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

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

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

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Business Names Act 1962

Business Names Amendment Regulations (No. 2) 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Business Names Amendment Regulations (No. 2) 2004*.

2. The regulations amended

The amendments in these regulations are to the *Business Names Regulations 1962**

[* Reprinted as at 21 June 2002.

For amendments to 3 June 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 40 and Gazette 9 January 2004.*]

3. Regulation 8 amended

Regulation 8(e)(iii) is amended by deleting “Corporate Affairs” in both places where it occurs and inserting instead —

“ Fair Trading ”.

4. First Schedule amended

The First Schedule is amended as follows:

- (a) in the First Column by deleting “7(1), (2); 8(1)” and inserting instead —
“ 7 ”;
- (b) in the First Column by deleting “12(1)(a), (b), (2), (4)” and inserting instead —
“ 12(1), (2), (3), (4) ”;
- (c) by deleting the row relating to form 7.

5. Second Schedule amended

- (1) The Second Schedule Form 1 is deleted and the following form is inserted instead —

“

Form 1 — Application for registration of a business name

<i>Business Names Act 1962 s. 7</i>		
<i>Business Names Regulations 1962</i> Form 1		
Application for registration of a business name		
[Please use BLOCK LETTERS]		
Details of the business		
1	Business name to be registered	
2	Alternative names (if above name not available)	2 nd preference:
		3 rd preference:
		4 th preference:
3	Existing business name [if any]	[if existing business name is to be cancelled, complete Form 5]
4	Nature of business [be concise]	
5	Address(es) in WA where business is or is proposed to be carried on [include postcode(s)]	Principal place of business:
		Other place:
		Other place:
6	Address in WA for service of notices under the Act [postal address acceptable]	
7	Commencement date of business	
Details of the persons who do or will carry on the business		
8	Applicants who are individuals [give date of birth if under 18 years of age] [if insufficient space, attach an annexure]	Surname: Given names: Date of birth: Residential address: (not P.O. Box No.) Signature:
		Surname: Given names: Date of birth: Residential address: (not P.O. Box No.) Signature:
		Have any of the above persons been convicted in WA or elsewhere —
		<ul style="list-style-type: none"> • on indictment of an offence in connection with the promotion, formation or management of a corporation; • of an offence involving fraud or dishonesty punishable on conviction with imprisonment for 3 months or more; or • of any other offence relating to the management or administration of a corporation or the purchase or selling of shares in a corporation?
		Yes/No If yes you must contact the Department before you lodge this form.

9	Applicants who are corporations [the officer signing must be a director or secretary of the corporation] [if insufficient space, attach an annexure]	Corporation name: ACN: Registered office: (not P.O. Box No.) Officer's full name: Officer's signature: Officer's position:	Date:
		Corporation name: ACN: Registered office: (not P.O. Box No.) Officer's full name: Officer's signature: Officer's position:	Date:
Details of person who may be contacted about this application			
10	Name: Address: Telephone: Fax: Email:		

- (2) The Second Schedule Form 2 is amended by deleting “Corporate Affairs” and inserting instead —
“ Fair Trading ”.
- (3) The Second Schedule Form 3 is deleted and the following form is inserted instead —

Form 3 — Statement for renewal of registration of a business name

<i>Business Names Act 1962 s. 11(1)</i> <i>Business Names Regulations 1962</i> Form 3 Statement for renewal of registration of a business name [Please use BLOCK LETTERS]		
Details of the business		
1	Registered business name	
2	Registration number	
3	Date registration expires	
4	Nature of business [be concise]	
5	Address(es) in WA where business is being carried on [include postcode(s)]	Principal place of business:
		Other place:
		Other place:
6	Address in WA for service of notices under the Act [postal address acceptable]	

Change of place(s) of the business [Act s. 12(1)(b)]			
3	New address(es) in WA where the business is carried on [include postcode(s)]	New principal place of business: Date opened:	
		New additional place of business: Date opened:	
4	Address(es) in WA where the business no longer carried on [include postcode(s)]	Address: Date closed:	
		Address: Date closed:	
Change of address for service of notices [Act s. 12(1)(c)]			
5	New address in WA for service of notices under the Act [postal address acceptable]		
6	Date of change		
Change of nature of the business [Act s. 12(1)(a)]			
7	New nature of business		
8	Date of change		
Person(s) who have commenced carrying on the business [Act s. 12(4)]			
9	New individuals carrying on the business [give date of birth if under 18 years of age]	Surname: Given names: Date of birth: Residential address: (not P.O. Box No.) Date commenced:	
		Surname: Given names: Date of birth: Residential address: (not P.O. Box No.) Date commenced:	
		Has a person specified above been convicted in WA or elsewhere — <ul style="list-style-type: none"> • on indictment of an offence in connection with the promotion, formation or management of a corporation; • of an offence involving fraud or dishonesty punishable on conviction with imprisonment for 3 months or more; or • of any other offence relating to the management or administration of a corporation or the purchase or selling of shares in a corporation? Yes/No If yes you must contact the Department before you lodge this form.	
10	New corporations carrying on the business	Corporation name: ACN: Registered office: (not P.O. Box No.) Date commenced:	Date:
		Corporation name: ACN: Registered office: (not P.O. Box No.) Date commenced:	Date:

Person(s) who have <u>ceased</u> carrying on the business [Act s. 12(3)]			
11	Individuals who have ceased to carry on the business	Surname: Given names: Date ceased:	
		Surname: Given names: Date ceased:	
12	Corporations that have ceased to carry on the business	Corporation name: ACN: Date ceased:	
		Corporation name: ACN: Date ceased:	
Details of all person(s) continuing to carry on the business [To be completed only if any of items 9 to 12 above has been completed]			
13	Individuals who continue to carry on the business	Surname: Given names: Address:	
		Surname: Given names: Address:	
14	Corporations that continue to carry on the business	Corporation name: ACN: Registered office: (not P.O. Box No.)	
		Corporation name: ACN: Registered office: (not P.O. Box No.)	
Change of details of person(s) carrying on the business [Act s. 12(2)]			
15	Change of name [e.g. by marriage or deed poll]	Old name: New name: ACN (if corporation): Date of change:	
16	Change of address	Surname & given names or corporation name & ACN: Old address: New address: Date of change:	
Declaration			
<p style="text-align: center;">Who must complete this declaration</p> <ul style="list-style-type: none"> • If item 3, 4, 5 or 7 above is completed — any one of the persons carrying on the business. • If item 9 or 10 above is completed — the continuing and commencing proprietors. • If item 11 or 12 above is completed — the continuing and ceasing proprietors. • If item 15 or 16 above is completed — the person or corporation named in the item. 			
[For details of the above see the Act s. 12(1), (2), (3) & (4).]			
17	Declaration	I/we declare that all the details on this form are true and correct.	
18	Signatures [making a false declaration is an offence with a penalty of \$1 000] [the officer signing must be a director or secretary of the corporation]	Surname & given names: Signature:	Date:
		Surname & given names: Signature:	Date:
		Corporation name: ACN: Officer's full name: Officer's signature: Officer's position:	Date:

	Corporation name: ACN: Officer's full name: Officer's signature: Officer's position:	Date:
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- (5) The Second Schedule Form 5 is deleted and the following form is inserted instead —

Form 5 — Notice of cessation of business under business name

<i>Business Names Act 1962 s. 12(3)</i> <i>Business Names Regulations 1962</i> Form 5 Notice of cessation of business under business name [Please use BLOCK LETTERS]		
1	Registered business name	
2	Registration number	
3	Notice of cessation	I/we give notice that the business formerly carried on under the above business name has ceased to be carried on in Western Australia as from and including the day of 20 .
4	Signatures of all persons in relation to whom the business name is registered [the officer signing must be a director or secretary of the corporation]	Surname & given names Signature: _____ Date: _____
		Surname & given names Signature: _____ Date: _____
		Corporation name: ACN: Officer's full name: Officer's signature: _____ Date: _____ Officer's position:
		Corporation name: ACN: Officer's full name: Officer's signature: _____ Date: _____ Officer's position:

- (6) The Second Schedule Form 6 is deleted.
 (7) The Second Schedule Form 7 is deleted.

By Command of the Governor,

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

JUSTICE

JU301*

CORRECTION TO REPRINT
STAMP ACT 1921

Reprinted as at 12 September 2003.

At page 247 in the Third Schedule item 6 replace subitem (1) with the following —

- (1) All leases or agreements for leases from —
- (a) the Crown;
 - (b) the Minister to whom the administration of the *Land Administration Act 1997* is for the time being committed, under that Act; or
 - (c) the Minister to whom the *Mining Act 1978* is for the time being committed, under that Act.

RACING, GAMING AND LIQUOR

RG301

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003 RULES OF THOROUGHBRED RACING

In accordance with Section 45(1)(a) of the Racing and Wagering Western Australia Act 2003, notice is hereby given that the Board of Racing and Wagering WA on 14 July 2004 resolved that the Rules of Thoroughbred Racing be amended as follows—

Amendment to National Rules—

Amend Rules AR81A(1)(a), AR81A, AR87A(1), AR87AAA, AR141A(2)(a)

Renumber AR189A to AR178E

Insert AR175(n), AR7(r)

A copy of the above rules may be obtained during office hours from the Western Australian Turf Club, 70 Grandstand Road, Ascot, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

R. B. BENNETT, Chief Executive Officer.

TRANSPORT

TR301*

RAIL FREIGHT SYSTEM ACT 2000

RAIL FREIGHT SYSTEM (S.37 CORRIDOR LAND) ORDER NO. 5/2004

Made under Section 37 by the Minister for Planning and Infrastructure

1. Citation

This order may be cited as the *Rail Freight System (S.37 Corridor Land) Order No. 5/2004*.

2. Cancellation of Corridor Land

The cancellation of corridor land identified in the last column of the Schedule.

Schedule—Land to be added

Designation Identification	Railway line Identification	Railway Identification Plan Number	Description of Land
1.092.8	East Perth— Kalgoorlie	Plan 01-2	Land identified as Road Widening on Deposited Plan 40830. Total area of 1038m ² .

Dated this 10th Day of July 2004.

ALANNAH MacTIERNAN MLA, Minister for Planning
and Infrastructure.

— PART 2 —

ENVIRONMENTAL

EV401*

ENVIRONMENTAL PROTECTION ACT 1986**NOTICE OF THE DRAFT ENVIRONMENTAL PROTECTION (SWAN COASTAL PLAIN WETLANDS)
POLICY 2004**

The Environmental Protection Authority (EPA) has prepared a draft *Environmental Protection (Swan Coastal Plain Wetlands) Policy 2004* for the protection of wetlands of high ecological value on the Swan Coastal Plain. The draft policy details its purpose and the administration of a proposed wetlands register. The draft wetlands register depicts in map form the wetlands that are proposed for protection. Associated regulations have also been drafted.

In accordance with section 26 (d) of the *Environmental Protection Act 1986*, the EPA gives notice of the draft *Environmental Protection (Swan Coastal Plain Wetlands) Policy 2004* with a public comment period of 10 weeks. Submissions on this draft policy can be sent to: The Chairman, EPA, Floor 8, 141 St Georges Terrace, Perth 6000. These should be received by the EPA on or before 24 September 2004.

Copies of the policy are available for public inspection during normal business hours at the following Department of Environment offices on the Swan Coastal Plain—

- the public reading room, 8th Floor, 141 St Georges Terrace, Perth;
- the public reading room, 2nd Floor, Hyatt Centre, 3 Plain St, East Perth;
- 7 Ellam St, Victoria Park;
- Swan Catchment Centre, 80 Great Northern Highway, Middle Swan;
- Suite 4, 165 Gilmore Avenue, Kwinana;
- Unit 8, Sholl House, 21 Sholl St, Mandurah;
- Shop1, 15 Railway Terrace, Rockingham Beach;
- 35-39 McComb Road, Halifax, Bunbury; and,
- Unit 2, Palm Court Arcade, 62 Kent St, Busselton.

The draft policy and its explanatory document and the draft wetlands register can also be found at: www.epa.wa.gov.au.

For information or copies telephone 9222 8668 (19 to 30 July during office hours). Dr Bob Hay of the Department of Environment can address further enquiries on 9222 8635. Copies of the draft policy can also be ordered from the Department on 9222 7000 or 9278 0300.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994**SHARK BAY SCALLOP MANAGED FISHERY****Clause 9 closures of areas within the Fishery**

I, Peter Rogers, Executive Director of the Department of Fisheries Western Australia, in accordance with the *Shark Bay Scallop Management Plan 1994* hereby give notice that I have cancelled *Determination No. 2 of 2004* which set out the dates and times that fishing is prohibited in the Shark Bay Scallop Managed Fishery.

I hereby give notice that a new *Determination (Determination No. 3 of 2004)* has been made in accordance with clause 9 of the *Shark Bay Scallop Management Plan 1994* of the times and dates that fishing is prohibited in the Shark Bay Scallop Managed Fishery over the period commencing from the date of gazettal of this notice ending 0800 hours on 1 June 2005.

A copy of this *Determination* which is signed by me may be obtained from, or inspected at the Head Office of the Department of Fisheries located at 168 St George's Terrace, Perth or the offices of Department of Fisheries located at 83 Olivia Terrace, Carnarvon and Knight Terrace, Denham.

Dated this 15th day of July 2004.

P. P. ROGERS, Executive Director.

HEALTH

HE401*

HEALTH ACT 1911

PERINATAL AND INFANT MORTALITY COMMITTEE

(Appointment of Members) Instrument 2004

Made by the Minister for Health under sections 340AB and 340AG of the Act.

1. Citation

This instrument may be cited as the *Perinatal and Infant Mortality Committee (Appointment of Members) Instrument 2004*.

2. Interpretation

In this instrument—

“table” means the table in the Schedule to this instrument;

“the Act” means the *Health Act 1911*; and

“the Committee” means the Perinatal and Infant Mortality Committee constituted under section 340AB(1) of the Act.

4. Appointment of Provisional Members

Each of the persons named in column 2 of table 1 are appointed as provisional members of the Committee, pursuant to the provision of the Act specified in column 1 of the table adjacent to the name of that person. The tenure of office is shown in Column 3.

SCHEDULE

TABLE 1

COLUMN 1	COLUMN 2	COLUMN 3
Section	Member	Term of Appointment
340AB(4)(b)	Dr Jane Marian Talbot	3 years from 6 July 2004
340AB(4)(c) and 340AG(2)	Dr Annabelle Shannon	15 October 2004

Dated: 23 June 2004.

JIM MCGINTY MLA, Minister for Health.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Popp	Douglas	CS4-221	24/6/2004	25/6/2004	30/07/2005

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has revoked the following Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Bailey	Daniel John	CS2-328	12/07/2004
Lewis	Mark Warren	CS3-022	12/07/2004
Pluschke	Marie Dawn	CS4-083	12/07/2004
Pringle	John Joseph	CS4-036	14/07/2004
Fleming	Barry James	CS2-038	14/07/2004
Reynolds	Dean James	CS2-121	14/07/2004

Surname	First Name(s)	Permit Number	Date Permit Revoked
Stone	John Robert	CS2-134	14/07/2004
Fitzgerald	Jermaine Edward	CS2-182	14/07/2004
Mitchell	Allan Leslie	CS2-277	14/07/2004

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

JAMES SCHILO, A/Director, Custodial Contracts.

LAND ADMINISTRATION

LA401

LICENSED SURVEYORS ACT 1909 REGISTERED SURVEYORS

Land Surveyors Licensing Board,
Midland Square, Midland WA 6056.

It is hereby notified for general information that the undermentioned persons have all been registered as Licensed Surveyors under the provisions of the abovementioned Act, on the date specified—

No. 997 Cunningham, Bridget Anne; PO Box 718, Port Hedland, Western Australia; 15 July 2004

No. 998 Lewers, Glyn Alan; PO Box 718, Port Hedland, Western Australia; 15 July 2004

K. ALEXANDER, Chairman.
G. E. MARION, Secretary.

LOCAL GOVERNMENT

LG401*

TOWN OF BASSENDEAN

Appointment of Ranger

It is hereby notified for public information that Vaughan Wayne and Derek Miller have been appointed as Rangers for the Town of Bassendean, effective from Monday, 19 July 2004, and as an authorised officer for the following purposes—

Dog Act 1976

Litter Act 1979

Local Government Act 1995

Council Local Laws

Control of Vehicles (Off-road areas) Act 1978

Bush Fires Act

The appointment of Bruce Henderson and Robyn Power as authorised officers under the abovementioned Acts and local laws are hereby cancelled from 30 June 2004.

Dated: 12 July 2004.

G. EVERSLED, Chief Executive Officer.

LG402

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

City of Fremantle

COMPULSORY POOL INSPECTION FEE

It is hereby notified for public information that the following annual fees, inclusive of GST and as listed in the City of Fremantle Fees and Charges 2004/2005 schedule are charged for the recovery of the cost of inspections required under the relevant act and regulations hereunder—

Pensioners \$8.80

Non Pensioners \$13.20

Local Government (Miscellaneous Provisions) Act 1960

Building Regulations 1989

R. GLICKMAN, Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Rockingham

Town Planning Scheme No. 1—Amendment No. 359

Ref: 853/2/28/1 Pt 359

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 Rockingham Town Planning Scheme Amendment on 13 July 2004 for the purpose of—

1. Rezoning Lot 12 Doghill Road from “Rural” to “Special Rural”, as depicted on the Scheme Amendment Map.
2. Incorporating Lot 12 Doghill Road, Baldivis into column (a) of Table IV Special Rural Zones—Provisions Relating to Specific Areas (Portion of Precinct 11 of the Rural Land Strategy—January 1996).
3. Modifying Provision 7 by adding the following statement as an additional paragraph—
Notwithstanding the above, all residential development (including any extension to the existing dwelling) at Lot 12 Doghill Road shall be serviced with a nutrient fixing effluent disposal system to the satisfaction of the City of Rockingham.
4. Modifying Provision 11 by adding the following statement as the second paragraph—
The Stocking Rates for Lot 12 Doghill Road shall be in accordance with the requirements of the approved Sustainable Property Management Plan.
5. Adding a new Provision 24 as follows—
 24. The vegetation at Lot 12 Doghill Road being managed in accordance with the approved Sustainable Property Management Plan to ensure its long term protection and to avoid unnecessary fragmentation, clearing and/or degradation.
6. Adding a new Provision 25 as follows—
 25. The finished floor levels of all new dwellings shall be a minimum of 500mm above the 100 year flood level for the subject area.

B. SAMMELS, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Stirling

District Planning Scheme No. 2—Amendment No. 431

Ref: 853/2/20/34 Pt 431

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 Stirling Town Planning Scheme Amendment on 13 July 2004 for the purpose of amending the Scheme Text by—

1. Replacing ‘Clause 1.1.6 Relationship of Scheme to Residential Planning Codes (R-Codes)’ with the following new Clause—
 - 1.1.6 RELATIONSHIP OF SCHEME TO RESIDENTIAL DESIGN CODES OF WESTERN AUSTRALIA (R-CODES)
 - 1.1.6.1 For the purpose of the Scheme, “Residential Design Codes” shall mean the Residential Design Codes of Western Australia included in the *Government Gazette* published on 4 October 2002, together with any amendments thereto. The Residential Design Codes are hereinafter called “the R-Codes”.
 - 1.1.6.2 The R-Codes shall be read in conjunction with the Scheme as if they form part of the Scheme. Except as otherwise provided for by the Scheme, the use or development of land for any of the residential purposes dealt with by the R-Codes shall conform to the provisions of the R-Codes.
 - 1.1.6.3 Notwithstanding the provisions of Clause 1.1.6.2, where the provisions of the R-Codes are inconsistent with the provisions of the Scheme, the provisions of the Scheme shall prevail.
 - 1.1.6.4 The Residential Design Code density applicable to land within the Scheme Area shall be determined by reference to the Residential Design Code density numbers superimposed on the particular areas shown on the Scheme Map as being contained within the outer edges of the black borders or, where such an

area abuts on another area having a Residential Design Code density, as being contained within the centre lines of those borders.

2. Replacing 'Clause 2.3.2 Calculation of Maximum Number of Dwellings' with the following new Clause—

2.3.2 RESTRICTIVE COVENANTS AND MAXIMUM NUMBER OF DWELLINGS

2.3.2.1 Subject to Clause 2.3.2.2 and Clause 2.3.2.3, a restrictive covenant affecting any land in the Scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Design Codes which apply under the Scheme.

2.3.2.2 The provisions of Clause 2.3.2.1 do not apply to any lots contained within the area defined in Schedule 13.

2.3.2.3 Where Clause 2.3.2.1 operates to extinguish or vary a restrictive covenant, the Council is not to grant planning approval to the development of the land which would, but for the operation of Clause 2.3.2.1, have been prohibited unless the application has been dealt with as an 'AA' use and has been advertised in accordance with Clause 1.3.5.3.

3. Deleting the existing wording of 'Clause 2.3.3 Height of Buildings', and replacing it with the following wording—

Where exercising discretion under Clause 3.7.1 of the Residential Design Codes (as amended), the Council shall consult with adjoining property owners in accordance with Clauses 2.5.2 and 2.5.3 of the Residential Design Codes (as amended), and where the Council is of the opinion that the amenity of a wider area is affected by a proposed development, then the Council shall advertise the proposed development in accordance with Clause 1.3.5.3 of the Scheme.

4. Deleting 'Clause 2.3.4 Size of Dwellings'.
5. Deleting 'Clause 2.3.5 Residential Planning Codes—Variations and Exclusions'.
6. Deleting 'Clause 2.3.6 Additional Requirements'.

D. C. VALLELONGA, Mayor.
L. DELAHAUNTY, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Stirling

District Planning Scheme No. 2—Amendment No. 459

Ref: 853/2/20/34 Pt 459

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 Stirling Town Planning Scheme Amendment on 29 June 2004 for the purpose of rezoning Lot 36 HN 14 Roberts Street, corner Frobisher Street, Osborne Park from 'Service Station' to 'General Industrial'.

D. C. VALLELONGA, Mayor.
R. A. CONSTANTINE, Acting Chief Executive Officer

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Belmont

Town Planning Scheme No. 14—Amendment No. 30

Ref: 853/2/15/12 Pt 30

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 14 July 2004 for the purpose of—

1. Rezoning Lot 8 (115) Hardey Road, Belmont from 'Service Station' to 'Residential R20'.

2. Including a new Schedule 13—Additional Residential Development Site to read as follows—

The lot detailed below may be developed with 6 single storey grouped dwellings; development is to have regard to the provisions of Local Planning Policy No. 1.

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

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Cockburn

Town Planning Scheme No. 3—Amendment No. 9

Ref: 853/2/23/20 Pt 9

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 July 2004 for the purpose of—

1. Rezoning Lot 501 Troode Street, Munster, Development Zone and Parks and Recreation Reserve.
2. Including a new provision DA 12 in Schedule 11—Development Areas—

REF No.	AREA	PROVISIONS
DA 12	Troode Street (Development Zone)	<ol style="list-style-type: none"> 1. An approved Structure Plan together with all approved amendments shall apply to the land in order to guide subdivision and development. 2. To provide for Residential development. 3. To provide for a Local Parks and Recreation Reserve (to be designated Public Open Space and drainage) to accommodate the bushland/wetland area which is to be retained for conservation purposes. 4. The provisions of the Scheme shall apply to the zones and land uses classified under the Structure Plan in accordance with Clauses 4.3 and 6.2.6.3.

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

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Donnybrook-Balingup

Town Planning Scheme No. 4—Amendment No. 48

Ref: 853/6/4/4 Pt 48

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 Donnybrook-Balingup Town Planning Scheme Amendment on 14 July 2004 for the purpose of—

1. Replacing Clause 9.6 with the following—

9.6.1 LOCAL PLANNING POLICIES

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

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the Scheme area in or one or more parts of the Scheme area,

and may amend or add to or rescind the Policy.

9.6.2 RELATIONSHIP OF LOCAL PLANNING POLICIES TO SCHEME

- (a) If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.
- (b) A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the policy is designed to achieve before making its determination.

9.6.3 PROCEDURE FOR MAKING OR AMENDING A LOCAL PLANNING POLICY

- (a) If a local government resolves to prepare a Local Planning Policy, the local government—
 - (i) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of—
 - where the draft Policy may be inspected;
 - the subject and nature of the draft Policy; and
 - in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;

- (ii) may publish a notice of the proposed Policy in such a manner and carry out such other consultation as the local government considers appropriate.
- (b) After expiry of the period within which submissions may be made, the local government is to—
 - (i) review the proposed Policy in the light of any submissions made; and
 - (ii) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.
- (c) If the local government resolves to adopt the Policy, the local government is to—
 - (i) publish notice of the Policy once in a newspaper circulating in the Scheme area; and
 - (ii) if, in the opinion of the local government, the Policy affects the interests of the Commission, forward a copy of the Policy to the Commission.
- (d) A Policy has effect on publication of a notice under Clause 9.6.3(c)(i)
- (e) A copy of each Local Planning Policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the local government.
- (f) Clauses (a) to (e), with any necessary changes, apply to the amendment of a Local Planning Policy.

9.6.4 REVOCATION OF LOCAL PLANNING POLICY

A Local Planning Policy may be revoked by—

- (a) the adoption by a local government of a new Policy under Clause 9.6 is expressed to supersede the existing Local Planning Policy; or
 - (b) publication of a notice of revocation by the local government once a week or 2 consecutive weeks in a newspaper circulating in the Scheme area.”
2. Inserting in Clause 8.3.2 after the words “...to the purpose for which land in the locality is used,” the following—

“any Local Planning Policy adopted by the local government under clause 9.6,”
 3. Inserting Clause 6.18 as follows—

6.18 UNAUTHORISED EXISTING DEVELOPMENTS

 - 6.18.1 The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.
 - 6.18.2 Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.
 4. Designating land generally bounded by Station, Emerald, Reserve or Boulder Streets with an R 30 Coding as depicted on the amending map adopted by the Council of the Shire of Donnybrook-Balingup.

W. B. HEARMAN, President.
J. R. ATTWOOD, Chief Executive Officer.

PI407*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Wanneroo
 District Planning Scheme No. 2—Amendment No. 34

Ref: 853/2/30/19 Pt 34

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 Wanneroo Town Planning Scheme Amendment on 14 July 2004 for the purpose of rezoning Lots 100 and 101 Rawlinson Drive, Marangaroo from Local Scheme Reserve—Parks and Recreation to Residential; and recoding Lot 100 Rawlinson Drive, Marangaroo from R20 to R30.

S. SALPIETRO, Deputy Mayor.
C. JOHNSON, Chief Executive Officer.

TRANSPORT

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS
RESTRICTED SPEED AREAS—ALL VESSELS
Practice Times—2004 Avon DescentDepartment for Planning and Infrastructure
Fremantle WA, 20 July 2004.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraphs a(1) and b(1)(i) of the notice published in the *Government Gazette* on 25 October 1991 relating to the maximum speeds of four and five knots in the upper reaches of the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Providing however that such revocations shall only apply from the port hand marker approximately 100 metres upstream of Caversham House to Bells Rapids and from Posselt's Ford to Northam Weir between the hours of 1200 and 1800 on Saturday 31 July 2004 and 0800 to 1200 on Sunday 1 August 2004 and is applicable only to those bona fide entrants of the 2004 Avon Descent participating in practice for that event and only during allocated practice times defined by the Northam Avon Descent Association in accordance with the events rules.

After 1200 hours on Sunday 1 August 2004 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

TR402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS
RESTRICTED SPEED AREAS—ALL VESSELS
2004 Avon DescentDepartment for Planning and Infrastructure
Fremantle WA, 20 July 2004.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraphs a(1), b(1)(i), d(1)(iii) and d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2004 Avon Descent, between the hours of 0800 and 1730 on Sunday 8 August 2004 and will not apply to normal traffic.

After 1730 hours on Sunday 8 August 2004 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

TR403*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS
RESTRICTED SPEED AREAS—ALL VESSELS
2004 Avon Descent Media BreakfastDepartment for Planning and Infrastructure
Fremantle WA, 20 July 2004.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraph d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2004 Avon Descent Media Breakfast, between the hours of 0700 and 0800 on Thursday 5 August 2004 and will not apply to normal traffic.

After 0800 hours on Thursday 5 August 2004 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Lorraine Vivian Barrett-Lennard late of Craiglea Park Nursing Home, Alday Street, St James, Western Australia, Widow deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on the 2nd day of June, 2004 are required by the personal representative Edwin Albert Cooper of c/- Franklyn Simon Wheatley, PO Box 1363, West Perth, Western Australia to send particulars of their claims to him by the 18th day of August 2004 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ202

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Lentara Pty Ltd as Trustee for the Ray Honey Family Trust of care of AMD Chartered Accountants 28-30 Wellington Street Bunbury.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of The Ray Honey Family Trust are required by the Trustee, Lentara Pty Ltd of care of AMD Chartered Accountants 28-30 Wellington Street Bunbury, to send particulars of their claims to it by the 31st day of August 2004 after which date the Trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

WESTERN AUSTRALIA

FREEDOM OF INFORMATION ACT 1992

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