

PERTH, TUESDAY, 21 OCTOBER 2003 No. 167

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 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Town of Victoria Park

PARKING AND PARKING FACILITIES AMENDMENT 2003

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it the Council of the Town of Victoria Park hereby records having resolved on 14 October 2003, to amend its Parking and Parking Facilities Local Law published in the *Government Gazette* on 31 May 2000 as follows—

1. In clause 1.3(1) add after definition of "bus embayment" a new definition as follows;

""bus zone" has the meaning given to it in the Code."

- 2. Renumber Clauses 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, and 2.9, to 2.4, 2.5, 2.6, 2.7, 2.8, 2.9 and 2.10 respectively;
- 3. After Clause 2.2 add new clause 2.3 as follows;

"2.3 Stopping in a bus zone

A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone."

4. Delete clause 4.7 and add a new clause 4.7 as follows;

"4.7 Limitation on parking of vehicles with a tare in excess of two thousand kilograms on a carriageway or parking station.

A person shall not park a vehicle having a tare in excess of two thousand kilograms on a carriageway or in a parking station for more than two hours consecutively."

5. Delete clause 4.8 and add a new clause 4.8 as follows;

"4.8 Limitation on parking of over length vehicles on carriageway or parking station

A person shall not park a vehicle or any combination of vehicles that together with anything in or on that vehicle is more than 8 metres in length, on a carriageway or in a parking station for more than two hours consecutively."

6. Delete the Second Schedule and replace it with the following;

Second Schedule

Town of Victoria Park PARKING AND PARKING FACILITIES LOCAL LAW **PRESCRIBED OFFENCES**

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2 (1) (a)	Parking wrong class of vehicle	50
2	2.2 (1) (b)	Parking by persons of a different class	50
3	2.2 (1) (c)	Parking during prohibited period	100
4	2.2 (2) (a)	Parking in no parking area	100
5	2.2 (2) (b)	Parking contrary to signs or limitations	50
6	2.2 (2) (c)	Parking vehicle in motor cycle only area	50
7	2.2 (3)	Parking motor cycle in stall not marked "M/C"	
8	2.3	Stopping unlawfully in a bus zone	75
9	2.4(1)	Parking in Loading Zone	50
10	2.5(1)	Unauthorised Parking in pedestrian mall	50
11	2.6	Parking contrary to direction of Authorised Person	100
12	2.8 (b)	Parking unlicensed vehicle on thoroughfare	50
13	2.8 (c)	Parking a trailer/caravan on a thoroughfare	50
14	2.10	Failure to display ticket in parking station or	
		area set aside	50

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
15	3.4 (1) (a)	Causing obstruction in parking station	50
16	3.4 (1) (b)	Parking contrary to sign in parking station	50
17	3.4 (1) (c)	Parking contrary to directions of Authorised Person	100
18	4.1 (a)	Fail to park on the left of two-way carriageway	50
19	4.1 (b)	Fail to park on boundary of one-way carriageway	50
20	4.1 (a) & (b)	Parking against the flow of traffic	50
21	4.1 (c)	Parking when distance from farther boundary	
		less than 3 metres	50
22	4.1 (e)	Causing obstruction	75
23	4.5 (2) (a)	Double parking	50
24	4.5 (2) (c)	Denying access to private drive or right of way	100
25	4.5 (2) (d)	Parking beside excavation or obstruction so as to	
		obstruct traffic	50
26	4.5 (2) (e)	Parking within 9 metres of traffic island	50
27	4.5 (2) (f)	Parking on footpath/pedestrian crossing	100
28	4.5 (2) (g)	Parking on bridge or in tunnel	50
29	4.5 (2) (i)	Parking on intersection	50
30	4.5 (2) (l)	Parking within 6 metres of intersection	50
31	4.5 (3) (a)	Parking vehicle within 9 metres of departure side of	
		bus stop	50
32	4.5 (4) (a)	Parking vehicle within 18 metres of approach side of	
		bus stop	50
33	4.5 (4) (b)	Parking vehicle within 18 metres of approach side of	
		pedestrian/children's crossing	50
34		Parking commercial vehicle, bus or caravan on verge	
35	4.6 (1) (c)	Parking on verge contrary to sign	50
36	4.7	Parking vehicle with tare in excess of 2000 kilograms	
		in excess of two hours	75
37	4.8	Parking over length vehicle in excess of 2 hours	75
38	5.1	Driving or parking on reserve	50
39	5.2(2)	Parking on land that is not a parking facility without	
		consent	100
40	5.2(3)	Parking on land not in accordance with consent	50
41	6.1(8)(a)(b)(c)	Unauthorised Parking in a work zone	50
42	7.3	Failure to remove permit when residence changed	50
43	8.6 (1)	Leaving vehicle so as to obstruct a public place	100
44		All other offences not specified	50

Dated: 14 October 2003.

The Common Seal of the Town of Victoria Park was here unto affixed by authority of the Council in the presence of —

J. A. MICK LEE, OAM, JP, Mayor. A. SHERIDAN, Acting Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG302

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RULES OF HARNESS RACING 1999

Amendment

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia* Act 2003, notice is hereby given that the Board of Racing and Wagering WA on 10 October 2003 resolved that the *Rules of Harness Racing 1999* be amended as follows—

- 1. New Local Rule:
 - Part 2 Stewards—LR15A. Powers of Investigator/s
- 2. <u>Amendment to Local Rule:</u>
 - Part 9 Drivers-LR 156. Approved whip
- 3. <u>Amendments to the following National Rules:</u>

Part 9 Drivers—156 (2) (c)-(f) inclusive; 156 (3) and 156 (4). Whips

A copy of the above rules may be obtained during office hours from the Western Australian Trotting Association, Gloucester Park, Nelson Crescent, East Perth, WA.

RG301

2.

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

GREYHOUND RACING RULES 1998

Amendment

In accordance with Section 45 (1) (c) of the *Racing and Wagering Western Australia* Act 2003, notice is hereby given that the Board of Racing and Wagering WA on 10 October 2003 resolved that the *Greyhound Racing Rules 1998* be amended as follows-

1. <u>New Local Rules:</u>

Part 1 Preliminary Part 30 The Totalisator Part 8 Stewards	LR 3. Definition of "Investigator" LR 220. Definition of "jackpot totalisator" LR 103A. Investigator/s
Amendment to Local Rules:	0
Part 1 Preliminary	LR 3. Definition of "Authority"

LR 3. Definition of "Authority LR 3. Definition of "board"

A copy of the above rules may be obtained during office hours from the Western Australian Greyhound Racing Association, Cnr. Albany Highway and Station Street, Cannington, WA.

R. B. BENNETT, Chief Executive Officer.

— PART 2 —

AGRICULTURE

AG401*

AGRICULTURAL PRODUCE COMMISSION ACT 1988

APC BEEKEEPERS PRODUCERS' COMMITTEE DIRECTIONS 2003

Given under Section 11.3 of the Agricultural Produce Commission Act 1988.

Citation

1. These directions may be cited as the APC Beekeepers Producers' Committee Directions 2003.

Commencement

2. These directions come into operation on the day on which they are published in the Government Gazette.

Interpretation

3. In these directions, unless the contrary intention appears —

- (a) **"beekeeper producer"** means
 - (i) a person who owns, or has the charge, care or possession of, bees or any hive that contains, or has contained, bees; and
 - (ii) where a person referred to in paragraph (i) is a body corporate, each of the directors of the body corporate.
- (b) "member" means a member of the committee and includes the chairperson;
- (c) **"the Committee"** means the APC Beekeepers Producers' Committee established under section 11 of the Act.

Constitution of the Committee

4.1 Subject to the Act, there is to be a Committee consisting of 5 members appointed by the Commission.

4.2 If the Commission is of the opinion that a poll of Western Australian beekeepers should be held to elect committee members then a poll shall be conducted.

4.3 A committee member is appointed as the first chairperson by the Commission for a three year term, thereafter committee members elect one of their number as chairperson.

Term of member

5. A member holds office for such term, not exceeding 3 years, as is fixed by the Commission.

Removal from office

6. The Commission may remove a member from office on the ground that that member is mentally or physically incapable of performing the duties of a member, or for incompetence, neglect of duty, misconduct or a breach of these directions.

Vacation of office

7. The office of a member becomes vacant if the member –

- (a) dies
- (b) is absent from 4 consecutive meetings of the Committee without the permission of the Committee;
- (c) is an undischarged bankrupt or a person whose property is subject to an order or arrangement under the laws relating to bankruptcy; or
- (d) is removed from office by the Commission under direction 6.
- (e) tenders in writing to the Commission their resignation from the office.

Casual vacancy

8. (1) Where an office of a member of the Committee becomes vacant otherwise than by effluxion of time, the Commission is to appoint a person to take the place of the person who has vacated the office. (2) A person appointed under subdirection (1) holds office for the balance of the term of the member whose place he or she takes.

Disclosure

9. (1) A member of the Committee who has a direct or an indirect pecuniary interest in a matter being considered or about to be considered at a meeting of the Committee must, as soon as possible after the relevant facts have come to his or her knowledge, disclose his or her interest at a meeting of the Committee.

(2) A disclosure under subdirection (1) is to be recorded in the minutes of the meeting of the Committee and the member must not, unless the meeting otherwise determines —

- (a) be present during any deliberation of the Committee with respect to that matter; or
- (b) take part in any decision of the Committee with respect to that matter.

(3) For the purpose of the making of a determination by the Committee under subdirection (2), in relation to a member who has made a disclosure under subdirection (1), a member who has a direct or an indirect interest in the matter to which the disclosure relates must not —

- (a) be present during any deliberation by the Committee for the purpose of making that determination; or
- (b) take part in the making by the Committee of that determination.

Meetings

10. (1) Subject to subdirection (2), meetings may be held at such times and places as the Committee determines.

(2) A special meeting of the Committee may at any time be convened by the chairperson of the Committee provided 7 days notice is given or shorter period if unanimously agreed by Committee members.

(3) The chairperson of the Committee presides at any meeting of the Committee at which the chairperson is present and, in the absence of the chairperson, the members present are to elect one of their members to preside.

(4) At a meeting of the Committee, 3 members constitute a quorum.

(5) At any meeting of the Committee the member presiding at the meeting has a deliberative vote, and in the case of an equal number of votes being cast for and against any question, has a casting vote.

(6) The Committee shall conduct its proceedings, and cause to be kept minutes of all its proceedings. Minutes of meetings are to be confirmed by the Committee as soon as possible and signed by the Chairperson as being true and accurate account of the meeting.

Resolution without meeting

11. A resolution in writing signed or assented to by letter, or electronic means of communication, by each member of the Committee is as valid and effectual as if it had been passed at a meeting of the Committee.

Procedures of the Committee

12. Except to the extent that they are prescribed or as set out in these directions, the Committee may determine its own procedures.

Code of Conduct

13. A member of the Committee shall observe the provision of any code of conduct prepared by the Commission and provided to the Committee.

Remuneration and expenses of Committee members

14~(1) The remuneration and traveling and other expenses is payable to Committee members in respect of their attendance at meetings and carrying out their duties at a rate agreed to by the Commission.

(2) Application for remuneration to be made within two months of incurring the expense.

Dated: 26 September 2003.

Given by the Agricultural Produce Commission,

H. MORGAN, Chairman.

CONSUMER AND EMPLOYMENT PROTECTION

CE401

ASSOCIATIONS INCORPORATION ACT 1987

Section 35

CANCELLED ASSOCIATIONS

MANDURAH WILDLIFE PARK (INC)

JARRAHDALE OCCASIONAL CHILD CARE SERVICE INCORPORATED

GOOMALLING AND DISTRICT DEVELOPMENT GROUP (INC.)

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

Dated the 16th day of October 2003.

PATRICK WALKER, Commissioner for Fair Trading.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

KIMBERLEY PRAWN MANAGED FISHERY MANAGEMENT PLAN 1993

Clause 17—Closure of Areas within the Fishery

NT 60/99

In accordance with clause 17 of the Kimberley Prawn Managed Fishery Management Plan 1993 (the Plan), I hereby prohibit all persons from fishing in the waters described in Schedule 1 of the Plan during the period commencing at 0900 hours WST on 27 October 2003 and ending at 0600 hours WST on 1 May 2004.

(WST—Western Standard Time)

Dated this 16th day of October 2003.

P. P. ROGERS, Executive Director.

FI402*

FISH RESOURCES MANAGEMENT ACT 1994

WEST COAST ROCK LOBSTER FISHERY MANAGEMENT PLAN Amendment (No. 3) 2003

FD 1064/01 [595]

Made by the Minister under section 54.

Citation

1. This instrument may be cited as the West Coast Rock Lobster Fishery Management Plan Amendment (No. 3) 2003.

Management plan amended

2. The amendments in this instrument are to the West Coast Rock Lobster Management Plan 1993*.

Clause 19 amended

3. Clause 19(2)(b) is amended by deleting "prior to the commencement of the licensing period to which the election relates" and inserting instead—

"on or before 1 November next following the day on which the licence expires".

Schedule 7 amended

4. Paragraph (a) of Schedule 7 is amended by deleting "1 October of the year in which the licence is to be granted or renewed" and inserting instead—

"1 November next following the day on which the licence expires".

[*Published in the Gazette of 2 November 1993. For amendments to 14 October 2003 see Notice No. 684 published in the Gazette of 25 November 1994, Notice No. 688 published in the Gazette of 13 December 1994, Notice No. 706 published in the Gazette of 12 May 1995, Notice No. 731 published in the Gazette of 29 September 1995, the West Coast Rock Lobster Management Plan Amendment 1996 published in the Gazette of 5 November 1996, the West Coast Rock Lobster Management Plan Amendment 1997 published in the Gazette of 21 February 1997, the West Coast Rock Lobster Management Plan Amendment Plan Amendment (No. 2) 1997 published in the Gazette of 30 September 1997, the West Coast Rock Lobster Management Plan Amendment (No. 2) 1997 published in the Gazette of 30 September 1997, the West Coast Rock Lobster Management Plan Amendment (No. 2) 1997 published in the Gazette of 13 November 1998, the West Coast Rock Lobster Management Plan Amendment (No. 2) 1999 published in the Gazette 12 November 1999, the West Coast Rock Lobster Management Plan Amendment (No. 2) 1999 published in the Gazette of 29 August 2000, the West Coast Rock Lobster Fishery Management Plan Amendment 2001 published in the Gazette of 12 October 2001, the West Coast Rock Lobster Fishery Management Plan Amendment 2002 published in the Gazette of 22 January 2002 and the West Coast Rock Lobster Fishery Management Plan Amendment 2003 sublished in the Gazette of 11 July 2003. See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices in force under the Fisheries Act 1905 immediately before the commencement of those Regulations.]

Dated this 16th day of October 2003.

KIM CHANCE, Minister for Agriculture, Forestry and Fisheries.

4477

HEALTH

HE401*

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994

HEALTH SERVICES (QUALITY IMPROVEMENT)(APPROVED COMMITTEE) ORDER (No. 3) 2003

Made by the Minister for Health pursuant to section 7(1) of the Act.

Citation

1. This order may be cited as the Health Services (Quality Improvement)(Approved Committee) Order (No.3) 2003.

Commencement

2. This order comes into operation on the day on which it is published in the Government Gazette.

Great Southern Regional Clinical Event Review Committee

3. The Great Southern Regional Clinical Event Review Committee established by the Director General of Health as the delegate of the Minister for Health in his capacity as the Board of the WA Country Health Service is an approved quality improvement committee for the purposes of the Act.

Expiry of order

4. This order expires three years after its commencement. Dated this 7th day of October 2003.

JIM McGINTY, Minister for Health.

HERITAGE

HR101*

CORRECTION

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

In the notice published in the Government Gazette dated 17 October 2003, item HR401 on page 4439, one error occurred and is hereby corrected as follows—

Under Schedule 1, the last sentence of the land description for William & Wellington Street Precinct was shown as—

Together with Ptn of William and Murray Streets as is defined in HCWA Survey 15846 prepared by Cadgraphics WA.

The correct entry should read—

Together with Ptn of William and Murray Streets as is defined in HCWA Survey 16743 prepared by Cadgraphics WA.

Dated this 21st day of October 2003.

STEPHEN CARRICK, Acting Director, Office of the Heritage Council.

LAND ADMINISTRATION

LA401*

TRANSFER OF LAND ACT 1893

APPOINTMENTS

Department of Land Information, Midland.

DOLA File 3622-1986-02

His Excellency the Governor in Executive Council is pleased to remove under section 7 of the *Transfer* of Land Act 1893 Ian Kingston Hyde as Registrar of Titles

His Excellency the Governor in Executive Council is pleased to appoint under section 7 of the Transfer of Land Act 1893 Bruce Glenn Roberts as Registrar of Titles.

GRAHAME SEARLE, Acting Chief Executive.

LOCAL GOVERNMENT

LG401

DOG ACT 1976

Shire of Morawa APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 for the municipality of the Shire of Morawa—

Registration Officers

Authorised Officers

C. Jones

B. M. King K. N. Parsons G. L. Merrick P. W. Buist G. G. Speedy S. J. Varley J. C. Freebairn R. F. Reynolds

All previous appointments are hereby cancelled.

G. L. MERRICK, Chief Executive Officer.

LG402*

BUSH FIRES ACT 1954

City of Belmont

APPOINTMENT OF OFFICERS

It is hereby notified for public information that in accordance with Section 38 of the Act, the Council

of the City of Belmont have appointed the following Officers-

Chief Fire Control Officer Deputy Chief Fire Control Officer Fire Control Officers Graham Wilson Alexander Butcher Jozef Zygadlo Stuart Hopwood Kevin Phillips

All previous appointments are hereby cancelled.

NEIL HARTLEY, Acting Chief Executive Officer.

LG403*

DOG ACT 1976

Shire of Trayning APPOINTMENTS

That the following persons be appointed under the provisions of the Dog Act 1976— Registration Officers— Kevin Dickson Jason Flynn Jenna Fensome Belinda Taylor Authorised Officers— Kevin Dickson Jason Flynn Robert Maley All previous appointments are hereby cancelled.

By Order of the Council,

LG404

TOWN OF NORTHAM

APPOINTMENT

It is hereby notified for public information that Felix McQuisten has been appointed on a relief basis as a Ranger/Authorised Officer/Poundkeeper in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

- 1. Local Government Act 1995 and Regulations
- 2. Local Government (Miscellaneous Provisions) Act 1960
- 3. Bush Fires Act 1954 and Regulations
- 4. Dog Act 1976 and Regulations
- 5. Litter Act 1979
- 6. Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- 7. Town of Northam Local Laws

DONALD S. BURNETT, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

City of Belmont 2003/2004 FIREBREAK NOTICE

Notice to all Owners and/or Occupiers of Land in the City of Belmont

Pursuant to the powers contained in Section 38 of the Bush Fires Act 1954 (as amended) you are hereby required on or before the 30th day of November 2003, or within fourteen days of the date of you becoming the owner or occupier should this be after the 30th day of November 2003, to remove from the land owned or occupied by you all flammable material as to clear firebreaks in accordance with the following and thereafter to maintain the land or firebreaks clear of flammable material up to and including the 31st day of March 2004, in such positions and to such dimensions as required by this notice—

- (1) Where the area of land is less than 3000 square metres remove all flammable material from the whole of the land.
- (2) Where the area of land is 3000 square metres or more a firebreak must be provided not less than 3.0 metres in width inside and along the whole of the external boundaries of the land.
- (3) Provide a firebreak not less than two (2) metres in width immediately abutting all buildings, outbuildings, sheds etc, with all overhanging branches, trees, limbs etc to be trimmed back clear of all firebreaks and removed from the land.

If for any reason it is considered impractical to clear firebreaks or to remove the flammable material from the land as required by this Notice, application must be made in writing to the Council or its duly Authorised Officer on or before the 15th day of November 2003 for permission to provide firebreaks in alternative positions or take alternative action to abate a fire hazard. If permission is not granted by the Council or its duly Authorised Officer you shall comply with the requirements of this Notice in its entirety.

Penalty:

The penalty for failing to comply with this Notice is a fine of not more than \$1000 and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this Notice, if it is not carried out by the owner or occupier by the date required by this Notice.

Note:

The requirements of this Notice should be carried out by means other than burning, ie. Mowing, rotary hoeing, ploughing, scarifying or cultivating.

NEIL HARTLEY, Acting Chief Executive Officer.

LG502*

BUSH FIRES ACT 1954

Shire of Trayning FIREBREAK NOTICE

Notice To Owners and Occupiers of Land within the Shire of Trayning

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are required on or before the date mentioned in the following Schedule to have a firebreak clear of all flammable matter

and maintain the firebreak to at least the width mentioned and in the manner described in the following Schedule of Land owned or occupied by you.

SCHEDULE

1. DATES

a) RURAL LAND

1st November 2003 to 30th April 2004

Surrounding Buildings/Haystacks and Fuel Dumps

b) TOWNSITE LAND1st November 2003 to 30th April 2004

2. WIDTH AND MANNER DESCRIBED

a) Rural Land

At least 3 metres wide and not more than 100 metres from the perimeter of all buildings and/or haystacks or groups of buildings and/or haystacks so as to completely surround the buildings, haystacks and/or fuel dumps or so as to effectively surround the buildings, haystacks and/or fuel dumps which may be combined with strategic breaks e.g. roads, clear ground etc, with an effective cleared width of 3 metres.

- b) Townsite Land
 - 1. If lot is 2024m² (½ acre) or less, clear of all flammable material from the whole of the area. Acceptable methods of clearing include grazing, mowing, grading or burning.
 - 2. If lot is larger than $2024m^2$ (½ acre), there be a firebreak of either 3 metres inside the boundary or 3 metres outside the boundary. Where there is a road free of flammable material, applications can be made annually to the Chief Fire Control Officer for exemption.
- c) Fuel Dumps

In respect of land owned or occupied by you, on which is situated any fuel dump, in addition to the requirements of paragraphs (a) and (b) 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 fuel or not. This includes the land on which ramps for holding the drums are constructed.

The flammable material free ground must be maintained to a distance of at least 3 metres outside the perimeter of any drum, stack of drums or drum ramp or bulk storage tank.

Flammable material is defined for the purpose of this notice to include vegetation, timber, boxes, cartons, paper and like materials, rubbish and any other combustible matter, but does not include green standing trees, garden plants, growing bushes or maintained lawns, stacked wood heaps or buildings.

- d) If it is considered to be impracticable for any reason to clear firebreaks on the land in the situations required by this Notice or by the date required by this Notice, you may apply to the Council or its duly Authorised Officer for variations by the Order. An application must be made no later than 14 days prior to the date by which firebreaks are required to be constructed, for permission to provide firebreaks in alternative positions or by an alternative date or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council or its duly Authorised Officer you shall comply with the requirements of this Notice.
- e) The penalty for failing to comply with this Notice is a fine of \$100 by infringement or not more than \$1,000 if prosecuted, and the person in default is liable, whether prosecuted or not, to pay the cost of performing the work.
- f) If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act 1954.

3. ROAD RESERVES

Owners and occupiers of land are hereby notified that Council has adopted a policy of NO roadside burning. In certain circumstances, Council permission can be granted to burn upon application.

4. PADDOCK BURNS

At any time, where a landholder intends to burn, a three (3) metre firebreak clear of flammable material must be placed surrounding the entire area in which burning is to occur to prevent the escape of fire from the paddock.

Where a fire escapes through a lack of a suitable firebreak, the landholder will be responsible for the cost of reinstating the lost vegetation in addition to any fine or infringement incurred for not complying with this notice.

By Order of the Council,

LG503*

BUSH FIRES ACT 1954

City of Melville

FIREBREAK NOTICE

Notice to all Owners and/or Occupiers of Land situated in the City of Melville

Pursuant to the powers contained in section 33 of the above Act, you are hereby required on or before the 15th day November 2003 or within 14 days of the date of you becoming the owner or occupier should this be after the 15th day of November 2003 and thereafter up to and including the 30th day of April 2004 to clear inflammable matter from that land in accordance with the following requirements—

- A. As to land which is 1,500 square metres or less in area, or which is zoned "residential" to clear all inflammable matter from the whole of the land except living trees, shrubs and plants under cultivation and lawns.
- B. As to all other land within the district the owner or occupier shall—
 - (i) Clear firebreaks of a minimum width of 3 metres inside all external boundaries of the land; and
 - (ii) Clear firebreaks of a minimum width of 5 metres around all buildings situated on the land; and
 - (iii) Where that area of land exceeds ten hectares, clear firebreaks of a minimum width of 5 metres so as to ensure that no area of land within the firebreaks exceeds ten hectares in land; and
 - (iv) In any event, clear the firebreaks to the satisfaction of Council's duly authorised officer.

If for any reason an owner or occupier considers it to be impracticable to clear firebreaks or comply with other fire protection measures in accordance with this requirement, the owner or occupier may apply in writing to the Council's duly authorised officer no later than 31 October 2003 for an exemption or partial exemption from compliance with the requirements of this notice.

The penalty for failing to comply with this notice is a fine of not more than \$5,000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

JOHN McNALLY, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

Section 105(1)

CANCELLATION OF EXPLORATION PERMIT WA-295-P

I, William Lee Tinapple, Director Petroleum Division in the Department of Industry and Resources, the delegate of the Designated Authority in respect of the adjacent area in respect of the State of Western Australia and on behalf of the Commonwealth-Western Australian Offshore Petroleum Joint Authority, hereby **cancel** Exploration Permit No. WA-295-P of which Kerr-McGee NW Shelf Australia Energy Pty Ltd, Kerr-McGee Australia Exploration and Production Pty Ltd and Eni Australia B.V. are the registered holders, on the grounds of—

Non compliance with Condition 1 (work commitments) of Exploration Permit No. WA-295-P

Dated at Perth this 15th day of October 2003.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

W. L. TINAPPLE, delegate of the designated authority, pursuant to the Instrument of Delegation dated 13/5/03 for and on behalf of the Commonwealth-Western Australia Offshore Petroleum Joint Authority.

PLANNING AND INFRASTRUCTURE

PI401*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENT NO. 1073/33A

Central Perth Omnibus (No. 1)

Notice of Approved Amendment

File: 833-2-1-39

The Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme. The Amendment is shown on Western Australian Planning Commission plan number 3.1689 and is effective from the date of publication of this notice in the *Government Gazette*.

PETER MELBIN, Secretary, Western Australian Planning Commission.

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Augusta-Margaret River

Town Planning Scheme No. 11-Amendment No. 125

Ref: 853/6/3/8 Pt 125

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 Augusta-Margaret River Town Planning Scheme Amendment on DATE for the purpose of—

- 1. Rezoning Lot 21 of Sussex Location 4298 Brockman Road Cowaramup from "RuraU' to "Special Use" as depicted on the amending map adopted by Council.
- 2. Amending the Scheme Text by inserting in "Schedule ill—Special Use Sites" the following.

LOT AND LOCATION PERMITRED USES (SEE CLAUSE 4.8)

management.

Lot 21 of Sussex Location	PURPOSE
4298 Brockman Road Cowaramup	1.0 The purpose of this Special Use Zone affecting the subject land is to provide for—
	(a) Site specific controls and other provisions for the establishment of an integrated Village that is specifically intended to provide for—
	• the manufacture and/or sale of artisan, gourmet food and other agricultural products including wines.
	 Provision of tourist related opportunities and services.
	• On-site permanent residential accommodation for artisans and other persons involved in the manufacture and/or sale of products or the provision of ancillary services on the subject land.
	• Residential expansion of the Cowaramup townsite and limited on-site short-stay tourist accommodation.
	(b) Expansion of the Cowaramup Townsite in a manner that is consistent with the objectives and guidelines of the Leeuwin Naturaliste Ridge Statement of Planning Policy No. 7.
	OBJECTIVES
	Overall
	2.0 To provide for flexibility in the zoning controls to allow for mixed, integrated development in a village environment through innovative approaches to subdivision, land use and ongoing

LOT AND LOCATION PERMITRED USES (SEE CLAUSE 4.8) 2.1To provide for a transitional development area that accounts for the environmental qualities of the site, surrounding agricultural uses and a desire to provide for increased lifestyle choices that are compatible with the character of agriculture, arts and crafts production and tourism of the location and Shire in general. 2.2 To provide for development design and construction standards and guidelines that minimise adverse environmental impacts and that are compatible with the surrounding rural character of the locality. 2.3 To provide for a focal village centre for the specific exhibition and sale of artisans' products and ancillary services with a range of nodal residential opportunities within and around the periphery of the village centre which facilitates a mix of workshops, studios, galleries, display areas in addition to complementary tourist uses. 2.4 To ensure that commercial and community orientated development within the village centre is complementary to, and does not adversely compete, with existing commercial or community services or opportunities for such services within the existing Cowaramup town centre. 2.5 To minimise the loss of significant remnant vegetation through appropriate subdivision design and controls. 2.6 To provide for detailed on-going land use and environmental management provisions through the use of management plans and caveats that can be integrated with appropriate land tenure mechanisms. 2.7To ensure that development only occurs once appropriate infrastructure and services have been provided for. DEVELOPMENT CONCEPT PLAN 3.0 Subdivision and development shall be generally in accordance with the approved Cowaramup Village Development Concept Plan (dated 30 May 2003). 3.1 The Council may endorse or refuse any proposed modifications to the approved Development Concept Plan by way of resolution of Council where the modifications are consistent with the purpose and objectives of the zone. Where modifications to the Development Concept Plan are proposed, the Council shall require the modifications to be advertised for public comment for a period of 21 days prior to considering the proposed modification. 3.2 The Council is to forward a copy of any modifications referred to in 3.1, once these have been considered by Council, to the Western Australian Planning Commission for its consideration. The modified Development Concept Plan will not come into effect until endorsed by the Western Australian Planning Commission (WAPC). 3.3 Where the Council rejects a request to modify the approved Development Concept Plan, or attaches conditions or requires modifications which the applicant considers unreasonable, the applicant shall have the eight of appeal Pursuant to part V of the Act. However, this appeal right does not come into effect until the Development Concept Plan has been considered by the WAPC. 3.4 Where the WAPC rejects a request to modify the approved Development Concept Plan, or attaches conditions or requires modifications which the applicant considers unreasonable, the applicant shall have the eight of appeal Pursuant to part V or the Act. PERMISSIBLE LAND USES 4.0 The following list indicates the uses which may be permitted in the various landuse categories nominated on the approved Development Concept Plan. 4.1 Rural Production Lots 'P' Use Category (a)Nil (b) 'IP' Use Category

Home Occupation Professional Office

LOT AND LOCATION PER	PERMITRED USES (SEE CLAUSE 4.8)		
	(c)	'AA' Use Category	
		Single Dwelling	
		Rural Pursuit	
		Art and Craft Studio and Sales	
	(d)	'SA' Use Category	
	(u)		
		Intensive Agriculture	
		Cottage Industry	
		Plant Nursery	
		Educational Establishment (where such a use is only associated with education related to agriculture or production techniques and/or practices)	
4.2	Reside	ential Lots	
	(a)	'P' Use Category	
		Single Dwelling	
	(b)	'IP' Use category	
		Home occupation	
	(c)	'AA' Use Category	
	(-)	Nil	
	(d)	'SA' Use Category	
	(u)	Cottage Industry	
		Day Care Centre	
4.9	C		
4.3	-	o Accommodation Lot	
	(a)	Use Category	
		Nil	
	(b)	'IP' Use category	
		Home Occupation	
	(c)	'AA' Use Category	
		Single Dwelling	
		Grouped Dwelling	
	(d)	'SA' Use Category	
		Nil	
4.4	Short	Stay Accommodation Lot	
	(a)	'P' Use Category	
		Nil	
	(b)	'IP' Use Category	
	()	Caretakers Dwelling	
	(c)	'AA' Use Category	
	(0)	Residential Building (where the maximum number of	
		short stay suites is limited to 20)	
	(d)	'SA' Use Category	
	. ,	Nil	
4.5	Separ	ate Village Workshop/Residential Lots	
	(a)	'P' Use Category	
	(0)	Single Dwelling	
	(b)	'IP' Use Category	
	(0)	Home Occupation	
	(a)	-	
	(c)	'AA' Use Category Arts and Craft Studio and Sales	
	(d)	'SA' Use Category	
		Nil	
4.6	-	e Artisan Lot with Apartment Above	
	(a)	'P' Use Category	
		Nil	
	(b)	'IP' Use Category	
		Home Occupation	
		Professional Office	

LOT AND LOCATION PI	PERMITRED USES (SEE CLAUSE 4.8)		
	(c)	'AA' Use Category	
	. ,	Single Dwelling	
		Arts and Crafts Studio and Sales	
		Markets (means any land or buildings used for the display and sale of goods from stalls by independent vendors)	
	(d)	'SA' Use Category	
	~ /	Health Centre	
		Health Studio	
		Educational Establishment (where such a use is only associated with education relating to the production of arts and crafts or natural health remedies and/or practices)	
		Cottage Industry	
4.	7 Villas	ge—Buildings	
	(a)	'P' Use Category	
	(u)	Nil	
	4.)		
	(b)	'IP' Use Category	
		Nil	
	(c)	'AA' Use Category	
		Shop (only where such a use is associated with the display and/or sale of arts and craft products gounTlet or delicatessen foods, floral products and plants, or health care products)	
		Eating House	
		Licensed Restaurant	
		Take-away Food Outlet	
		Fish Shop	
		Trade Display	
		Office	
		Professional Office	
		Art and Craft Studio and Sales	
		Wine Shop	
		Hotel	
		Health Centre	
		Markets (means any land or building used for the display and sale of goods from stalls by independent vendors) Single Dwelling	
	(1)	Group Dwelling	
	(d)	'SA' Use Category	
		Private Club	
4.3	8 Remr	nant Vegetation Protection	
	(a)	'P' Use Category	
		Nil	
	(b)	'IP' Use Category	
		Nil	
	(c)	'AA' Use Category	
		Discretionary uses (AA), as determined by Council, are to be consistent with the Environmental Management Plan (referred to in clause 12.2 and/or the Development Concept Plan and are to be incidental to the intended protection of the vegetation and passive recreational uses of the land. In addition, Council may consider the approval of an open air market within the area designated Village Centre on the Development Concept Plan.	
	(d)	'SA' Use Category	
	(u)	> cutogory	

Nil

LOT AND LOCATION

PERMITRED USES (SEE CLAUSE 4.8)

4.9 Uses other than those listed in clause 4.1 to 4.8 inclusively of this Schedule as it relates to the subject property are prohibited except where it can be demonstrated, to the satisfaction of Council, that those uses are incidental or ancillary to an approved permitted use.

DEVELOPMENT

Residential Lots

5.0 The following provisions shall apply to all land nominated as Residential Lots on the approved Development Concept Plan.

5.1 All developmentllots shall be connected to a reticulated Water supply and reticulated sewerage scheme.

5.2 Residential development density shall be in accordance with the R-Code nominated on the Development Concept Plan.

5.3 In addition to clause 5.2 residential development shall comply with the Scheme and R-Codes unless varied by design guidelines endorsed by Council and the Western Australian Planning Commission that may address1 but not be limited to—

- Setbacks
- Building Materials
- Building Height
- Grouped Dwellings, where applicable
- Overlooking and Overshadowing
- Fencing
- Levels, Earthworks and Retaining Walls
- Roofscape
- Outbuildings and Other Structures
- Security
- Solar Orientation.

5.4 Council may request as a condition of subdivision approval the Western Australian Planning Commission require building envelopes to be nominated and all residences and outbuildings. shall be contained within the envelope unless Council agrees to a variation of the envelope. Where Council approves a building envelope the setbacks nominated in the envelope shall supersede the setback requirement of the R-Codes.

Rural Production Lots

6.0 The following provisions shall apply to all land nominated as Rural Production Lots on the approved Development Concept Plan.

6.1 Council will request that the WAPC Impose a condition of subdivision requiring identification of building envelopes for all dwellings and residential development shall be limited to the envelope nominated. All non residential development setbacks and development controls will be determined at the discretion of Council.

6.2 Only non-reflective roofing and wall materials will be permitted.

6.3 Boundary fencing of each allotment shall be of a rural character post and wire construction and any form of solid fencing shall not be permitted.

6.4 All development/lots shall be connected to a reticulated water supply.

6.5 $\,$ Onsite effluent disposal systems are to be to the satisfaction of Council.

Artisan Village-Village Centre

7.0 The following provisions shall apply to all land contained within the Artisan Village—Village Centre on the approved Development Concept Plan—

7.1 All development shall comply with the Scheme and R-Codes unless varied by design guidelines endorsed by Council and the Western Australian Planning Commission.

The design guidelines shall address but not be limited to-

- Front Setbacks
- Side Setbacks
- Building Height

LOT AND LOCATION PERMITRED USES (SEE CLAUSE 4.8)

- Grouped Dwellings, where applicable
- Mixed Use Development
- Overshadowing
- Front Fencing
- Boundary Fencing
- Levels. Earthworks and Retaining Walls
- Roofscapes
- Outbuildings and Other Structures
- Other Design Considerations

7.2 All development is to be connected to a reticulated water supply and a reticulated sewerage scheme.

Fire Protection

8.0 Council will request that the WAPC impose a condition of subdivision requiring the preparation and implementation of a fire management plan on a stages basis as subdivision occurs generally in accordance with the draft fire management plan (No. 1386-fmp-rev1 dated 23-4-2003) contained in the amendment report to the satisfaction of Council and FESA

Vegetation Protection

9.0~ No trees or substantial native vegetation shall be felled or removed from the site except where—

- (a) required for approved development or subdivision works;
- (b) required to fulfil the provisions or requirements of an approved Bush Fire Management;
- (c) required by a Council Firebreak Order; or
- (d) Trees are dead, diseased or dangerous.

Drainage

10.0 Council will request that the WAPC impose a condition of subdivision requiring the preparation of a drainage strategy for the site and the strategy is to be implemented on a staged basis as subdivision occurs,

Management

11.0 Council Will request that the WAPC impose a condition of subdivision requiring the preparation, to the satisfaction of Council and the WAPC, of management statements for the Artisan Village-Village Centre.

Public Open Space and Remnant Vegetation Protection

12.0 Piror to subdivision, the subdivider is to demonstrate the suitable provision of 10% public open space for residential subdivision for vesting with Council. The location of the required public open space is to be to the satisfaction of Council and the WAPC and may be located within the Remnant Vegetation Area and/or Revegetation Area Identified on the Development Concept Plan.

12.1 Prior to subdivision, the subdivider is to demonstrate how the Remnant Vegetation Protection areas are to be managed and protected in perpetuity. However, management is to be generally in accordance with the principles established within tjie Amendment 125 report.

12.2 The Council will request that the WAPO Impose a condition of subdivision requiring the subdivider to prepare and implement a Environmental Management Plan for Remnant Vegetation Protection areas. The Environmental Management Plan may include, but will not be limited to, the following—

- (a) Description and mapping of remnant vegetation and watercourses.
- (b) Description of regional conservation values
- (c) Management of remnant vegetation and watercourses to avoid potential impacts and landuse conflicts through addressing but not limited to the following—
 - clearing restrictions
 - fencing and signage weed control
 - fire management and paths
 - rehabilitation

LOT AND LOCATION

PERMITRED USES (SEE CLAUSE 4.8)

- mosquito and midge control
- pets
- monitoring
- incorporation of public open space
- (d) Description of how potential impacts and potential land use conflicts will be avoided through appropriate buffers and land use management.
- (e) Provision of details of contingency plans In the event the development has an adverse impact upon environmental values

12.3 Council will request that the WAPC impose a condition requiring the preparation and implementation of a rehabilitation programme for the Revegetation Area identified on the Development Concept Plan.

Road Access

13.0 Prior to subdivision, Council and the subdivider are to establish a staging and contributions programme to ensure adequate road upgrading to provide for strategic road linkage connecting the proposed development/subdivision to the local road network, generally in accordance with the West Cowaramup Townsite Strategy.

> N. DORNAN, President. I. BODILL, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Cockburn

Town Planning Scheme No. 3—Amendment No. 5

Ref: 853/2/23/20 Pt 5

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 Cockburn Town Planning Scheme Amendment on 14 October 2003 for the purpose of—

- 1. Reclassifying a portion of Prout Way from Local Reserve—'Local Road, ROW, PAW' to Residential R25 and R20 and Local Reserve—Parks and Recreation.
- 2. Amending the Scheme Maps accordingly.

S. LEE, Mayor. D. M. GREEN, Acting Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 6—Amendment No. 18

Ref: 853/2/25/8 Pt 18

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 Gosnells Town Planning Scheme Amendment on 14 October 2003 for the purpose of inserting in Schedule 2 the following—

No.	Description of Land	Additional Use	Conditions
14.	86 (Lot 13) Langford Avenue, Langford	Car Hire Business	Maximum of 10 vehicles to be utilised for the purpose of hire as part of the business. Same operating hours as service station.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 6—Amendment No. 21

Ref: 853/2/25/8 Pt 21

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 Gosnells Town Planning Scheme Amendment on 14 October 2003 for the purpose of—

- 1. Zoning a portion of Lots 24 and 25 Serenity Court, Maddington as General Rural.
- 2. Zoning a portion of Lot 200 Astley Street, Gosnells as Residential R30/40.
- 3. Zoning a portion of Lot 802 Buvelot Turn, Lots 789 and 801 Nolan Avenue, and Lot 788 Longstaff Loop, Thornlie as Residential R17.5.
- 4. Zoning a portion of Lot 103 Maddington Road, Maddington as General Rural.
- 5. Zoning a portion of Pt Lot 50 Albany Highway, Maddington as Local Open Space and a portion of Lots 23 and 24 Albany Highway, Maddington as Residential R17.5.
- 6. Zoning a portion of Lot 888 Philip Street, Maddington as Residential R30.

P. M. MORRIS, Mayor. S. JARDINE, 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 South West Auctioneering Company, Lot 51 Strelley Street, Busselton on 1 November 2003.

B. MATTHEWS, Commissioner of Police.

WATER

WA401*				
WA	ATER SERVICES CO-ORDINATION ACT 1995			
NOTIC	E UNDER SECTION 31 (5) AMENDMENT OF LICENCE			
Notice is given that the foll	owing operating licence has been amended—			
Licensee:	Water Corporation			
Classification:	Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services			
Term of Licence:	Up to and including 28 June 2021			
Amendment:	The following amendments have been included—			
	• OWR-OA-057(D) Condinup Potable Water Supply Services (name on operating area map corrected).			
	OWR-OA-288 Tambellup Sewerage Services (added).			
	OWR-OA-292(A) Yanchep Sewerage Services (extended).			
	• OWR-OA-290(A) Yanchep Potable Water Supply Services (extended).			
	• Asset Management Review Reports—due date amended to 31 December of the year the report is required.			
Inspection of Licence:	Office of Water Regulation 6th Floor 197 St George's Terrace Perth WA 6000			

B. R. MARTIN, Co-ordinator of Water Services.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATE

Notice to Creditors and Claimants

In the Supreme Court of Western Australia Probate jurisdiction.

Neil William Liddicoat late of 24 Cuthbert Street, Broadmeadows, in the State of Victoria, labourer/driver deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased, who died on 2 September 2003 at Northern Hospital, Epping in the State of Victoria are required by the applicant for grant of probate Kerrie Lynn Liddicoat of 24 Cuthbert Street, Broadmeadows in the State of Victoria to send particulars of their claims to her within one month from the date of publication after which date the applicant many convey or distribute the assets, having regard only to the claims of which she has notice.



CRIMINAL INVESTIGATION (EXCEPTIONAL POWERS) AND FORTIFICATION REMOVAL ACT 2002

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