000	\$800
5.	Section 21: selling or supplying controlled petroleum products or service subject to purchase condition	\$2 000	\$800
6.	Section 22B(1): failing to display at declared terminal wholesale price of motor fuel	\$2 000	\$800
7.	Section 22B(3): failing to notify Commissioner of change to wholesale price at declared terminal	\$2 000	\$800
8.	Section 22C(1): failing to display at declared terminal weighted average price of motor fuel	\$2 000	\$800
9.	Section 22D: failing to display maximum price of motor fuel fixed by order	\$2 000	\$800

	Prescribed offence	Modified Penalty	
		For a corporation	For an individual
10.	Section 22E(1): failing to show in invoice displayed and maximum prices	\$2 000	\$800
11.	Section 22E(2): failing to show in invoice displayed and maximum prices and details of any difference in prices	\$2 000	\$800
12.	Section 22E(4): failing to give Commissioner details of any difference in prices	\$2 000	\$800
13.	Section 22F(2): failing to include required details in invoice for sale of motor fuel	\$2 000	\$800
14.	Section 27(5)(a): failing or refusing to comply with requirements of notice (inquiry or investigation)	\$2 000	\$800
15.	Section 27A(5)(a): failing or refusing to comply with requirements of notice	\$2 000	\$800
<i>Petroleum Products Pricing Regulations 2000</i>			
16.	Regulation 3(1): offering motor fuel for sale at other than standard retail price notified to Commissioner	\$400	\$200
17.	Regulation 6(1): offering motor fuel for sale without having required price display	\$400	\$200

Schedule 3 — Forms

[r. 13, 14]

Form 1

Petroleum Products Pricing Act 1983

Infringement notice

Serial No

Date/...../.....

To: ⁽¹⁾

of: ⁽²⁾

It is alleged that on/...../..... at ⁽³⁾

at ⁽⁴⁾

you committed the following offence —

.....
.....
.....

contrary to section/regulation* ⁽⁵⁾ of the *Petroleum Products Pricing Act 1983/Petroleum Products Pricing Regulations 2000**.

* Delete as appropriate.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of money specified in this notice as the modified penalty may be paid within a period of 28 days after the giving of this notice. Payment may be made by either —

- (a) posting this form with a cheque, money order or postal note for the specified amount of money, payable to the Prices Commissioner, to the Department of Consumer and Employment Protection, Locked Bag 14, Cloisters Square, Perth WA 6850; or
- (b) presenting this form and paying the specified amount to an authorised person ⁽⁶⁾ at the Department of Consumer and Employment Protection, Ground Floor, 219 St George's Terrace, Perth WA 6000.

Name and title of authorised person giving this notice

Signature

- (1) Name of alleged offender
- (2) Address of alleged offender
- (3) Time at which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Section or regulation designation
- (6) Description of authorised persons

Form 2

Petroleum Products Pricing Act 1983

Withdrawal of infringement notice

Serial No

Date/...../.....

To: ⁽¹⁾

of: ⁽²⁾

Infringement notice No. dated/...../..... for the alleged offence of.....

.....
.....

has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed.
- * has not been paid and should not be paid.
- * Delete as appropriate

Name and title of authorised person giving this notice

Signature

(1) Name of alleged offender given the infringement notice

(2) Address of alleged offender

”

By Command of the Lieutenant-Governor and deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

SHIRE OF ESPERANCE

STANDING ORDERS LOCAL LAW

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Esperance resolved on 25th September 2001 to make the following local law.

The Shire of Augusta-Margaret River Standing Orders Local Law as published in the *Government Gazette* of 2 April 2001, is adopted as a local law of the Shire of Esperance, with such alterations as are here set out:

1. Preliminary

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the “Shire of Augusta-Margaret River” is mentioned in the local law substitute “Shire of Esperance”.

2. Clause 1.4—Repeal

The Standing Orders of the Shire of Esperance published in the *Government Gazette* on the 1st December 1997 are repealed.

3. Clause 2.1—Calling of Meetings

Immediately after subclause (c) insert the paragraph—

“(d) by the CEO if the above is for any reason impractical.”

4. Clause 3.2—Order of Business

4.1 In subclause (2) after “shown” insert “as nearly as practicable”.

4.2 In subclause (2) delete subclause designations (a) to (p) and insert—

- “(a) Official opening
- (b) Apologies and notification of granted leave of absence
- (c) Applications for leave of absence
- (d) Announcements by the person presiding without discussion
- (e) Declaration of members interests
- (f) Public Question Time
- (g) Public addresses/ Deputations
- (h) Petitions
- (i) Confirmation of minutes
- (j) Delegates reports without discussion
- (k) Reports
- (l) Motions of which notice has been given
- (m) Members questions with or without notice
- (n) Urgent business approved by decision
- (o) Matters behind closed doors
- (p) Public Question Time
- (q) Closure.”

5 Clause 3.4—Public Addresses

5.1 In subclause (2) , after “meeting” delete “.” and insert “applicable to the same issue.”

5.2 Delete subclause (3) and renumber subclauses (4) and (5) to (3) and (4) respectively.

6. Clause 3.5—Deputations

In subclause (2) after “.” delete the words “Presiding members are to limit to three (3) the number of deputations to be received at any one committee meeting.”

7. Clause 8.2—Members to Occupy Own Seats

7.1 In subclause (1) after “allot” insert “by a ballot process”.

7.2 Delete subclause (2) and renumber subclauses (3) and (4) to (2) and (3) respectively.

Dated this 25th day of September 2001.

The Common Seal of the Shire of Esperance was affixed in the presence of—

J. M. STARCEVICH, President.
M. S. L. ARCHER, CEO.

LG302*

LOCAL GOVERNMENT ACT 1995*SHIRE OF ESPERANCE***LOCAL GOVERNMENT PROPERTY LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Esperance resolved on 23rd October 2001 to make the following local law.

The Shire of Exmouth Local Government Property Local Law as published in the *Government Gazette* of 10 July 2000, is adopted as a local law of the Shire of Esperance, with the modifications which follow:

1. Preliminary

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the “Shire of Exmouth” is mentioned in the local law substitute “Shire of Esperance”.

1.3 In clause 1.2 delete the definition of “pool area” and substitute—

“**pool area**” means the swimming pool in the Esperance Recreation Centre erected on Reserve 29727 Corner of Black and Padbury Streets, Esperance, and includes the concourse surrounds, walls enclosing same and observation room;”.

2. Clause 1.4—Application

In clause 1.4(1) delete all words and brackets after “seawards from” and substitute “its southern district boundary which is bounded by the shore of the Southern Ocean”.

3. Clause 1.5—Repeal

Delete clause 1.5(1) and substitute—

“1.5(1) The following local laws are repealed—

Relating to—

- Speed of Vehicles on Shire Land, published in the *Government Gazette* of 17 December 1969;
- Safety, Decency, Convenience and Comfort of persons in respect of Bathing, published in the *Government Gazette* of 22 May 1972;
- Aerodromes, published in the *Government Gazette* of 22 August 1975, as amended in the *Government Gazette* of 25 January 1985;
- Management and Control of the Esperance Recreation Centre, published in the *Government Gazette* of 4 September 1981, as amended by publication in the *Government Gazette* of 26 October 1984; and

- Parks, Reserves and Foreshores, published in the *Government Gazette* of 13 September 1985.

4. Clause 3.13—Activities needing a permit

4.1 In subclause (1)—

- (a) In paragraph (g) subparagraph (ii) delete “stand” and substitute “stop”;
- (b) In paragraph “(n)”, after “;” delete “or”;
- (c) In paragraph “(o)” delete “.” and substitute “;”; and
- (d) Insert the paragraph—
 - “(p) conduct or take part in any gambling game or contest, or bet, or offer to bet, publicly.”

5. Part 5—Matters Relating to Particular Local Government Property

5.1 Renumber clauses 5.2 to 5.7 inclusive to 5.3 to 5.8 respectively.

5.2 Immediately after clause 5.1, insert—

“Consumption of food or drink may be prohibited

5.2 A person shall not consume any food or drink in an area where consumption is prohibited by a sign.”

5.3 In clause 5.4 delete the subclause designation 5.2(1) wherever it occurs and substitute “5.3(1)”.

5.4 In clause 5.5, delete the subclause designation 5.2(1) wherever it occurs and substitute “5.3(1)” and delete the subclause designation 5.3(1) and substitute “5.4(1)”.

5.5 Delete clause 5.8 and the heading thereto and substitute the following—

“Application

5.8 This Division applies to each airport which is local government property within the district.

Use by aircraft

- 5.9 (1) The owner of every aircraft, upon payment of the set fee and compliance with this local law and other written law, shall be entitled to use the airport for the landing, servicing and departure of their aircraft and the embarkment and disembarkment of passengers and freight.
- (2) The local government may close the airport to aircraft movements if it considers the surface of the airport to be unsafe.

Right of entry to airport

5.10 (1) Except as herein provided, a person other than—

- (a) a person lawfully employed upon duties in or about the supervision and control of the airport, or acting under a permit or other agreement of or with the local government, in or about the arrival, departure and servicing of or other attention to aircraft lawfully using the airport; or
- (b) a passenger or intending passenger of an aircraft lawfully using the airport; or
- (c) a person greeting or seeing off a passenger or intending passenger of an aircraft lawfully using the airport;

shall not enter or remain upon the airport or any part thereof without the approval of the local government first had and obtained.

- (2) The local government may from time to time designate or set apart any specified part or parts of the Airport—
 - (a) to which only persons from time to time designated by the local government shall be admitted;
 - (b) to which persons other than those mentioned in subclause (1) shall not be admitted;
 - (c) to which the general public, or any limited classes of the general public, may be admitted, either at all times or at specified times, or for limited periods and generally upon such terms and conditions as the local government may resolve;
 - (d) to which no vehicle may be admitted or to which a limited class of vehicles may be admitted or to which vehicles may be admitted only on such terms and conditions as the local government may resolve;
 - (e) to which no aircraft may be admitted or to which a limited class of aircraft may be admitted or to which aircraft may be admitted only on such terms and conditions as the local government resolves.

- (3) Signs, markings or notices may be placed by the local government at the airport indicating the limits of any part of the airport set apart for any special or limited use under subclause (2).
- (4) Notwithstanding the provisions of this clause the local government may on special occasions, for instance, an aerial pageant or other event of public interest, make such arrangements for the control of the airport as it may by resolution impose.

Access of animals restricted

- 5.11 (1) A person shall not bring an animal on to an airport unless—
- (a) the person is a person referred to in section 8 of the *Dog Act 1976* acting in accordance with that provision;
 - (b) the animal is being airfreighted from the airport;
 - (c) the animal has been air freighted to the airport;
 - (d) the person is authorised to do so by the local government.
- (2) A person in charge of an animal shall keep the animal under control and shall not allow it to wander at large on the airport.
- (3) If an animal is at any time on an airport in contravention of subclause (2), in addition to the person specified in that subclause, the owner of the animal at that time commits an offence against subclause (2)."

6. Schedule 1—Prescribed offences

6.1 Under the heading "Clause", delete the clause and subclause designations 5.4, 5.5, 5.6, 5.7(1), 5.7(2) and 5.7(3) inclusive and substitute "5.5", "5.6", "5.7", "5.8(1)", "5.8(2)" and "5.8(3)" respectively.

6.2 Under the headings "Clause", "Description" and "Modified Penalty \$" insert in the appropriate numerical position—

"5.2 Consuming food or drink in prohibited area 100".

6.3 Under the headings "Clause", "Description" and "Modified Penalty \$" delete the subclause designations 5.8(1), 5.8(2) and 5.8(3) and all particulars relating thereto and substitute—

"5.10(1) Unlawful presence of a person on airport	100
5.11(1) Unauthorised presence of animal on airport	300
5.11(2) Animal wandering at large on airport—person in charge	300
5.11(3) Animal wandering at large on airport—owner	300".

7. Schedule 2—Determinations

7.1 Delete determination 1.3 relating to the Speed of Vehicles on Recreation Grounds.

7.2 Add the following—

"Part 2—Activities prohibited on local government property

Playing Golf

2.1 A person is prohibited from playing or practising or striking a golf ball on local government property except on land which is reserved to the local government for the purpose, or which is set aside under clause 2.7(1) for the purpose.

Speed of Vehicles

2.2 A person shall not drive or allow a vehicle to be driven on land which is local government property in parking areas designated as such by means of appropriate signs or in sporting or recreational reserves, at a speed exceeding 16 kms per hour.

Vehicles on Foreshore

- 2.3 (1) A person shall not without the approval of the local government, drive or ride or bring any vehicle onto or permit any person to drive or ride or bring any vehicle onto that portion of foreshore between Twilight Cove and Bandy Creek Boat Harbour except for the purpose of launching boats in designated areas.
- (2) For the purpose of subclause(1), "foreshore" means all the land contiguous to the Shire of Esperance which lies between the low water mark and the high water mark of the Southern Ocean.

Dated this 23rd day of October 2001.

The Common Seal of the Shire of Esperance was affixed in the presence of—

J. M. STARCEVICH, President.

M. S. L. ARCHER, CEO.

LG303*

LOCAL GOVERNMENT ACT 1995*SHIRE OF ESPERANCE***ACTIVITIES ON THOROUGHFARES AND TRADING
IN THOROUGHFARES AND PUBLIC PLACES LOCAL LAW**

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Esperance resolved on 23rd October 2001 to make the following local law.

The Shire of Kojonup Activities On Thoroughfares And Trading In Thoroughfares and Public Places Local Law as published in the *Government Gazette* of 16 May 2000, is adopted as a local law of the Shire of Esperance, with the modifications which follow:

1. Preliminary

1.1 Delete the Table of Contents.

1.2 Wherever the "Shire of Kojonup" is mentioned in the local law substitute "Shire of Esperance".

2. Clause 1.2—Definitions

Delete the definition of "townsite" and substitute—

"townsite" means the townsites of Esperance, Cascade, Condingup, Gibson, Grass Patch, Scaddan and Salmon Gums which are—

- (a) constituted under section 26(2) of the Land Administration Act 1997 ; or
- (b) referred to in clause 37 of schedule 9.3 of the Act;".

3. Clause 1.4—Repeal

3.1 After clause 1.3, insert the clause designation "1.4" before the heading "Repeal".

3.2 In sub-clause(1) delete paragraphs (a) and (b) and substitute—

- (a) Relating to Numbering of Houses and Buildings, published in the *Government Gazette* of 4 October 1962;
- (b) Relating to Removal and Disposal of Obstructing Animals or Vehicles, published in the *Government Gazette* of 20 March 1963, as amended in the *Government Gazettes* of 23 June 1965 and 30 June 1978;
- (c) Relating to Street Lawns and Gardens, published in the *Government Gazette* of 11 March 1963, as amended in the *Government Gazette* of 21 November 1997;
- (d) Relating to Control of Hawkers, published in the *Government Gazette* of 6 October 1970;
- (e) Relating to Animals in Public Places, published in the *Government Gazette* of 20 May 1971;
- (f) Relating to Parking of Commercial Vehicles on Street Verges, published in the *Government Gazettes* of 21 September 1971 and 23 December 1994; and
- (g) Trading in Public Places, published in the *Government Gazette* of 30 October 1987.

4. Clauses Renumbered

Renumber clauses 4.3 to 4.7 inclusive to 4.4 to 4.8 respectively.

5. New clause Inserted

After clause 4.2 insert the following—

"4.3 Prohibitions relating to parking on verges

- (1) A person shall not park on a verge a vehicle having a gross vehicle mass in excess of 4.5 tonnes or that is in combination with any other vehicle or vehicles or anything in or on that vehicle more than 7.5 metres in length—
 - (a) for more than four hours consecutively;
 - (b) within 10 metres of an intersection for any period of time; or
 - (c) for the purpose of repairing, servicing or cleaning the vehicle.
- (2) For the purpose of subclause (1) "park" means to permit a vehicle whether

attended or not, to remain stationary and "parking" has a correlative meaning."

6. Clause Amended

In Clause 5.19 delete—

"5.19 General prohibition on commercial wildflower harvesting

Subject to clause 5.20, a person shall not commercially harvest native flora on a thoroughfare."

and substitute—

“5.19 Commercial wildflower harvesting

- (1) Subject to clause 5.20, a person shall not commercially harvest native flora on a thoroughfare without first obtaining a permit under this local law and any other licence or approval which may be required under any other written law.
- (2) The local government may approve an application for a permit under subclause (1) only where the thoroughfare, or relevant part of it, is not a special environment area.”

7. Clause 6.5—Relevant considerations in determining application for permit

In subclause (2)—

- (a) after “;” in subparagraph (iii) of paragraph (c) delete “or”;
- (b) renumber paragraph (d) to paragraph (e);
- (c) insert a new paragraph (d) as follows—
 - “(d) that the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall; or”.

8. Clause 6.8 – Conduct of stallholders and traders

In subclause (2)—

- (a) renumber paragraphs (a) to (d) inclusive to (b) to (e) respectively;
- (b) insert a new paragraph (a) as follows—
 - “(a) attempt to conduct a business within a distance of 300m of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader;”.

9. Part 6—Division 2 deleted

Delete the whole of Part 6, Division 2, “Street Entertainers”.

10. Schedule 1

10.1 Under the column headed “Clause”—

- (a) after the clause designation 2.2 wherever it occurs insert the subclause designation “(1)” before each paragraph designation; and
- (b) delete the clause designations “4.5” and “4.6(2)” and substitute “4.6” and “4.7(2)” respectively.

9.2 Under the columns headed “Clause”, “Description”, “Modified Penalty \$”, in the appropriate numerical position insert—“4.3 Parking unlawfully on verge 100”

9.3 Delete prescribed offences in respect of deleted clauses 6.10, 6.11(2) and 6.14.

11. Forms

Delete Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

Dated this 23rd day of October 2001.

The Common Seal of the Shire of Esperance was affixed in the presence of—

J. M. STARCEVICH, President.
M. S. L. ARCHER, CEO.

LG304*

LOCAL GOVERNMENT ACT 1995
SHIRE OF ESPERANCE
REPEAL LOCAL LAW 2001

(Local Law Relating to Repeal of Defunct and Obsolete Local Laws Made Under the Local Government Act 1960 and Earlier Legislation.)

Under the powers conferred by the Local Government Act 1995 and by all other powers, the Council of the Shire of Esperance resolved on 25th September 2001 to repeal local laws relating to the matters listed below and gazetted on the dates shown—

- Long Service Leave, published in the *Government Gazette* of 3 June 1949 as amended in the *Government Gazettes* of 9 April 1959, 18 March 1965 and 20 April 1971;

- Petrol Pumps, published in the *Government Gazettes* of 28 January 1960 and 26 February 1965;
- Requiring Removal of Refuse, Etc., published in the *Government Gazette* of 9 February 1961;
- Motels, published in the *Government Gazettes* of 23 July 1962, 26 February 1965 and 7 December 1967;
- Old Refrigerators and Cabinets, published in the *Government Gazette* of 23 April 1963;
- Storage of Inflammable Liquids, published in the *Government Gazette* of 11 November 1965;
- Vehicle Wrecking, published in the *Government Gazette* of 9 March 1966;
- Building, published in the *Government Gazette* of 21 December 1966;
- Brick Areas, published in the *Government Gazette* of 24 February 1970; and
- Holiday Accommodation, published in the *Government Gazette* of 21 November 1986

Dated this 25th day of September 2001.

The Common Seal of the Shire of Esperance was affixed in the presence of—

J. M. STARCEVICH, President.

M. S. L. ARCHER, CEO.

LG305*

LOCAL GOVERNMENT ACT 1995

SHIRE OF PLANTAGENET

**ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING
LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Plantagenet resolved on 25 September 2001 to make the following local law.

The Shire of Kojonup Activities On Thoroughfares And Trading In Thoroughfares And Public Places Local Law as published in the *Government Gazette* of 16 May 2000, is adopted as a local law of the Shire of Plantagenet, with the modifications which follow.

1. Preliminary

Wherever “Activities On Thoroughfares And Trading In Thoroughfares And Public Places Local Law” is mentioned in the local law substitute “Activities in Thoroughfares and Public Places and Trading Local Law”.

Wherever the “Shire of Kojonup” is mentioned in the local law substitute “Shire of Plantagenet”.

2. Clause 1.2—Definitions

2.1 Wherever “*Road Traffic Code 1975*” appears substitute “*Road Traffic Code 2000*”.

2.2 In the definition of “carriageway” delete the entire definition and substitute “has the meaning given to it in the *Road Traffic Code 2000*”.

2.3 In the definition of “crossing” delete “thoroughfare-serving” and substitute “thoroughfare serving”.

2.4 In the definition of “footpath” delete the entire definition and substitute “has the meaning given to it in the *Road Traffic Code 2000*”.

2.5 Include the following definition:— “**thoroughfare**” has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government.

2.6 In the definition of “townsite” delete “Kojonup and Muradup” and substitute “Mount Barker, Kendenup, Narrikup and Rocky Gully”.

3. Clause 1.4—Repeal

Delete subclause (1) and substitute “The following local laws are repealed—NIL.”

4. Part 2—ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES

Delete “ON” and substitute “IN”.

5. Clause 2.1—General prohibitions

5.1 In paragraph 2.1(a) delete “6 metre” and substitute “10m”.

5.2 In paragraph 2.1(c) delete “2 metre” and substitute “2m”.

6. Clause 2.2—Activities allowed without a permit

6.1 In paragraph 2.2(1)(b) immediately following “and then only” insert “in accordance with the terms and conditions and”.

6.2 In paragraph 2.2(1)(h) following “thoroughfare” insert “, except under emergency circumstances”.

6.3 In paragraph 2.2(1)(i) immediately following “unless installing” insert “, or in order to maintain,”.

7. Clause 2.5—Removal of redundant crossing

In subclause 2.5(1) delete “Where . works” and substitute “Where works”.

8. Clause 2.7—Application

Delete “to the townsite” and substitute “to gazetted townsites”.

9. Clause 2.8—Permissible verge treatments

9.1 In subparagraph 2.8(2)(b)i immediately following “bend in the thoroughfare” insert “or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare”.

9.2 In subparagraph 2.8(2)(b)ii delete “2 metre” and substitute “2m”.

10. Clause 2.13—Power to carry out public works on verge

10.1 Delete “or the authority” immediately following “disturbs a verge, the local government”.

10.2 In subparagraph 2.13(c)ii immediately following “reticulation equipment” insert “damaged or disturbed by an authority”.

11. Clause 2.14—Interpretation

Delete “indicating -the” and substitute “indicating the”.

12. Clause 3.2—Advertising signs and portable direction signs

12.1 In paragraph 3.2(3)(b) delete “2.5 metres” and substitute “2.5m”.

12.2 In paragraph 3.2(3)(c) delete “3 metres” and substitute “3m”.

13. Clause 3.4—Conditions on portable sign

13.1 In subparagraph 3.4(a)i delete “one metre” and substitute “1m”.

13.2 In subparagraph 3.4(a)ii delete “1 metre square” and substitute “1m²”.

14. Clause 3.5—Conditions on election sign

14.1 Immediately following “subject to the sign” insert “—”.

14.2 In paragraph 3.5(a) delete “30 metres” and substitute “30m”.

14.3 In paragraph 3.5(h) delete “100 metres” and substitute “100m”.

15. Clause 4.2—Prohibitions relating to animals

15.1 In paragraph 4.2(2)(c) delete “train or”.

15.2 Delete subclause 4.2(3)

16. Clause 5.7—Designation of special environmental areas

In paragraph 5.7(a) delete “as” and substitute “has”.

17. Clause 5.9—Permit to plant

Immediately following “obtaining” insert “a”.

18. Clause 5.11—Permit to clear

Delete the entire body of clause 5.11 and substitute the following—

“(1) A person shall not clear and maintain in a cleared state, the surface of a thoroughfare outside a gazetted town boundary, beyond 2m of that person’s land without first obtaining a permit and any other approvals which may be required under any written law.

(2) A person shall not clear and maintain in a cleared state, the surface of any thoroughfare within a gazetted boundary, without first obtaining a permit and any other approvals which may be required under any written law.”

19. Clause 5.13—Permit to burn thoroughfare

Immediately following “obtaining a permit” insert “from an authorised person other than a Fire Control Officer,”

20. Clause 5.17—Permit for firebreaks on thoroughfares

20.1 Delete “Permit for” in heading so that it reads “Clause 5.17—Firebreaks on thoroughfares”.

20.2 Delete “without first obtaining a permit”.

21. Clause 5.18—When application for permit cannot be approved

Delete entire clause.

22. Clause 6.1—Interpretation

22.1 In the definition of “public place” delete “(c)—the number only, and not the body, so that it reads as follows—

“(b) local government property,

but does not include premises on private property from which trading is lawfully conducted under a written law.”.

22.2 In the definition of “trading” delete “(c)iii carrying out any other transaction in relation to goods or services.”.

22.3 In the definition of “trading” renumber paragraphs (d), (e), (f) and (g) to (e), (f), (g) and (h) respectively.

22.4 In the definition of “trading” immediately following “but does not include—” insert the following—

“(d) the delivery of pre-ordered goods or services to the purchaser of those pre-ordered goods or services or to the person nominated by the purchaser of those goods or services whether or not payment for those goods or services is accepted on delivery; or

the taking of further orders for goods or services from the purchaser of those pre-ordered goods or services or from the person nominated by the purchaser of those pre-ordered goods or services when those orders are taken at the same time as a previous order is being delivered, whether or not payment is made for those goods or services at the time of taking the order;”.

22.5 In the definition of “trading”, paragraph (h), insert “only” immediately preceding “sold directly to consumers”.

23. Clause 6.4—No permit required to sell newspaper

Insert “only” immediately preceding “is not required to obtain a permit”.

24. Clause 6.13—Cancellation of permit

Delete “The local government” and substitute “The CEO”.

25. Clause 6.21—Temporary removal of Facility may be requested

In subclause 6.21(1) delete “in the event of an emergency”.

26. Clause 7.1—Application for permit

In paragraph 7.1(2)(d) delete “detained” and substitute “determined”.

27. Clause 7.3—Conditions which may be imposed on a permit

In paragraph 7.3(c) delete “.” and substitute “;”.

28. Clause 7.4—Imposing conditions under a policy

28.1 Delete “(1)” immediately preceding “In this clause”.

28.2 In the definition of “policy” delete “local –government” and substitute “local government”.

28.3 Delete “(2)” immediately preceding “Under clause 7.2(1)(a)”.

28.4 Delete “(3)” immediately preceding “The local government”.

28.5 Delete “(4)” and substitute “(1)”.

28.6 Delete “(5)” and substitute “(2)”.

29. Clause 7.10—Cancellation of permit

Delete the entire body of subclause 7.10(1) and substitute the following—

“(1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a—

(i) condition of the permit; or

(ii) provision of any written law which may relate to the activity regulated by the permit.

30. Clause 9.3—Notice to repair damage to thoroughfare

Insert “other than by normal usage,” immediately following “thoroughfare has been damaged,”.

31. Clause 10.1—Offence to fail to comply with notice

Delete “loca.1” and substitute “local”.

32. Clause 10.2—Local government may undertake requirements of notice

Delete “clause I 0. 1” and substitute “clause 10.1”.

33. Clause 10.5—Forms

In paragraph 10.5(c) delete “in ,Schedule 1” and substitute “in Schedule 1”.

34. Schedule 1—Prescribed Offences

34.1 In 2.1(a) delete “6m” and substitute “10m”.

34.2 Under the column headed “Clause”, after the clause designation 2.2 wherever it occurs insert the subclause designation “(1)” before each paragraph designation.

34.3 Delete “4.2(3) Horse led, ridden or driven on thoroughfare in built up area 100”

34.4 In 5.17 delete “without a permit”.

35. Date and Seal

Delete “Dated.....of.....”

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

L. J. CHARLSEWORTH, President.

W. LENYSZYN, Chief Executive Officer.”.

36. Forms

Delete Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

37. Date and Seal

Delete “Dated.....of.....”

The Common Seal of the Shire of Kojonup was hereto affixed in the presence of—

L. J. CHARLSEWORTH, President.

W. LENYSZYN, Chief Executive Officer.

Dated this 21st day of March 2000.”.

Dated this 25th day of September 2001.

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

K. M. FORBES, President.

R. J. STEWART, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG301*

Gaming Commission Act 1987

Gaming Commission (Appointment of Members) Notice 2001

Made by the Minister for Racing and Gaming under section 12(1) of the *Gaming Commission Act 1987*.

1. Citation

This notice may be cited as the *Gaming Commission (Appointment of Members) Notice 2001*.

2. Notice of appointment of members of Gaming Commission

Notice is given that on 30th October 2001, the Lieutenant-Governor and deputy of the Governor in Executive Council appointed the following persons nominated by the Minister for Racing and Gaming as members of the Gaming Commission of Western Australia:

- (a) Wendy Silver;
- (b) Graham Ross O'Dea; and
- (c) Mary Margaret McComish.

N. D. GRIFFITHS, Minister for Racing and Gaming.

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

Cottesloe Reef Fish Habitat Protection Area Amendment Order 2001

FD 896/99-04 [448]

Made by the Minister under section 115.

Citation

1. This Order may be cited as the *Cottesloe Reef Fish Habitat Protection Area Amendment Order 2001*.

Clause 2 deleted and replaced

2. The *Cottesloe Reef Fish Habitat Protection Area Order 2001** is amended by deleting clause 2 and inserting the following—

Definition

“2. In this Order “waters of the Cottesloe Reef” means all those waters bounded by—

- (a) the high water mark,
- (b) a line drawn 800 metres westward from the high water mark (being a prolongation of the centre of North Street, Cottesloe where North Street meets with Marine Parade, Cottesloe),
- (c) a line drawn 800 metres westward from a point on the high water mark west of a point 180 metres north of the northernmost part of the Leighton Railway Overpass where it meets Port Beach Road, Fremantle and
- (d) a line linking the westernmost points of the lines described in (b) and (c)”.

[*Published in the Gazette of 21 June 2001.]

Dated this 28th day of October 2001.

K. M. CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

FI402

FISH RESOURCES MANAGEMENT ACT 1994

Prohibition on Fishing (Cottesloe Reef) Amendment Order (No.1) 2001

Order No.8 of 2001

FD 1620/98 [449]

Made by the Minister under section 43.

Citation

1. This Order may be cited as the *Prohibition on Fishing (Cottesloe Reef) Amendment Order 2001*.

Schedule 1 deleted and replaced

2. The *Prohibition on Fishing (Cottesloe Reef) Order 2001** is amended by deleting Schedule 1 and inserting the following—

“

Schedule 1

All those waters bounded by—

- (a) the high water mark,
- (b) a line drawn 800 metres westward from the high water mark (being a prolongation of the centre of North Street, Cottesloe where North Street meets with Marine Parade, Cottesloe),
- (c) a line drawn 800 metres westward from a point on the high water mark west of a point 180 metres north of the northernmost part of the Leighton Railway Overpass where it meets Port Beach Road, Fremantle and
- (d) a line linking the westernmost points of the lines described in (b) and (c)”.

[*Published in the Gazette of 21 June 2001.]

Dated this 28th day of October 2001.

K. M. CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

JUSTICE

JU401*

PRISONS ACT 1981
GAZETTAL OF PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Director General of the Department of Justice has issued the following persons with Permits to do High-Level Security Work—

SURNAME	OTHER NAMES	PERMIT No.	ISSUE DATE
HARVEY	GARRY	AP 0163	3 OCTOBER 2001

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 1st November 2001.

ALEX TAYLOR, Director, Sentence & Contract Management Directorate.

JU402

JUSTICES ACT 1902

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

Mr Paul William Andrews of 26 Dreyer Way, Bullcreek

Mr Peter Ronald Jones of 50 Forum Way, Bunbury

to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

LAND ADMINISTRATION

LA401

TRANSFER OF LAND ACT 1893
APPLICATION H768083

Take notice that Lorraine MacKay of 5 Bird Street, York and John Angus MacKay of PO Box 669 Alyangula, Northern Territory made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at 5 Bird Street, York.

Being York Town Lot 441 on Crown Survey Plan York 14 containing 5716 square metres being the whole of the land contained in Memorial Book XXVIII No. 457.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 30 November 2001 a caveat forbidding the land being brought under the operation of the Act.

IAN HYDE, Registrar of Titles.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976
TOWN OF BASSENDEAN

It is hereby notified for public information that the following persons have been appointed as dog Registration Officers under the provision of the Dog Act 1976.

Samantha Tarling	Mark Wiley
Bruce Henderson	Joanne Graham
Bradley Wilkinson	Yvonne Zaffino
Bronwyn Bent	Robyn Harkins
Gary Evershed	Dale Burford
Laura Simpson	Patricia Mason

Ken Goldsworthy
Susan Perkins
Jane Goddard

Julie Lynn
Margaret Edwards

Council revokes the following officers as authorised Registration Officers pursuant to the Dog Act 1976.

Matthew Thomson
Karen Rosson
Graeme Mackenzie
Brian Reed
Robert de Mol
Erina Stazzonelli
Bob Evans
Margarieta Elzas

Jenny Bempascuito
Catherine Prendergast
Tony Fantoni
Denice Maclannan
Stephanie Smith
Graham Milward
Aaron Bowers

Mr GARY EVERSLED, Chief Executive Officer.

LG402*

BUSH FIRES ACT 1954

Shire of Manjimup

Appointment of Officers

It is hereby notified for public information that in accordance with Section 38 of the Act, the Council of the Shire of Manjimup have appointed the following Officers for the 2001/2002 Fire Season.

Chief Bushfire Control Officer	Max Connor
1st Deputy Chief Bush Fire Control Officer	Remo Pessotto
2nd Deputy Chief Bush Fire Control Officer	Paul Owens
Communications Officer	Jim Brown
Training Officer	Remo Pessotto
Balbarrup/Wilgarrup	Arthur Reeve John Ryan
Browns Road	Todd Ridley Stephen Croft
Dingup	Robert Morgan Robert Marshall
Dunreath	Tom Muir
Eastbrook	Kerry Littlefair
Glenoran	David Bailey
Jardee	Mick Terrigno
Linfarne	Frank Shaw Albert Gorman
Manjimup & Pemberton Towns	Todd Ridley Stephen Croft
Middlesex	John Mitchell Don Kammann
Mordalup	Mark Muir
Northcliffe	Rod Parkes Peter Russell Paul Owens
Northcliffe Central No 2	Robert Daubney
Northcliffe East	Alan Daubney
Northcliffe Town	Paul Owens
Pemberton North	Hugh Jackson
Pemberton West	Charlie Chodorowski
Perup	Eric Ipsen
Quinninup	Tony Ryan
Quinninup Town	Mike Eastwood
Ringbarkers	Glen Hutchinson
Seven Day Road/ Appadene	Alan Blakers
Smithbrook	Bill Rice
Springall	Paul Flynn

Springfield
Upper Warren
Walpole

Yanmah
Windy Harbour

Tom Backhouse
Keith Jackson
Jim Brown
Glen Burton
K O'Brien
L Cummiskey
Brad Wren
Todd Ridley
Stephen Croft

VERN McKAY, Chief Executive Officer.

LG403

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Town of Victoria Park

CLOSURE OF RIGHT OF WAY

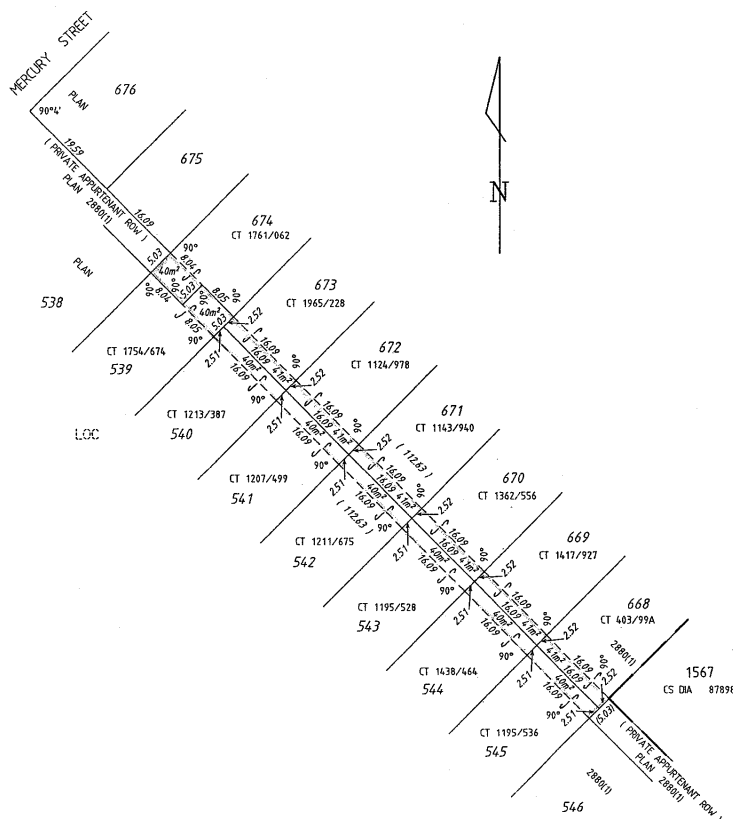
Department of Local Government and Regional Development,
Perth, 9 November 2001.

LG: VI 4-12

It is hereby notified for public information that the Lieutenant-Governor and deputy of the Governor has approved under section 297A of the *Local Government (Miscellaneous Provisions) Act 1960*, the resolution passed by the Town of Victoria Park that portion of the Right of Way which is described as being portion of Canning Location 2 and being part of the portion coloured brown on Land Titles Office Plan 2880(1), and being portion of the land remaining in Certificate of Title Volume 469 Folio 104, and being the land shown on P G S Hope and Partners Plan dated 6 September 2000, be closed and the land contained therein be amalgamated with adjoining Lots 539—545 Planet Street and Lots 668—674 Mars Street, Carlisle, as shown in the Schedule hereunder.

ALLAN SKINNER, Acting Director General.

Schedule
Deposited Plan No. 28224



LG404***SHIRE OF PLANTAGENET**

Appointments

It is hereby notified for public information that effective from 23 October 2001, Mr Raymond James Parry, Mr Dean Leslie Rainbird and Mr Bradley Jason Martin have been authorised to exercise powers, for the provision of Ranger Services, pursuant to—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- All Shire of Plantagenet Local Laws
- Dog Act 1976
- Control of Vehicles (Off Road Areas) Act 1978
- Litter Act 1979
- Bush Fires Act 1954.

All previous appointments for the provision of Ranger Services are cancelled.

R. J. STEWART, Chief Executive Officer.

LG501***BUSH FIRE ACT 1954**

Fire Break Order

All owners and occupiers of land are required on or before 15 November every year to provide and thereafter maintain free of all inflammable material until 15 April of the following year, firebreaks as stipulated in the manner described in the following schedule.

SCHEDULE

RURAL LAND

Buildings and Haystacks: A firebreak of at least 4 metres wide and not more than 60 metres from the perimeter of all buildings (including temporary dwellings e.g Caravans) and/or Haystacks or groups of buildings and/or haystacks so as to completely surround the buildings, haystacks and/or fuel dumps.

Bulldozed Bush: A firebreak 20 metres wide shall be maintained immediately inside the external boundaries of all land which has been bulldozed, chained or prepared in any similar manner for clearing by burning (whether it is intended to burn the bush or not).

Stationary Pumps/Motors: A firebreak 4 meters wide shall be cleared and maintained around all stationery pumps and motors.

Harvesting Operations: During the period when harvesting operations are being conducted, there shall be provided in the same paddock or within 400 metres of that paddock an operational independent mobile fire fighting unit having a water capacity of not less than 650 litres. The tank of the unit shall be kept full of water at all times during the harvest operations. The responsibility to supply the unit being that of the landowner.

Operation of Plant and Machinery: During the restricted and prohibited burning times, all harvesters and trucks carting grain shall not be operated on rural land unless fitted with a fire extinguisher.

Paddock Burns—At any time throughout the year, where a landowner intends to burn paddocks, the following must be provided to prevent the escape of fire—

1. A firebreak 2.2 metres wide clear of all inflammable material completely surrounding the area to be burnt
2. An operational fire fighting unit having a capacity of not less than 650 litres
3. Permits to burn may be required. Contact your Fire Control Officer for details.

NOTE: All absentee rural landowners/occupiers are asked to notify their Fire Control Officer of their contact telephone number and address. If you are unaware of your Fire Control Officer, please contact the Shire on 9646 1200 to obtain this information

TOWNSITE LAND

All lots with an area of 2,024m² (1/2 acre) or less, shall be clear of all inflammable material or have grass mown to a height no greater than 5cm.

All lots or combination of lots that comprise of one holding and having an area of 2,024m² (1/2 acre) or greater shall be either clear of all inflammable material or have a firebreak 2.2 metres wide free of all inflammable material provided inside and along all external boundaries.

GENERAL INFORMATION

Fuel Dumps: In addition to the requirements of paragraphs 1 and 2 you shall remove all flammable materials or material likely to become flammable during summer from land occupied by bulk storage tanks and/or drums used for storage of liquid fuel whether the bulk storage tanks and/or drums

contain liquid or not. This includes the land on which ramps for holding the drums are constructed. The flammable free ground must be maintained to a distance of at least 4 metres outside the perimeter of any drum, stack of drums or drum ramp or bulk storage tank.

Variations to Requirements: by the Order, for permission to provide firebreaks in alternative positions or by alternative date or to take alternative action to abate fire hazards on the land an application must be made no later than 14 days prior to the date firebreaks are required. If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this notice.

Penalty for failure to comply. The penalty for failing to comply with this notice is a fine of up to \$1000.000. If the owner or occupier fails to carry out the works required by this Firebreak Order the Shire of Beverley may enter the land and prepare the firebreaks at the cost of the owner or occupier.

Burning. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fire Act 1954.

LG502*

BUSH FIRES ACT 1954

FIREBREAK NOTICE 2001/2002 (SECTION 33)

NOTICE TO ALL LAND OWNERS AND OCCUPIERS WITHIN THE SHIRE OF MANJIMUP

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before the 11th December 2001 (Zone 8) and 18th December 2001 (Zone 6) to plough, scarify, cultivate, or otherwise clear and thereafter maintain free from all flammable material until 26th April 2002, firebreaks in accordance with the following—

1. TOWN SITES

- (a) Remove all flammable material from the whole of the property.
- Or
- (b) All flammable material mowed and maintained at a level not exceeding 100mm **throughout the season.**
- (c) Clear the whole of the land of inflammable material if fuel storage/haysheds are on land.

2. PLANTATIONS

- (a) Construct a trafficable firebreak no less than 6 metres wide around and inside the boundaries of all plantations: **AND**
- (b) Construct a trafficable firebreak not less than 6 metres wide within the plantation so as to divide the plantation into compartments not exceeding 28 hectares each: **AND**
- (c) Maintain all firebreaks in a trafficable condition and trees on both sides of the firebreaks are to be pruned to a minimum height of 5 metres to allow for unrestricted access to all maintenance and fire - fighting vehicles so as to maintain an effective width of firebreak.
- (d) Construct a 3 metre firebreak within 20 metres of any dwelling and / or outbuilding.
- (e) Construct a 6 metre firebreak immediately adjacent to any fuel storage and / or haysheds.

3. RURAL

(a) ABUTTING A RESIDENTIAL ZONE

Where rural land, whether bushland or pastured, abuts a residential zone boundary, then a 3 metre firebreak shall be constructed along the common boundary of the residential zone.

(b) BUSHLAND

Where bushland exceeds more than 1 hectare and abuts a boundary a trafficable firebreak not less than 3 metres must be constructed along the boundary and within 15 metres of that boundary.

(c) COURSE GRAIN CROPS

- (1) Shall have a 3 metre firebreak around the perimeter of the crop and are to remain in place until the crop is harvested: **AND**
- (2) During the harvesting of the crop, shall have an operational fire-fighting unit of not less than 600 litres located within the paddock being harvested.

(d) Construct a 3 metre firebreak within 20 metres of any dwelling and or out / building.

(e) Construct a 6 metre firebreak immediately adjacent to any fuel storage and / or haysheds.

4. SPECIAL RURAL BUSHLAND

(a) Trafficable firebreaks clear of all inflammable material and not less than 3 metres wide shall be constructed immediately inside the external boundary of all land and maintained throughout the season.

(b) Litter on your property must not exceed the depths as shown below. Depths are averaged over entire forested area.

(Karri) Litter depths not to exceed 30mm.

(Jarrah) Litter depth not to exceed 20mm.

(Jarrah, Marri and Karri) Litter depth not to exceed 30mm.

(Litter sampling and fuel calculation should be as approved by FESA procedures).

- (c) Removal of all flammable material within 20 metres of any dwelling and / or out building.
- (d) Construct a 6 metre firebreak immediately adjacent to any fuel storage and / or haysheds.

5. SPECIAL RURAL/PASTURED/GRASSED

- (a) Remove all flammable material from the whole of the property.
OR
- (b) All flammable material mowed and maintained at a level not exceeding 100mm **throughout the season.**
- (c) Removal of all flammable material within 20 metres of any dwelling and / or outbuilding.
- (d) Construct a 6 metre firebreak immediately adjacent to any fuel storage and / or haysheds.

6. SPECIAL RESIDENTIAL BUSHLAND

- (a) Where strategic firebreaks are located on your land, they must be maintained in accordance with this notice.
- (b) In accordance with any conditions relating to "Special Residential" within the current Town Planning Scheme, for the Shire of Manjimup and any amendments.
OR
- (c) If no conditions are listed in the Town Planning Scheme, then the provisions for categories 4 and 5 apply.
- (d) Removal of all flammable material within 20 metres of any dwelling and/or outbuilding.
- (e) Construct a 6 metre firebreak immediately adjacent to any fuel storage and/or haysheds.

For the purpose of this notice **FLAMMABLE MATERIAL** does not include live standing trees, or shrubs and cultivated plants located in gardens.

DEFINITIONS

For the purpose of this notice the following definitions apply—

PLANTATIONS—Land upon which any pine or eucalypt species of tree is planted on an area exceeding 8 hectares.

PLANTATION BOUNDARY—Shall mean parcels of land under separate ownership, lease or any form of contractual or financial arrangements whatsoever.

RURAL LAND—Unless otherwise referred to, Rural Land shall mean all land located outside the Town Sites.

SPECIAL RURAL & SPECIAL RESIDENTIAL LAND—Means all land contained in a SPECIAL RURAL or SPECIAL RESIDENTIAL zone within the current Shire of Manjimup Town Planning Scheme and any amendments.

TOWN SITE LANDS—All land located within the gazetted Town Site boundary.

EXTERNAL BOUNDARY—Means the external perimeter boundary of land contained within the same ownership, irrespective of whether it contains one or more allotments.

BUSH LAND—Land other than pastured or grassed land including plantations of less than 8 hectares.

GRASSED LAND—Land used for the purpose of grazing or cropping.

FIRE BREAK—Means a portion of land being of the prescribed distance and clear of all flammable material and litter.

LITTER—Means leaves, small sticks, twigs and branches immediately above the soil surface.

TRAFFICABLE—Means a track or road free from overhanging trees or limbs to a vertical height of 5 metres, accessible by 4 wheel drive vehicles.

VERN McKAY, Chief Executive Officer.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Bill Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the date shown, to the undermentioned Bill 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.
Plant Diseases Amendment Bill 2001	November 1 2001	19 of 2001

Dated: November 5, 2001.

L. B. MARQUET, Clerk of the Parliaments.

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF ALBANY

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 217

Ref: 853/5/4/5 Pt 217

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 Albany Town Planning Scheme Amendment on 31 October, 2001 for the purpose of—

1. Rezoning Location 381 McGonnell and Lancaster Roads, McKail from the Rural zone to the Residential zone; and
2. Amending the Scheme Maps accordingly.

A. E. GOODE, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF ARMADALE

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 163

Ref: 853/2/22/4 Pt 163

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 approved the City of Armadale Town Planning Scheme Amendment on 31 October 2001 for the purpose of—

1. Rezoning Part of Lot 60 corner Albany Highway and Carawatha Avenue, Mt Nasura from “Parks and Recreation” to “Special Use”.
2. Modifying the Town Planning Scheme Maps accordingly.
3. Amending the Scheme text so that the Special Use zone and associated Development Table reads as follows—

Prescribed Special Use	Requirements	Particulars of Land
Permitted Use		
<ul style="list-style-type: none"> • Attached House • Public Recreation • Public Utility • Single House 	<ol style="list-style-type: none"> 1. Residential subdivision and development shall be in accordance with the Residential Planning Codes (R15). 2. In association with subdivision or development, a comprehensive site plan indicating a proposed landscaping and fencing of the site is to be prepared, submitted and consequently implemented to Council’s satisfaction. The aspects to be covered include— <ol style="list-style-type: none"> (a) Generous landscaping on road frontages with particular attention given to the Albany Highway frontage and the corner of Carawatha Avenue and Albany Highway. (b) High quality fencing integrated with landscaping. 	Lot 60, corner of Albany Highway and Carawatha Avenue, Mt Nasura.
Discretionary Use		
<ul style="list-style-type: none"> • Aged Persons Dwelling • Consulting Room • Grouped Dwelling (R40 Maximum) • Home Occupation • Medical Centre consisting of more than two (2) Consulting Rooms • Residential Building 	<ol style="list-style-type: none"> 3. Unless otherwise determined by Council, provision shall be made for vehicle traffic access from Carawatha Avenue, to Lot 100, north of the lot, for development or subdivision of the lot. 	

Prescribed Special Use	Requirements	Particulars of Land
	<p>4. Unless otherwise determined by Council, a traffic management study regarding intersection treatment to be prepared by the applicant in consultation with Main Roads WA and Council.</p> <p>5. No vehicle access shall be provided to Albany Highway.</p> <p>6. A minimum of 16 metre buffer between the existing Water Corporation pump building located on adjoining Pt Lot 58 to any building.</p> <p>7. All other discretionary uses shall meet the following requirements—</p> <p>(a) A plot ratio limited to 0.3.</p> <p>(b) Car parking spaces abutting any residential lot shall be screened by a masonry wall and landscaping strip to the specification of Council.</p> <p>(c) The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.</p>	

L. REYNOLDS, Mayor.
R. S. TAME, Chief Executive Officer.

PI403***TOWN PLANNING AND DEVELOPMENT ACT, 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF MANDURAH

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 26

Ref: 853/6/13/12 Pt 26

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 Mandurah Town Planning Scheme Amendment on 1 November 2001 for the purpose of—

- Rezoning Lot 27 Pinjarra Road, Coodanup, from “Special Uses” zone to “Urban Development” zone.
- Amending Appendix 3 - Special Uses of the Scheme Text, by removing Special Use No. 2 and replacing it with the following—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
2	Lots 25 and 26 Alderley Place, Coodanup	Place of Public Assembly and Church. Administrative Offices. Pre-primary School, Primary School, 2 Residences.	None

K. HOLMES, Mayor.
S. GOODE, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF MANDURAH
 TOWN PLANNING SCHEME No. 3—AMENDMENT No. 4

Ref: 853/6/13/12 Pt 4

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 Mandurah Town Planning Scheme Amendment on 31 October 2001 for the purpose of rezoning Lots 2 and 3 Boundary Road, Dudley Park from Community Purposes Reserve (Fire Station) to Service Commercial zone in accordance with the Scheme Amendment Map.

K. HOLMES, Mayor.
 S. GOODE, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF CAPEL
 TOWN PLANNING SCHEME No. 7—AMENDMENT No. 11

Ref: 853/6/7/7 Pt 11

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 Capel Town Planning Scheme Amendment on 31 October 2001 for the purpose of rezoning portion of Capel Suburban Lot 20 being part of Lot 16 from the 'Residential' zone to the 'Town Centre' zone, as depicted on the amending map adopted by the Council of the Shire of Capel.

L. P. STRUGNELL, President.
 P. F. SHEEDY, Acting Chief Executive Officer.

POLICE

PO501

POLICE ACT 1892
 POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by public auction at Karratha Police Station, Welcome Road, Karratha at 10.00 am on Saturday December 1, 2001.

Auction to be conducted by Judith Wright, Licensed Auctioneer.

B. MATHEWS, Commissioner of Police.

RACING, GAMING AND LIQUOR

RG401

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			
8594	Ray Jowett & Co Pty Ltd	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Dunsborough and known as The Cape Wine Bar	9/12/2001

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
8595	Pierpont's Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Pierponts	3/12/2001
8598	Yansan Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Morley and known as Chatters' Café Restaurant	29/11/2001
8601	Inspirations (WA) Pty Ltd	Application for the grant of a Producer—Beer licence in respect of premises situated in Mandurah and known as Crab and Anchor Brasserie	3/12/2001
8602	Inspirations (WA) Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in Mandurah and known as Crab and Anchor Brasserie	3/12/2001
8582	Jurg Muggli & Sandra Fay Hancock	Application for the grant of a Producer—Wine licence in respect of premises situated in Witchcliffe and known as Hesperos Wines	4/12/2001
8589	Mario & Antonina Calogera Bosco	Application for the grant of a Liquor Store licence in respect of premises in Coogee and known as Giant Soft Toys & Novelities	14/11/2001
8596	Phillip Ronald Wilkinson	Application for the grant of a Producer—Wine licence in respect of premises situated in Pemberton and known as Phillips Wines	5/12/2001

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

HUGH HIGHMAN, Director of Liquor Licensing.

PUBLIC NOTICES

ZZ201

TRUSTEE ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd c/- Ground floor, 39 Hunter Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Estate late Dennis Arthur Boalar, late of 20A Prisk Street, Karrinyup, Retired Engraver, Died 30/07/2001.

Estate late Margaret Smith Fitzgerald, late of Hollywood Village Nursing Home, 118-120 Monash Avenue, Nedlands, Widow, Died 03/09/2001.

Estate late Frederick George Hughes, late of Hammersley Nursing Home, 441 Rokeby Road, Subiaco, Retired Bus Driver, Died 18/09/2001.

Estate late Gwendolyn Jane Johansen, late of 3/40 Matheson Road, Applecross, Widow, Died 29/09/2001.

Estate late William Henry McNess, late of 313 Hardey Road, Cloverdale, Retired Council Worker, Died 03/09/2001.

Estate late Winifreda Agnes Merritt, late of Donnybrook Hospital, Donnybrook, Widow, Died 27/08/2001.

Estate late Wanda Bertha Templeman, late of 16 Mortimer Road, Wattleup, Widow, Died 24/08/2001.

Estate late Charlie Tozer, late of 27 O'Connor Street, Manjimup, Retired Timber Faller, Died 23/07/2001.

Estate late Alfred Edward Tyler, late of 38 Taylor Street, Dumbleyung, Retired Ganger, Died 03/10/2001.

STEVE MAXWELL, Senior Estate Manager,
Direct Phone (02) 9229 3419.

ZZ202**TRUSTEES ACT 1962**

Estate of the late Mr Peter Alistair Forbes.

Would people claiming to be creditors of the late Mr Peter Alistair Forbes (Smokey) of Dalwallinu who passed away 25/9/2001 please forward written notice of their claims to Mr W. T. Atkinson, PO Box 243, Dalwallinu WA 6609, within one month of this notice.

ZZ203**TRUSTEE 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 9th December 2001 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bayliss, George Charles, Late of Warwick Church of Christ Nursing Home 98 Ellersdale Avenue Warwick, formerly of 4 Arran Court Warwick, died 17/9/2001, (DEC33515100DL2)

Brown, Frances May, Late of Leeming Retirement Village Unit 6 Beckley Circle Leeming, died 26/8/2001, (DEC33524300DC3)

Cottrell, Gerard Kevin, Late of 58 Jecks Street Rockingham, died 13/9/2001, (DEC33526400DP3)

Davies, Laurel Grace, Late of 96 Minsterly Road Denmark, died 15/9/2001, (DEC33532400DP1)

Della Vedova, Pearl, also known as Pearl Della or Pearl Vedova, Late Cygnet Hostel Rowethorpe Hillview Terrace Bentley, died 23/9/2001, (DEC33524900DC4)

Dewar, Henry Alfred, Late of Hollywood Senior Citizens Village 18-20 Monash Avenue Nedlands, died 27/8/2001, (DEC33532300DG2)

Evans, Ellis Davis, Late of Swan Village of Care Ningara Jarrah Road Bentley, died 26/10/2001, (DEC33536400P4)

Evans, Norma Louisa, Late of St Lucy's Nursing Home Kitchener Avenue Victoria Park, died 4/10/2001, (DEC33524600DL3)

Grist, Violet, Late of St Michael's Nursing Home 53 Wasley Street North Perth, formerly of 142 Peninsula Road Maylands, died 13/9/2001, (DEC33526500DL2)

McGuire, Leo Patrick Holman, Late of Shoalwater Nursing Home 74 Fourth Avenue Shoalwater, formerly of 3A Ripplewood Avenue Thornlie, died 19/10/2001, (DEC33527100DP4)

Menzel, Charles Henry, Late of Concorde Nursing Home 25 Anstey Street South Perth, died 19/10/2001, (DEC33527000P2)

Pyc, Michael, Late of Tinetti Lodge Wilson Street Kalgoorlie, died 9/4/2001, (DEC33276000DG3)

Read, Violet Josephine, Late of Amaroo Nursing Home 74 Lissiman Street Gosnells, died 12/6/2001, (DEC33341400DG4)

Roberts, Elsie Theresa, Late of 9 Vera Street Morley, died 4/10/2001, (DEC33507000C3)

Smedley, Hazel Noreen, Late of 3A Stubbins Place Carine, died 24/10/2001, (DEC33536200DC3)

Soderberg, Violet Charnley, Late of 7 Wimmera Place Huntingdale, died 4/3/2001, (DEC33448700DG3)

Sturcke, Leslie Robert, Late of Unit 38 TPI Village 80 Henley Street Como, died 6/10/2001, (DEC33524800DP4)

York, Todd Kevin, Late of 6 Callicoma Court South Lake, died 5/10/2000, (DEC3317773700DD1)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office,
565 Hay Street,
Perth WA 6000
Telephone: 9222 6777

PERTH OBSERVATORY



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***Price \$4.65 counter sales
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*Prices subject to change on addition of amendments.

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(Reprinted as at 9 February 2001)

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* Prices subject to change on addition of amendments.

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*Prices subject to change on addition of amendments.

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**BIRTHS, DEATHS AND MARRIAGES
REGISTRATION ACT 1998**

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*Prices subject to change on addition of amendments.

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**Price: \$18.85 counter sales
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*Prices subject to change on addition of amendments.

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**FIRE AND EMERGENCY SERVICES
AUTHORITY OF W.A. ACT 1998**

**Price: \$18.85 counter sales
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*Prices subject to change on addition of amendments.



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