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JOHN A. STRIJK, Government Printer.

# — PART 1 —

## LOCAL GOVERNMENT

LG301\*

### HEALTH ACT 1911

*Shire of Sandstone*

### HEALTH LOCAL LAW 2003

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

#### Citation

1. These Local Laws may be cited as the “*Shire of Sandstone Health Local Laws 2003*”.

#### Incorporation by Reference

2. (i) In these Local Laws, “*The Shire of Koorda Health Local Laws 2001*”;
- (a) means *The Shire of Koorda Health Local Laws 2001* published in the *Government Gazette*, special edition number 4, on the 11 January 2002; and
- (b) does not include any amendments that might be made to those Local Laws
- (ii) Subject to the modifications set out in the Schedule, *The Shire of Koorda Health Local Laws 2001* are incorporated with and form part of these Local Laws.

#### Repeal

3. (1) The Health Local Laws adopted by the Black Range District Road Board [now the Shire of Sandstone] and published in the *Government Gazette* on 21 January 1910, and amended from time to time are repealed.
- (2) The Health Local Laws adopted by the Black Range District Road Board [now the Shire of Sandstone] on 20 October 1956 and published in the *Government Gazette* on 25 January 1957, and amended from time to time are repealed.
- (3) The Health Local Laws made by the Shire of Sandstone on 23 July 1994 and published in the *Government Gazette* on 25 November 1994 are repealed.

### SCHEDULE

#### Modifications to *The Shire of Koorda Health Local Laws 2001*

Item	Sections Affected	Description
1.	Preliminary	Delete the definition of “Council” in subsection 1.3(1) and, except in subsection 1.3(1) in the definition of “water”, delete “Council” wherever it appears in the Local Laws and substitute “local government” or “the local government” as appropriate.
2	1.1	Delete Section 1.1 and substitute the following— “1.1 These Local Laws may be cited as the “ <i>Shire of Sandstone Health Local Laws 2003</i> ”.”
3	1.2	Delete Section 1.2.
4	1.3(1) and Schedules 1-11	Delete “Shire of Koorda” wherever it occurs and substitute “Shire of Sandstone”.
5	1.3(1) & 8.2.11(8)(a)	In both of these subsections delete “AS 1530.3:1999” and substitute “AS/NZS 1530.3:1999”.
6	1.3(1) & 3.2.4(2)(b)	In both these subsections delete “AS 1668.2-1991” and substitute “AS 1668.2-2002”.

<b>Item</b>	<b>Sections Affected</b>	<b>Description</b>
7	1.3(1) & 3.2.4(3)(a)	In both these subsections delete "AS/NZS 3666.2-1995" and substitute "AS/NZS 3666.2-2002".
8	1.3(1)	In the definition of "AS/NZS 3666.2-2002" delete "AS/AZS 3666.2-2002" in the second line and substitute "AS/NZS 3666.2-2002"
9	1.3(1)	In the definition of "CEO", delete the last word "Shire" and substitute "local government".
10	1.3(1)	After the definition of "hot water", insert the definition— "local government" means the Shire of Sandstone".
11	1.3(1)	In the definition of "water", delete the comma after the word "as" and insert a comma after the year "1996".
12	2.1.6	Delete the word "very" in the first line and substitute the word "every".
13	2.1.8	Delete the superfluous subsection designation "(1)".
14	3.1.1(l)	In subsection (1), delete the words "and shall have an adequate supply of water".
15	3.1.2(b)	In paragraph (b), delete the word "previous" and substitute the word "premises".
16	4.1.4	Delete the word "other" in the sixth line and substitute the words "of the".
17	4.2.1	Delete the definition of "building line".
18	4.2.2(d)	Delete paragraph (d) and substitute— "(d) on each collection day at or prior to 6.00am, place the receptacle out in the street adjoining the premises, in a position prescribed by the Council, where it is visible from the carriageway and is positioned with the handle facing away from the kerb line, or placed in such other position as is approved by the Council."
19	4.2.10	Delete the second subsection's designation "(1)" and substitute "(2)".
20	4.2.16	Delete section 4.2.16 and substitute— "The townsite of Sandstone is the prescribed area within which the provisions of Section 112A of the Act shall operate and have effect."
21	5.3.2(1)	In subsection (1), delete the words and comma "large animal," and in the second line insert the words "or other large animal" after the word "goats".
22	5.6.4	In Table 3, delete the row heading "50 to 500 pigs" and substitute the heading "50 to 499 pigs".
23	6.1.5(1)(b)	In the first line of paragraph (b), insert a comma after the word "requirement".
24	6.1.5(3)	Delete Sub-section 6.1.5(3) and substitute with— "(3) The Local Government shall not be liable to pay compensation or damages of any kind to the person referred to in sub-section (1) in relation to any action taken by the Local Government under this Section, except to the extent the person has suffered loss or damage because the action taken by the Local Government was negligent or in breach of its duty".

<b>Item</b>	<b>Sections Affected</b>	<b>Description</b>
25	6.2.3(3)	Delete Sub-section 6.2.3(3) and substitute with— “(3) The Local Government shall not be liable to pay compensation or damages of any kind to the person referred to in sub-section (1) in relation to any action taken by the Local Government under this Section, except to the extent the person has suffered loss or damage because the action taken by the Local Government was negligent or in breach of its duty”.
26	6.3.3	Delete Section 6.3.3 and substitute with— “6.3.3 No person shall store, or allow to be stored, on any premises, any food, refuse or other waste matter unless it is contained in a rodent proof receptacle or a compartment which is kept effectively protected against access by rodents”.
27	7.1.2(4)	Delete Sub-section 7.1.2(4) and substitute with— “(4) The Council shall not be liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the Council or any of its staff or employees under this Section, except to the extent the person has suffered loss or damage because the action taken by the Local Government was negligent or in breach of its duty”.
28	7.1.9(3)	Delete Sub-section 7.1.9(3) and substitute with— “(3) The Council shall not be liable to pay compensation or damages of any kind to the person referred to in sub-section (1) (a) in relation to any action taken by the Council under this Section, except to the extent the person has suffered loss or damage because the action taken by the Local Government was negligent or in breach of its duty”.
29	8.2.2(a)	Before the existing subparagraphs insert a new subparagraph (i) as follows— “(i) cooking appliances;” and then renumber the existing subparagraphs from “(i)” and “(ii)” to “(ii)” and “(iii)” respectively.
30	10.1.1 & 10.1.2	Delete the whole of Part 10— ITINERANT FOOD VENDORS.
31	Schedule 14 & 15	Delete Schedule 14 & 15.

Made at a meeting of the Council of the Shire of Sandstone held on the 28th day of April 2004.

The Common Seal of the Shire of Sandstone was hereunto affixed in the presence of—

B. L. WALTON, President.  
K. R. HASTIE, Chief Executive Officer.

On this 21st day of May 2004.

Consented to—

MARGARET STEVENS, Executive Director Public Health.

Dated this 3rd day of June 2004.

LG302\*

### HEALTH ACT 1911

*Shire of Wyndham-East Kimberley*

### HEALTH (EATING HOUSES) LOCAL LAWS 2003

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

### PART 1—PRELIMINARY

#### 1. Citation

These Local Laws may be cited as the *Shire of Wyndham-East Kimberley Health (Eating-Houses) Local Laws 2003*.

#### 2. Interpretation

In these Local Laws, unless the context otherwise requires—

“Act” means the *Health Act 1911*.

“approved fee” means the fee as fixed from time to time by the Local Government under Section 344C of the Act;

“approved form” means a form approved by the Local Government;

“eating house” shall have the same meaning as defined in Section 160 of the *Health Act 1911*;

“licence” means a licence to conduct an eating house issued by the Local Government under these Local Laws;

“local government” means the Shire of Wyndham-East Kimberley,

“registration” means the registration of an eating house issued by the Local Government under these Local Laws.

### PART 2—REGISTRATION AND LICENSING

#### 3. Prescribed Date

For the purpose of Section 163 of the Act, 30 June in each year is hereby prescribed as the date on or before which the registration of an eating house and a licence for the proprietor of an eating house shall be applied for annually.

#### 4. Requirement for registration and licensing

A person shall not occupy or use or cause, suffer, or permit to be occupied or used any premise as an eating house unless and until—

(a) the premises are registered; and

(b) each of the proprietors of the premises is licensed,

in accordance with the provisions of these Local Laws.

#### 5. Registration of an Eating House

(1) Any person seeking the registration of an eating house shall make application on the approved form and shall forward the application to the Local Government together with—

(a) subject to subclause (3), the approved fee;

(b) a floor plan and specification of the eating house which plan and specifications shall include the following details—

(i) the use of every room;

(ii) the internal finishes of every wall, floor and ceiling;

(iii) the position and type of every fitting and fixture;

(iv) all sanitary conveniences, change rooms, ventilating systems, drains, grease traps and provisions for waste disposal;

(c) the proposed menu; and

(d) the estimated number of persons, including the proprietor or proprietors, engaged in the preparation, manufacture, processing, cooking or serving of meals.

(2) Where a person makes application for the registration of an eating house in respect of which a certificate of registration is current at the date of the application, the person shall not be required to forward the plan and specification referred to in paragraph (b) of sub-clause (1).

(3) Where the registration for any year commences between 1 January and 30 June inclusive in that year, then the applicant shall be required to pay only one half of the approved fee.

(4) Upon approval of an application for registration of an eating house, for any premises it considers suitable for the purpose, the Local Government shall provide the applicant with a certificate of registration.

#### **6. Licence to conduct an eating house**

(1) The proprietor of an eating house seeking the issue of a licence shall make application on the approved form and shall forward the application to the Local Government together with the approved fee.

(2) Where there are two or more proprietors of an eating house—

- (a) all proprietors names shall be included on the application; and
- (b) the licence shall be issued in joint names.

(3) If the application is approved, a licence shall be issued by the Local Government.

(4) Any person seeking the transfer of a licence shall make application on the approved form and shall forward the application to the Local Government together with the approved fee. The application shall be signed by the proposed transferee of the licence and the holder of the licence.

#### **7. Licence conditions**

A licence shall be issued upon and subject to the condition that the holder of the licence shall—

- (a) display the licence and certification of registration of the eating house in a conspicuous place in the eating house;
- (b) notify the Local Government in writing of any alteration, addition or other work relating to the construction, drainage or ventilation of the eating house prior to the commencement of such alteration, addition or other work;
- (c) notify the Local Government in writing of any proposed changes to the menu that shall affect the classification under the *Health (Food Hygiene) Regulations 1993*;
- (d) notify the Local Government in writing of any proposed increase in staff numbers;
- (e) notify the Local Government of anything which may or has caused contamination of food; and
- (f) prevent public access to the food preparation and storage areas at all times.
- (g) not permit the reuse of any table napkin or serviette unless such table napkin has been thoroughly washed and cleansed since it was used.
- (h) not allow, animals or birds to be slaughtered and dressed or any poultry, pigeons or game to be plucked in any part of the premises.

#### **8. Eating areas**

The proprietor of any eating house shall maintain the public's dining area in a clean and hygienic condition, including any outdoor eating area and shall, when directed by an Environmental Health Officer, thoroughly clean and disinfect any such area.

### **PART 3—PENALTIES**

#### **9. Penalties**

A person who commits a breach or fails to comply with any of the requirements of these local laws commits an offence and is liable to the penalties as follows—

- (a) a penalty which is not more than \$2,500 and not less than—
  - (i) in the case of a first offence \$250;
  - (ii) in the case of a second offence \$500; and
  - (iii) in the case of a third offence or subsequent offence \$1,250; and
- (b) if that offence is a continuing offence, a daily penalty which is not more than \$250 and not less than \$125.

These Local Laws were made by the Shire of Wyndham-East Kimberley at an Ordinary Meeting held on 17th of February 2004.

The Common Seal of the Shire of Wyndham-East Kimberley was hereunto affixed by authority of Council in the presence of—

B. JOHNSON, President.  
CHRIS ADAMS, Chief Executive Officer.

On this 18th day of February 2004.

Consented to—

MARGARET STEVENS, Executive Director, Public Health.

Dated this 14th day of April 2004.

**LG303\***

**HEALTH ACT 1911**

*Shire of Wyndham-East Kimberley*

**HEALTH LOCAL LAWS 2003**

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

**Citation**

1. These Local Laws may be cited as the “*Shire of Wyndham-East Kimberley Health Local Laws 2003*”.

**Incorporation by Reference**

2. (i) In these Local Laws, “*The Shire of Koorda Health Local Laws 2001*”;
- (a) means *The Shire of Koorda Health Local Laws 2001* published in the *Government Gazette*, special edition number 4, on the 11 January 2002; and
- (b) does not include any amendments that might be made to those Local Laws
- (ii) Subject to the modifications set out in the Schedule, *The Shire of Koorda Health Local Laws 2001* are incorporated with and form part of these Local Laws.

**Repeal**

3. (1) The Health Local Laws adopted by the Shire of Wyndham-East Kimberley and published in the *Government Gazette* on 30 October 1931, and amended from time to time are repealed.
- (2) The Health Local Laws adopted by the Shire of Wyndham-East Kimberley and published in the *Government Gazette* on 5 July 1946, and amended from time to time are repealed.
- (3) The *Shire of Wyndham-East Kimberley Health Local Laws 1995* made by the Shire of Wyndham-East Kimberley on 16 November 1995 and published in the *Government Gazette* on 19 March 1996, are repealed.

**SCHEDULE**

**Modifications to *The Shire of Koorda Health Local Laws 2001***

Item	Sections Affected	Description
1.	Preliminary	Delete the definition of “Council” in subsection 1.3(1) and, except in subsection 1.3(1) in the definition of “water”, delete “Council” wherever it appears in the Local Laws and substitute “local government” or “the local government” as appropriate.
2.	1.3 (1)	Delete the words “Principal Environmental Health Officer means an Environmental Health Officer appointed by the Council to the office of Principal Environmental Health Officer and includes an Acting Principal Environmental Health Officer;”.
3.	2.1.4 (3); 3.2.4 (4); 4.2.7 (1) (2)(a)(d) (3)(f); 4.2.9 (1)(a)(ii); 5.1.7 (a) & 7.1.6 (2)	Delete the words “Principal Environmental Health Officer” wherever it appears in the Local Laws and substitute with “Environmental Health Officer”.
4.	4.2.3 (2)	Delete the words “Principal Environmental Health Officer” and substitute with the words “an Environmental Health Officer”.
5.	3.2.4 (4)	In the first line delete the word “The” and substitute with “the”.
6.	1.1	Delete Section 1.1 and substitute the following— “1.1 These Local Laws may be cited as the “ <i>Shire of Wyndham-East Kimberley Health Local Laws 2003</i> ”.”



Item	Sections Affected	Description
7.	1.2	Delete Section 1.2.
8.	1.3(1) and Schedules 1-13	Delete "Shire of Koorda" wherever it occurs and substitute "Shire of Wyndham-East Kimberley".
9.	1.3(1)	(a) In the definition of "CEO", delete the word "Shire" at the end of the paragraph and substitute "local government". (b) Insert, in the appropriate alphabetical position, the definition— "local government" means the Shire of Wyndham-East Kimberley;".
10.	1.3(1)&8.2.11(8)(a)	In both of these subsections delete "AS1530.3:1999" and substitute with "AS/NZS 1530.3:1999".
11.	1.3(1)&3.2.4(2)(b)	In both of these subsections delete "AS 1668.2—1991" and substitute "AS1668.2—2002".
12.	1.3(1)&3.2.4(3)(a)	In both of these subsections delete "AS/NZS 3666.2—1995" and substitute "AS/NZS 3666.2—2002".
13.	1.3(1)	In the definition of "AS/NZS 3666.2—2002" delete "AS/AZS 3666.2—2002" in the second line and substitute "AS/NZS 3666.2—2002".
14.	1.3(1)	In the definition of "water", delete the comma after the word "as" and insert a comma after the year "1996".
15.	2.1.6	Delete the word "very" in the first line and substitute the word "every".
16.	2.1.8	Delete the superfluous subsection number "(1)".
17.	3.1.1(l)	In subsection (l), delete the words "and shall have an adequate supply of water"
18.	3.1.2(b)	In paragraph (b), delete the word "previous" and substitute the word "premises".
19.	4.1.4	Delete the word "other" in the sixth line and substitute the words "of the".
20.	4.2.1	Delete the definition of "building line".
21.	4.2.2 (d)	Delete paragraph (d) and substitute: "(d) on each collection day at or prior to 6.00am, place the receptacle out in the street adjoining the premises, in a position prescribed by the local government, where it is visible from the carriageway and is positioned with the handle facing away from the kerb line, or placed in such other position as is approved by the local government".
22.	4.2.9(1)(a)	Delete the words "environmental health officer" and substitute the words "Environmental Health Officer".
23.	4.2.10	Delete the number "(1)" in the third line and substitute the number "(2)".
24.	4.2.16	Delete section 4.2.16 and substitute "The townsites of Wyndham and Kununurra are the prescribed areas within which the provisions of Section 112A of the Act shall operate and have effect."
25.	5.3.2 (1)	In subsection (1), delete the words and comma "large animal," and in the second line insert the words "or other large animal" after the word "goats".
26.	5.6.4	In Table 3, delete the row heading "50 to 500 pigs" and substitute the heading "50 to 499 pigs"

Item	Sections Affected	Description
27.	6.1.5(1)(b)	In the first line of paragraph (b), insert a comma after the word "requirement".
28.	6.1.5(3); 6.2.3(3); 7.1.2(4) & 7.1.9(3)	Insert the words ", except to the extent the person has suffered loss or damage because the action taken by the local government was negligent or in breach of its duty." at the end of each section.
29.	6.3.3	In the first line delete the word "caused" and insert the word "cause".
30.	6.3.3(a) & (b)	Insert the word "stored" after the first word "any"
31.	Part 8, Division 2	After section 8.2.14, insert a section numbered '8.2.15' as follows— <b>"Exemption</b> 8.2.15 (1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of Sections 8.2.2, 8.2.3 or 8.2.4. (2) The local government may grant or refuse, with or without conditions, an application for exemption from compliance under this Section. (3) An exemption granted under this Section shall state— (a) the premises to which the exemption applies; (b) any conditions imposed by the local government. (4) The local government may rescind the exemption or from time to time vary the conditions imposed by it under this Section by giving written notice of the variation to the person to whom the exemption was given."
32.	8.2.2(a)	Before the existing subparagraphs insert a new subparagraph (i) as follows— "i) cooking appliances;" and then renumber the existing subparagraphs from "(i)" and "(ii)" to "(ii)" and "(iii)" respectively.
33.	8.2.4(a)(i)	In the first line of paragraph (a)(i), insert the word "not" after the word "is".
34.	9.1.4 (b)	Delete the word " <i>Trade</i> " and insert the word " <i>Trades</i> ".
35.	10.1.1 & 10.1.2	Delete the whole of Part 10—ITINERANT FOOD VENDORS.
36.	Schedule 14 & 15	Delete Schedule 14 & 15.

Made at a meeting of the Council of the Shire of Wyndham-East Kimberley held on 17th February, 2004

The Common Seal of the Shire of Wyndham-East Kimberley was hereunto affixed in the presence of—

B. JOHNSON, President.  
CHRIS ADAMS, Chief Executive Officer.

On this 18th day of February 2004.

Consented to—

MARGARET STEVENS, Executive Director,  
Public Health.

Dated this 14th day of April 2004.

## — PART 2 —

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### AGRICULTURE

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AG401\*

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**  
ADJUSTMENTS TO DECLARED ANIMAL LIST

Agriculture Protection Board,  
South Perth.

Acting pursuant to section 35 and 36 of the *Agriculture and Related Resources Protection Act 1976*, the *Agriculture Protection Board* hereby agrees to alter the declaration of Deer to include hybrids thereof—

The Board alters the declaration of Family Cervidae to—

- Deer, species within the family Cervidae (**including hybrids thereof**), other than Red and Fallow Deer.

The Board agrees to the principle of including the hybrids of prohibited species in future gazetted lists of declared animals.

Dated: 11 June 2004.

CHRIS RICHARDSON, Chairman, APB.

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AG402\*

**SOIL AND LAND CONSERVATION ACT 1945**  
**BURAKIN-BUNKETCH LAND CONSERVATION DISTRICT**  
**(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2004**

Made by the Commissioner of Soil and Land Conservation.

#### 1. Citation

This Instrument may be cited as the *Burakin-Bunketch Land Conservation District (Appointment of Members) Instrument 2004*.

#### 2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Burakin-Bunketch Land Conservation District) Order 1986\**, the following members are appointed to the land conservation district committee for the Burakin-Bunketch Land Conservation District—

- (a) on the nomination of the Shire of Wongan-Ballidu: Kimberley James Simpson of Ballidu; and
- (b) as persons actively engaged in, or affected by or associated with, land use in the district—
  - (i) Geoffrey David Hewton of Burakin
  - (ii) Larry James Mincherton of Kalannie
  - (iii) William Wesley Clarke of Cadoux
  - (iv) Simon Reynolds of Burakin
  - (v) Robert Stanley Nixon of Kalannie
  - (vi) Malcolm Sutherland of East Ballidu
  - (vii) Michelle Gai Butcher of Cadoux
  - (viii) Michael Clarke of Cadoux

(\*Published in the *Gazette of 16 May 1986* at pp. 1692-1694 and amended in the *Gazettes of 14 December 1990* at pp. 6125-6126, *16 May 1995* at p. 1840 and *30 April 2002* at p. 2196).

#### 3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 March 2007.

DAVID HARTLEY, Commissioner of Soil and Land Conservation.

Dated this day 20th of April 2004.

AG403\*

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (COOLUP LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2004**

Made by the Governor in Executive Council under section 22 and 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Coolup Land Conservation District) Amendment Order 2004*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Coolup Land Conservation District) Order 1991\** is referred to as the principal order.

(\*Published in the Gazette of 28 June 1991 at pp. 3116-3118 and amended in the Gazettes of 12 February 1993 at p. 1208, 4 November 1994 at p. 5615, 2 June 1995 at pp. 2176-2177, and an Amendment Order approved by Executive Council on 13 January 1998 {refer Department of Agriculture reference: 881818V03P05}).

**3. Clause 2 deleted**

Clause 2 of the principal order is deleted.

**4. Clause 5 deleted and replaced**

Clause 5 of the principal order is deleted and replaced with the following—

**5. Constitution of committee**

- (1) It is determined, on the recommendation of the Minister, after consultation with the Shires of Murray and Waroona, that the district committee is to comprise 18 members, of whom—
  - (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
  - (b) the others are to be appointed by the Commissioner.
- (2) Of the members appointed under subclause (1)(b)—
  - (a) one is to be appointed on the nomination of the Shire of Murray;
  - (b) one is to be appointed on the nomination of the Shire of Waroona;
  - (c) two are to be appointed under subclause (3);
  - (d) one is to be appointed under subclause (4);
  - (e) twelve are to be persons actively engaged in, affected by or associated with, land use in the district.
- (3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, two persons whose names appear on the panel are to be appointed by the Commissioner.
- (4) The Pastoralists and Graziers Association is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, one person whose name appears on the panel is to be appointed by the Commissioner.
- (5) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).
- (6) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

**5. Clause 6 deleted and replaced.**

Clause 6 of the principal order is deleted and replaced with the following—

**6. Proceedings of the committee**

To the extent that they are not provided for under the *Soil and Land Conservation Act 1945* or Part VII of the *Interpretation Act 1984*, the committee may determine its own procedures.

By his Excellency's Command,

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

AG404\*

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (EAST BALLIDU LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2004**

Made by the Governor in Executive Council under section 22 and 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (East Ballidu Land Conservation District) Amendment Order 2004*.

**2. Principal Order**

In this order the *Soil and Land Conservation (East Ballidu Land Conservation District) Order 1986\** is referred to as the principal order.

(\*Published in the Gazette of 17 January 1986 at pp. 233-235 and amended in the Gazettes of 24 July 1987 at p. 2852, 28 June 1991 at pp. 3106-3107, and an Amendment Order approved by Executive Council on 23 September 1997 {refer Department of Agriculture reference: 881749V02P0C}).

**3. Clause 2 deleted**

Clause 2 of the principal order is deleted.

**4. Clause 6 deleted and replaced**

Clause 6 of the principal order is deleted and replaced with the following—

**6. Constitution of committee**

- (1) It is determined, on the recommendation of the Minister, after consultation with the Shire of Wongan-Ballidu, that the district committee is to comprise 12 members, of whom—
  - (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
  - (b) the others are to be appointed by the Commissioner.
- (2) Of the members appointed under subclause (1)(b)—
  - (a) one is to be appointed on the nomination of the Shire of Wongan-Ballidu;
  - (b) three are to be appointed under subclause (3);
  - (c) seven are to be persons actively engaged in, affected by or associated with, land use in the district.
- (3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, three persons whose names appear on the panel are to be appointed by the Commissioner.
- (4) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).
- (5) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

**5. Clause 7 deleted and replaced.**

Clause 7 of the principal order is deleted and replaced with the following—

**7. Proceedings of the committee**

To the extent that they are not provided for under the *Soil and Land Conservation Act 1945* or Part VII of the *Interpretation Act 1984*, the committee may determine its own procedures.

By his Excellency's Command,

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

**AG405\*****SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (TAMBELLUP LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2004**

Made by the Governor in Executive Council under section 22 and 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Tambellup Land Conservation District) Amendment Order 2004*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Tambellup Land Conservation District) Order 1989\** is referred to as the principal order.

(\*Published in the Gazette of 22 September 1989 at p. 3493 and amended in the Gazettes of 14 December 1990 at pp. 6123-6124, 30 December 1994 at pp. 7218-7219, and an Amendment Order approved by Executive Council on 28 January 1998 {refer Department of Agriculture reference: 881810V02P07}).

**3. Clause 2 deleted**

Clause 2 of the principal order is deleted.

**4. Clause 4 deleted and replaced**

Clause 4 of the principal order is deleted and replaced with the following—

**4. Constitution of committee**

- (1) It is determined, on the recommendation of the Minister, after consultation with the Shire of Tambellup, that the district committee is to comprise 11 members, of whom—
  - (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
  - (b) the others are to be appointed by the Commissioner.
- (2) Of the members appointed under subclause (1)(b)—
  - (a) two are to be appointed on the nomination of the Shire of Tambellup;
  - (b) three are to be appointed under subclause (3);
  - (c) five are to be persons actively engaged in, affected by or associated with, land use in the district.
- (3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, three persons whose names appear on the panel are to be appointed by the Commissioner.
- (4) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).
- (5) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

**5. Clause 5 deleted and replaced.**

Clause 5 of the principal order is deleted and replaced with the following—

**5. Proceedings of the committee**

To the extent that they are not provided for under the *Soil and Land Conservation Act 1945* or Part VII of the *Interpretation Act 1984*, the committee may determine its own procedures.

By his Excellency's Command,

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

AG406\*

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (DANDALUP-MURRAY LAND CONSERVATION DISTRICT)  
ORDER 2004**

Made by the Governor in Executive Council under sections 22 and 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Dandalup-Murray Land Conservation District) Order 2004*.

**2. Dandalup-Murray Land Conservation District**

The area of land described in Schedule 1 is constituted the Dandalup-Murray Land Conservation District.

**3. Establishment of the district committee**

A District Committee is established for the Dandalup-Murray Land Conservation District.

**4. Constitution of the district committee**

- (1) It is determined, on the recommendation of the Minister, after consultation with the Shire of Murray, that the district committee is to comprise 10 members, of whom—
  - (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
  - (b) the others are to be appointed by the Commissioner.
- (2) Of the members appointed under subclause (1)(b)—
  - (a) one is to be appointed on the nomination of the Shire of Murray;
  - (b) two are to be appointed under subclause (3);
  - (c) one is to be appointed under subclause (4);
  - (d) five are to be persons actively engaged in, affected by or associated with, land use in the district.
- (3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, two persons whose names appear on the panel are to be appointed by the Commissioner.

(4) The Pastoralists and Graziers Association is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, one person whose name appears on the panel is to be appointed by the Commissioner.

(5) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).

(6) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

#### 5. Proceedings of the committee

To the extent that they are not provided for under the *Soil and Land Conservation Act 1945* or Part VII of the *Interpretation Act 1984*, the committee may determine its own procedures.

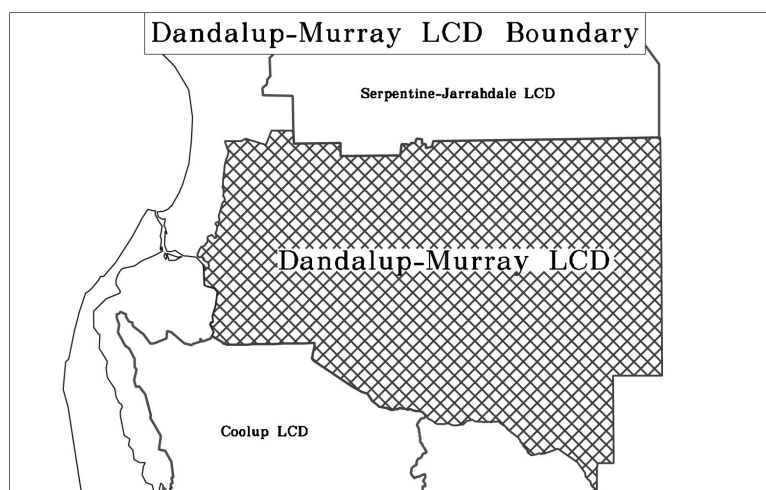
#### 6. Repeal of Order

The *Soil and Land Conservation (Dandalup-Murray Land Conservation District) Order 1998\** is repealed.

(\*Approved by Executive Council on 10 March 1998 {refer to Department of Agriculture reference: 971322V01P05}).

### Schedule 1—Dandalup-Murray Land Conservation District

[cl. 3]



By his Excellency's Command,

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

AG407\*

### SOIL AND LAND CONSERVATION ACT 1945

#### SOIL AND LAND CONSERVATION (YORK LAND CONSERVATION DISTRICT) AMENDMENT ORDER 2004

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture.

#### 1. Citation

This order may be cited as the *Soil and Land Conservation (York Land Conservation District) Amendment Order 2004*.

#### 2. Principal Order

In this order the *Soil and Land Conservation (York Land Conservation District) Order 1990\** is referred to as the principal order.

(\*Published in the Gazette of 6 July 1990 at pp. 3266-68 and amended in the Gazettes of 1 March 1991 at p. 967, 2 September 1994 at p. 4524, and an Amendment Order approved by Executive Council on 26 August 1997 {refer Department of Agriculture reference: 881819V02P0P}).

#### 3. Clause 2 deleted

Clause 2 of the principal order is deleted.

**4. Clause 5 deleted and replaced**

Clause 5 of the principal order is deleted and replaced with the following—

**5. Constitution of committee**

- (1) It is determined, on the recommendation of the Minister, after consultation with the Shire of York, that the district committee is to comprise 12 members, of whom—
  - (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
  - (b) the others are to be appointed by the Commissioner.
- (2) Of the members appointed under subclause (1)(b)—
  - (a) two are to be appointed on the nomination of the Shire of York;
  - (b) two are to be appointed under subclause (3);
  - (c) one is to be appointed under subclause (4);
  - (d) six are to be persons actively engaged in, affected by or associated with, land use in the district.
- (3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, two persons whose names appear on the panel are to be appointed by the Commissioner.
- (4) The Pastoralists and Graziers Association is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, one person whose name appears on the panel is to be appointed by the Commissioner.
- (5) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).
- (6) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

**5. Clause 6 deleted and replaced.**

Clause 6 of the principal order is deleted and replaced with the following—

**6. Proceedings of the committee**

To the extent that they are not provided for under the *Soil and Land Conservation Act 1945* or Part VII of the *Interpretation Act 1984*, the committee may determine its own procedures.

By his Excellency's Command,

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

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**EDUCATION**

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**ED401****MURDOCH UNIVERSITY ACT 1973**

## APPOINTMENT

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 12(1)(i) of the *Murdoch University Act 1973*, approved the appointment of Mr Gary Hunt as the member nominated by the Leader of the Opposition to the Murdoch University Senate for a three year term of office commencing from the date of the Governor's approval.

ALAN CARPENTER, MLA, Minister for Education and Training.  
M. C. WAUCHOPE, Clerk of the Executive Council.

**ED402****MURDOCH UNIVERSITY ACT 1973**

## APPOINTMENT

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 12(1)(i) of the *Murdoch University Act 1973*, approved the appointment of Mr Terry Budge as a member nominated by the Premier to the Murdoch University Senate for a term of office expiring on 31 May 2007.

ALAN CARPENTER, MLA, Minister for Education and Training.  
M. C. WAUCHOPE, Clerk of the Executive Council.



ED403

**VOCATIONAL EDUCATION AND TRAINING ACT 1996**  
COLLEGES RENAMING ORDER 2004

Made by the Minister for Education and Training under section 35(c) of the *Vocational Education and Training Act 1996*.

**1. Citation**

This order may be cited as the *Colleges Renaming Order 2004*.

**2. Commencement**

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

**3. Renaming of colleges**

A college known by the name specified in column 1 of the Table below is continued under the name specified opposite and corresponding to that name in column 2 of the Table.

TABLE

Column 1	Column 2
Central West College of TAFE	Central West TAFE
Kimberley College of TAFE	Kimberley TAFE
West Coast College of TAFE	West Coast TAFE

**4. Identities not affected**

(1) Nothing in clause 3 is to be taken as having affected the identity of a college formerly known by the name specified in column 1 of the Table in clause 3.

(2) A reference to a college formerly known by the name specified in column 1 of the Table in clause 3 in any instrument, contract, legal proceedings or other document made or commenced before the date on which this order comes into operation is to be read and construed as a reference to the college by the name specified opposite and corresponding to that former name in column 2 of the Table.

ALAN CARPENTER MLA, Minister for Education and Training.

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## ENVIRONMENT

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EV401

**ENVIRONMENTAL PROTECTION ACT 1986**  
(SECTION 20)

Delegation (No. 54)

Delegation under section 20 of the *Environmental Protection Act 1986* ("The Act").

The Chief Executive Officer by this instrument delegates to the Environmental Protection Authority constituted under section 7 of the Act all the powers and duties conferred or imposed under section 48(1) and 48(la)(b) of the Act in relation to statements issued or to be issued under section 45(5) of the Act where—

- (i) the proponent is the Water and Rivers Commission for the following—
  - Statement of Conditions 21—Gnangara Mound Groundwater Resources (1988)
  - Statement of Conditions 111—Next Major Water Supply Source for Perth (Post 1992)—Stage 1 (1990)
  - Statement of Conditions 253—Jandakot Groundwater Scheme, Stage 2 (1992)
  - Statement of Conditions 438—Gnangara Mound Groundwater Resources (1997)
  - Statement of Conditions 496—Groundwater Resource Allocation, East Gnangara, Shire of Swan (1999)
- (ii) the proponent is the Department of Environmental Protection for—
  - Statement of Conditions 528—Remediation of the Omex contaminated site, Bellevue, Shire of Swan (1999)

Pursuant to section 59(1)(e) of the Interpretation Act 1984, delegation number, 51 gazetted on the 26 November 2003 is hereby revoked.

DEREK CAREW-HOPKINS, Acting Chief Executive Officer.

Approved—

Dr JUDY EDWARDS, Minister for the Environment.

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**FIRE AND EMERGENCY SERVICES**

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FE401\*

**FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998**  
**FIRE AND EMERGENCY SERVICES (DETERMINATION OF EMERGENCY SERVICES LEVY)**  
**NOTICE 2004**

Made by the Minister under sections 36G(1) and 36I of the Act.

**1. Determination of levy for 2004/05 levy year [36G(1)]**

(1) The emergency services levy that is payable for the 2004/05 levy year on land in ESL categories 1, 2, 3 and 4 is determined as a rate in the dollar of the gross rental value (GRV) of the land as follows—

- (a) for land in ESL category 1: 0.0147 dollars for each dollar of GRV;
- (b) for land in ESL category 2: 0.0111 dollars for each dollar of GRV;
- (c) for land in ESL category 3: 0.0074 dollars for each dollar of GRV;
- (d) for land in ESL category 4: 0.0052 dollars for each dollar of GRV.

(2) The emergency services levy that is payable for the 2004/05 levy year on land in ESL category 5 is determined as a fixed charge of \$30.00.

(3) Subclauses (1) and (2) apply regardless of the purpose for which the land is used.

**2. Determination of minimum and maximum amounts of levy [36I]**

(1) The minimum amount of levy payable for the 2004/05 levy year on land in ESL categories 1, 2, 3 and 4 is determined as \$30.00.

(2) Subclause 1 applies regardless of the purpose for which the land is used.

(3) The maximum amount of levy payable for the 2004/05 levy year on land in ESL categories 1, 2, 3 and 4 is determined as follows—

- (a) for vacant land and for land used for farming or single-unit residential purposes: \$175.00;
- (b) for land used for multi-unit residential purposes: \$175.00 multiplied by the relevant number of units;
- (c) for land used for commercial, industrial or miscellaneous purposes: \$100,000.00.

MICHELLE ROBERTS MLA, Minister for Police and Emergency Services.

Dated 10th June 2004.

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**JUSTICE**

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JU101\*

*Correction***JUSTICES ACT 1902**  
**ORDER UNDER SECTION 7**

An error occurred in the notice published under the above heading on page 2008 of the *Government Gazette* dated 11 June 2004 and is corrected as follows—

To—

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following persons to the office of Justice of the Peace for the State of Western Australia—

Mr Laurence Anthony Ziegeler of C/- Warakurna Clinic, via Alice Springs NT  
Mr Azhar Awang of 8A, Ashburton Court, South Hedland

RAY WARNES, A/Executive Director, Court Services.

JU401\*

**JUSTICES ACT 1902**  
**APPOINTMENT**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following person to the office of Justice of the Peace for the State of Western Australia—

Mr Anthony Patrick O'Gorman 3 Pedder Place, Joondalup

RAY WARNES, A/Executive Director, Court Services.

**JU402****APPOINTMENT**

The Governor has been pleased to appoint Geoffrey Dudley Lawrence—

- (a) to be a stipendiary magistrate under the *Stipendiary Magistrates Act 1957*;
- (b) to be a magistrate of the Children's Court of Western Australia under the *Children's Court of Western Australia Act 1988*;
- (c) to be a compensation magistrate under the *Workers' Compensation and Rehabilitation Act 1981*;
- (d) to be a referee of Small Claims Tribunals under the *Small Claims Tribunal Act 1974*; and
- (e) to be a warden of mines under the *Mining Act 1978*,

as from and including 30 April 2004.

ALAN PIPER, Director General, Department of Justice.

**JU403****APPOINTMENT**

The Governor has been pleased to appoint Kathryn Helen Auty—

- (a) to be a stipendiary magistrate under the *Stipendiary Magistrates Act 1957*;
- (b) to be a magistrate of the Children's Court of Western Australia under the *Children's Court of Western Australia Act 1988*;
- (c) to be a compensation magistrate under the *Workers' Compensation and Rehabilitation Act 1981*;
- (d) to be a referee of Small Claims Tribunals under the *Small Claims Tribunal Act 1974*; and
- (e) to be a warden of mines under the *Mining Act 1978*,

as from and including 26 July 2004.

ALAN PIPER, Director General, Department of Justice.

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## LOCAL GOVERNMENT

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**LG401\*****DOG ACT 1976**

*Shire of Tambellup*

**APPOINTMENTS**

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

Registration Officers—

Joanne Marie Trezona

Vicki Noreen Webster

Erryn Beacham

Fiona Jane Devenish

Pamela Audrey Hull

Raelene Mears

Authorised Officers—

Joanne Marie Trezona

Graeme John Squibb

Edward John Farmer

Bryan Thomas Trezona

Raelene Mears

All previous appointments are hereby cancelled.

J. M. TREZONA, Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954**

*Shire of Harvey*

**CHANGES TO THE PROVISIONS OF SECTION 24G(2) TO APPLY DURING  
THE PROHIBITED BURNING PERIOD**

Pursuant to the powers contained in Section 24G(2) of the above Act, the Shire of Harvey prohibits the burning of all garden refuse during the prohibited burning season within its district.

MICHAEL PARKER, Chief Executive Officer.

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**MINERALS AND PETROLEUM**

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**MP401\***

Commonwealth of Australia  
**PETROLEUM (SUBMERGED LANDS) ACT 1967**  
GRANT OF EXPLORATION PERMIT

Exploration Permit No. WA-352-P has been granted to Drillsearch Energy Limited to have effect for a period of six (6) years from 9 June 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**MP402\***

**PETROLEUM PIPELINES ACT 1969**  
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL22 held by Epic Energy (Pilbara Pipeline) Pty Ltd, has been varied by instrument of Variation 3P/03-4, to authorise the Licensee to construct and operate a compressor station adjacent to MLV 7 on the Dampier to Bunbury Natural Gas Pipeline (DBNGP) and a custody metering skid at the Port Hedland Terminal Station to transfer backhauled gas from the DBNGP to the PL22, Pilbara Energy Pipeline, to be transported through Pipeline Licence PL60 to the Telfer Gold Mining operation of Newcrest Mining with effect from 15 June 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**MP403\***

**PETROLEUM PIPELINES ACT 1969**  
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL40 held by Epic Energy (WA) Nominees Pty Ltd, has been varied by instrument of Variation 4P/03-4, to authorise the Licensee to construct and operate a back pressure facility at MLV 18 on the Dampier to Bunbury Natural Gas Pipeline (DBNGP) and an offtake and custody transfer outlet metering station at approximately KP 3.5 on the DBNGP to backhaul Apache Energy gas from MLV11 via DBNGP and to be transferred to the Burrup Fertilisers manufacturing plant, via, an applied for, lateral pipeline being provided on the Burrup Peninsula by others with effect from 15 June 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**MP404\***

**PETROLEUM PIPELINES ACT 1969**  
APPLICATION FOR A PIPELINE LICENCE

State of Western Australia

I, William Lee Tinapple, Director of the Petroleum and Royalties Division in the Department of Industry and Resources for the State of Western Australia being the Officer for the time being holding certain powers and functions of the Minister in respect of the area specified in the State of Western Australia by virtue of an instrument of delegation dated 26 March 2004 and published in the *Government Gazette* of Western Australia on 02 April 2004, give notice pursuant to Section 8(4) of the Petroleum Pipelines Act, 1969 that an application recorded as 3P/03-4 has been received from

**GAS TRANSMISSION SERVICES WA (OPERATIONS) PTY LTD**

for a pipeline licence to construct and operate a pipeline for the conveyance of natural gas from the KP352 to the KP373 on Pipeline Licence PL60.

A map showing the position of the proposed pipeline may be examined during public office hours until 19 July 2004 at the Petroleum and Royalties Division, Department of Industry and Resources, 11th Floor, Mineral House, 100 Plain Street, East Perth, WA and at the office of the Mining Registrar, Marble Bar, WA.

Dated this 15 day of June 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

## PARLIAMENT

PA401\*

### PARLIAMENT OF WESTERN AUSTRALIA BILLS ASSENTED TO

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

Short Title of Bill	Date of Assent	Act No.
Road Traffic Amendment Bill 2004	June 10 2004	6 of 2004
Dangerous Goods Safety Bill 2004	June 10 2004	7 of 2004
Western Australian College of Teaching Bill 2004	June 10 2004	8 of 2004

L. B. MARQUET, Clerk of the Parliaments.

Dated June 11 2004.

## PLANNING AND INFRASTRUCTURE

PI401\*

### TOWN PLANNING AND DEVELOPMENT ACT 1928 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Bayswater*

Town Planning Scheme No. 21—Amendment No. 93

Ref: 853/2/14/25 Pt 93

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 Bayswater Town Planning Scheme Amendment on 13 June 2004 for the purpose of—

- Rezoning Lot 20 Benara Road (Corner Beechboro Road), Morley from “Special Purpose—Nursery” to “Residential R40” and “Special Purpose—Commercial (Various) and Medical Centre”.
- Modifying Schedule 1: Special Purpose Zones, by removing the entry for Lot 20, Swan Loc M1 on Plan 6314 (Nursery on the corner of Beechboro and Benara Roads, Morley), and adding in its place—

STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
Beechboro Road/Benara Road	Lot 20 Swan Loc. M1 Plan 6314	(1) Hire Service (Non-Industrial) (2) Medical Centre (3) Offices (4) Showroom/ Warehouse (5) Veterinary Consulting Rooms	(1) Shop (2) Lunch Bar Conditions— 1. The amount of GLA floorspace for the “Shop” use is not to exceed 1200m <sup>2</sup> on this site. 2. The amount of GLA floorspace for the “Lunch Bar” use is not to exceed 150m <sup>2</sup> on this site. 3. Development of the land the subject of this Special Purpose Zone shall not be progressed until an Outline Development Plan (ODP) has been prepared and approved at the discretion of the Council. The ODP is to address matters including, access to and from the site, bin storage/waste collection,

STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
			vehicle parking and circulation on the site, impacts on the amenity of the adjoining residential development, built form, materials and colours.

3. Amending the Scheme Maps accordingly.

T. G. KENYON, Deputy Mayor.  
M. J. CAROSELLA, Chief Executive Officer.

PI402\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*City of Belmont*  
Town Planning Scheme No. 14—Amendment No. 38

Ref: 853/2/15/12 Pt 38

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 Belmont Town Planning Scheme Amendment on 13 June 2004 for the purpose of—

1. Modifying Clause 10.2.4.1 of the Scheme Text to read as follows—
  - 10.2.4.1 There are four Special Development Precincts which are delineated on the Scheme Map and named as follows—
    - “Ascot Waters” (generally bounded by Grandstand Road, Stoneham Street, Great Eastern Highway and the Swan River, Ascot)
    - “Nulsen Haven” (generally bounded by Tibbradden Circle, Hay Road, Fauntleroy Avenue and Great Eastern Highway, Ascot)
    - “The Springs” (generally bounded by Graham Farmer Freeway, Great Eastern Highway Brighton Road and the Swan River, Rivervale which is shown as the ‘Special Development Precinct’ zone and the subject of the City of Belmont Town Planning Scheme No. 13)
    - “Belgravia Parklands” (generally bounded by Belgravia Street, Barker Street, Daly Street and Mixed Use zoned lots fronting Daly Street and Belgravia Street)
2. Modifying Clause 10.2.4.3 of the Scheme Text to read as follows—
  - 10.2.4.3 The provisions of the R Codes relating to front and rear setbacks, carparking and open space may be varied at the discretion of the Council in the four Special Development Precincts provided Local Planning Policies are adopted for each of the Precincts pursuant to Clause 2.3 of the Scheme.
3. Introducing a new subclause 10.2.4.6 to read as follows—
  - 10.2.4.6 That development, strata survey or subdivision within the Belgravia Parklands Precinct will achieve a high degree of compliance with the Subdivision and Development Plan contained in the relevant Local Planning Policy.
4. Modifying Part 11: Schedule No. 2—Additional Uses, to include the following new provision—
  6. Within the Mixed Use zone detailed in the below plan Council may approve the additional use of ‘corner store’ having regard for the degree of compliance with the criteria contained in the relevant local planning policy.
5. Rezoning that part of Lot 4 Belgravia Street which is currently zoned “Unzoned” to “Mixed Use”.
6. Rezoning all of those parts of Lots 9, 18, 54 and 236 which are generally bounded by Belgravia, Barker and Daly Streets and are currently zoned “Unzoned” to “Special Development Precinct, Belgravia Parklands”, and applying a Residential Planning Code Designation of “R20-R40”.
7. Rezoning Lot 20 Daly Street from “Mixed Use” to “Special Development Precinct, Belgravia Parklands”, and applying a Residential Planning Code Designation of “R20-R40”.
8. Rezoning that part of Lot 53 at the corner of Belgravia and Wheeler Streets being approximately 30m by 48m from “Unzoned” to “Mixed Use” and rezoning the balance part of Lot 53 which is currently zoned “Unzoned” to “Special Development Precinct, Belgravia Parklands”, and applying a Residential Planning Code Designation of “R20-R40”.

9. Rezoning that part of the Wheeler Street road reserve at the intersection of Belgravia Street which is currently zoned "Unzoned" to "No Zone".
10. Amending the Scheme Maps as shown in the amending document.

P. R. PASSERI, Mayor.  
N. P. HARTLEY, Acting Chief Executive Officer.

**PI403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**TOWN PLANNING SCHEME AVAILABLE FOR INSPECTION**  
*Shire of Cuballing*  
Town Planning Scheme No. 2

Ref: 853/4/9/2

Notice is hereby given that the local government of the Shire of Cuballing has prepared the abovementioned Town Planning Scheme for the purpose of—

1. setting out the local government's planning aims and intentions for the Scheme Area;
2. setting aside land as reserves for public purposes;
3. zoning land within the Scheme Area for the purposes defined in the Scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the Scheme; and
7. addressing other matters contained in the First Schedule to the Town Planning Act.

Plans and documents setting out and explaining the Town Planning Scheme have been deposited at Council Offices, Campbell Street Cuballing and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 16 September 2004.

Submissions on the Town Planning Scheme may be made in writing on Form No 4 and lodged with the undersigned on or before 16 September 2004.

P. T. NAYLOR, Chief Executive Officer.

**PI404**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Swan*  
Town Planning Scheme No. 9—Amendment No. 246

Ref: 853/2/21/10 Pt 246

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 Swan Town Planning Scheme Amendment on 13 June 2004 for the purpose of—

- (1) Adopting Amendment No. 246 (modified) to Town Planning Scheme No. 9, under the provisions of the Town Planning & Development Act 1928 (as amended) and as required under Section 23(1) of the Swan Valley Planning Act.
- (2) Amend the Town Planning Scheme Maps in accordance with the modified Scheme Map, generally as follows, by—
  - (i) Including a continuous solid black line on the Scheme Map to depict the area in which the Swan Valley Planning Act applies, as prescribed in the Act under Section 4(2);
  - (ii) Amending the legend to the Scheme Map by adding after "Conservation Precinct" at the bottom of the legend, the symbol depicting the boundary of the Swan Valley Planning Act drawn as a continuous solid black line in the shape of a rectangle, followed by the words "Swan Valley Planning Act Area";
  - (iii) Amending the Scheme Map within the area affected by the Swan Valley Planning Act to reflect the Planning Areas depicted on the Map prescribed in the Act under Section 4(2) by showing—
    - Planning Area A under the Act as "Rural Residential" Zone under the Council's Town Planning Scheme No. 9;

- Planning Area B under the Act as “Swan Valley Rural” Zone under the Council’s Town Planning Scheme No. 9;
- (iv) Including broken black lines on the Scheme Map along the boundaries of the three areas designated as Area D in the Swan Valley Planning Act, and adding the following text within each area: “Swan Valley Planning Act Area D—zoning subject to change”;
  - (v) Amending the legend to the Scheme Map by adding after “Restricted Use” at the bottom of the legend, the symbol depicting the boundaries of the three areas designated as Area D in the Swan Valley Planning Act drawn as a broken black line in the shape of a rectangle, followed by the words “Swan Valley Planning Act Area D”.
- (3) Adding to the Scheme Text after Clause 2.6, a new Clause 2.7 as follows—
- “2.7 SWAN VALLEY PLANNING ACT
- 2.7.1 For the purpose of this Scheme ‘Swan Valley Planning Act’ means the Swan Valley Planning Act 1995.
- 2.7.2 A copy of the Swan Valley Planning Act shall be kept and made available for public inspection at the offices of the City of Swan.
- 2.7.3 In this clause (2.7) the term ‘Swan Valley’ has the same meaning as is given to it in Section 3 of the Swan Valley Planning Act.
- 2.7.4 The Swan Valley may be depicted on the Scheme Map by the authority of this subclause by a solid black line for convenience of reference.
- (4) Making the following changes to the permissibility of use classes listed in Table 3B of the Scheme Text—
- Changing the following use classes from non permitted uses to ‘AA’ uses in the Swan Valley Rural Zone—Club Premises, Holiday Cottages.
  - Changing the permissibility of uses not listed in the Swan Valley Rural Zone from non permitted to an ‘SA’ use.
  - Changing the following use class from a non permitted use to an ‘IP’ use in the Swan Valley Rural Zone—Shop
  - Changing the following use classes from non permitted uses to ‘SA’ uses in the Swan Valley Rural Zone—Hotel, Hotel: Private, Hotel—Motel, Tavern: Less Than 200 sq.m GLA, Tavern: Greater Than 200 sq.m GLA, Veterinary Consulting Rooms, Veterinary Hospital.
  - Changing the following use class from a non permitted use to an ‘AA’ use in the Rural Living Zone—Industry: Cottage.
  - Changing the following use classes from non permitted uses to ‘SA’ uses in the Rural Living Zone —Holiday Cottages, Restaurant.
  - Changing the following use class from a ‘P’ use to an ‘AA’ use in the Rural Living Zone—Rural Pursuit.
  - Changing the following use classes from non permitted uses to ‘IP’ uses in the Rural Living Zone—Kiosk, Shop.
- (5) Amend subclause 8.2.2.2 by adding the following and renumbering the other subclauses accordingly—
- (a) (i) Conflict with the planning objectives for Area B as specified in the Swan Valley Planning Act.
  - (b) The planning objectives for Area B as specified in the Swan Valley Planning Act;
- (6) Amend subclause 8.2.2.2 by revoking points (e) and (i).
- (7) Replacing Clause 8.2.3 with the following—
- “8.2.3 The purpose and intent of the Rural Living Zone is to identify areas within the Swan Valley where development is encouraged for a range of uses, including rural-residential activities, that are compatible with the maintenance of the rural character of the area, the encouragement of viticulture and horticulture, and the protection and enhancement of the natural environment.
- 8.2.3.1 The Council shall have regard to the purpose and intent of the zone and shall apply the following criteria when exercising its discretion on applications for development approval and other related matters—
- (a) The planning objectives for Area C as specified in the Swan Valley Planning Act.
  - (b) Protection of water quality and watercourses within existing and proposed water catchment areas.
  - (c) Strategic re-vegetation of cleared and/or degraded areas to blend development with the natural landscape.
  - (d) Remnant vegetation should be retained and linked, where possible, by corridors of vegetation of a sustainable width.
  - (e) Prevention of adverse impacts with other land uses in the locality.



- (f) Site sensitive development in terms of scale, design, location, appearance and environmental impacts including, but not limited to, traffic volumes and circulation, effluent disposal, vegetation and fire safety to soften the impact of development on the natural or existing landscape.
- (g) Development and land use to be based on the land capability and suitability for the proposed use.
- (8) Amend Appendix 6B—Schedule of Additional or Restricted Uses by deleting the following sites from the Appendix—  
 Lot 297 Bisdee Road, Millendon;  
 Lot 1 (No. 65) Cathedral Avenue, Brigadoon;  
 Pt Lot 18 Toodyay Road, Middle Swan (now Lot 43);  
 Lot 35 Haddrill Road, Baskerville;  
 Lot 18 Haddrill Road, Baskerville.
- (9) Amending Appendix 7—Special Rural Zones—Provisions Relating to Specified Areas as follows—  
 Delete the provisions relating to—  
 Special Rural Zone 4, Henley Brook;  
 Special Rural Zone 4C, Henley Brook;  
 Special Rural Zone 4D, Henley Brook;  
 Special Rural Zone 7, Belhus Estate; and  
 Special Rural Zone 10, Swan Valley Special Rural/Residential  
 Amend the provisions relating to Special Rural Zone 4A by—  
 Deleting the sentence commencing with the words “Pt Lot 3, Locs E1” and ending with the words “722 Henley Street, Henley Brook”  
 Inserting the following text in its place—  
 “Lot 77 Henley Street,  
 Lots 78-84, 10, 11, 86-88, and 92-100 Brooklands Drive,  
 Lots 88-91 Diane Place, and  
 Lots 12 and 51-64 Park Street”  
 Amend the provisions relating to Special Rural Zone 8 by—  
 Adding the following text in the column “Specified Area of Special Rural Zone” after the paragraph commencing with the words “Portion of Swan Location 1317” and ending with the words “and Copley Road Upper Swan”:  
 “Notwithstanding the list of properties identified above, the provisions of subclause 8.1.2 and the special provisions in this appendix do not apply to those lots which have been rezoned from Special Rural to Swan Valley Rural by Amendment 246 to this Scheme.”

C. M. GREGORINI, Mayor.  
 M. J. FOLEY, Acting Chief Executive Officer.

PI405\*

**MIDLAND REDEVELOPMENT ACT 1999**  
**MIDLAND REDEVELOPMENT SCHEME AMENDMENT NO. 1**

Public Comment Invited

The Minister for Planning and Infrastructure has approved for advertising the Midland Redevelopment Scheme Amendment No. 1.

Comments are now invited on the scheme amendment, which is available for inspection at the following locations between 9 am and 4:30 pm on weekdays—

- City of Swan Administration Centre, Morrison Road (cnr Old Northern Highway), Midland
- Midland Public Library, 45 Helena Street, Midland
- Midland Redevelopment Authority office, Railway Institute Building, cnr Yelverton Drive and Helena Street, Midland.

Copies of the Scheme can be bought for \$10 at the MRA office.

Written submissions should be addressed to—

Chief Executive Officer  
 Midland Redevelopment Authority  
 PO Box 1335  
 Midland WA 6936

The closing date for submissions is 30 July 2004.

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## POLICE

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PO501\*

**POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892-1992, unclaimed found and stolen property and bicycles will be sold by public auction Ross's Sales & Auctions, 241 Railway Parade, Maylands on Wednesday 7th July 2004, at 10.00 am.

The auction is to be conducted by Mr Brad Buckle, Mr. Craig Edwards, Mr. Kevin Grickage.

B. MATTHEWS, Commissioner of Police,  
Western Australia Police Service.

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## RACING, GAMING AND LIQUOR

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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 Department of Racing, Gaming and Liquor, 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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
10311	Laurence Christopher Stonehouse	Application for the grant of a Wholesaler's licence in respect of premises situated in South Perth and known as Laurence Stonehouse	24/06/2004
10312	Trenton Ashley Brennan and Portia Eloise Barratt	Application for the grant of a Restaurant licence in respect of premises situated in Geraldton and known as The Indigo Room	24/06/2004
10313	Woolworths Limited	Application for the grant of a Liquor Store licence in respect of premises situated in Willagee and known as Woolworths Liquor	11/07/2004
10315	Houston Agencies Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Greenwood and known as Houston Agencies Pty Ltd	28/06/2004
10317	Skyboat Pty Ltd	Application for the grant of a Cabaret licence in respect of premises situated in Northbridge and known as Hunter's Piano Bar	13/07/2004
10316	Pennan Wines Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Busselton and known as Pennan Wines.	02/07/2004

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

Dated: 16 June 2004.

H. R. HIGHMAN, Director of Liquor Licensing.

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## PUBLIC NOTICES

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ZZ201

### TRUSTEES ACT 1962 DECEASED ESTATES

#### Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the undermentioned deceased person(s) are required to send particulars of their claims to the Executor(s) care of Mayberry, Hammond & Co., 85 Fitzgerald Street, Northam within one (1) calendar month from the date of publication of this Notice at the expiration of which time the Trustees may convey or distribute the assets having regard only to claims of which notice has been given.

Details—

Stephen Garnet Dalton

late of The Outlook Farm, Morrison Road, Doodlakine in the State of Western Australia, Farmer

Date of Death: 6th day of December 2003

Dated this 11th day of June 2004.

Messrs. MAYBERRY, HAMMOND & CO.,  
85 Fitzgerald Street, Northam,  
Solicitors for the Executor.

ZZ202

### TRUSTEES ACT 1962 DECEASED ESTATES

#### 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 18th July 2004 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Ashcroft, David Christopher, late of 14B Dodds Place Beechboro, died 14/5/2004, (DE19801866EM13)

Baker, Cecil William, late of 56 Shallcross Street Carnarvon, died 21/3/2004, (DE19963189EM25)

Blunden, Stella Kathleen, late of Armadale Nursing Home 21 Angelo Street Armadale formerly of Brightwater Nursing Home 31 Mildenhall Street Huntingdale, died 6/5/2004, (DE19882601EM37)

Boyton, William, late of 45 Wright Street Highgate, died 15/2/2004, (DE33029952EM34)

Carlisle, Edith Rose, late of 101 Devenish Street East Victoria Park, died 25/2/2004, (DE19851027EM22)

Coulson, Ronald Cecil, late of Unit 7, 25 Dale Road Armadale, died 25/5/2004, (DE19982833EM34)

Curtis, Cohn Francis, late of 49 Aerolite Way Beldon, died 12/5/2004, (DE19980071EM32)

Daniel, Ellen Mary, late of Rose Cottage Gordon Lodge RAAFA Estate Bull Creek Drive Bull Creek, died 19/5/2004, (DE19853563EM27)

Hamblin, Edward Bussell also known as Ted Hamblin, late of Craigwood Green 5/23 Gardner Street Como, died 19/4/2004, (DE19691721EM26)

Hutchinson, Reginald George, late of James Brown House Albert Street Osborne Park formerly of 7 Eacott Street Mandurah, died 23/5/2004, (DE19863071EM22)

Janney, William George, late of Kalkami Residency Lot 446 Whittington Street Brookton, died 24/4/2004, (DE19731347EM23)

Kirk, Elizabeth, late of Lakeview Lodge 5 Britannia Road Leederville, died 2/6/2004, (DE20000199EM23)

Lee, Thomas Graham, late of Wanneroo Community Nursing Home 9 Amos Street Wanneroo formerly of Unit 3, 7-9 Sinagra Street Wanneroo, died 14/5/2004, (DE19662503EM44)

Llorens, Pauline Ivy Eileen, late of Chrystal Halliday Centre 61 Jeanes Road Karrinyup, died 23/3/2004, (DE19822388EM26)

Locke, May, late of Regent Gardens Aged Care Facility 2 Amur Place Bateman formerly of Unit 10/1 Fifth Avenue Beaconsfield, died 19/2/2004, (DE30277976EM16)

Macri, Domenico also known as Domenic Macri, late of 15 Tigris Way Beechboro, died 16/5/2004, (DE19930808EM12)

Martin, Ronald Andrew, late of Lot 513 Tuart Street Leeman, died 7/11/2003, (DE33028584EM35)

McBeath, Neil Kearney, late of 85 Ninth Avenue Maylands, died 17/5/2004, (DE19570497EM35)

McGregor, Hugh Leslie, late of 10/17 King Street Lancelin, died 13/7/2002, (DE33023620EM42)  
Ollason, Louise Frewin, late of 28 Yaltara Road City Beach, died 5/4/2004, (DE33030949EM44)  
Payne, Muriel Dorothy, late of Amaroo Village (McMahon Caring Centre) 74 Lissiman Street Gosnells, died 17/5/2004, (DE20010929EM37)  
Raven, Howard Walter, late of 11 Elizabeth Street White Gum Valley, died 11/5/2004, (DE33023968EM22)  
Rudinger, Ailsa Gweneth, late of 1 Sabre Close Bullsbrook formerly of 17 Simmonds Street Morley, died 17/5/2004, (DE19742719EM38)  
Scott, Roy Norman, late of St Michael's Nursing Home 53 Wasley Street North Perth, died 12/2/2004, (DE19580512EM16)  
Williams, Inez Irene, late of RAAFA Memorial Estate 2 Bullcreek Drive Bullcreek, died 23/5/2004, (DE19792367EM15)

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

WESTERN AUSTRALIA

**CRIMINAL INVESTIGATION  
(IDENTIFYING PEOPLE) ACT 2002**

**Price: \$15.55 counter sales  
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(Reprinted as at 7 February 2003)

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