

# WESTERN AUSTRALIAN GOVERNMENT Gazette

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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 —

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

*City of Perth*

#### PARKING AMENDMENT LOCAL LAW 2004

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on 5 October 2004 to make the following amendment to the *City of Perth Parking Local Law 1999* published in the *Government Gazette* on 17 December 1999 including amendments published on 28 December 2001, 6 December 2002, 7 February 2003 and 19 December 2003, as set out below.

#### ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1-3
PART 2—PARKING AMENDMENT	Clause 4

#### PART 1—PRELIMINARY

##### Title

1. This local law may be cited as the *Parking Amendment Local Law 2004*.

##### Commencement

2. This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

##### Purpose and Intent

3. The purpose of Parking Amendment Local Law 2004 is to amend the modified penalty amount from \$35 to \$50 for offences which include longer than time permitted in a time restricted area, expired meter or expired ticket.

The effect of the Parking Amendment Local Law 2004 is to encourage compliance with the City of Perth Parking Local Law 1999 from drivers who remain longer than time permitted in time restricted areas and thereby improving availability of servicing and customer parking for businesses within the City of Perth.

#### PART 2—PARKING AMENDMENT

##### Amendment

4. Schedule 3 (Modified penalties) is to be amended as follows—

In Item Penalty No. 5, under the heading “MODIFIED”, delete the number “35.00” and insert the number “50.00”.

Dated this 7th day of October 2004.

The Common Seal of the City of Perth was hereunto affixed in the presence of—

Dr PETER NATTRASS, The Rt Hon the Lord Mayor.  
FRANK EDWARDS, Chief Executive Officer.

LG302

### DOG ACT 1976

*City of Geraldton*

#### DOGS LOCAL LAW (AMENDMENT NO. 2) 2002

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Geraldton resolved on 28 September 2004 to make the following local law.

##### Citation

1. These local laws may be cited as the *City of Geraldton Dogs Local Law (Amendment No. 2) 2002*.

**Principal Local Law**

2. In this local law, the *City of Geraldton Dogs Local Law 2000* as published in the *Government Gazette* on 14 April 2000 is referred to as the principal local law.

**Principal Local Law Amended**

3. The principal local law is amended as follows—

Item	Clauses Affected	Description
1	5.1(1)(e)(ii)	Please insert 'to the Forrest Street groyne extension' after the word 'club'.

Passed at an ordinary meeting of the Council of the City of Geraldton held on 28 September 2004.

Dated this 28th day of September 2004.

The Common Seal of the City of Geraldton was affixed by authority of a resolution of the Council in the presence of—

V. G. PETERSEN, Mayor.  
R. W. JEFFERIES, Chief Executive Officer.

## — PART 2 —

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### AGRICULTURE

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AG401\*

#### MARKETING OF POTATOES ACT 1946 APPOINTMENTS

Department of Agriculture  
South Perth WA 6151.

408/86

I, Kim Chance, Minister for Agriculture, Forestry and Fisheries, acting under Sections 7 and 8 of the Marketing of Potatoes Act 1946, hereby appoint the following to the Potato Marketing Corporation to the positions and terms of office expiring as listed—

Name	Position	Term of Office
Ms Deborah PITTER	Chairman	17/09/2007
Mr Eddie ATCHISON	Member	17/09/2007
Mr Herbert Henry RUSSELL	Member	17/09/2007
Mr Andrew TEMPRA	Member (Elected)	17/09/2007

KIM CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

#### ASSOCIATIONS INCORPORATION ACT 1987 CANCELLED ASSOCIATION

Section 35

WONGATHA FOUNDATION INC

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

Dated the Seventh day of October 2004.

PATRICK WALKER, Commissioner for Fair Trading.

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### HEALTH

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HE401\*

#### HEALTH ACT 1911 PERINATAL AND INFANT MORTALITY COMMITTEE (APPOINTMENT OF MEMBERS) INSTRUMENT (NO. 2) 2004

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

**1. Citation**

This instrument may be cited as the *Perinatal and Infant Mortality Committee (Appointment of Members) Instrument (No2) 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.

### 3. Appointment of Permanent Members and Deputies

Each of the persons named in column 2 of table 1 are appointed as permanent 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.

Pursuant to section 340AC(1) of the Act, each of the persons named in column 3 of the table are appointed as deputies to act in the place of the member specified in column 2 of the table adjacent to the name of that person.

### 4. Appointment of Provisional Members and Deputies

Each of the persons named in column 2 of table 2 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.

Pursuant to section 340AC(1) of the Act, the person named in column 3 of the table is appointed as Deputy to act in the place of the member specified in column 2 of the table adjacent to the name of that person.

## SCHEDULE

Table 1

Column 1	Column 2	Column 3
Section	Member	Deputy
340AB(3)(a)	Professor John Newnham	Professor Karen Simmer
340AB(3)(b)	Dr Andrew Wawryk	No Deputy
340AB(3)(c)	Dr Noel French	No Deputy
340AB(3)(d)	Dr Jennifer Sokol	No Deputy
340AB(3)(f)	Dr Caroline Bower	No Deputy

Table 2

Column 1	Column 2	Column 3
Section	Member	Deputy
340AB(4)(a)	Dr Jan Elizabeth Dickinson	No Deputy
340AB(4)(c)	Dr Annabelle Shannon	No Deputy
340AB(4)(d)	Ms Raye McNally	Ms Treena Evans

### 5. Term of Appointment

The permanent, provisional and deputy members are appointed for a period of 3 years commencing 15 October 2004.

JIM MCGINTY MLA, Minister for Health.

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## HERITAGE

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### HR401\*

#### HERITAGE OF WESTERN AUSTRALIA ACT 1990

#### ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with Section 51(2) of the Heritage of Western Australia Act 1990 that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

#### Schedule 1

#### Description of Place

**Buckland Homestead & Farm Buildings** at Buckland Road, Irishtown, Northam; That ptn of Lot 60 on P 22888 being pt of the land contained in C/T V 2137 F 76 as is defined in HCWA Survey D No 1843 as prepared by Warren King & Company & Midland Survey Services.

**Community Education Centre, Geraldton** at 24 Gregory St, Geraldton; 2749 on DP 183739 being the whole of the land contained in C/T V 1559 F 140.

**Higgins Cut (fmr)** at Springfield, Ludlow Road North, Capel; Lot 3126 on DP 109524 being the whole of the land contained in C/T V 1258 F 714 together with the ptn of UCL being closed road.

**St Philip's Anglican Church** at 63 Napier St, Cnr Marmion Street, Cottesloe; Lot 12 on D 48217 being the whole of the land contained in C/T V 1408 F 249.

**Trefusis, Chapman & Jose Factory (fmr)** at 132 Augustus St, Cnr Gregory St, Geraldton; Lot 13 on D 15590 being the whole of the land contained in C/T V 1719 F 189.

**William & Wellington Street Precinct** at 90 to 160 & 97 to 145 William Street and 493 to 537 Wellington Street, Perth; Lot 123 on D 3034 being the whole of the land contained in C/T V 1250 F 567; Lots 3 & 7 on D 5746 being the whole of the land contained in C/T V 2226 F 39; Lots 4 & 8 on D 5746 being the whole of the land contained in C/T V 2226 F 38; Lots 1 & 5 on D 5746 being the whole of the land contained in C/T V 2226 F 41; Ptn of Perth Town Lot V18 being the whole of the land

contained in C/T V 2226 F 46; Perth Town Lot V17 being the subject of D 1533 and being the whole of the land contained in C/T V 2226 F 47; Ptn of each of Perth Town Lots V18 & V19 being the whole of the land contained in C/T V 2226 F 42; Lot 7 on DP 26511 being the whole of the land contained in C/T V 1228 F 191; Ptn of Perth Town Lot V19 being the whole of the land contained in C/T V 2226 F 44; Lots 2 & 6 on D 5746 being the whole of the land contained in C/T V 2226 F 40; Ptn of Perth Town Lot V19 being pt of the land in D 21994 being the whole of the land contained in C/T V 2226 F 43; Ptn of Perth Town Lot V18 being the whole of the land contained in C/T V 2226 F 45, Ptn of Lot 20 on D 67741 being pt of the land contained in C/T V 1687 F 585. Lot 26 on D 46363 being the whole of the land contained in C/T V 1375 F 37. Ptn of Res 46321 being pt of Lot 1152 on DP 220517 & pt of the land contained in CLT V 3114 F 793. Lots 28 & 29 on P 6298 being the whole of the land contained in C/T V 1373 F 25. Lots 23 & 24 on P 6298 being the whole of the land contained in C/T V 1373 F 260. Lots 25, 26 & 27 on P 6298 being the whole of the land contained in C/T V 1373 F 259. Together with Ptn of William and Murray Streets as is defined in HCWA Survey Drawing No 15846 prepared by Cadgraphics WA.

Pursuant to directions from the Minister for Heritage, notice is hereby given in accordance with Section 49(1) of the Heritage of Western Australia Act 1990 that it is proposed that the places described in Schedule 2 be entered in the Register of Heritage Places. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 26 November 2004. The places will be entered in the Register on an interim basis with effect from today.

### Schedule 2

#### Description of Place

**Bank of New South Wales (fmr), Perenjori** at cnr Fowler and Smith Streets, Perenjori; Lot 1 on DP 226908 and being the whole of the land contained in C/T V 900 F 197.

**Residence, 52 Mount Street** at 52 Mount Street, Perth; Lot 101 on D 63706 being the whole of the land contained in C/T V 1715 F 70.

**St Cuthbert's Anglican Church, Darlington** at cnr Hillsden and Darlington Roads, Darlington; Lot 24 on P 3361 and being the whole of the land contained in C/T V 580 F 198.

Dated 15 October 2004.

IAN BAXTER, Director, Office of the Heritage Council of W.A.,  
108 Adelaide Terrace, East Perth WA 6004.

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## LOCAL GOVERNMENT

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### 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—

- i. Dog Act 1976
- ii. Litter Act 1979
- iii. Local Government Act 1995
- iv. Council Local Laws
- v. Control of Vehicles (Off-road areas) Act 1978
- vi. Bush Fires Act

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

G. EVERSLED, Chief Executive Officer.

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### LG402\*

#### *Shire of Chittering*

#### AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Acts hereunder effective immediately.

1. Dog Act 1976 and Regulations, Control of Off-Road Vehicles Act 1978 and Regulations, Litter Act 1979 and Regulations, Local Government Laws, Local Government Act 1995 (Sections 3.39, 9.10, 9.11, 9.15)

Kenn Donohoe  
Gary Allan Clark

Peter Mervyn Hall  
 Geoff Copley  
 Lyall Bruce Davieson  
 Michael Simms  
 Dog Act 1976—Registration Officers Only  
 Karen Patricia Parker  
 Raelene Isobel Kay  
 Denice Kay Mulcahy  
 Helen Lorraine Loton  
 Heather Ann Seckold  
 Karina Margarete Wellard  
 Danica Anne Kay  
 Katrina Dennis

2. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960

Peter Mervyn Hall as a Ranger and Pound Keeper  
 Geoff Copley as a Ranger and Pound Keeper

3. Issue of Infringement Notices—Section 59 (2) (a) of the Bush Fires Act 1954 and Section 64 (1) of the Cemeteries Act 1986

Kenn Donohoe  
 Gary Allan Clark  
 Peter Mervyn Hall  
 Geoff Copley  
 Lyall Bruce Davieson  
 Michael Simms

4. Health Act 1911

Lyall Bruce Davieson  
 Michael Simms

5. Bush Fires Act 1954 Section 38 (Fire Control Officers)

Dennis Badcock,	Chief Bush Fire Control Officer
Hartley Read,	Deputy Chief Bush Fire Control Officer and Fire Weather Officer South
Greg Cocking,	Deputy Chief Bush Fire Control Officer and Fire Weather Officer North
(Lower Chittering)	Phil Beales, Max Brown
(Upper Chittering)	Phil Humphry, Bryan Davies, Wayne Knight
(Bindoon)	Phillip Beardsmore, Noel Metcalf, Murray Kay
(Wannamal)	Graham Taylor-Fire Weather Officer (North), Kim Haeusler
(Muchea)	Dennis Harvey, Alan Crane

6. Bush Fires Act 1954 Section 40 (Dual Registered) Fire Control Officers for other Authorities

Dennis Badcock, Shires of Toodyay and Gingin  
 Hartley Read, Shires of Toodyay and Gingin  
 Greg Cocking, Shires of Toodyay and Gingin  
 Graham Taylor, Shire of Gingin  
 Murray Kay, Shire of Toodyay  
 From the Shire of Gingin (Dual registered) Fire Control Officers in the Shire of Chittering  
 Arthur Elliot, George Grant, Murray Hyne, Paul Brocklehurst and Errol Howard.

7. Bush Fires Act 1954—Clover Burning Officer Section 24

Kenn Donohoe

8. Certain Provisions About Land—Part 3—Division 3—Subdivision 2 Section 3.24 of the Local Government Act 1995

Kenn Donohoe

9. Powers of Entry—Part 3—Division 3 Section 3.28 and 3.29 of the Local Government Act 1995

Kenn Donohoe  
 Gary Allan Clark  
 Carol Wooldridge  
 Lyall Bruce Davieson  
 Peter Mervyn Hall  
 Geoff Copley  
 Michael Simms

10. Miscellaneous Provisions About Enforcement—Part 9—Division 2—Subdivision 1 Sections 9.13, 9.16 and 9.17 of the Local Government Act 1995

Kenn Donohoe  
 Peter Mervyn Hall  
 Geoff Copley

11. Miscellaneous Provisions About Enforcement—Part 9—Division 2—Subdivision 1 Section 9.19 of the Local Government Act 1995

Kenn Donohoe



12. Miscellaneous Provisions About Enforcement—Part 9—Division 2—Subdivision 1 Section 9.20 of the Local Government Act 1995

Kenn Donohoe

13. Impounding and Removing Goods Involved in Certain Contraventions Section 3.39 of the Local Government Act 1995

Kenn Donohoe

Peter Mervyn Hall

Geoff Copley

All previous authorisations are hereby revoked.

BOB SMILLIE, Acting Chief Executive Officer.

**LG403\***

**LOCAL GOVERNMENT ACT 1995**

*Shire of Gingin*

APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that the following persons have been appointed as authorised officers for the registration of dogs under the Dog Act 1976 (as amended)—

Anthony George McMillan Brown

Sarah Williams

The appointment of Jessica Spark is hereby cancelled.

S. D. FRASER, Chief Executive Officer.

**LG404\***

*CITY OF COCKBURN*

Authorised Person

It is hereby notified for public information that as from 15 October 2004, Danielle Michelle Taylor is a duly authorised officer in accordance with the following Acts, Regulations and Local Laws—

1. Dog Act 1976 and Regulations (as amended)
2. Control of Vehicles (Off Road Areas) Act 1978 and Regulations (as amended)
3. Litter Act 1979 (as amended)
4. Local Government Act 1995
5. Local Government (Miscellaneous Provisions) Act 1960 s.449
6. Bush Fires Act 1954 and Regulations (as amended)

City of Cockburn (Local Government Act) Local Laws 2000

1. Divisions 3, 4, 5 and 6 of Part II—Animals
2. Part III—Reserves, Foreshores and Beaches except section (t) and section 3.3 (t) and section 3.4 (f), (g), (j), and (l) thereof
3. Divisions 2, 5 and 6 of Part V—Dangerous and Offensive Things
4. Part VI—Hawkers, Stallholders and Street Traders
5. Divisions 4 and 5 of Part VII—Management and Control of Council Property
6. Sections 8.22 and 8.23 of Part VIII—Signs, Hoardings and Bill Postings
7. Part IX—Streets and Public Places except sections 9.4, 9.5, 9.6, 9.7 and 9.8 thereof
8. Part X—Traffic and Vehicles, except section 10.4
9. Part XI—Law, Order and Security.

D. M. GREEN, Acting Chief Executive Officer.

**LG405\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Busselton*

District Town Planning Scheme No. 20—Amendment No. 1

Ref: 853/6/6/21 Pt 1

It is hereby notified for public information, in accordance with Section 7 of the *Town Planning and Development Act 1928* (as amended) that the Minister for Planning and Infrastructure approved the

Shire of Busselton District Town Planning Scheme Amendment on 7 October 2004 for the purpose of—

1. Deleting the number “12” in clause 20 (1) of the Scheme Text and replacing it with the number “14” and adding two new zones “Vasse Development Zone” and “Deferred Vasse Development Zone” to the list of Zones.
2. Adding new sections to Table 1 - Zone Objectives & Policies of the Scheme Text as follows.

#### **Vasse Development Zone**

##### **OBJECTIVES OF THE ZONE**

- (i) The Zone is designed to be flexible in nature so as to overcome the inherent problems associated with detailed zoning of land prior to the creation of lot boundaries through subdivision and survey.
- (ii) To provide for progressive development of a new, separate community at Vasse.
- (iii) To progressively provide employment and business opportunities at Vasse.
- (iv) To encourage a variety of lifestyle opportunities through the use of different development densities.
- (v) To create a high quality “village” character by encouraging pedestrian/cycle transport as a preferred mode, a sense of place and a sense of community.
- (vi) To establish a hierarchy of planning procedures to secure the objectives of the Zone.
- (vii) To provide for the development of neighbourhood retail facilities which support and service the residential population at Vasse only and do not detract from the primacy of Busselton and Dunsborough as the principal commercial centres of the Shire.

##### **POLICIES OF THE ZONE**

- (a) To provide, in a timely manner, an alternative route for regional, heavy haulage and through traffic so that the existing Bussell Highway alignment can be used as an internal subdivision road to service the proposed Vasse townsite.
- (b) To require the preparation and approval of a Development Guide Plan in accordance with the provisions of Schedule 11 of the Scheme as a prerequisite to—
  - the Council’s support for an application to subdivide or amalgamate lots; and/or
  - the Council’s consideration of an Application for Planning Consent.
- (c) Ensure development is compatible with the natural environment.
- (d) Programme appropriate road and reticulated service provision.
- (e) Programme appropriate provision of social infrastructure.
- (f) Encourage urban designs which provide a high degree of “permeability” and “walkability”.
- (g) Make provision for business, industry, community uses and recreational areas as well as residential areas.
- (h) To ensure that Vasse does not become a satellite, dormitory suburb of Busselton and Council shall recommend against continuing stages of residential subdivision unless there is progressive development of employment opportunities at Vasse.
- (i) To ensure that subdivision and development conforms with the principal aims of the Liveable Neighbourhoods - Community Design Code.
- (j) To ensure retail uses are limited in scale, type and function to service the residential population of Vasse only, in accordance with the settlement hierarchy objectives of the Leeuwin – Naturaliste Ridge Statement of Planning Policy No.6.1.

#### **Deferred Vasse Development Zone**

##### **OBJECTIVES OF THE ZONE**

- (i) To ensure that the development of Vasse is staged to allow a community size of around 2,000 residents unless the conditions prescribed at Table 5 of the Leeuwin-Naturaliste Ridge Statement of Planning Policy and Schedule 12 of the Scheme are met in which case the village of Vasse may be expected to accommodate a maximum population of approximately 5,000 people by the lifting of the deferment from the Deferred Vasse Development Zone through a Scheme Amendment process.
- (ii) In the interim, the land within the Zone is to be treated as if it were in the Agriculture Zone except that Council has the discretion to refuse incompatible rural land uses that may prejudice the long term development of the area for townsite expansion.

##### **POLICIES OF THE ZONE**

- (a) It is the objective and requirement of the Zone to link further expansion of Vasse to the demonstration of employment creation at the site to support residential growth. Justification of growth should conform to the principle aims of the Liveable Neighbourhoods - Community Design Code (Western Australian Planning Commission, December 1997 (as amended)) as it relates to employment, transport and community design.
- (b) It is intended that when Council deems the above condition and those of Schedule 12 of the Scheme have been met that the deferment will be lifted from the Deferred Vasse Development Zone and further residential development permitted in accordance with an adopted Development Guide Plan. Deferment shall be lifted by finalisation and Gazettal of a Scheme Amendment rezoning the site from the Deferred Vasse Development Zone to the Vasse Development Zone.

3. Amending Table 2 - Zoning Table in the Scheme Text by adding two new columns headed by the zones "Vasse Development Zone" and "Deferred Vasse Development Zone". In the columns below the zones and opposite the list of Use Classes, add the phrases "As identified in the approved Development Guide Plan" and specified by clause 1.7.2 of Schedule 11" and "In accordance with the Agriculture Zone" respectively.
4. Adding Schedule 11 to the Scheme Text, following Schedule 10 as follows.

"SCHEDULE 11

Vasse Development Zone - Special Provisions

1. VASSE DEVELOPMENT ZONE

1.1 Interpretation

In Clause 1 of this Schedule, unless the context otherwise requires—

**'Proponent'** means any owner or owners of land to which the draft Development Guide Plan relates that has or have submitted that draft Development Guide Plan; and

**'Draft Development Guide Plan'** means a structure plan, which may apply to either a local area or a district, that has been prepared in accordance with clause 1.4 of this Schedule.

**'Development Guide Plan'** means a Development Guide Plan that has been both approved by the Commission and adopted by the local government under clause 1.5 of this Schedule.

1.2 Purpose

- (a) To identify areas requiring comprehensive planning prior to subdivision and development.
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

1.3 Planning Requirements

1.3.1 The local government requires a Development Guide Plan for the Vasse Development Zone, or for any particular part or parts of the Zone, before recommending subdivision or approving development of land within the Zone.

1.3.2 Where a Development Guide Plan exists, the subdivision and development of land is to generally be in accordance with the Development Guide Plan.

1.3.3 The local government or the Commission may, as a condition of adopting or approving a draft Development Guide Plan, require a more detailed Development Guide Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the draft Development Guide Plan.

1.4 Preparation of Development Guide Plans

1.4.1 A Development Guide Plan may include plans and other documents.

1.4.2 A Development Guide Plan may, with the agreement of the local government, be prepared and implemented in stages.

1.4.3 A Development Guide Plan is to contain such detail as, in the opinion of the local government, is required to satisfy the planning requirements of the Zone and, without limiting the generality of the foregoing may include the following details—

- (a) The area to which the Development Guide Plan applies;
- (b) Key opportunities and constraints of the Zone including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport and services;
- (c) The planning context for the Zone including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the Development Guide Plan is to be integrated into the surrounding area;
- (d) Proposed major land uses, in particular, residential areas, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, industrial and mixed business areas;
- (e) The proposed indicative lot pattern and general location of any major buildings;
- (f) Estimates of future lots, dwellings, population, employment and retail floor space;
- (g) Provision for major infrastructure, including main drainage, sewerage, water supply and other key infrastructure services;
- (h) The proposed road network and hierarchy, public transport services and bicycle and pedestrian networks;
- (i) The timeframe and staging of subdivision and development and method of implementation, including any proposals for funding by development contributions;
- (j) Details as appropriate relating to—
  - vehicular access and parking;
  - the location, orientation and design of buildings and the space between buildings;
  - conservation areas;
  - heritage places; and
  - special development control provisions; and
- (k) Such other information as may be required by the local government.

1.4.4 In considering a draft Development Guide Plan for part of the Zone, the local government may require the Proponent to demonstrate how planning for the subject land may be integrated with planning for the balance of the Zone, including how broad land uses, essential services, main movement systems and major conservation and recreation areas are to be integrated and provide information on the arrangements for implementation.

#### 1.5 Adoption, Approval and Modification of Development Guide Plans

1.5.1 The processes for adoption, approval and modification of a Development Guide Plan prepared in accordance with Clause 1.4 of this Schedule shall be in accordance with Clauses 15, 25, 96 and 103 of the Scheme. Within 7 days of determining that a draft Development Guide Plan is satisfactory for advertising, the local government is to forward a copy of the draft Development Guide Plan to the Commission.

1.5.2 The local government may adopt a minor change to or departure from a Development Guide Plan if, in the opinion of the local government, the change does not materially alter the intent of the Development Guide Plan.

1.5.3 (a) The local government is to forward a copy of the minor change or departure to the Commission within 10 days from the date of adopting the minor change or departure.

(b) If the Commission considers that the change or departure adopted by the local government under clause 1.5.2 materially alters the intent of the Development Guide Plan, then the Commission—

- (i) may require the local government to follow the procedures set out in clause 1.5.1; and
- (ii) notify the local government of this requirement within 10 days.

1.5.4 Any change to or departure from a Development Guide Plan that is not within clause 1.5.2 is to follow the procedures set out in clause 1.5.1

#### 1.6 Detailed Area Plans

1.6.1 (a) (i) A proponent shall prepare and submit to the local government a detailed area plan for the residential neighbourhood/village, town centre precinct and industrial areas, within which subdivision or development approval is being sought, prior to subdivision and development approval. Detailed area plans are to be designed consistent with “Liveable Neighbourhoods” principles and may include variations to the Development Guide Plan in terms of design.

(b) A detailed area plan is to relate to a particular neighbourhood/village, industrial area or the town centre precinct and shall be prepared and submitted—

- (i) to enhance, elaborate or expand on the details or provisions contained in a draft Development Guide Plan or a Development Guide Plan;
- (ii) in place of a development approval required to comply with clause 2.3.2 of the Residential Design Codes; or
- (iii) for any other planning purpose.

(c) The local government and Commission are to—

- (i) approve with or without conditions; or
- (ii) refuse to approve

the detailed area plan.

(d) If within 60 days of receiving a detailed area plan under clause 1.6.1(a) or 1.6.1(e), or such longer period as may be agreed in writing between the person and the local government or the Commission, either the local government or the Commission has not made one of the determinations referred to in clause 1.6.1(c), the local government or the Commission is deemed to have refused the detailed plan.

(e) The local government is to forward a copy of the detailed area plan to the Commission within 10 days of approving the detailed area plan for consideration and determination.

(f) The local government’s refusal to approve a detailed area plan under clause 1.6.1 is not a valid reason for the local government to refuse to adopt or the Commission to refuse to approve a Development Guide Plan under clause 1.5.1.

(g) Notwithstanding that a detailed area plan may have been deemed to have been refused under Clause 1.6.1 (d) the Council and Commission may issue a decision after the expiry of the 60 days and that decision shall be regarded as being valid.

1.6.2 Unless clause 1.6.1 (b) (ii) of this Schedule applies, once approved by the local government and the Commission, the detailed area plan in conjunction with the approved Development Guide Plan is to be used as the basis for—

- (a) making recommendations to the Commission on subdivision applications; and
  - (b) determining development applications
- with respect to the land subject to the detailed area plan.

1.6.3 A detailed area plan may include details as to—

- (a) building envelopes;
- (b) distribution of land uses within a lot;
- (c) private open space;
- (d) services;
- (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
- (f) the location, orientation and design of buildings and the space between buildings;

- (g) advertising signs, lighting and fencing;
- (h) landscaping, finished site levels and drainage;
- (i) protection of sites of heritage, conservation or environmental significance;
- (j) special development controls and guidelines;
- (k) revised lot configurations;
- (l) revised internal road network; and
- (m) such other information considered relevant by the local government..

1.6.4 (a) An approved detailed area plan may be modified or varied with the approval of the local government and the Commission, but where there is a related Development Guide Plan, such modifications or variations are to conform with the intent of any related Development Guide Plan.

(b) The local government is to forward a copy of the modification or variation to the detailed area plan to the Commission within 10 days of approving the modification or variation for the Commission's consideration and determination.

1.6.5 A person who has submitted a detailed area plan under clause 1.6 may appeal, in accordance with Part V of the Town Planning Development Act, any decision made by local government or Commission under clause 1.6.1 or 1.6.4.

#### 1.7 Operation of Development Guide Plan

1.7.1 A Development Guide Plan commences operation on the date it is endorsed by the Commission.

1.7.2 Subject to clause 1.7.5, if a Development Guide Plan imposes a classification on the land included in it by reference to reserves, zones, or Residential Design Codes, then until it is replaced by a subsequent amendment to the Scheme or a new Scheme imposing such classifications—

- (a) the provisions of the Development Guide Plan apply to the land within the area as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same way as corresponding provisions incorporated in the Scheme; and
- (b) provisions in the Scheme applicable to land in those classifications under the Scheme are to apply to the Vasse Development Zone.

1.7.3 Without limiting the generality of clause 1.7.2 of this Schedule, under a Development Guide Plan—

- (a) in the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those designations were zones under the Scheme except that Council may approve Offices, Single Houses, Grouped Dwellings and Multiple Dwellings within the Restricted Business Zone;
- (b) the standards and requirements applicable to the zones and R Codings under the Scheme apply to the areas having corresponding land use designations under the Development Guide Plan or under the detailed area plan;
- (c) the development control procedures including (without limitation) the procedures for the approval of uses and developments under the Scheme are to apply as if the land was correspondingly zoned or reserved under the Scheme;
- (d) where land is classified as a local reservation, the rights, provisions and procedures and the obligations of the local government in regard to compensation set out in clauses 19(3) to 19(4) inclusive and clause 102 apply as if the land was correspondingly reserved under the Scheme;
- (e) any other provision, standard or requirement in the Development Guide Plan is to be given the same force and effect as if it were a provision, standard or requirement of the Scheme; and
- (f) the Council shall not consent to development for the purpose of a Single House, Grouped Dwellings or Multiple Dwellings on land in the "Restricted Business" area where the dwellings proposed to be erected do not form a component only of a commercial development unless Council is satisfied that approval of the development would not be inconsistent with the Policies and Objectives of the "Restricted Business" area.

1.7.4 A Development Guide Plan may distinguish between the provisions, standards or requirements which are intended to have effect as if included in the Scheme and any provisions, requirements, or standards which are only for guidance or such other purposes as stipulated in the Development Guide Plan. If no distinction is made, the provisions, standards or requirements specified on the Development Guide Plan will be deemed to form part of the Scheme.

1.7.5 If a provision of a Development Guide Plan which imposes a classification on the land included in it by reference to reserves, zones or Residential Design Codes is inconsistent with the provision of the Scheme, then the provision of the Scheme prevails to the extent of any inconsistency.

#### 1.8 Additional Requirements

1.8.1 The proponent shall prepare a Mosquito Management Plan as a condition of subdivision approval to the satisfaction of the Health Department of Western Australia and Shire of Busselton.

1.8.2 The proponent shall create appropriately worded memorials on Certificates of Title of lots created within the Development Guide Plan advising prospective purchasers of the presence of mosquitoes and the potential for mosquitoes to cause Ross River Virus.

1.8.3 The proponent shall cause archaeological surveys and ethnographic consultation to be undertaken prior to subdivision and development approval for the amendment area to the satisfaction of the Aboriginal Affairs Department and Shire of Busselton.

1.8.4 The proponent shall prepare a Traffic Management and Implementation Plan addressing Bussell Highway access and future downgrading issues as a condition of subdivision approval and prior to any development approval along Bussell Highway.

1.8.5 Council shall recommend to the Western Australian Planning Commission as part of any subdivision approval that all lots created within 500 metres of the southern boundary of the amendment area will require a memorial on title advising prospective purchasers that there is potential for dust, spray, noise and other amenity impacts due to the adjoining, approved agricultural uses and practices.

1.8.6 Prior to the subdivision or development of land, the proponent is to prepare a developer contributions and staging plan to the satisfaction of the Council and Commission to ensure the proponent's appropriate and timely contribution toward service infrastructure, distributor roads and community facilities on a progressive and staged basis. An appeal right will exist in relation to the determination of the plan pursuant to clause 96(2) of the Town Planning Scheme.

5. Adding Schedule 12 to the Scheme Text as follows—

“SCHEDULE 12

Deferred Vasse Development Zone

1. The deferment from the Deferred Vasse Development Zone shall be lifted by finalisation and gazettal of a scheme amendment rezoning land from the Deferred Vasse Development Zone to the Vasse Development Zone in accordance with those requirements outlined herein.

2. Council shall only lift the deferment from the Deferred Vasse Development Zone by initiating and granting final approval to a Scheme Amendment as specified in 1. above when it is satisfied that—

- a) The developer/owner has successfully achieved a level of employment generating uses within Vasse beyond those normally expected within a conventional dormitory suburb. These uses may include industry, recreational, tourism, medical, research and educational functions as generally proposed in the adopted Development Guide Plan.
  - b) With regard to (a) subdivision and development is predicated on the prior construction of such establishments identified in the adopted Development Guide Plan. Accordingly, any application for subdivision and development of lots in accordance with the adopted Development Guide Plan will not be recommended for approval by the Council unless such establishments had been built or Council is satisfied that an irrevocable commitment has been entered into by the proponent to construct such establishments to a level consistent with (a).
  - c) The proponent has reached agreement with Council over the provision of community infrastructure including a contribution to the upgrading of Vasse Community Halls, townscaping the main street and proposed town square as outlined at part 9.3.1 of the Development Guide Plan, the provision of open spaces, landscaping, strategic cycleways and other local community facilities which may include local halls, sporting facilities and other facilities upon agreement. The developer will contribute towards the construction of the Bussell Highway Link Road on the western boundary of the amendment area.
  - d) Adherence to the principal aims of the Liveable Neighbourhoods - Community Design Code (Western Australian Planning Commission, December 1997 (as amended))”.
6. Adding the amendment area to Schedule 9 - Environmental Conditions of the Scheme Text as follows.

“Scheme Amendment No.	Particulars of Land	Gazettal Date	Environmental Conditions
1	Portions of Sussex Locations 221, 241 248, and Part 657 and Lots 1, 2, Part 3 and 173 Bussell Highway, Lot 175 Rendezvous Road, Lots 3, 37 and 174 Kaloorup Road, Part Lot 159, portion of Lot 160 and portion of Sussex Location 4324 Yallingup Siding Road and Part Sussex Location 5, portion of Sussex Location 5252 and Lot 20 Dowell Road, Vasse		<p>1 Contamination</p> <p>1-1 Areas of soil and groundwater contamination resulting from previous activities in the Amendment shall be identified and remediated to a standard suitable for the intended land uses.</p> <p>1-2 Any subdivision or development application for land in the Amendment that has been utilised for farming practices creating the potential for contamination shall be accompanied by a report of an investigation of the area to determine the nature and extent of any soil and groundwater contamination, to the requirements of the Department of Environmental Protection. The site is determined to be contaminated if substances occur in the soil or groundwater at concentrations above background levels and where assessment indicates it poses, or has the potential to pose, an unacceptable risk to human health or the environment.</p>

"Scheme Amendment No.	Particulars of Land	Gazettal Date	Environmental Conditions
			<p>1-3 If unacceptable soil or groundwater contamination is identified by the investigation referred to in condition 1-2, a remediation program shall be prepared and implemented and if necessary, a management plan shall be prepared, to the requirements of the Department of Environmental Protection, prior to subdivision.</p> <p>1-4 The management plan referred to in condition 1-3 shall be implemented.</p> <p>2 Wetland Management Plan</p> <p>2-1 Prior to ground disturbing activities the developer shall prepare a Wetland Management Plan for the wetlands and buffers to meet the following objectives;</p> <p>"to maintain and, where possible enhance the integrity, functions and environmental values of the wetland".</p> <p>The Wetland Management Plans shall be prepared to the requirements of the responsible authority in consultation with the Department of Environmental Protection and on advice of the Department of Conservation and Land Management and the Water and Rivers Commission.</p> <p>Each plan shall include—</p> <ul style="list-style-type: none"> <li>(i) A description of the wetland including its ecosystem, attributes and values;</li> <li>(ii) Management objectives, including the protection of the water regime that supports the wetland;</li> <li>(iii) Management actions to ensure that the management objectives are achieved including control of access through fencing and paths.</li> <li>(iv) Measures to ensure that where there are impacts to a wetland or its buffer caused by development then there will be a net gain in environmental value for the remaining wetland to offset these impacts;</li> <li>(v) A monitoring programme, including definition of performance criteria and analysis procedures, to demonstrate whether the management objectives are being met;</li> <li>(vi) Contingency plans to be implemented in the event that performance criteria are not met; and</li> <li>(vii) Identification of responsibilities for implementation of the plan.</li> </ul> <p>3 Drainage and Nutrient Management</p> <p>3-1 Prior to ground disturbing activities, a Drainage and Nutrient Management Plan over the whole of the subject land to ensure that the rate, quantity and quality of water leaving the subject land will not adversely impact on Geographe Bay or wetlands on or in the vicinity of the subject land to the requirements of the local government with the concurrence of the Water and Rivers Commission on advice from the Department of Environmental Protection.</p> <p>This plan shall incorporate—</p> <ul style="list-style-type: none"> <li>(i) Water Sensitive Urban Design best management practices to achieve the best removal of pollutants and nutrients from surfacewater and groundwater discharges from the subject land;</li> </ul>

"Scheme Amendment No.	Particulars of Land	Gazettal Date	Environmental Conditions
			<ul style="list-style-type: none"> <li>(ii) Water Sensitive Urban Design best management practices to maximise stormwater detention on site;</li> <li>(iii) Mechanisms to minimise erosion during and after the development phase;</li> <li>(iv) Mechanisms to protect the water regimes of the lakes protected under the Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 situated on and nearby the subject land, including water quality and water level; and to ensure that there shall be no direct drainage to the 'Franklin' wetland from the proposed adjacent industrial area.</li> <li>(v) A monitoring and reporting programme for nutrient concentration in surfacewater and groundwater discharges from the subject land;</li> <li>(vi) Contingency measures to be implemented in the event that pollution and nutrient removal and stormwater detention are not achieving Water Sensitive Urban Design best practice; and</li> <li>(vii) Identification of responsibilities for implementation of the Drainage and Nutrient Management Plan.</li> </ul>

7. Amending the Scheme Maps by—

7.1 Inserting in the Legend to the Scheme Maps the zone "Vasse Development Zone" and "Deferred Vasse Development Zone" along with the zone boundaries.

7.2 Deleting the Development Investigation Area encompassing Part Sussex Locations 657, 241 (Lot3) & Lot 37 Sussex Locations 27, 221, and 634 and Lot 175 Rendezvous Road; Lot 1 Kaloorup Road and portion of Part Sussex Location 5 and Lot 20 Dowell Road, Vasse.

7.3 Rezoning portion of Lot 3 & Lot 37 Part Location 241, portions of Part Lot 159 and Lot 160 Yallingup Siding Road, portions of Sussex Locations 5252, 248 and 221 Bussell Highway, Portion of Sussex Location 657 Bussell Highway, portion of part Lot 3 and Lots 1 & 2 Bussell Highway, portion of Lot 175 Rendezvous Road, Lot 20 Dowell Road, portion of Sussex Location 5 and Sussex Location 4872 from "Agriculture" to "Vasse Development Zone".

7.4 Rezoning Portion of Sussex Location 657 Bussell Highway, portions of Part Lot 159 & Lot 160 Yallingup Siding Road, portion of Sussex Location 221 Florence Road, portion of Lot 175 Rendezvous Road and Portion of Sussex Location 657 Florence Road, from "Agriculture" to "Deferred Vasse Development Zone".

7.5 Placing a green dotted border around the amendment area and the adjacent land to be occupied by the Vasse – Dunsborough Road alignment indicating the area is subject to Environmental Conditions (EC).

as depicted on the Scheme Amendment Map.

T. BUSWELL, President.  
A. MACNISH, Chief Executive Officer.

**LG406\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Nedlands*

Town Planning Scheme No. 2 - Amendment No. 144

Ref: 853/2/8/4 Pt 144

It is hereby notified for public information, in accordance with Section 7 of the *Town Planning and Development Act 1928* (as amended) that the Minister for Planning and Infrastructure approved the City of Nedlands Town Planning Scheme Amendment on 4 October 2004 for the purpose of—

1. Rezoning Reserve 22380 (Swan Location Lots 3181 and 5169) Smyth Road Corner Aberdare Road and Verdun Street from unzoned to Residential R15,R30,R50 and R60 and Recreation.
2. Inserting clause 5.3.9 under Part V of the Scheme
3. Inserting Part VII-LOCAL PLANNING POLICY FRAMEWORK in the Scheme.

L. G. TAYLOR, Mayor.  
S. SILCOX, Chief Executive Officer.



LG407\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Shire of Pingelly*

Town Planning Scheme No. 2 - Amendment No. 5

Ref: 853/4/25/2 Pt 5

It is hereby notified for public information, in accordance with Section 7 of the *Town Planning and Development Act 1928* (as amended) that the Minister for Planning and Infrastructure approved the Shire of Pingelly Town Planning Scheme Amendment on 29 September 2004 for the purpose of re-coding Lot 4, Somerset Street Pingelly from Residential R10/R12.5 to Residential R30 in accordance with the Scheme Map.

C. F. LEE, President.  
 G. CARTER, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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MP401

**MINING ACT 1978**

Section 96(1)(a)

INTENDED HEARING OF APPLICATION FOR FORFEITURE OF MINING TENEMENTS

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that applications for the forfeiture of the following mining tenements pursuant to the provisions of Section 96(1)(a) of the *Mining Act 1978*, for breach of covenant, viz, non-payment of rent, are to be heard before the Warden in Open Court, Court House, Rochester Street, Leonora at 9:00am on 25th November 2004.

TENEMENT TYPE	NUMBER	HOLDER	MINERAL FIELD	YEAR ENDING
Prospecting Licence	39/4156	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4157	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4165	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4166	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4167	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4168	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4169	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4170	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4171	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4172	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4173	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4174	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4175	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4176	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4178	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4179	Axis Consultants Pty Ltd	Mt Margaret	15/08/2004
Prospecting Licence	39/4233	Knight, Edward William Lydeamore, Donald Murray Skuce, William	Mt Margaret	29/08/2004
Prospecting Licence	39/4235	Collins, Melissa Knight, Edward William Lydeamore, Donald Murray	Mt Margaret	29/08/2004

Objections (Form 16) against the forfeiture of the mining tenement by the Warden may be lodged at the office of the Mining Registrar, Leonora prior to 25 November 2004.

S. P. SHARRATT SM, Warden.

## MP402

**MINING ACT 1978**  
INTENTION TO FORFEIT

Department of Industry Resources,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Act 1978*, notice is hereby given that unless the rent due on the under mentioned licences and leases is paid on or before 5 November 2004 it is the intention of the Minister for State Development under the provisions of Sections 96A(1) and 97(1) of the *Mining Act 1978*, to forfeit such for breach covenant, viz, non-payment of rent.

JIM LIMERICK, Director General.

NUMBER	HOLDER	MINERAL FIELD
Exploration Licences		
31/489	Avoca Resources Ltd	North Coolgardie
39/734	Avoca Resources Ltd	Mt Margaret
52/1363	Troy Resources NL	Peak Hill
59/1033	Axis Consultants Pty Ltd	Yalgoo
69/1632	Gunson Resources Ltd	Warburton
69/1633	Gunson Resources Ltd	Warburton
69/1634	Gunson Resources Ltd	Warburton
69/1635	Gunson Resources Ltd	Warburton
69/1636	Gunson Resources Ltd	Warburton
80/2766	Bazco Pty Ltd	Kimberley
Mining Leases		
38/360	Ucabs Pty Ltd	Mt Margaret
47/320	Blayney, Barbara Fiona Blayney, Mark William	West Pilbara

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## PARLIAMENT

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## PA401\*

PARLIAMENT OF WESTERN AUSTRALIA  
Royal Assent To Bills

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.
Professional Standards Amendment Bill 2004	September 28 2004	25 of 2004
Evidence Amendment Bill 2004	October 7 2004	24 of 2004
Criminal Law Amendment (Criminal Property) Bill 2004	October 7 2004	26 of 2004

Dated: October 13 2004.

PETER McHUGH, Acting Clerk of the Parliaments.

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## PLANNING AND INFRASTRUCTURE

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## PI401

**SWAN VALLEY PLANNING ACT 1995**

SWAN VALLEY PLANNING (VARIATION OF PLAN) REGULATIONS 2004

The Swan Valley Planning Act enables regulations to be made to vary the plan of the Swan Valley provided for in Part 2 of the Act.

Notice is given that regulations have been prepared to—

- excise all but Lot 8 and Lot 18 of the Caversham Area D Precinct from the Act; and
- reclassify Lot 8 and Lot 18 (being Pinelli Wines land) as Area B.

A copy of the proposed regulations may be inspected or obtained from the following locations—

- the Department for Planning and Infrastructure, 469 Wellington Street, Perth; and
- the City of Swan, 2 Midland Square, Midland.

The proposed regulations are also available from the WAPC internet site [www.wapc.wa.gov.au](http://www.wapc.wa.gov.au) and the DPI internet site [www.dpi.wa.gov.au](http://www.dpi.wa.gov.au).

Written submissions on the proposed regulations are invited.

Submissions must be lodged on or before Friday 21 January 2005 with the—

Director, Policy and Legislation  
Department for Planning and Infrastructure  
469 Wellington Street  
Perth WA 6000

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon J. A. McGinty MLA to act temporarily in the office of Minister for Police and Emergency Services; Justice; Community Safety in the absence of the Hon M. H. Roberts MLA for the period 11 to 14 October 2004 (both dates inclusive).

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

PC402\*

### APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent relating to the Office of Governor of the State of Western Australia* dated 14 February 1986, has appointed the Lieutenant-Governor the Honourable David Kingsley Malcolm AC, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following periods (all dates inclusive)—

16 to 20 October 2004;  
31 October to 7 November 2004; and  
15 to 16 November 2004.

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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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>			
10469	Restaurant Perth Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Room Nineteen	20/10/2004
10474	Yvonne Mihalj	Application for the grant of a Restaurant licence in respect of premises situated in Fremantle and known as Spoonz on Wray	21/10/2004

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i></b>			
10475	Maltese Association Of WA Inc	Application for the grant of a Club licence in respect of premises situated in Bassendean and known as Maltese Association of WA Inc	24/10/2004
10467	The University Club of Western Australia Pty Ltd	Application for the grant of a Special Facility licence in respect of premises situated in Crawley and known as The University Club of Western Australia Pty Ltd	1/11/2004
10470	Frank Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mundaring and known as The Ming Restaurant	20/10/2004
10477	Reena Kiran Patel	Application for the grant of a Wholesaler's licence in respect of premises situated in Pearsall and known as Simba Agency	26/10/2004
<b>APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
206103	Wrestpoint Nominees Pty Ltd	Application to add, vary or cancel a condition of the Tavern licence in respect of premises situated in Armadale and known as Armadale Tavern	26/10/2004

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

Dated: 13 October 2004.

H. R. HIGHMAN, Director of Liquor Licensing.

## REGIONAL DEVELOPMENT

RD401\*

### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

#### APPOINTMENTS

It is hereby notified for general information that the Minister for the Midwest, Wheatbelt and Great Southern has approved the appointment of the following as board members, in accordance with Part 3 of the Regional Development Commissions Act 1993.

Great Southern Development Commission

Board of Management

- Councillor Glenyse Garnett, appointed as a Local Government Member for a term expiring in November 2007.
- Councillor Michael Watkins, appointed as a Local Government member for a term expiring in November 2007.

KIM CHANCE, MLC, Minister for the Midwest, Wheatbelt and Great Southern.

## TRANSPORT

TR401

### SHIPPING AND PILOTAGE ACT 1967

#### APPOINTMENTS

It is hereby notified for general information that the Governor, in Executive Council, has approved in accordance with Section 4 of the *Shipping and Pilotage Act 1967*—

- The appointment of Sebastian Prince Chandrakumar Saverimutto as Pilot for the Port of Yampi Sound

The appointment is in accordance with the *Shipping and Pilotage Act 1967*.

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**WATER**


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WA401\*

**WATER BOARDS ACT 1904****BUSSELTON WATER BOARD**

## Rates and Charges

Notice is hereby given under Section 79 of the above Act that the Rates and Charges for the Busselton Water Board have been approved for the period 1 July 2004 to 30 June 2005 and records may be inspected at the office of the Board during normal office hours.

Pursuant to Section 94 of the Water Boards Act No. 4 of 1904, the Busselton Water Board has resolved and the Minister has approved, that the following Rates and Charges shall apply for the twelve months ending 30 June 2005.

**Residential**

Standard Supply Charge—\$103.00

## Water Consumption Charges

First 150kl	40 cents per kilolitre
Next 200kl	58 cents per kilolitre
Next 200kl	64 cents per kilolitre
Next 200kl	76 cents per kilolitre
Next 400kl	126 cents per kilolitre
Next 400kl	180 cents per kilolitre
Next 400kl	208 cents per kilolitre
Thereafter	242 cents per kilolitre

**Commercial and Industrial**

Rated at 2.11 cents in the dollar of Gross Rental Value.

**Vacant Land**

Rated at 3.23 cents in the dollar of Gross Rental Value.

**Fire Services**

Annual Fee of \$103.00 for each connection to a water main.

**All Rated Land**

Subject to a Minimum Charge on each assessment in each classification—\$153.65.

Water Allowance—1 kilolitre of water for each 54.7cents of rate paid.

Excess Water Charge—for each kilolitre in excess of allowance—60.71 cents.

**Non Rated Water Services**

Minimum Charge for each assessment—\$103.00

Water Allowance—1 kilolitre for each 54.7 cents of charge paid.

Excess Water—for each kilolitre in excess of allowance—71.55 cents

**Penalty for Overdue Rates and Charges**

A penalty charge equal to 10% per annum will accrue on a daily basis on all Rates and Charges which are overdue for payment.

**Meter Rental**

\$15.00 per meter per annum

D. D. REID, Chairman.  
D. G. McCUTCHEON, Chief Executive Officer.

WA402\*

**WATER SERVICES LICENSING ACT 1995**

## AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended under Section 31 (5)—

<b>Licensee:</b>	<b>Busselton Water Board</b>
Classification:	Operating Licence, Water Supply Services
Amendment :	Substitution of a new licence for existing licence with the term of licence valid to 1 October 2021
Area Covered:	Busselton Operating Area ( Potable Water Supply Services) Plan No. OWR-OA-085/2B

**Inspection of Licence:** **Economic Regulation Authority  
Water Division  
6th Floor  
197 St George's Terrace  
Perth WA 6000**

LYNDON G. ROWE, Chairman.

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**WA403\***

**WATER SERVICES LICENSING ACT 1995**

AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Aqwest—Bunbury Water Board**  
**Classification:** Operating Licence, Water Supply Services  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 17 January 2022  
**Area Covered:** Bunbury Operating Area ( Potable Water Supply Services) Plan No. OWR-OA-084/4B  
**Inspection of Licence:** **Economic Regulation Authority  
Water Division  
6th Floor  
197 St George's Terrace  
Perth WA 6000**

LYNDON G. ROWE, Chairman.

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**WA404\***

**WATER SERVICES LICENSING ACT 1995**

AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Water Corporation**  
**Classification:** Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services  
**Amendment:** Substitution of a new licence for existing licence with the term of licence valid to 28 June 2021  
**Inspection of Licence:** **Economic Regulation Authority  
Water Division  
6th Floor  
197 St George's Terrace  
Perth WA 6000**

LYNDON G. ROWE, Chairman.

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**WA405\***

**WATER SERVICES LICENSING ACT 1995**

AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Preston Valley Irrigation Co-Operative Limited**  
**Classification:** Operating Licence, Irrigation and Non Potable Water Supply Services  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 29 June 2023  
**Area Covered:** Preston Valley Operating Area (Irrigation Services) Plan No. OWR-OA-193A  
**Inspection of Licence:** **Economic Regulation Authority  
Water Division  
6th Floor  
197 St George's Terrace  
Perth WA 6000**

LYNDON G. ROWE, Chairman.

**WA406\*****WATER SERVICES LICENSING ACT 1995****AMENDMENT OF LICENCE**

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Shire of Dumbleyung**  
**Classification:** Operating Licence, Sewerage Services and Non Potable Water Supply  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 29 April 2021  
**Area Covered:** Dumbleyung Operating Area (Sewerage and Non Potable Water Services) Plan No. OWR-OA-035B  
**Inspection of Licence:** **Economic Regulation Authority**  
**Water Division**  
**6th Floor**  
**197 St George's Terrace**  
**Perth WA 6000**

LYNDON G. ROWE, Chairman.

**WA407\*****WATER SERVICES LICENSING ACT 1995****AMENDMENT OF LICENCE**

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Shire of Jerramungup**  
**Classification:** Operating Licence, Sewerage Services and Non Potable Water Supply  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 29 April 2021  
**Area Covered:** Jerramungup Operating Area (Sewerage and Non Potable Water Services) Plan No. OWR-OA-036/2B  
**Inspection of Licence:** **Economic Regulation Authority**  
**Water Division**  
**6th Floor**  
**197 St George's Terrace**  
**Perth WA 6000**

LYNDON G. ROWE, Chairman.

**WA408\*****WATER SERVICES LICENSING ACT 1995****AMENDMENT OF LICENCE**

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Shire of Kent**  
**Classification:** Operating Licence, Sewerage Services & Non Potable Water Supply  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 29 April 2021  
**Area Covered:** Nyabing Operating Area (Sewerage and Non Potable Water Services) Plan No. OWR-OA-038B  
Pingrup Operating Area (Sewerage and Non Potable Water Services) Plan No. OWR-OA-039B  
**Inspection of Licence:** **Economic Regulation Authority**  
**Water Division**  
**6th Floor**  
**197 St George's Terrace**  
**Perth WA 6000**

LYNDON G. ROWE, Chairman.

**WA409\***

**WATER SERVICES LICENSING ACT 1995**  
AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Shire of Koorda**  
**Classification:** Operating Licence, Non Potable Water Supply and Sewerage Services  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 29 April 2021  
**Area Covered:** Koorda Operating Area (Sewerage and Non Potable Water Services) Plan No. OWR-OA-033B  
**Inspection of Licence:** **Economic Regulation Authority**  
**Water Division**  
**6th Floor**  
**197 St George's Terrace**  
**Perth WA 6000**

LYNDON G. ROWE, Chairman.

**WA410\***

**WATER SERVICES LICENSING ACT 1995**  
AMENDMENT OF LICENCE

Notice is given that the following operating licence has been amended under Section 31 (5)—

**Licensee:** **Shire of Moora**  
**Classification:** Operating Licence, Non Potable Water Supply and Sewerage Services  
**Amendment :** Substitution of a new licence for existing licence with the term of licence valid to 29 April 2021  
**Area Covered:** Moora Operating Area (Sewerage and Non Potable Water Services) Plan No. OWR-OA-058/2B  
**Inspection of Licence:** **Economic Regulation Authority**  
**Water Division**  
**6th Floor**  
**197 St George's Terrace**  
**Perth WA 6000**

LYNDON G. ROWE, Chairman.

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## **PUBLIC NOTICES**

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**ZZ201**

**TRUSTEES ACT 1962**  
DECEASED ESTATES

Notice to Creditors and Claimants

Claims against the estate of Elizabeth Byne Matthews late of 78 Gilbertson Road, Kardinya, Western Australia retired farmer, deceased, should be sent to Margaret Mason of 2b Sixth Avenue, Applecross, Western Australia within one (1) month of the date of publication hereof, after which date the personal representative may convey or distribute the assets having regard only to any claims received.

MARGARET MASON.

**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 15th November 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Charles, Neil Vernon, late of 8B Lyall Court Thornlie, died 7/6/04, (DE19730875EM37)



Dabovic, Jovo also known as Jovan Dabovic, late of 295 Canning Highway Como, died 9/10/75, (DE33029490EM15)

Elliott, Mary Ellen, late of 3A James Street Guildford, died 24/9/04. (DE19724053EM22)

Gillespie, Kevin Maxwell, late of Whitfords Sea Sports Club Ocean Reef Marina Ocean Reef Rd Ocean Reef, died 1/1/04, (DE19940557EM26)

Kettels, Neil James, late of Mastapa Swaziland formerly of 22 Tredale Avenue Armadale, died 21/1/99, (DE33014566EM35)

Mansford, Beverley May, late of 10 Manson Street Swan View, died 12/7/04, (DE19915648EM38)

Penaluna, Flora May, late of 68 Essex Street Wembley, died 22/9/04, (DE19754024EM34)

Roffman, Rosa, late of Maurice Zeffert Memorial Centre Woodrow Avenue Yokine, died 28/6/04, (DE19920169EM26)

Stokes, Glen James, late of Unit 2/77 Raleigh Street Carlisle, died 15/9/04, (DE33034201EM38)

Van Nierop, Enid Alicia, late of Unit 24/124 Terrace Road Perth, died 22/9/04, (DE19900351EM27)

Warwick-Horner, Sunetje Margaret also known as Sunny Warwick-Horner, Dorothy Genders Hostel Unit 64/99 McCabe Street Mosman Park, died 23/9/04, (DE19982657EM36)

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

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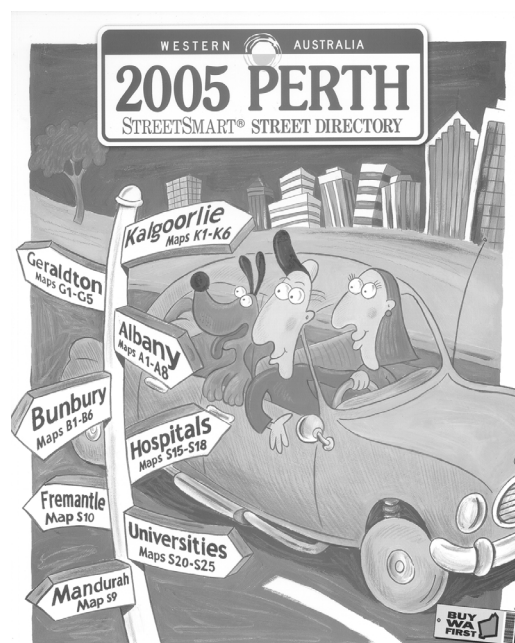
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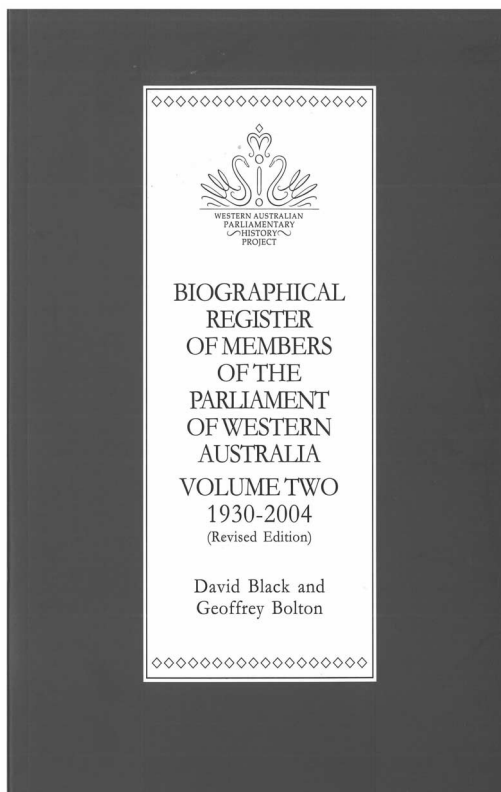
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