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## ALTERATION TO CLOSING DATE AND TIME

(AUSTRALIA DAY 2005)

Because of the Australia Day public holiday on Wednesday 26<sup>th</sup> January the normal closing date and time for the Friday edition of the *Government Gazette* will be a day earlier on Tuesday 25<sup>th</sup> January 2005.

***Copy for the Friday 28<sup>th</sup> January edition must be received at State Law Publisher by 2 pm on Tuesday 25<sup>th</sup> January.***

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## — PART 2 —

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### ELECTORAL COMMISSION

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EC401\*

**ELECTORAL ACT 1907**  
**REGISTRATION OF POLITICAL PARTIES**  
Notice of Registration (Section 62H)  
Family First Party WA Inc.

I hereby give notice in accordance with Section 62H(5)(c) of the *Electoral Act 1907*, that I registered Family First Party WA Inc. as a political party in Western Australia on 14 January 2005.

WARWICK GATELY AM, Acting Electoral Commissioner.

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### ENERGY

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EN401\*

**ENERGY COORDINATION ACT 1994**  
**NOTICE OF TRANSFER OF GAS DISTRIBUTION LICENCE GDL 6**

On 10 January 2005, gas distribution licence GDL 6 was transferred from BRW Power Generation (Esperance) Pty Ltd to Esperance Power Station Pty Ltd of Suite 6, Esperance Business Centre, 75 Dempster Street, Esperance WA 6450, on the existing terms and conditions. Distribution licence GDL 6 is for a period of 21 years from 15 March 2004.

Distribution licence GDL 6 applies to those parts of the Goldfields Esperance supply area identified in Deposited Plan 41099 registered with the Department of Land Information.

Copies of distribution licence GDL 6 and Deposited Plan 41099, may be inspected at the Economic Regulation Authority, Level 6, Governor Stirling Tower, 197 St George's Terrace, Perth WA 6000 between 9am and 5pm Monday to Friday, or may be accessed on the Economic Regulation Authority website [www.era.wa.gov.au](http://www.era.wa.gov.au)

LYNDON ROWE, Chairman, Economic Regulation Authority.

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### JUSTICE

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JU401

**VEXATIOUS PROCEEDINGS RESTRICTION ACT 2002**  
**IN THE SUPREME COURT OF WESTERN AUSTRALIA**  
CIV 1509 of 2004

Between: Commonwealth Bank of Australia First Plaintiff, Maxwell Roy Bassett Second Plaintiff, Gregory Michael O'Brien Third Plaintiff, Corrs Chambers Westgarth Fourth Plaintiff, Caroline Brown Fifth Plaintiff, Alexander Jason McLean Sixth Plaintiff, Ferrier Hodgson Seventh Plaintiff and Peter Allan Ridout and Christopher John Ridout First Defendants, Peter Allan Ridout and Christopher John Ridout (as Executors of the Estate of George Edward Ridout) Second Defendants, Dorothy Elma Ridout Third Defendant, Ridout Nominees Pty Ltd Fourth Defendant, Cloverdale Pty Ltd Fifth Defendant and Ranleigh Ware Pty Ltd Sixth Defendant.

Order staying proceedings and declaring defendants vexatious before Master Sanderson on 21 June 2004.

UPON the application of the Plaintiffs by Originating Summons dated 16 April 2004 and UPON HEARING Mr A J McLean of Counsel for the Plaintiffs and the First Defendants in person IT IS ORDERED AND DECLARED THAT:

- 1 Pursuant to sections 4(2)(c)(i) and 4(2)(c)(ii) of the *Vexatious Proceedings Restriction Act 2002* ("Act"), the Plaintiffs have leave to make an application for Orders against each of the Defendants under sections 4(1)(c) and 4(1)(d) of the Act.
- 2 The proceedings commenced in the Supreme Court of Western Australia titled CIV 2493 of 2003 be stayed under subsection 4(1)(c) of the Act.
- 3 Each of the Defendants, or any person acting on behalf of the Defendants or deriving any interest from them, be prohibited from instituting proceedings against each of the Plaintiffs, and any current or former director, employee, solicitor, servant or agent of the Plaintiffs, without the leave of a Court or Tribunal, under subsection 4(1)(d) of the Act.
- 4 The costs of and incidental to the application be paid by the Defendants jointly and severally.

BY THE COURT

P. RIMMER, Registrar.

JU402

# **VEXATIOUS PROCEEDINGS RESTRICTION ACT 2002**

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 1576 of 2002

Between: Commonwealth Bank of Australia Plaintiff and Edward James Bride First Defendant,  
Wendy Margaret Bride Second Defendant and Edward James Bride and Wendy Margaret  
Bride as Trustee of the Pinwernying Family Trust Third Defendants.

Order Staying and Prohibition Proceedings before the Honourable Justice Heenan on 17 August 2004.

Upon the application of the Plaintiff by Originating Summons dated 14 October 2002 and upon hearing Ms C. Thompson of Counsel for the Plaintiff and the First Defendant in person IT IS ORDERED THAT:

- 1 The Plaintiff have leave to bring this application.
- 2 The following proceedings to which the Defendants are a party, either personally or in their capacities as trustees of the Pinwernying Family Trust, presently before this Honourable Court and the District Court of Western Australia be and are hereby permanently stayed:
  - (a) Supreme Court of Western Australia FUL 104 of 2000;
  - (b) Supreme Court of Western Australia FUL 3 of 2001;
  - (c) Supreme Court of Western Australia CIV 2454 of 2002; and
  - (d) District Court of Western Australia No. 2297 of 2002.
- 3 The Defendants and each of them be and are hereby prohibited from instituting any action, proceeding, appeal or other application in any Court in Western Australia against:
  - (a) the Plaintiff;
  - (b) Australian Bank Limited (ABL);
  - (c) the partners and employees of Peat Marwick Mitchell, KMG Hungerfords, KPMG and their successors in title;
  - (d) all subsequent purchasers of
    - (1) portion of Kojonup Location 255 and lot 30 on diagram 62969 and being the whole of the land in certificate of title volume 1322 folio 460 (Oatmill Land),
    - (2) portion of Kojonup Location 337 and lot 8 on plan 14220 and being the whole of the land in certificate of title volume 1654 folio 429 (Stockfeed Land);
    - (3) portion of Kojonup location 255 and lot 1 on diagram 9860 being the whole of the land in certificate of title volume 1322 folio 461 (Winery Land);
    - (4) Pinwernying lots 21,22, 23, 37, 54 and 55 and Pinwernying lot 20 being the whole of the land in certificate of title volume 538 folio 6A (Vineyard Land); or
    - (5) portion of Katanning Agricultural Area Lot 70 and being the whole of the land in certificate of title volume 1333 folio 281 (104 Acres),
 (together, Properties), or any portion of the Properties; and
  - (e) the legal, financial and real estate advisors and/or agents of any of the abovenamed parties,

in respect of any claim or matter arising from the enforcement by ABL of its securities registered over and charging in favour of ABL the Properties, under registered mortgage C337514 dated 26 March 1982, registered mortgage C646218 dated 27 June 1983, a Bill of Sale dated 24 August 1983, a Bill of Sale dated 24 March 1984, a deed of Guarantee and Indemnity dated 26 March 1982 or any other securities granted by the Defendants or any of them to ABL, prior to August 1984 (Securities), including, but not limited to, any claim in

respect of the conduct of the receivers, managers or others in the enforcement of the Securities, the conduct and method of sale or realisation of the Properties and the title or other rights of the persons who acquired any of the Properties by purchase or subsequent transfer, which had ever been subject to the Securities.

- 4 The Plaintiff cause a copy of this order to be placed on the Court file for each of:
  - (a) Supreme Court of Western Australia FUL 104 of 2000;
  - (b) Supreme Court of Western Australia FUL 3 of 2001;
  - (c) Supreme Court of Western Australia CIV 2454 of 2002; and
  - (d) District Court of Western Australia No. 2297 of 2002.
- 5 The Defendants pay the Plaintiffs costs of the Originating Summons to be taxed as if the hearing were a trial.
- 6 There be a certificate for second counsel.
- 7 There be a certificate for transcript.
- 8 There be liberty to apply in respect of questions arising in relation to paragraph 3.

BY THE COURT

P. JOHNSTON, Registrar.

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JU403

**VEXATIOUS PROCEEDINGS RESTRICTION ACT 2002**

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 2264 of 2004

Between: Attorney General First Applicant and Commonwealth Director of Public Prosecutions  
Second Applicant and Brian William Shaw Respondent.

Order Prohibiting Institution of Proceedings before Commissioner Braddock SC on 23 December 2004.

UPON THE APPLICATION of the Applicants by Originating Summons dated 29 September 2004 and UPON HEARING Mr S M Murphy of Counsel for the First Applicant, Mr D W L Renton of Counsel for the Second Applicant and Mr Brian William Shaw in person, IT IS ORDERED THAT:

1. The Commonwealth Director of Public Prosecutions have leave pursuant to section 4(2)(c)(ii) of the *Vexatious Proceedings Restriction Act 2002* to bring this application for orders against Brian William Shaw under section 4(1)(d) of the Act.
2. No legal proceeding shall be instituted by Brian William Shaw or any person acting on behalf of Brian William Shaw in the State of Western Australia in the Supreme Court or in any inferior court or tribunal, unless Brian William Shaw shall first obtain the leave of the Supreme Court, or inferior court or tribunal (as the case may be) pursuant to section 6 of the *Vexatious Proceedings Restriction Act 2002*.
3. The whole of any proceedings that have been instituted by Brian William Shaw in the Supreme Court, or in any inferior court or tribunal in Western Australia, or that part of any current proceedings in the Supreme Court, or in any inferior court or tribunal in Western Australia in which Brian William Shaw is a party, be stayed.
4. Brian William Shaw to pay the Attorney General's and the Commonwealth Director of Public Prosecution's costs of the application to be taxed.

BY THE COURT

P. RIMMER, Registrar.

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JU404

**VEXATIOUS PROCEEDINGS RESTRICTION ACT 2002**

IN THE SUPREME COURT OF WESTERN AUSTRALIA

CIV 2722 of 2002

Between: Granich Partners Applicant and Yap Cheng See Respondent.

Order Prohibiting Institution of Proceedings before the Honourable Justice Heenan on 31 October 2003.

Upon the application of the Applicant by Originating Motion dated 17 December 2002 and upon hearing Mr B S Dodd and Ms S E Harrison of Counsel for the Applicant and the Respondent in person IT IS ORDERED THAT:

- 1 The Respondent, or any person acting on behalf of the Respondent, or deriving any interest from her, is prohibited from instituting proceedings against the Applicant firm or any of its former members or staff who were, or who may be alleged to have been, involved with the

firm during the period from 23 June 1993 until the 22 October 1998 without the leave of a court or tribunal to be sought in the manner prescribed in s6 of the *Vexatious Proceedings Restriction Act 2002*.

- 2 All proceedings pending in any Court or Tribunal in Western Australia by the Respondent or any person acting on behalf of the Respondent or deriving any interest from her against the Applicant, be stayed, such stay to remain in place unless leave of a Court or Tribunal is obtained in the manner prescribed in S.6 of the *Vexatious Proceedings Restriction Act 2002*.
- 3 The Respondent pay the Applicants costs of these proceedings to be taxed.

BY THE COURT  
P. JOHNSTON, Registrar.

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## LOCAL GOVERNMENT

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LG401

### BUSH FIRES ACT 1954

*Shire of Waroona*

#### APPOINTMENTS

Appointment of Bush Fire Control Officers

In accordance with Section 38 of the Bush Fires Act the following officers have been appointed Bush Fire Control Officers for the Shire of Waroona.

Chief Bush Fire Control Officer—John Twaddle

Deputy Chief Bush Fire Control Officer—Brian Beales

Fire Control Officers—

Gareth Davies

Greg Lewis

John Look

Keith Hunt

All previous appointments are hereby cancelled.

IAN CURLEY, Chief Executive Officer.

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## PLANNING AND INFRASTRUCTURE

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PI401

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Armadale*

Town Planning Scheme No. 2—Amendment No. 191

Ref: 853/2/22/4 Pt 191

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 Armadale Town Planning Scheme Amendment on 11 January 2005 for the purpose of—

1. Amending the Special Use Development Table Rural Residential Zone No. 86 as follows, with additions to the text shown in italics and proposed deletions shown as strikethrough.

Prescribed special use	Requirements	Particulars of Land
Rural Residential— <ul style="list-style-type: none"> <li>• Dwelling House</li> <li>• Public Recreation</li> <li>• Public Utility</li> <li>• Rural Uses</li> </ul> Council may at its discretion permit the following uses— <ul style="list-style-type: none"> <li>• Home Occupation</li> </ul>	1. Subdivision and Development shall be generally in accordance with the Subdivision Guide Plan prepared in accordance with Clause 5.2.1 of the Scheme, and shall observe the following subdivision standards— <ul style="list-style-type: none"> <li>• Overall maximum number of lots being in accordance with the approved Subdivision Guide Plan;</li> <li>• Minimum lot sizes in clusters of 3,000m<sup>2</sup> and</li> </ul>	Lots 21, to 235 Cartland Court, Bedford

Prescribed special use	Requirements	Particulars of Land
<ul style="list-style-type: none"> <li>• Private Recreation</li> <li>• Arts, Crafts and Handicrafts</li> <li>• Tourist Uses</li> <li>• Holiday</li> <li>• Accommodation</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum lot size outside clusters — 7,000m<sup>2</sup>.</li> </ul> <p>2. The following Clauses of the Scheme are applicable to the land, with the exception of areas nominated on the Subdivision Guide Plan for roadways and public utilities—</p> <ul style="list-style-type: none"> <li>- Clause 5.1.1(j)</li> <li>- Clause 5.2.2(b)</li> <li>- Clause 5.2.2(e)</li> <li>- Clause 5.10.7</li> <li>- Clause 5.10.8</li> <li>- Clause 5.10.9</li> <li>- Clause 5.10.10.</li> </ul> <p>3. All lots shall be provided with reticulated water supply.</p> <p>4. In respect of Development Standards, the following shall apply—</p> <ul style="list-style-type: none"> <li>• Lots below 1ha shall comply with the building standards of the R2.5 Residential Design Codes excepting that no building shall be constructed within six (6) metres of any lot boundary;</li> <li>• Lots greater than 1ha shall comply with the Rural Zone development standards of the Scheme;</li> <li>• Any development shall not be permitted within 10m either side of the identified seasonal drainage valley;</li> <li>• Building envelopes shall be a minimum of 30m from the identified seasonal drainage valley;</li> <li>• Effluent drains for septic systems (leach drains) shall be located such that any consolidated laterite duricrust is totally removed to the depth of the underlying soil horizon and extending to 1 metre around the perimeter of each drain and the excavated area backfilled with friable soils under and around the drains to allow effluents to drain into the underlying soil horizon;</li> <li>• Effluent disposal systems using alternative disposal technologies should not be located over the duricrust; and</li> <li>• Stormwater and drainage management techniques shall incorporate the principles of Water Sensitive Design to the satisfaction of Council.</li> </ul> <p>5. Only one dwelling shall be permitted on a lot.</p> <p>6. The keeping of horses on all lots less than 1ha is not permitted.</p> <p>7. All fencing shall be limited to open rural type fencing in accordance with the post and wire or post and rail, rural fencing model/guidelines depicted on the Subdivision Guide Plan unless otherwise approved by Council.</p> <p>8. Revegetation is to be established in accordance with the proposals identified on the Subdivision Guide Plan which shall include—</p> <ul style="list-style-type: none"> <li>• A 40 metre buffer strip parallel and adjacent to the Churchman Brook Road and Canns Road alignments;</li> <li>• Vegetation strips around the perimeter of each lot; and</li> </ul>	

Prescribed special use	Requirements	Particulars of Land
	<ul style="list-style-type: none"> <li>• Appropriate revegetation in the 10 metre buffer of the seasonal drainage valley.</li> </ul> <p>9. Strategic Fire Breaks as nominated on the Subdivision Guide Plan shall be provided/constructed and maintained by the owners of the lots to the satisfaction of Council.</p> <p>10. Public open space of 6086m<sup>2</sup> (5% of the subdivided area), to be provided as land area, public open space improvements or cash in-lieu to the satisfaction of Council.</p>	

L. REYNOLDS, Mayor.  
R. S. TAME, Chief Executive Officer.

**PI402\***

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

Town Planning Scheme No. 4—Amendment No. 15

Ref: 853/7/2/4 Pt 15

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 Broome Town Planning Scheme Amendment on 10 January 2005 for the purpose of—

1. Reclassifying a portion of Lot 2636 Sanctuary Road, Cable Beach from 'Residential R12.5' zone to 'Residential R15' zone.
2. Reclassifying a portion of Lot 2636 Sanctuary Road, Cable Beach from 'Local Centre' zone to 'Residential R12.5' zone.
3. Reclassifying a portion of Lot 2636 Sanctuary Road, Cable Beach from 'Residential R12.5' zone to 'Parks and Recreation' Local Scheme Reserve.
4. Reclassifying a portion of Lot 2636 Sanctuary Road, Cable Beach from 'Residential R12.5' zone to 'Drain' Local Scheme Reserve.
5. Reclassifying a portion of Lot 2636 Sanctuary Road, Cable Beach from 'Residential R12.5' zone to 'Local Centre' zone.

T. W. VINNICOMBE, President.  
I. BODILL, Chief Executive Officer.

**PI403\***

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

Town Planning Scheme No. 40—Amendment No. 132

Ref: 853/2/16/44 Pt 132

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 Canning Town Planning Scheme Amendment on 11 January 2005 for the purpose of zoning 34 Marriot Street (Lot 912), Cannington to "Mixed Business" (previously unzoned land).

G. DELLE DONNE, Deputy Mayor.  
D. CARBONE, Chief Executive Officer.



PI404\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***City of Kalgoorlie-Boulder*

Town Planning Scheme No. 1—Amendment No. 62

Ref: 853/11/3/6 Pt 62

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 Kalgoorlie-Boulder Town Planning Scheme Amendment on 11 January 2005 for the purpose of—

1. Amending Clause 3.3 in relation to “AA” uses  
by deleting “require the procedures set out in clause 6.6 to be complied with,” and inserting—  
“may require the procedures set out in clause 6.5 to be complied with.”
2. Amending Table 1—Zoning Table  
by inserting a use class “Corner Shop” with the symbol “IP” for the General Residential, Extensive Residential, Special Residential, Central Business, District Business, Mixed Business and Tourist Zones as follows—

USE CLASSES	General Residential	Extensive Residential	Special Residential	Central Business	District Business	Local Business	Mixed Business	General Industry	Service/Light Industry	Transport/Freight	Tourist	Rural	Private Recreation
Corner Shop	AA	AA	AA	AA	AA		AA				AA		

3. Amending Table 2—Development Standards Table
  - a. By deleting the title “Landuse or Development” and inserting—  
“Use Class”
  - b. by deleting the Land Use “Childminding facility / kindergarten” and inserting—  
“Child care premises / kindergarten”
4. Amending Clause 5.9
  - a. Part (1) by deleting “Planning approval is required in addition to licence pursuant to Council’s Signs, Hoarding and Bill Posting Local Laws.” in its entirety;
  - b. Part (10) by deleting “Hon Minister for Planning or the”
  - c. Part (11) is to be deleted in its entirety and 5.9(12) is to be renumbered 5.9(11)
5. Amending Clause 5.10(3)
  - a. by deleting “subject to clause 5.29” and inserting—  
“subject to clause 5.11”
6. Amending Section 6.8
  - a. Section 6.8(a) is to be amended by deleting “, strategy or plan”
  - b. Renumber 6.8(m) to 6.8(n)
  - c. Insert a new clause 6.8(m)—  
“any strategy, outline development plan, or any other plan endorsed by Council and the Western Australian Planning Commission.”
7. Amending Section 6.9—  
By inserting an additional Clause 6.9(4)—  
“A written request may be made to the local government for an extension to the term of planning approval at any time prior to the expiry of the approval period referred to in Subclauses (2) and (3).”
8. Amending Section 6.12—
  - a. By renumbering 6.12(1) to 6.12(1)(a)
  - b. By renumbering 6.12(2) to 6.12(1)(b)
  - c. By inserting an additional Clause 6.12(2)—  
“The Council may, with the written approval of the owners of a building or land that is the subject of a planning approval, or the written approval of the applicant of such an approval, revoke a planning approval for a particular building or land that is subject to such an approval.”

## 9. Amending Schedule 1: Interpretations

Convenience Store—by deleting “means land and buildings not exceeding” and inserting—

“means buildings not exceeding”

## 10. Amending Schedule 8: Exempted Advertisements Pursuant to Clause 5.10(5)

- a. By inserting the word “OR” at the end of the Construction Site Sign Exempt Advertisement Type and inserting an additional Exempt Advertisement Type as follows—

EXEMPT ADVERTISEMENT TYPE	ZONE / TYPE OF DEVELOPMENT / USE	NUMBER AND AREA EXEMPTED
Builder's Sign (as required by the Builder's Registration Act 1989 (as amended) OR	Residential Development up to 10 units 10 residential units or more and commercial development	1 per site up to 2m <sup>2</sup> * 1 per site up to 4m <sup>2</sup> * * All signs to be removed within 14 days of the building work being completed
Construction Site Sign (including details required by the Builder's Registration Act 1989 (as amended) and can include details of other companies involved in the project) AND	As above	As above
Builders Safety Signs including site security signs	As above	As Above

## 11. Amending Schedule 10: Additional Uses—No 1.

- a. By deleting Land Particulars “Lot 101 & 102 William Street, Kalgoorlie” and inserting instead—

“Lot 1 (2-4) Williams Street, Kalgoorlie”

- b. by deleting Base Zone “Showroom/Office/Warehouse” and inserting—

“Mixed Business”

R. S. YURYEVICH, Mayor.  
I. FLETCHER, Chief Executive Officer.

**PI405\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Melville*

Community Planning Scheme No. 5—Amendment No. 14

Ref: 853/2/17/12 Pt 14

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 Melville Town Planning Scheme Amendment on 16 November 2004 for the purpose of—

1. Rezoning the north-west corner abutting the Leach Highway and North Lake Road Reserve, Myaree, from “Local Reserves—Local Open Space” to “Mixed Business” precinct.
2. Amending the Scheme Maps accordingly.

K. J. JACKSON, Mayor.  
J. J. McNALLY, Chief Executive Officer.

**PI406\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Melville*

Community Planning Scheme No. 5—Amendment No. 22

Ref: 853/2/17/12 Pt 22

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 Melville Town Planning Scheme Amendment on 11 January 2005 for the purpose of—

1. Amending Clause 4.2 (d) (iii) of Community Planning Scheme No 5 by deleting the words “a Special” and inserting in their place the words “(with the exception of variations of plot ratio bonus and/or heritage precinct development requirements) an Absolute”.

2. Adding a new Clause 4.2 (d) (iv) to Community Planning Scheme No 5 as follows—  
“(iv) A Special Majority of the Council votes in favour of the variations to plot ratio;”.
3. Amending Clause 7.14 (a) of Community Planning Scheme No 5 by deleting the words “the Council by a Special Majority decision” and inserting in their place the words “The Council by an Absolute Majority (with the exception of where the development involves bonuses, then a Special Majority decision applies)”.
4. Amending Clause 6.6 (n) of Community Planning Scheme No 5 by adding after the first appearance of the words, “the Council” in the first paragraph the following words—  
“by either Special Majority where it relates to plot ratio and/or density, or an Absolute Majority where it relates to other development standards”.

K. J. JACKSON, Mayor.  
J. J. McNALLY, Chief Executive Officer.

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**PI407\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Stirling*

District Planning Scheme No. 2—Amendment No. 435

Ref: 853/2/20/34 Pt 435

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 Stirling Town Planning Scheme Amendment on 11 January 2005 for the purpose of rezoning Lots 100 and 101, HN 35 Blythe Avenue, Yokine from 'Service Station' to 'Residential R30'.

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

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**PI408\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Stirling*

District Planning Scheme No. 2—Amendment No. 454

Ref: 853/2/20/34 Pt 454

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 Stirling Town Planning Scheme Amendment on 11 January 2005 for the purpose of rezoning Lot 7 (No. 419) Scarborough Beach Road, Osborne Park from 'General Industrial' to 'Special Use—General Industrial and Industrial Showrooms' by—

1. Inclusion of the Special Use into Schedule 2 of the Scheme.
2. Amending the Scheme Map accordingly.

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

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**PI409\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Swan*

Town Planning Scheme No. 9—Amendment No. 390

Ref: 853/2/21/10 Pt 390

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 Swan Town Planning Scheme Amendment on 11 January 2005 for the purpose of—

1. Rezoning a portion of Victoria Road, Beechboro, from 'Primary Regional Road' to 'Residential Development', as shown on the Scheme Amendment Map.
2. Amending the Scheme Map accordingly.

M. ZANNINO, Mayor.  
E. W. LUMSDEN, Chief Executive Officer.

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**POLICE**

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**PO401\*****ROAD TRAFFIC ACT 1974****TEMPORARY SUSPENSION OF REGULATIONS**

I, Neil Royle, Inspector (Traffic Services) being the delegated officer of the Minister for Transport under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by Section 83(1) of that Act, and the consent of the Local Authorities having been obtained and nominated for the purposes of:

N. ROYLE, Inspector (Traffic Services).

A TRIATHLON SPRINT SERIES ROUNDS 1,2,3 & 4 by members/entrants of the NICKOL BAY TRIATHLON CLUB on 16 January 2005 between the hours of 07:30 Hrs and 10:00 Hrs, 23 January 2005 between the hours of 07:30 Hrs and 10:00 Hrs, 30 January 2005 between the hours of 07:30 Hrs and 10:00 Hrs, 6 February 2005 between the hours of 07:30 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on WARAMBIE ROAD, BALMORAL ROAD, MILLSTREAM ROAD, SEARIPPLE ROAD AND WELCOME ROAD, IN KARRATHA.

All participants to wear approved head protection at all times for the cycle event.

A NEW YEAR'S EVE RUN by members/entrants of the WEST AUSTRALIAN MARATHON CLUB on 31 December 2004 between the hours of 18:30 Hrs and 19:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on DUAL USE FOOTPATH FROM WATER SPORTS CENTRE, UNDER CAUSEWAY, TO 100 METRES BEFORE FLAGPOLE JUST PAST COODE STREET, IN THE SOUTH PERTH/VICTORIA PARK AREA.

A CYCLE RACE by members/entrants of the SPOKES CYCLE CLUB INC on 16 January 2005 between the hours of 08:00 Hrs and 10:00 Hrs, 6 February 2005 between the hours of 08:00 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on CHAPMAN ROAD, CHAPMAN VALLEY ROAD AND NORTH WEST COASTAL HIGHWAY IN THE GERALDTON AREA.

All participants to wear approved head protection at all times.

A CYCLE RACE by members/entrants of the SPOKES CYCLE CLUB INC on 9 January 2005 between the hours of 08:00 Hrs and 10:00 Hrs, 23 January 2005 between the hours of 08:00 Hrs and 10:00 Hrs, 20 February 2005 between the hours of 08:00 Hrs and 10:00 Hrs, 6 March 2005 between the hours of 08:00 Hrs and 10:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the carriageway on GERALDTON MT MAGNET ROAD, EDWARD ROAD AND NORTH NARNGALU MOONYOONOOKA ROAD IN THE SHIRE OF GREENOUGH.

All participants to wear approved head protection at all times.

A CYCLE RACE by members/entrants of the MELVILLE FREMANTLE CYCLING CLUB on 2 January 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 9 January 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 16 January 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 23 January 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 30 January 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 6 February 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 13 February 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 20 February 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 27 February 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 6 March 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 13 March 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 20 March 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 27 March 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 3 April 2005 between the hours of 08:00 Hrs and 10:30 Hrs, 10 April 2005 between the hours of 08:00 Hrs and 10:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on CANVALE ROAD AND WITTENBERG DRIVE IN CANNING VALE.

All participants to wear approved head protection at all times.

A TRIATHLON by members/entrants of the ALBANY TRIATHLON CLUB on 9 January 2005 between the hours of 08:00 Hrs and 12:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on PAGODA POINT RAMP, CHIPANA DRIVE, CHIPANA WAY, FRENCHMAN BAY ROAD AND STUBBS ROAD IN ALBANY.

A TRIATHLON by members/entrants of the TRIEVENTS WA on 19 December 2004 between the hours of 07:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on EXIT CARPARK OPPOSITE GOVERNORS AVENUE AND TRAVEL ON ROCKINGHAM BEACH ROAD, ROCKINGHAM.

All participants to wear approved head protection at all times for the cycle event.

A CYCLE TIME TRIAL RACE (45 KM) by members/entrants of the AUSTRALIAN TIME TRIALS ASSOCIATION on 26 December 2004 between the hours of 07:00 Hrs and 11:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on GREAT SOUTHERN HIGHWAY, INKPEN ROAD, OYSTEN ROAD AND RETURN TO STARTING/FINISHING POINT, IN THE SHIRE OF NORTHAM.

All participants to wear approved head protection at all times.

A TRIATHLON CLUB EVENT by members/entrants of the BUSSELTON TRIATHLON CLUB on 9 January 2005 between the hours of 07:00 Hrs and 09:00 Hrs, 23 January 2005 between the hours of 07:00 Hrs and 09:00 Hrs, 27 February 2005 between the hours of 07:00 Hrs and 09:00 Hrs, 13 March 2005 between the hours of 07:00 Hrs and 09:00 Hrs, 3 April 2005 between the hours of 07:00 Hrs and 09:00 Hrs, 24 April 2005 between the hours of 07:00 Hrs and 09:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on START GEORGETTE STREET CARPARK, GEOGRAPHE BAY ROAD, SCOUT ROAD, MARINE TERRACE AND GUERIN STREET, IN BUSSELTON.

All participants to wear approved head protection at all times for the cycle event.

A CYCLING ROAD RACE by members/entrants of the WEST COAST MASTERS CYCLING COUNCIL INC on 16 January 2005 between the hours of 09:00 Hrs and 12:30 Hrs, 30 January 2005 between the hours of 09:00 Hrs and 12:30 Hrs, 6 February 2005 between the hours of 09:00 Hrs and 12:30 Hrs, 6 March 2005 between the hours of 09:00 Hrs and 12:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on BRADFORD STREET, CHILVER STREET, VALENTINE STREET AND HAZELHURST STREET, IN KEWDALE.

All participants to wear approved head protection at all times.

A CYCLE TIME TRIAL RACE by members/entrants of the AUSTRALIAN TIME TRIALS ASSOCIATION on 2 January 2005 between the hours of 07:00 Hrs and 11:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on CHITTERING ROAD, LOWER CHITTERING ROAD (CHITTERING VALLEY ROAD) AND MUCHEA EAST ROAD, IN THE SHIRE OF CHITTERING.

All participants to wear approved head protection at all times.

A CYCLE TIME TRIAL RACE by members/entrants of the AUSTRALIAN TIME TRIALS ASSOCIATION on 9 January 2005 between the hours of 07:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on PARK STREET, LORD STREET, HARROW ROAD, WEST SWAN ROAD AND REPEAT THE CIRCUIT, IN THE CITY OF SWAN.

All participants to wear approved head protection at all times.

A TRIATHLON by members/entrants of the TRIEVENTS WA on 16 January 2005 between the hours of 07:00 Hrs and 11:00 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on EXIT TRANSITION AREA SOUTH ONTO WARNBRO BEACH ROAD, SHELTON, STREET, BLAKEY STREET, FENDHAM STREET TO A POINT IMMEDIATELY NORTH OF GRAND OCEAN BOULEVARD AND RETURN TO TRANSITION AREA ON THE SAME ROUTE.

All participants to wear approved head protection at all times for the cycle event.

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#### PO501\*

#### POLICE ACT 1892

#### POLICE AUCTION

Under the provisions of the *Police Act 1892*, unclaimed and forfeited property and bicycles will be sold by public auction Ross's Sales & Auctions, 241 Railway Parade, Maylands on Wednesday 2nd February 2005 at 10.00am.

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

K. O'CALLAGHAN Commissioner of Police,  
Western Australia Police Service.

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**DECEASED ESTATES**

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ZX401

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Claims against the estate of Kitty Mavis Dowdell, late of 48 Avon Street, Katanning, Western Australia, should be lodged with the Executors, PL Wyatt & F Daniele c/- PO Box 485, Albany, Western Australia, before 15 February 2005 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON

ZX402

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claim (to which Section 63 of the *Trustees Act 1962* relates) in respect of Delys Ruth Perrin, late of 16 Lynn Street, Trigg, who died on 22 November 2004 are required to send particulars of their claims to the Executors of care of Kott Gunning, 140 St George's Terrace, Perth within one month of the date of this advertisement after which date the Trustees may convey or distribute the assets having regard only to the claims of which notice has been given.

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\* Prices subject to change on addition of amendments.

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