



WESTERN AUSTRALIAN GOVERNMENT Gazette

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- 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

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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 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Real Estate and Business Agents Act 1978

Real Estate and Business Agents (General) Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Real Estate and Business Agents (General) Amendment Regulations 2002*.

2. Form 1 replaced

Schedule 2 Form 1 of the *Real Estate and Business Agents (General) Regulations 1979** is repealed and the following form is inserted instead —

“

Form 1

Western Australia

Real Estate and Business Agents Act 1978

[s. 131L(1)]

Real Estate and Business Agents (General) Regulations 1979

[r. 7A]

**APPLICATION FOR GRANT OF WHOLE OR ANY
PART OF INCIDENTAL EXPENSES IN CONNECTION
WITH PURCHASE OF A DWELLING OR PARTIALLY
ERECTED DWELLING**

To be completed by applicant and submitted to a lending institution with application for a housing loan.

All details in this application form must be supplied.

1. Particulars of Applicant(s)**Applicant 1.**Please tick (✓): ☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other

Surname

Given Names

Previous Name

Occupation

Street Address

Suburb/Town Post Code

Telephone No. (Business) (Home)

..... (Mobile)

Date of Birth/...../.....

Applicant 2. (If applicable)Please tick (✓): ☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other

Surname

Given Names

Previous Name

Occupation

Street Address

Suburb/Town Post Code

Telephone No. (Business) (Home)

..... (Mobile)

Date of Birth/...../.....

2. Particulars of any other dwelling owned or partially owned

Do either of the applicants own or partially own, or have either of the applicants ever owned, or partially owned, any dwelling in Western Australia?

Please tick (✓): ☐ Yes ☐ No

If so, please give particulars of the dwelling(s) and ownership:

.....

.....

3. Particulars of Dwelling to be purchased

Please tick (✓):

Is dwelling complete? ☐ Yes ☐ No Partially erected? ☐ Yes ☐ No

Street Address

Suburb/Town Post Code

Purchase price

Amount of loan

Name of lending institution(s)

Name of real estate agent

4. Particulars of Incidental Expenses

Expense	Amount \$	Carried forward	\$
Stamp duty — transfer — mortgage		Lending institution fees for lodging this application	
Registration fees — transfer — mortgage — caveat		Mortgage guarantee fees or mortgage insurance premium (not house and contents insurance or mortgage protection insurance)	
Conveyancing fees		Inspection fees	
Solicitor's fees		Establishment fees	
Valuation fees			
Sub Total	\$	Total	\$

Declaration

I do solemnly declare that:

- (a) the information provided by me in this application is true and correct;
- (b) I do not intend to lease the dwelling, or permit it to be leased, for the period of 12 months after settlement on its purchase; and
- (c) the dwelling, unless it is a partly built dwelling, is to be used as the principal place of residence of myself and my immediate family for at least the period referred to in paragraph (b) of this declaration.

And I make this solemn declaration by virtue of section 106 of the *Evidence Act 1906*.

Declared at

Dated this day of 2.....

Declarant 1.

Declarant 2.
(If applicable)

Before me

.....
[Justice of the Peace, Commissioner for Declarations, or
Authorised Person]

”

[* Reprinted as at 28 November 1997.
For amendments to 7 November 2001 see 2000 Index to
Legislation of Western Australia, Table 4, p. 293-4 and
Gazette 6 November 2001.]

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG101

CORRECTION
HEALTH ACT 1911
Shire of Coolgardie

The *Health Amendment Local Laws 2001* adopted by the Shire of Coolgardie and published in the *Government Gazette* on the 28 December 2001 did not receive the consent of the Executive Director Public Health prior to publication. Notice is hereby given to cancel the incorrect publication of the abovementioned local law.

H. J. FRASER, Chief Executive Officer.

LG301*

LOCAL GOVERNMENT ACT 1995
SHIRE OF TOODYAY
LOCAL GOVERNMENT FENCING 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 Toodyay resolved on January 24, 2002 to make the following local law—

The Shire of Toodyay Fencing Local Law as published in the *Government Gazette* dated July 10, 2001 with the following modifications—

1. First Schedule

In Clause B(d) delete the phrase “to be a minimum of 120mm” and replace with “to be a minimum of 1200mm”

Dated this 24th day of January 2002.

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

Cr A. E. HENSHAW, Shire President.
A. D. SMITH, Chief Executive Officer.

LG302**HEALTH ACT 1911**
SHIRE OF COOLGARDIE**HEALTH AMENDMENT LOCAL LAWS 2001**

Made by the Council of the Shire of Coolgardie under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Part 3 of the *Local Government Act 1995*.

Citation

1. These local laws may be cited as the *Shire of Coolgardie Health Amendment Local Laws 2001*.

Principal local laws

2. In these local laws, the *Shire of Coolgardie Health Local Laws 1998* made under the *Health Act 1911* and passed by the Council of the Shire of Coolgardie on 26 November 1998, by notice published in the *Government Gazette* [No. 51 Special] on 31 March 1999 and amended by the *Shire of Coolgardie Health Amendment Local Laws 2000* made under the *Health Act 1911* and passed by the Council of the Shire of Coolgardie on 27 July 2000, by notice published in the *Government Gazette* on 27 March 2001, are referred to as the principal local laws.

Subsection 48(1) amended

3. The principal local laws are amended in Part 4, Division 2, by deleting subsection 48(1) and substituting the following—

- ‘(1) A person shall not remove any rubbish or refuse from premises unless that person is—
- (a) the owner or occupier of the premises;
 - (b) authorised to do so by the owner or occupier of the premises; or
 - (c) authorised in writing to do so by the Council.’

Passed at an ordinary meeting of Council Of the Shire of Coolgardie held on 25th October 2001.

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

Cr S. TRENOWDEN, Shire President.
H. J. FRASER, Chief Executive Officer.

On this 21st day of December 2001.

Consented to—

Dr VIRGINIA McLAUGHLIN, Acting Executive
Director Public Health.

Dated this 29th day of January 2002.

LG303***CEMETERIES ACT 1986**
SHIRE OF WILLIAMS**AMENDMENT TO LOCAL LAWS RELATING TO WILLIAMS AND
BORANING PUBLIC CEMETERIES**

Made by the Shire of Williams under the *Cemeteries Act 1986* and in accordance with the *Local Government Act 1995*.

Citation

1. These Local Laws may be cited as the *Shire of Williams Cemeteries Amendment Local Laws 2001*.

Principal Local Laws

2. In these Local Laws the Shire of Williams Local Laws made under the *Cemeteries Act 1986* and passed by the Shire of Williams on 20th August 1997, and published in the *Government Gazette* on 24th October 1997 are referred to as the Principal Local Laws.

Principal Local Laws Amended

3. The Principal Local Laws are amended as follows—

- (a) In the title delete 'Boraning' and substitute 'Marling'.
- (b) Under Application delete 'Boraning' and substitute 'Marling'.
- (c) In the first, second and third schedules delete 'Boraning' and substitute 'Marling'.

Passed at an Ordinary Meeting of the Council of the Shire of Williams held on this 19th day of December 2001.

The Common Seal of the Shire of Williams was placed here in the presence of—

J. E. S. COWCHER, President.
V. EPIRO, Chief Executive Officer.

On this 19th day of December 2001.

LG304***BUSH FIRES ACT 1954****SHIRE OF WILLIAMS****AMENDMENT TO LOCAL LAWS RELATING TO FIREBREAKS**

Made by the Shire of Williams under the *Bush Fires Act 1954* and in accordance with the *Local Government Act 1995*.

Citation

1. These Local Laws may be cited as the *Shire of Williams Firebreaks Amendment Local Laws 2001*.

Principal Local Laws

2. In these Local Laws the Shire of Williams Local Laws made under the *Bush Fires Act 1954* and passed by the Shire of Williams on 20th August 1997 and published in the *Government Gazette* on 24th October 1997 are referred to as the Principal Local Laws.

Principal Local Laws Amended

3. The Principal Local Laws are amended as follows—

Item	Section	Description
(1)	2(a) 1	Add 'and boundaries' after public thoroughfares in lines 1 and 2. Add the following after line 3 'Firebreaks to be provided as near as practical to thoroughfares and boundaries.'
(2)	2(a) 2	Add 'Stone raking and slashing' to harvesting and straw baling operations in the heading and line
	3	Add as follows— HAY/STRAW PROCESSING PLANTS—Remove all inflammable material from around buildings and stacks to a distance of 20 metres.
(3)	2(b) 4	Delete Para 4
	5	Delete Para 5 and add new section as follows— 3. General (a) Failure to comply with these Local Laws will subject the offender to the penalties prescribed in the <i>Bush Fires Act 1954</i> .

Passed at an Ordinary Meeting of the Council of the Shire of Williams held on this 19th day of December 2001.

The Common Seal of the Shire of Williams was placed here in the presence of—

J. E. S. COWCHER, President.
V. EPIRO, Chief Executive Officer.

On this 19th day of December 2001.

LG305*

HEALTH ACT 1911**SHIRE OF WILLIAMS****HEALTH AMENDMENT LOCAL LAWS 2001**

Made by the Council of the Shire of Williams under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Part 3 of the *Local Government Act 1995*.

Citation

1. These local laws may be cited as the *Shire of Williams Health Amendment Local Laws 2001*.

Principal local laws

2. In these local laws, the *Shire of Williams Health Local Laws 2000* made under the *Health Act 1911* and passed by the Council of the Shire of Williams on 21 February 2001, and published in the *Government Gazette* on 11 May 2001, are referred to as the principal local laws.

Principal local laws amended

3. The principal local laws are amended as described in the following schedule—

Item	Sections Affected	Description
1	Title	In the title above the preamble, delete the year “1999” and substitute “2000”.
2	1.2	In both subsections (3) and (4), delete the word “Murray” after “Shire of” and substitute “Williams”.
3	1.3 (1)	In the definition of “Act”, delete the words “and includes subsidiary legislation made under the <i>Health Act 1911</i> ”.
4	1.3 (1)	In the appropriate alphabetical position add the following definitions: “AS/NZS 1276.1: 1999” means the standard published by the Standards Association of Australia as AS/NZS 1276.1: 1999 and called “Acoustics – Rating of sound insulation in buildings and of building elements – Airborne sound insulation.” “AS 1530.2: 1993” means the standard published by the Standards Association of Australia as AS 1530.2: 1993 and called “Methods for fire tests on building materials, components and structures – Tests for flammability of materials.” “AS 1530.3: 1999” means the standard published by the Standards Association of Australia as AS 1530.3: 1999 and called “Methods for fire tests on building materials, components and structures – Simultaneous determination of ignitability, flame propagation, heat release and smoke release.” “AS 1668.2 - 1991” means the standard published by the Standards Association of Australia as AS 1668.2 - 1991 and called “The use of mechanical ventilation and air-conditioning in buildings – Mechanical ventilation for acceptable indoor-air quality.” “AS/NZS 3666.2: 1995” means the standard published by the Standards Association of Australia as AS/NZS 3666.2: 1995 and called “Air-handling and water systems of buildings – Microbial Control – Operation and maintenance.”
6	2.1.5	Delete the number and brackets “(1)”, then in paragraph (a) delete “AS1276” and substitute “AS/NZS 1276.1: 1999”.
7	2.1.6	Delete the word “very” after “ensure” and substitute “every”.
8	2.1.11	After the year “1909” insert the words “and the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> ”.
9	3.2.4 (2)	In paragraph (b) delete “AS1668.2” and substitute “AS 1668.2:-1991”.
10	3.2.4 (3)	In paragraph (b) delete “AS3666.2 - 1989” and substitute “AS/NZS 3666.2: 1995”.
11	4.1.4	In paragraph (c), insert “(b)” after the word “paragraph”.

Item	Sections Affected	Description
12	4.1.4	In paragraph (d), delete “(d) Collect” and substitute “collect” so that the last sentence is not a separate paragraph, then delete the word “other” after “dispose” and substitute “of the”.
13	5.1.9	In the first line delete the word “of” after “owner” and substitute “or”.
14	6.6.2	In the title delete the word “Nest” and substitute “Nests”.
15	7.1.4	Delete section 7.1.4.
16	8.1.1 (1)	In the definition of “bunk”, delete the word “or” after “one” and substitute “of”.
17	8.2.7 (2)	Delete the words “advised by the Fire and Emergency Service Authority of Western Australia” and substitute “required by the Building Code”.
18	8.2.11 (8)	In paragraph (a) delete “AS 1530.2 and AS 1530.3” and substitute “AS 1530.2 - 1993 and AS 1530.3 - 1999”.
19	8.3.6 (1)	In the first line delete the word “Keeper” and substitute the words “A keeper”.
20	Schedule 5	In the table entitled “Laundry Facilities” delete the entry: “• Coppers”.

Passed at an ordinary meeting of the Council of the Shire of Williams held on this 21st day of November 2001.

The Common Seal of the Shire of Williams was placed here in the presence of—

J. E. S. COWCHER, President.
V. EPIRO, Chief Executive Officer.

On this 19th day of December 2001.

Consented to—

Dr VIRGINIA A. McLAUGHLIN, Acting Executive Director
Public Health.

Dated this 3rd day of January 2002.

MINERALS AND PETROLEUM

MP301*

Mining Act 1978

Mining Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining Amendment Regulations 2002*.

2. Commencement

These regulations come into operation on the day on which the *Mining (Ellendale Diamond Royalties) Regulations 2002* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Mining Regulations 1981**.

[* Reprinted as at 21 July 2000.

For amendments to 24 December 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 230, and Gazette 2 February, 27 April, 3 and 17 August and 28 September 2001.]

4. Regulation 85B amended

After regulation 85B(2) the following subregulation is inserted —

“

- (3) Subregulation (1) does not apply to the tenement holder as defined in the *Mining (Ellendale Diamond Royalties) Regulations 2002* in relation to royalties payable under those regulations.

”.

5. Regulation 86 amended

Before the Table to regulation 86 the following subregulation is inserted —

“

- (3) This regulation does not apply to diamond obtained from the Ellendale mining lease as defined in the *Mining (Ellendale Diamond Royalties) Regulations 2002*.

”.

6. Regulation 86A amended

After regulation 86A(8) the following subregulation is inserted —

“

- (9) This regulation does not apply to royalties payable under the *Mining (Ellendale Diamond Royalties) Regulations 2002*.

”.

7. Regulation 86F amended

- (1) Regulation 86F(1) is amended as follows:

- (a) by deleting “or 86AA” and inserting instead —

“

, 86AA or the *Mining (Ellendale Diamond Royalties) Regulations 2002*

”.

- (b) after paragraph (a) by deleting “or”;
- (c) after paragraph (b) by deleting the comma and inserting —
“
; or
(c) under the *Mining (Ellendale Diamond Royalties) Regulations 2002*, for diamond obtained while the determination is expressed to apply,

”.

- (2) Regulation 86F(2) is amended by inserting after “86A” —

“

or the *Mining (Ellendale Diamond Royalties) Regulations 2002*

”.

- (3) Regulation 86F(3) is amended in the definition of “royalty base” by inserting after paragraph (a) the following paragraph —

“

- (aa) in the case of diamond obtained from the Ellendale mining lease as defined in the *Mining (Ellendale Diamond Royalties) Regulations 2002*, anything by reference to which those regulations fix the rate of royalty payable for that mineral;

”.

8. Regulation 87B amended

Regulation 87B(1)(b) is amended by inserting after “regulation 85B” —

“

or the *Mining (Ellendale Diamond Royalties) Regulations 2002*

”.

9. Regulation 89 amended

Regulation 89 is amended by inserting after “regulations” —

“

or the *Mining (Ellendale Diamond Royalties) Regulations 2002*

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE

AG401

PLANT DISEASES ACT 1914 APPOINTMENT

Department of Agriculture,
South Perth WA 6151.

I, the undersigned Minister for Agriculture, Forestry and Fisheries, being the Minister responsible for the administration of the Plant Diseases Act 1914, hereby appoint Marcia Lyttleton as an Authorised Inspector pursuant to Section 7A of the said Act to carry out all the functions authorized to be performed by an Inspector under the said Act and its Regulations.

KIM CHANCE, Minister for Agriculture, Forestry and Fisheries.

AG402*

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976 DECLARATION OF ZONES

Made by the Agriculture Protection Board under Section 13

Under section 13 of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board hereby—

- (a) abolishes Zones 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 which were constituted as zones for the purposes of the Agriculture and Related Resources Protection Act 1976, and abolishes all the regions of those zones; and
- (b) constitutes those portions of the State of Western Australia listed in the attached schedule to be zones for the purposes of the Agriculture and Related Resources Protection Act 1976, and assigns a name to each zone as listed in the attached schedule.

Dated the 8th day of February 2002.

KERYL ENRIGHT, Chairman.

Schedule

DECLARED ZONES

Zone	Portion of the State
Kimberley	That portion of the State confined by the boundaries of the municipal districts of Wyndham-East Kimberley, Broome, Derby—West Kimberley and Halls Creek;
Pilbara	That portion of the State confined by the boundaries of the municipal districts of East Pilbara, Port Hedland, Roebourne and Ashburton;
Meekatharra	That portion of the State confined by the boundaries of the municipal districts of Meekatharra, Cue, Mt Magnet and Yalgoo;
Carnarvon	That portion of the State confined by the boundaries of the municipal districts of Exmouth, Carnarvon, Upper Gascoyne, Shark Bay and Murchison;
Kalgoorlie	That portion of the State confined by the boundaries of the municipal districts of Wiluna, Ngaanyatjaraku, Sandstone, Leonora, Laverton, Menzies, Boulder, Coolgardie and Dundas;
Geraldton	That portion of the State confined by the boundaries of the municipal districts of Northampton, Chapman Valley, Mullewa, Greenough and Irwin;

Schedule—*continued*DECLARED ZONES—*continued*

Zone	Portion of the State
Three Springs	That portion of the State confined by the boundaries of the municipal districts of Morawa, Mingenew, Three Springs, Perenjori, Carnamah and Coorow;
Moora	That portion of the State confined by the boundaries of the municipal districts of Dandaragan, Moora, Dalwallinu, Wongan—Ballidu, Gingin, Victoria Plains and Chittering;
Northam	That portion of the State confined by the boundaries of the municipal districts of Koorda, Dowerin, Goomalling, Wyalkatchem, Toodyay, Northam, Cunderdin, Tammin, York, Quairading and Beverley;
Merredin	That portion of the State confined by the boundaries of the municipal districts of Mt Marshall, Mukinbudin, Westonia, Yilgarn, Nungarin, Trayning, Kellerberrin, Merredin, Bruce Rock and Narembeen;
Midland	That portion of the State confined by the boundaries of the municipal districts of Armadale, Bassendean, Bayswater, Belmont, Cambridge, Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Gosnells, Joondalup, Kalamunda, Kwinana, Melville, Mosman Park, Mundaring, Nedlands, Peppermint Grove, Perth, Rockingham, South Perth, Stirling, Subiaco, Swan, Victoria Park, Vincent and Wanneroo;
Waroona	That portion of the State confined by the boundaries of the municipal districts of Boddington, Harvey, Mandurah, Murray, Serpentine-Jarrahdale and Waroona;
Narrogin	That portion of the State confined by the boundaries of the municipal districts of Brookton, Corrigin, Cuballing, Narrogin, Pingelly, Wandering, Wickepin and Williams;
Lake Grace	That portion of the State confined by the boundaries of the municipal districts of Kondinin, Kulin and Lake Grace;
Bunbury	That portion of the State confined by the boundaries of the municipal districts of Bunbury, Capel, Collie, Dardanup, Augusta-Margaret River, Donnybrook-Balingup and Busselton;
Manjimup	That portion of the State confined by the boundaries of the municipal districts of Boyup Brook, Bridgetown-Greenbushes, Manjimup and Nannup;
Katanning	That portion of the State confined by the boundaries of the municipal districts of Broomehill, Dumbleyung, Gnowangerup, Katanning, Kent, Kojonup, Tambellup, Wagin, West Arthur and Woodanilling;
Albany	That portion of the State confined by the boundaries of the municipal districts of Albany, Cranbrook, Denmark and Plantagenet;
Jerramungup	That portion of the State confined by the boundaries of the municipal districts of Jerramungup and Ravensthorpe, and
Esperance	That portion of the State confined by the boundaries of the municipal district of Esperance.

JUSTICE

JU401

DECLARATIONS AND ATTESTATIONS ACT 1913**APPOINTMENTS**

It is hereby notified for public information that the Attorney General has approved of the appointment of the following persons as Commissioner for Declarations under the *Declarations and Attestations Act 1913*—

Mr Glen William Anderton of Unit 2/7 Maude Street, East Victoria Park

Mr Adam Gary Bettison of 6 McGlade Way, Esperance

Mr Jim Armand Gillian Troubat of 14/3 Oxford Street, Inglewood.

GARY THOMPSON, Executive Director, Court Services.

LAND ADMINISTRATION

LA401

LICENSED SURVEYORS ACT 1909 DISCIPLINARY CASES

Land Surveyors Licensing Board
of Western Australia.

In accordance with Section 21 (7) of the Licensed Surveyors Act 1909 the following orders of the Board are notified for general information.

Enquiry E1 of 2001

Having found 1 charge laid under Section 21 (1) (f) of the Licensed Surveyors Act against Raymond Mark McKinnon proven, the Board ordered in that Mr McKinnon be reprimanded and pay costs of \$200.

A further charge under Section 21 (1) (aa) was found not proven.

Enquiry E2 of 2001

Having found 2 charges under Section 21 (1) (aa) and (ba) against Gavin Robert Campbell proven the Board ordered that he be reprimanded, and that he pay part of the cost of the enquiry, being the amount of \$445. Conditions were placed on Mr Campbell's Practising Certificate requiring that his next 5 plans be verified and countersigned in accordance with the Registrar's Directions under the Licensing Surveyors (Transfer of Land Act) Regulations and that he submit to the Board a report on how he intends to improve his work practices to a satisfactory level.

The costs are to be paid to the Board within 30 days.

Enquiry E3 of 2001

Having found 2 charges under Section 21 (1) (aa) and (f) of the Licensed Surveyors Act against Gavin Robert Campbell proven the Board made the following orders. In relation to the charges combined the Board resolved to suspend the practising certificate of Mr Campbell for a period of 3 months from 27 November 2001 and ordered him to pay costs of \$400 to be paid within 30 days and costs of the Registrar of Titles.

G. E. MARION, Secretary.

LA402

TRANSFER OF LAND ACT 1893 APPLICATION H787652

Take notice that John Stephen McKay of Summerfield Road, Mardella made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Lot 74 Summerfield Road, Serpentine being Cockburn Sound Location 74 on Crown Survey Plan Cockburn Sound 22 containing 4.0469 hectares (10 acres) being the whole of the land comprised in Memorial Book XXV No. 393.

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 1 March 2002 a caveat forbidding the land being brought under the operation of the Act.

IAN HYDE, Registrar of Titles.

MEDICAL BOARD WA

MX401

MEDICAL ACT 1894

In the matter of Tony Kierath and in the matter of an Inquiry to be conducted by the Medical Board of Western Australia pursuant to Section 13 of the Medical Act.

Before—

Professor C. A. Michael AO, MD, FRCOG, FRACOG, DDU

Dr M. Surveyor MB.BS., MRCS., LRCP.DA

Mrs Narelle Johnson QC

Associate Professor G Riley MRC Psych., FRACGP, FRANZCP

Mrs A White

ORDERS OF THE BOARD

1. The Board at the Inquiry convened on 22 October 2001 pursuant to Section 13(1)(a) of the Medical Act 1894 (as amended), made orders to protect the confidentiality of the medical histories of the Complainant and a person who gave evidence at the Inquiry, who was also one of Dr Kierath's patients. The Board reserved its decision.

2. At a subsequent meeting of the Board held 29 November 2001, based on its findings the Board—

- (a) found that Dr Kierath had been guilty of improper conduct in the professional respect in that without the consent of his patient, he disclosed his patient's identity and the medical procedure that he had performed on the patient; and
- (b) found that Dr Kierath was guilty of improper conduct in the professional respect and that he attempted to persuade the patient to retract her complaint to the Office of Health Review by offering to pay her money.

3. In relation to the finding outlined in paragraph 2(a), the penalty imposed by the Board was a reprimand and fine of \$5,000 which reflect the Board's view of the seriousness of the breach of confidentiality.

4. In relation to the finding outlined in paragraph 2(b) the Board imposed a penalty of a reprimand and a fine of \$3,000 and recommended to Dr Kierath that he undertake a remedial communication course.

5. Dr Kierath was also ordered to pay the costs of the Inquiry.

By Order of the Medical Board of Western Australia.

Date 1/2/2002.

SIMON M. HOOD, Registrar.

MINERALS AND PETROLEUM

MP401*

COMMONWEALTH OF AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT 1967

SECTION 37(1)

DECLARATION OF A LOCATION

I, RICHARD CRADDOCK, Acting Director Petroleum Division of the Department of Mineral and Petroleum Resources for the State of Western Australia, being the officer who, for the time being which holds certain powers and function of the Designated Authority in respect of the area specified as being adjacent to the State of Western Australia by virtue of an instrument of delegation dated 31 May 2001 and published in the *Government Gazette* of Western Australia on 12 June 2001, do by the publication of this instrument in the *Government Gazette*, declare the following blocks to be a location for the purpose of Part III of the Act.

Field	Location No.
IAGO-NORTH TRYAL ROCKS	5SL/01-2
	Rowley Shoals Map Sheet
Block No.	Block No.
3328	3329

These blocks are the subject of Exploration Permit No. WA-253-P held by—

Chevron Australia Pty Ltd

Texaco Australia Pty Limited

Dated this 4th day of February 2002.

RICHARD CRADDOCK, A/Director, Petroleum Division.

MP402

MINING ACT 1978
NOTICE OF INTENTION TO FORFEIT

Department of Mineral & Petroleum Resources,
 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 4 March 2002 it is the

intention of the Minister for State Development under the provisions of Sections 96A(1) and 97(1) of the Mining Act 1978 to forfeit such for breach of covenant, viz, non-payment of rent.

JIM LIMERICK, Director General

Number	Holder	Mineral Field
Exploration Licences		
08/969	Intension NL	Ashburton
08/980	Intension NL	Ashburton
28/460	Gold Partners Ltd	North East Coolgardie
28/508	Kurnalpi Gold NL	North East Coolgardie
31/252	Great Southern Mines NL	North Coolgardie
37/600	Wear Services Pty Ltd	Mt Margaret
39/538	Ganeff, Mary; Royal Resources Pty Ltd	Mt Margaret
39/565	Kelray Resources NL	Mt Margaret
39/597	Kelray Resources NL	Mt Margaret
39/598	Kelray Resources NL	Mt Margaret
39/750	Leonora Metals Pty Ltd	Mt Margaret
39/752	Leonora Metals Pty Ltd	Mt Margaret
39/753	Leonora Metals Pty Ltd	Mt Margaret
39/754	Leonora Metals Pty Ltd	Mt Margaret
39/755	Leonora Metals Pty Ltd	Mt Margaret
39/756	Leonora Metals Pty Ltd	Mt Margaret
39/757	Leonora Metals Pty Ltd	Mt Margaret
40/105	Horizon Mining Ltd	North Coolgardie
59/904	Seivwright, Daniel Kevin	Yalgoo
69/1502	Astro Mining NL	Warbuton
77/903	Swick, Randal Lloyd	Yilgarn
80/2389	New Century Resources Pty Ltd	Kimberley
Mining Leases		
15/266	Buchhorn, Pamela Jean	Coolgardie
15/676	Dale, Victor Churchill	Coolgardie
15/698	WMC Resources Ltd	Coolgardie
15/699	WMC Resources Ltd	Coolgardie
20/327	Kay Nominees Pty Ltd	Murchison
24/99	Aberfoyle Gold Ltd	Broad Arrow
28/102	Kurnalpi Gold NL	North East Coolgardie
28/103	Elixir Holdings Pty Ltd; Gutnick Resources NL	North East Coolgardie
28/105	Elixir Holdings Pty Ltd; Gutnick Resources NL	North East Coolgardie
29/2	Mobile Gold Mining Pty Ltd	North Coolgardie
29/165	Hooper, Stuart Leslie	North Coolgardie
31/134	Houereau, Jemmy; Webb, Dean Scott	North Coolgardie
37/423	Sir Samuel Mines NL	Mt Margaret
45/220	Attwood, Ronald Gregory	Pilbara
47/88	North, Donald Edward	West Pilbara
52/751	Webspy Ltd	Peak Hill
52/776	Oldcity Nominees Pty Ltd	Peak Hill
58/160	De Grussa, Kevin Ronald	Murchison
59/207	Equigold NL; WRF Securities Ltd	Yalgoo
59/208	Equigold NL; WRF Securities Ltd	Yalgoo
59/508	Dalrymple, Ross	Yalgoo
70/381	Australian Gold Resources Ltd	South West
70/910	Jones, Robert Joseph; Sheard, Leonard John; Strugnell, Laurence William	South West
70/1044	Barry Morgan Nominees Pty Ltd	South West
77/568	Outokumpu Mining Australia Pty Ltd	Yilgarn
80/288	Astro Bow River Mines Ltd	Kimberley
80/289	Astro Bow River Mines Ltd	Kimberley

Gold Mining Leases

15/7021	Pro-Force Mining Contractors Pty Ltd	Coolgardie
24/2724	Aberfoyle Gold Ltd	Broad Arrow
24/3160	Aberfoyle Gold Ltd	Broad Arrow
25/1342	Jones, Barton Cecil; Jones, Load Cecil	East Coolgardie
25/1619	Jones, Barton Cecil; Jones, Load Cecil	East Coolgardie
40/1109	Hanks, Milton Edgar	North Coolgardie

Mineral Lease

70/601	Green, Keith Langlouis; Green, Pearl McKinnon	South West
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PLANNING AND INFRASTRUCTURE

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF HARVEY

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 47

Ref: 853/6/12/18 Pt 47

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 Harvey Town Planning Scheme Amendment on 29 January 2002 for the purpose of:

1. Introducing after Clause 2.7 a new Clause 2.8—Unauthorised Existing Developments.

“2. 8 Unauthorised Existing Developments

2.8.1 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.

2.8.2 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.

Note: 1. Applications for approval to an existing development are made under Section 2.2 of this Scheme.

3. The approval by the Local Government of an existing development does not affect the power of the Local Government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.”

2. Modifying Clause 6.2.5 of the Scheme to read:

“6.2.5

Where a “Special Residential” zone has been approved subject to development being contained within designated building envelopes on each lot, no buildings or developments, including outbuildings, shall be permitted to be erected outside the building envelope.”

3. Modifying Clause 6.6.1 (b) and (d) of the Scheme to read:

(b) Roof

A pitch in excess of 26° is common, and to be encouraged, however, a standard pitch of 22 ½° will be considered with the use of corrugated iron material. Additions and new buildings should use similar roof shapes, pitches and materials to existing buildings. Use of custom orb steel sheeting (Colorbond) is an acceptable alternative to corrugated iron”.

(d) Window and Doors

- Critical to maintain consistency.
- Use of timber frames with a vertical emphasis.
- Lesser window area in relation to the balance of walls is encouraged.
- Aluminium frames for windows and doors is to be discouraged, however, where they are specifically fabricated to replicate the traditional timber windows, they may be approved with timber surrounds”.

4. Modifying Clause 8.2 of The Scheme to include “Water & Rivers Commission”, after “Conservation and Land Management”.

5. Rewording Clause 10.5 of the Scheme to read:

“10.5 Destruction of Buildings

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purposes of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of Council.”

6. Inserting after Clause 11.6 a new Clause 11.7—Delegation of Functions.

“11.7 Delegation of Functions

11.7.1 The Local Government may, in writing and either generally or as otherwise provided by the instrument of delegation, Delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

11.7.2 The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 11.7.1.

11.7.3 The exercise of the power of delegation under Clause 11.7.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.

11.7.4 Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in Section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.”

7. Modifying Land Use Category No. 3 in Table 2 to read “Two Grouped Dwellings with reticulated sewer”.

8. Modifying Land Use Category No. 4 in Table 2 under minimum effective frontage to read “22m”.

9. Modifying Zoning and Development Table No. 31—“Special Rural” by adding a new Land Use Category No. 13 to permit “Rural Pursuit” as an “AA” use.

10. Amending the Zoning and Development Standards by modifying the following—

g) Table 1—“Special Residential” by adding a new Land Use Category No. 10.—Bed & Breakfast Accommodation—AA.

h) Table 3—“Residential” by adding a new Land Use Category No. 22.—Bed & Breakfast Accommodation—SA.

i) Table 6—“Residential Development” by adding a new Land Use Category No. 32.—Bed & Breakfast Accommodation—SA.

j) Table 29—“General Farming” by adding a new Land Use Category No. 38.—Bed & Breakfast Accommodation—AA.

k) Table 31—“Special Rural” by adding a new Land Use Category No. 14.—Bed & Breakfast Accommodation—AA.

l) Table 32—“Special Rural & Landscape Protection” by adding a new Land Use Category No. 10.—Bed & Breakfast Accommodation—AA.

11. Amending the Zoning and Development Standards for the above Tables to include the following standards for Bed & Breakfast Accommodation—

Minimum Carparking spaces—2 carparking bays per dwelling and one for each bedroom used for guests.

12. Amending the Zoning and Development Standards by modifying the following;—

c) Table 3—“Residential” by adding a new Land Use Category No. 21.—Display Home Centre—AA.

d) Table 6—“Residential Development” by adding a new Land Use Category No. 31—Display Home Centre—AA.

13. Amending the Zoning and Development Standards for the above Tables to include the following standards for Display Home Centres;—

Minimum Carparking Spaces—Off street parking of 4 bays per display home.

14. Modifying Schedule 13—Interpretations by inserting the following definitions for “Bed and Breakfast Accommodation” and “Display Home Centre”;—

“Bed and Breakfast Accommodation: means a dwelling, used by a resident of that dwelling, to provide accommodation for persons away from their normal place of residence on a short term commercial basis and includes the provision of breakfast. For the purpose of this Clause, the provision of accommodation means a maximum of two (2) guest bedrooms and two (2) guest bathrooms forming an integral part of the dwelling and capable of accommodating no more than 4 adults or one family at any one time.”

“Display Home Centre—means a group of two or more dwellings which are intended to be open for public inspection.”

J. W. OFFER, President.
J. S. GALE, Deputy Chief Executive Officer.

PI401

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF FREMANTLE

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 54

Ref: 853/2/5/6 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 City of Fremantle Town Planning Scheme Amendment on 29 January 2002 for the purpose of:

1. Amending clauses 19, 21 and 71 as follows (new text shown in ***bold italics***). Underline text represents an amendment still being considered by the Hon Minister for Planning:
 19. The Council may determine that a particular application should be dealt with under Clause 71. In making this determination, the Council shall have regard to ***the Fremantle Municipal Heritage Inventory***, any lists of buildings and places maintained by the Australian Heritage Commission, National Trust of Australia (WA), Heritage Council of Western Australia, to the planning policy statements of the Council, to the character of the building and the area and to the public interest.
 21. 'Fremantle Municipal Heritage Inventory' is a list of those places within the scheme area, which are of cultural heritage significance and worthy of conservation under the provisions of the scheme and prepared in accordance with section 45 of the Heritage of Western Australia Act 1990.
 71. (c) In considering an application subject to this clause, the Council shall have regard to any planning policy statement of the Council and to the published policies and the views of the Australian Heritage Commission ***including the Burra Charter***, the National Trust of Australia (WA) ***and the Heritage Council of Western Australia***, which views the Council may solicit.
 77. In determining an application for consent for development, the Council shall have regard to and may attach conditions relating to the following matters:
 - (s) ***the heritage significance of the place and its context;***
 - (t) any other matters.
2. Amending Table One—Land Use, as follows.

USE CLASSES	Zones and Reserves	Local Centre	Local Reserve Open Space
Administration		AA	X
Advertising		IP	AA
Community		AA	AA
Entertainment		AA	AA
Home Occupation		AA	X
Production		AA	X
Residence—private		AA	X
Residence—other		AA	X
Retailing—local convenience		P	AA
Retailing—comparison		AA	X
Retailing—other		AA	X
Service—professional		P	X
Service—commercial		P	X
Service—other		AA	X
Storage		AA	X
Utility		AA	AA

'P' A use that is permitted under this scheme.

'IP' A use that is not permitted unless such use is incidental to the principal use as determined by the Council.

'AA' A use that is not permitted unless consent is granted by the Council.

'X' A use that is not permitted.

P. TAGLIAFERRI, Mayor.
 R. GLICKMAN, Chief Executive Officer.

PI403*

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

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 49

Ref: 853/6/12/18 Pt 49

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 Harvey Town Planning Scheme Amendment on 29 January 2002 for the purpose of:

1. Rezoning Lots 29 and 30 Uduc Road Harvey from “Commercial - Office” to “Residential R15/30/50”.
2. Modifying the scheme maps accordingly.

J. W. OFFER, President.
K. J. LEECE, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF JOONDALUP

DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 2

Ref: 853/2/34/2 Pt 2

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 Joondalup Town Planning Scheme Amendment on 29 January 2002 for the purpose of:

1. In Schedule 1 after the definition of the term “equestrian activity” inserting the following:
equipment hire : includes the use of land or buildings for the hire of lawnmowers and other items of a like kind and the term may include the display of some items of that equipment. But the term does not include the hire of vehicles.
2. In Table 1 inserting the symbol “D” against the use class “Equipment Hire” under the Commercial zone.

J. BOMBAK, Mayor.
L. DELAHAUNTY, Chief Executive Officer.

PI405

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

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 100

Ref: 853/6/14/20 Pt 100

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 Manjimup Town Planning Scheme Amendment on 3 January 2002 for the purpose of:

1. Inserting a new PART into the Scheme Text, following Part 1 (I), being:
“PART 2 (II)—Local Planning Policy Framework
- 2.1 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 or in one or more parts of the Scheme area, and may amend or add to or rescind the Policy.
- 2.2 Relationship of Local Planning Policies to Scheme
 - 2.2.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

- 2.2.2 If a provision of 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.

2.3 Procedure for making or amending a Local Planning Policy

- 2.3.1 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 two (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 twenty one (21) days from the day the Notice is published) submissions may be made;
 - (b) may publish a notice of the proposed Policy in such other manner and carry out such other consultation as the local government considers appropriate.
- 2.3.2 After expiry of the period with 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.
- 2.3.3 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.
- 2.3.4 A Policy has effect on publication of a notice under Clause 2.3.3(a).
- 2.3.5 A copy of each Local Planning Policy, as amended from time to time, is to be kept available for public inspection during business hours at the offices of the local government.
- 2.3.6 Clauses 2.3.1 to 2.3.5, with any necessary changes, apply to the amendment of a Local Planning Policy.

2.4 Revocation of a Local Planning Policy

A Local Planning Policy may be revoked by—

- (a) the adoption by a local government of a new Policy under Clause 2.3 that 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 two (2) consecutive weeks in a newspaper circulating in the Scheme area.”

2. Renumbering PARTS 2 (II) to 3 (III), 3 (III) to 4 (IV) and 4 (IV) to 5 (V) of Town Planning Scheme No. 2 (and accompanying clauses to the respective Parts), accordingly. Reference to the renumbered Part and clause numbers being reflected in the balance of the Scheme Text, where required.

3. Inserting a further new PART into the Scheme Text, following PART 5 (V), being:

“PART 6 (VI)—Heritage Protection

6.1 Heritage List

- 6.1.1 The local government is to establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.
- 6.1.2 In the preparation of the Heritage List the local government is to—
- (a) have regard to the Municipal Inventory prepared by the local government under Section 45 of the Heritage of Western Australia Act 1990; and
 - (b) include on the Heritage List such of the entries on the Municipal Inventory as it considers to be appropriate.
- 6.1.3 In considering a proposal to include a place on the Heritage List the local government is to—
- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under Clause 7.1.1 and the reasons for the proposed entry;
 - (b) invite submissions on the proposal from the owner and occupier of the place within twenty one (21) days of the day the Notice is served;
 - (c) carry out such other consultations as it thinks fit; and
 - (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after consideration of the submissions.
- 6.1.4 Where a place is included on the Heritage List, the local government is to give notice of the inclusion to the Commission, the Heritage Council of Western Australia and to the owner and the occupier of the place.

- 6.1.5 The local government is to keep a copy of the Heritage List with the Scheme documents for public inspection.
- 6.1.6 The local government may remove or modify the entry of a place on the Heritage List by following the procedures set out in Clause 6.1.3.
- 6.2 Designation of a heritage area
- 6.2.1 If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage, significance and character of an area, the local government may, by Resolution, designate that area as a heritage area.
- 6.2.2 The local government is to—
- (a) adopt for each heritage area a Local Planning Policy which is to comprise—
 - (i) a map showing the boundaries of the heritage area;
 - (ii) a record of places of heritage significance; and
 - (iii) objectives and guidelines for the conservation of the heritage area;
 - and
 - (b) keep a copy of the Local Planning Policy for any designated heritage area with the Scheme documents for public inspection.
- 6.2.3 If the local government proposes to designate an area as a heritage area, the local government is to—
- (a) notify in writing each owner of land affected by the proposed designation and provide the owner with a copy of the proposed Local Planning Policy for the heritage area;
 - (b) advertise the proposal by—
 - (i) publishing a notice of the proposed designation once a week for two (2) consecutive weeks in a newspaper circulating in the Scheme area;
 - (ii) erecting a sign giving notice of the proposed designation in a prominent location in the area that would be affected by the designation; and
 - (iii) such other methods as the local government considers appropriate to ensure widespread notice of the proposal; and
 - (c) carry out such other consultation as the local government considers appropriate.
- 6.2.4 Notice of a proposal under Clause 6.2.3 (b) is to specify—
- (a) the area the subject of the proposed designation;
 - (b) where the proposed Local Planning Policy which will apply to the proposed heritage area may be inspected; and
 - (c) in what form and in what period (being not less than twenty one (21) days from the day the Notice is published or the sign is erected, as the case requires) submissions may be made.
- 6.2.5 After the expiry of the period within which submissions may be made, the local government is to—
- (a) review the proposed designation in the light of any submissions made; and
 - (b) resolve to adopt the designation with or without modification, or not to proceed with the designation.
- 6.2.6 If the local government resolves to adopt the designation, the local government is to forward a copy of the designation to the Heritage Council of Western Australia, the Commission and each owner of land affected by the designation.
- 6.2.7 The local government may modify or revoke a designation of a heritage area.
- 6.2.8 Clauses 6.2.3 to 6.2.6 apply, with any necessary changes, to the amendment of a designation of a heritage area.
- 6.3 Heritage agreements
- The local government may, in accordance with the Heritage of Western Australia Act 1990, enter into a heritage agreement with an owner or occupier of land or a building for the purpose of binding the land or affecting the use of the land or building insofar as the interest of that owner or occupier permits.
- 6.4 Heritage assessment
- Despite any existing assessment on record, the local government may require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of any heritage place listed on the Heritage List.
- 6.5 Variations to Scheme provisions for a heritage place or heritage area
- Where desirable to—
- (a) facilitate the conservation of a heritage place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List under Clause 6.1.1; or
 - (b) enhance or preserve heritage values in a heritage area designated under Clause 6.2.1;
- the local government may vary any site or development requirement specified in the Scheme or the Residential Planning Codes by:
- (a) consulting with the affected parties; and

(b) having regard to any expressed views prior to making its determination to grant the variation.”

4. Renumbering PART 5 (V) to PART 7 (VII) and PART 6 (VI) to PART 8 (VIII) of Town Planning Scheme No. 2 (and accompanying clauses to the respective Parts), accordingly. Reference to the renumbered Part and clause numbers being reflected in the balance of the Scheme Text, where required.

K. D. LIDDELOW, President.
V. McKAY, Chief Executive Officer.

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			
8734	Bulawayo Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Bicton and known as Zebra's African Steakhouse	18/2/02
8750	Burbridge Property Group Pty Ltd	Application for the grant of a Hotel Restricted licence in respect of premises situated in Mandurah and known as Mandurah Gates Resort	27/2/02
8751	Chase Tours Pty Ltd	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Exmouth and known as Marina Beach Retreat	3/3/02
8756	Novacorp Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as To Be Advised	28/2/02
8760	Wildstar Enterprises Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in Fremantle and known as Madonna's Lounge Bar and Restaurant	4/3/02
8766	Gibros Pty Ltd	Application for the grant of a Hotel Restricted licence in respect of premises situated in Northbridge and known as Luminati	6/3/02
APPLICATION FOR THE REMOVAL OF A LICENCE			
136818	Woolworths (WA) Pty Ltd	Application for the removal of a Liquor Store licence in respect of premises situated in Esperance and known as Woolworths Esperance	10/2/02
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
10482	Mitchell James Holdings Pty Ltd	Application for the Ongoing Extended Trading Permit of a Hotel licence in respect of premises situated in Inglewood and known as Civic Hotel	21/1/02
10622	Pharoh Investments Pty Ltd	Application for the Ongoing Extended Trading Permit of a Hotel licence in respect of premises situated in Karratha and known as Karratha International Motel	7/2/02

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

HUGH HIGHMAN, Director of Liquor Licensing.

TRANSPORT

TR401*

NAVIGABLE WATERS REGULATIONS

WATER SKI AREA

DUKE OF ORLEANS BAY, ESPERANCE

Department for Planning and Infrastructure,
Fremantle WA, 8 February 2002.

Acting pursuant to the powers conferred by Section 48A of the Navigable Waters Regulations the Department by this notice defines and sets aside the following area of Navigable Water for the purpose of Water Skiing between the hours of Sunrise and Sunset and orders that bathing shall be prohibited therein—

DUKE OF ORLEANS BAY

All those waters within an area starting at point A (33° 55.1657' 122° 34.9543') being approximately 200m from the foreshore, thence in a north-easterly direction for approximately 300m to point B (33° 55.0175' 122° 35.0366') also approximately 200m from the foreshore, thence east for approximately 300m to point C (33° 55.0175' 122° 35.2316'), thence in a south westerly direction for approximately 300m to point D (33° 55.1657' 122° 35.1493') thence west to the start point (all coordinates based on GDA94).

MICHAEL LINLAY HARRIS, Acting Director General,
Department for Planning and Infrastructure.

TR402*

NAVIGABLE WATERS REGULATIONS

WATER SKI AREA

LOGUE BROOK DAM

Department for Planning and Infrastructure,
Fremantle WA, 8 February 2002.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department by this notice revokes Notice TR401 as published in the *Government Gazette* on 4 February 1994 and hereby closes Logue Brook Dam to water skiing from 11 February 2002, until further notice.

MICHAEL LINLAY HARRIS, Acting Director General,
Department for Planning and Infrastructure.

PUBLIC NOTICES

ZZ101

NOTICE OF FINAL MEETING OF CREDITORS AND MEMBERS

Companies Form 125

Windoor Holdings Pty Ltd (In Liquidation) ACN 008 822 071

Notice is hereby given that the final meeting of creditors and members of the abovenamed company will be held at the offices of Quigley & Co, 4th Floor, 231 Adelaide Terrace on 8 March 2002 at 12 noon.

AGENDA

1. To receive the Liquidator's account showing how the winding up has been conducted and the giving of any explanation thereof.
2. To approve the Liquidator's remuneration.

Dated this 5th day of February 2002.

P. R. QUIGLEY, Liquidator.
(Quigley & Co, Chartered Accountants,
4th Floor, 231 Adelaide Terrace, Perth)

ZZ201

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 8th March 2002, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Airey, John Serevin, late of 77B The Promenade, Mt Pleasant, died 18/12/2001 (DE33010058 EM45)

Bloor, Gwendoline Edith Hope, late of Care of Swan Village, Tandara, 73 Jarrah Road, Bentley, died 16/12/2001 (DE19540236 EM24)

Bynon, Alma Hazel, late of 19 Wandoo Crescent, Wongan Hills, formerly of 15 Oakover Street, East Fremantle, died 27/12/2001 (DE19601617 EM25)

Cirulis, Hugo, late of 38 Kathleen Avenue, Maylands, died 4/6/2001 (DE30331700 EM37)

Denniss, Leslie John, late of 206/8 Ord Street, Fremantle, died 3/12/2001, (DE33004993 EM37)

Durbridge, Harold Arthur, late of 40 Florence Street, West Perth died 22/7/2001 (DE30334442 EM37)

Grybas, Jouzas, late of Lot 1539 Verna Street, Gosnells, died 25/11/2001 (DE19810454 EM12)

Herd, Beryl Lorraine, late of 240 Ravenscar Street, Doubleview, died 21/12/2001 (DE19700436 EM23)

Hetherington, John, late of 89 Alexander Street, Wembley, died 6/1/2002 (DE19460412 EM35)

Holgate, John, late of 29 Dawe Street, Australind, died 17/12/2001 (DE19972479 EM24)

May, Donald George, late of 68B Cloister Avenue, Manning, died 23/9/2001 (DE30334849 EM13)

Munro, Donald Alexander, late of 31 Staines Street, Victoria Park, formerly of 23 Goddard Street, Victoria Park, died 14/12/2001 (DE19561285 EM36)

O'Keefe, Gerard Patrick, late of 9 Hybrid Court, Banjup, died 4/1/2002 (DE19940944 EM32)

Paust, Mona Mercy, late of 2 Winmarley Street, Floreat, died 4/1/2002 (DE19740963 EM22)

Ross, Margaret Frances Osborne, late of 10 Dean Street, Claremont, died 16/8/2001, (DE30331632 EM25)

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

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Biographical Register of Members of the Parliament of Western Australia

Volume One
1870 – 1930
(Revised Edition)

David Black and Geoffrey Bolton

BIOGRAPHICAL REGISTER OF

75

FORREST, Sir John CMG (1882), KCMG (1891), PC (1897), GCMG (1901), Baron (1918)

Surveyor. *R* 22 Aug 1847, Preston Point nr Bunbury; s. of William, miller, and Margaret Guthrie Hill, bro. of Alexander and David (qq.v.), bro-in-law of Edward and Samuel Hamersley (qq.v.); *M* 29 Feb 1876, St Georges Cthrl., Perth, Margaret Elvire Hamersley (*B* 22 Oct 1844 – *D* 13 June 1929), d. of Edward and Anne Louise Corneille; no ch.; *D* 3 Sep 1918, at sea on *Marathon* off Sierra Leone, Karakatta cem. C of E.



Educ. Govt. sch., Picton, Bunbury, Bishop Hale's sch. (1859–63). Apprenticed as surveyor Nov 1863; appointed temp. Govt Surveyor Dec 1865, remained on staff of Surveyor-General's office until 1890; 1869 led expeditions to interior to search for Leichhardt's remains and 1870 from Perth–Adel. along South coast; 1871 became Govt Surveyor for Northern Dist; 1874 led expeditions Geraldton–Adel. across centre of WA to overland telegraph line; elected FRGS (gold medal), Chevalier of the Order of the Crown, Italy; Hon. Fellow St. Petersburg, Vienna and Italian Geographical Soc's; 1876 Dpty Surveyor-General, 1878 acting Surveyor-General and Commissioner of Crown Lands, 1880–81 Acting Supt of Convicts; Fellow Linnean Soc. of Adelaide for work in collecting Aust. flora; Jan 1883–90 Surveyor-General and Commissioner of Crown Lands; 1887 represented WA at 1st Colonial Conference and Queen Victoria's Jubilee celebrations in London; 1897 Hon. LLD (Cambridge); 1902 Hon. LLD (Adel.); 1916 Hon. LLD (Univ. of WA); in 1918 first Aust. to be created a peer. Published *Explorations in Australia* (London, 1875), *Notes on Western Australia* (Perth 1884, 1885 and 1886), *The Present and Future of Western Australia* (Perth, 1897).

Forrest Party, Prot. 1901–06, WA Party 1906–1910. Liberal from 1910.

State: Nom. (official) MLC 10 Jan 1883 – 9 June 1887, 6 Mar 1888 – 21 Oct 1890. MLA Bunbury 3 Dec 1890 – c. 14 Feb 1901, Premier and Colonial Treas. 29 Dec 1890 – 14 Feb 1901; Colonial Sec. 4 Dec 1894 – 28 Apr 1898. Represented WA at Fed. Conventions 1891 and 1897–98, Fed. Councils 1893, 1895, 1897 (pres.), 1899. **Commonwealth:** MHR Swan 30 Mar 1901 – 3 Sep 1918. Postmaster-General 1 Jan – 17 Jan 1901; Min. for Defence, 17 Jan 1901 – 10 Aug 1903; Home Affairs 11 Aug 1903 – 27 Apr 1904; Treasurer 5 July 1905 – 30 July 1907, 2 June 1909 – 29 Apr 1910, 24 June 1913 – 17 Sep 1914, 17 Feb 1917 – 27 Mar 1918. Acting Prime Minister 1907.

AE: Serle; Kimberly, 1–7 (port.); *C20 Imp.*, 18–19 (port.); Battye I, 308–09 (port.) and II, 46–58 (port.); Crowley (Forrest); *ADB* 8; *BDWA* II; Reid and Oliver.

The *Biographical Register of Members of the Parliament of Western Australia* Volume One 1870-1930, the first of two volumes, was produced under the auspices of the Parliament of Western Australia as part the official Parliamentary History Project to commemorate the centenary in 1990 of the establishment of a bicameral legislature and responsible government in Western Australia.

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