



WESTERN  
AUSTRALIAN  
GOVERNMENT  
**Gazette**  
ISSN 1448-949X PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 16 DECEMBER 2008 No. 214

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Casino Control Act 1984—Casino Control (Area of Gaming Licence) Notice (No. 2) 2008 .....	5259

PART 2

Agriculture and Food .....	5265
Consumer and Employment Protection .....	5265
Deceased Estates .....	5278
Fisheries .....	5266
Housing and Works .....	5274
Local Government .....	5274
Minerals and Petroleum .....	5275
Planning and Infrastructure .....	5275

## IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

## PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher

Ground Floor,

10 William St. Perth, 6000

Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2008 AND NEW YEAR HOLIDAY PERIOD 2009

---

Publishing Dates and times	Closing Dates and Times for copy
Tuesday, 30 December 2008 at 3.30 pm	Tuesday, 23 December 2008 at 12 noon
Friday, 2 January 2009 at 3.30 pm	Tuesday, 30 December 2008 at 12 noon

---

# — PART 1 —

---

## RACING, GAMING AND LIQUOR

---

RG301\*

Casino Control Act 1984

### Casino Control (Area of Gaming Licence) Notice (No. 2) 2008

Made by Gaming and Wagering Commission of Western Australia with the approval of the Minister for Racing and Gaming under the *Casino Control Act 1984* section 21(4a) and (4c).

**1. Citation**

This notice is the *Casino Control (Area of Gaming Licence) Notice (No. 2) 2008*.

**2. Commencement**

This notice comes into operation on the day after which it is published in the *Gazette*.

**3. Interpretation**

In this notice —

***the casino gaming licence*** means the casino gaming licence granted in relation to the premises at Burswood Island.

**4. Area to which the casino gaming licence relates**

The areas set out in the *Casino Control (Area of Gaming Licence) Notice 2008*, published in the *Gazette* of 23 September 2008, p. 4357-62, as being the areas to which the casino gaming licence relates are altered, so that the respective shaded areas demarcated on the plans set out in Schedule 1 to this notice in relation to —

- (a) the international gaming facility (Intercontinental Burswood Resort Hotel); and
- (b) the lower plaza level (Intercontinental Burswood Resort Hotel); and

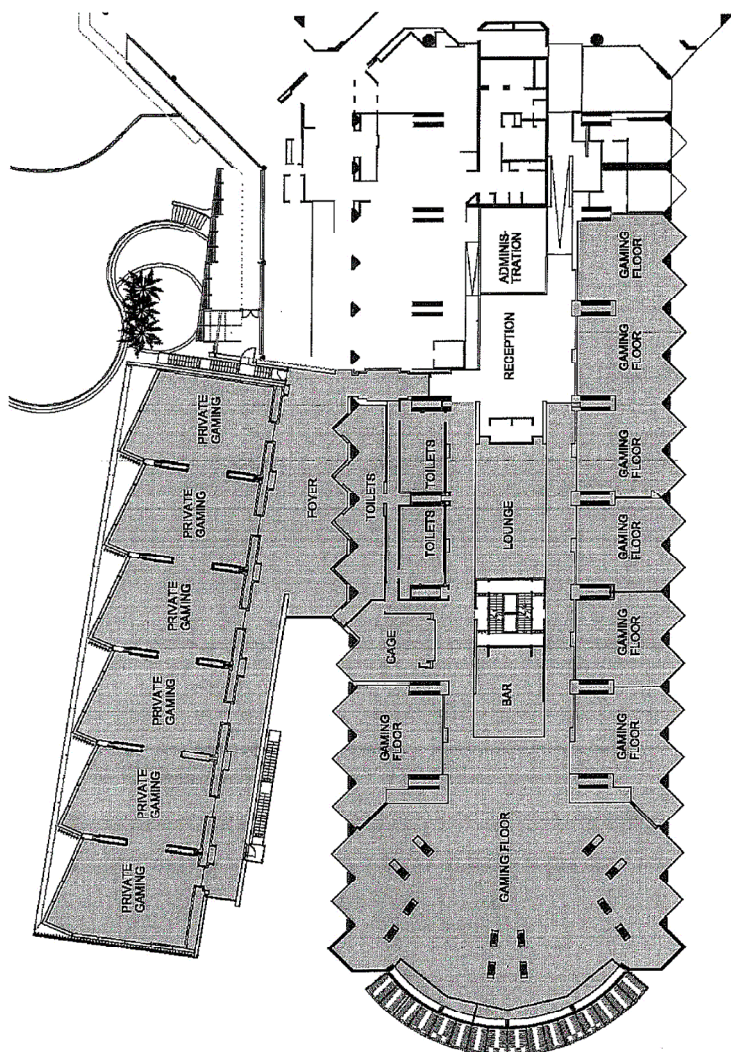
- (c) the basement (Casino); and
- (d) the ground floor (Casino); and
- (e) the top floor (Casino),

of the premises known as the Burswood Entertainment Complex, are the areas to which the casino gaming licence relates.

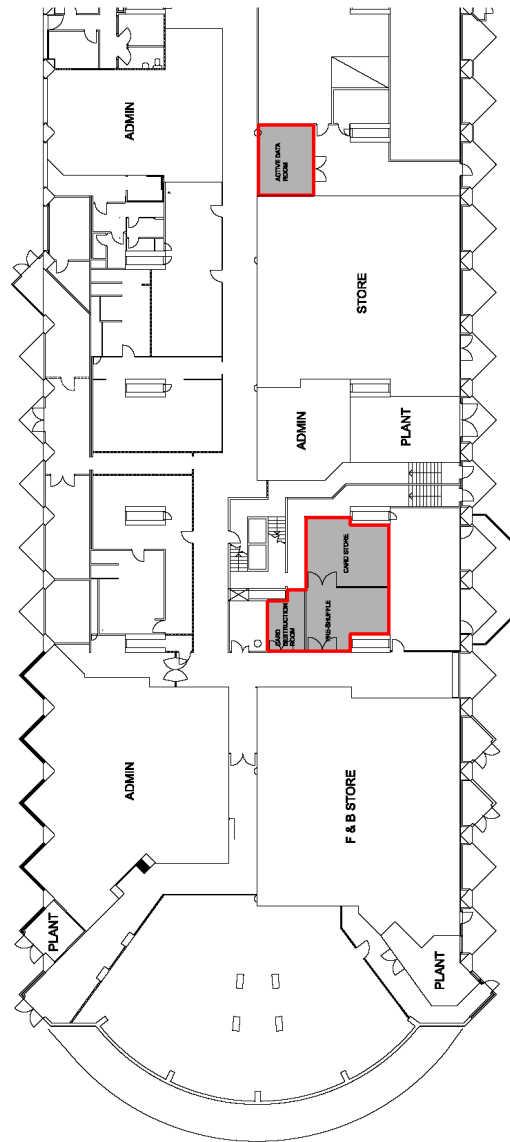
## 5. Revocation

The *Casino Control (Area of Gaming Licence) Notice 2008* is revoked.

### Schedule 1 — Areas to which the casino gaming licence relates



Plan of the International Gaming Facility

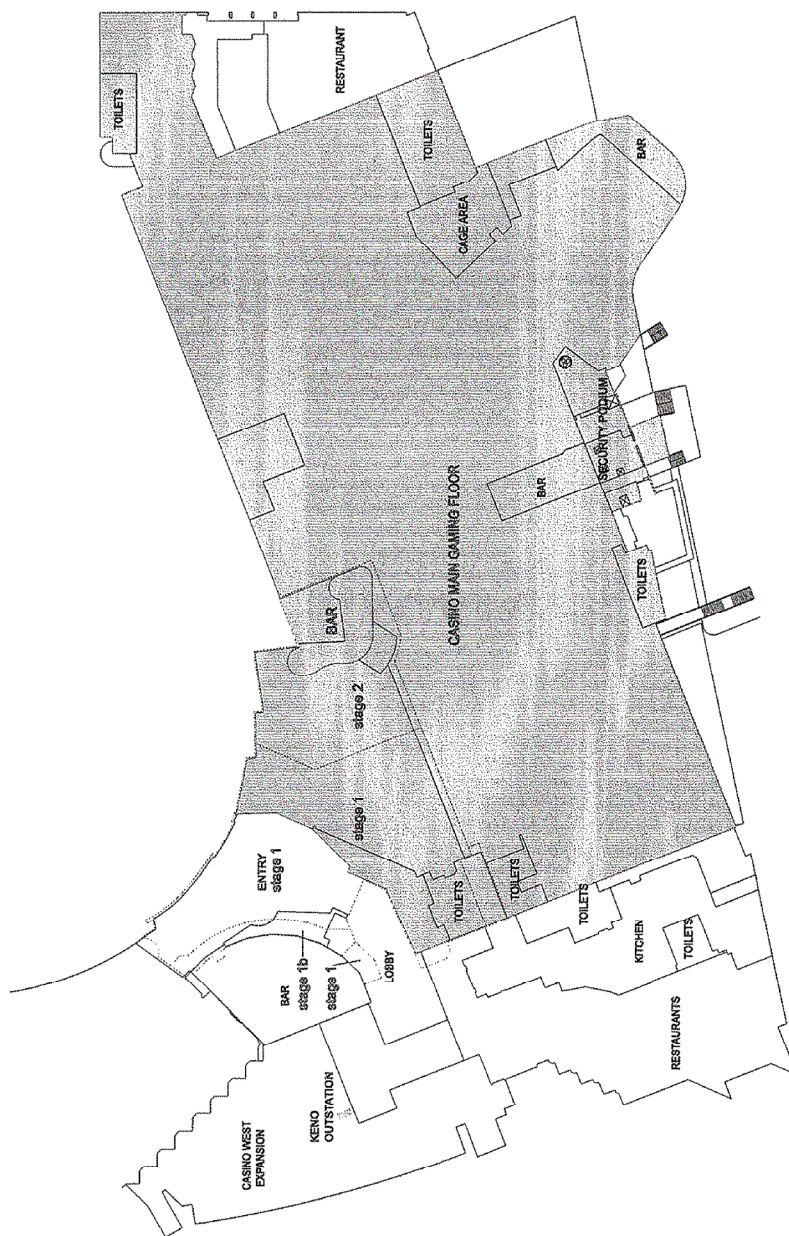


Plan of the lower plaza level showing the Card Destruction Room, Pre-Shuffle Room, Card Store Room and Active Data Room

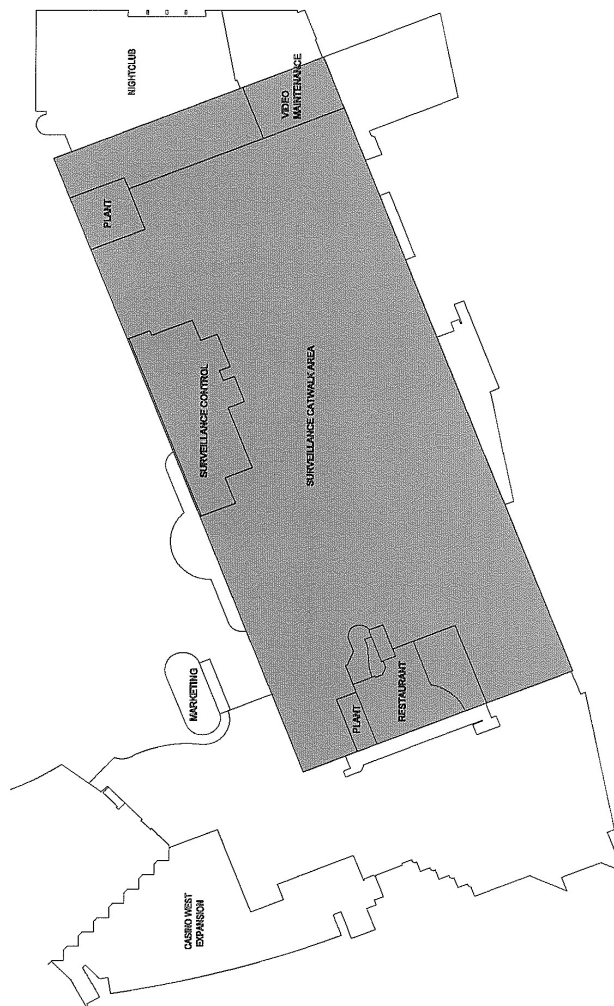


Plan of the Basement showing the Administration Area, Count Facilities and Secure Storage Areas





Plan of the Ground Floor, showing the Gaming Area



Plan of the Top Floor, showing the Surveillance Area and Restaurant  
on the Mezzanine Level

Approved by the Minister for Racing and Gaming —

TERRY WALDRON.

Dated 8 December 2008.

Sealed by the Gaming and Wagering Commission of Western Australia  
in the presence of:

B. A. SARGEANT,  
Chairperson.

HELEN COGAN,  
Member.

(L.S.)

Dated 2 December 2008.



## — PART 2 —

---

### AGRICULTURE AND FOOD

---

AG401\*

#### AGRICULTURE PROTECTION BOARD ACT 1950 APPOINTMENTS

Agriculture Protection Board of  
Western Australia,  
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister charged with the administration of the *Agriculture Protection Board Act 1950* ("the Act"), in accordance with Section 5 of the said Act, hereby give notice of my decision to—

- (a) Appoint the following persons as members of the Agriculture Protection Board of Western Australia for a 12 month term expiring on 8 December 2009.
- Pursuant to Section 5 (2) (b) of the Act—  
Mr Christopher John Richardson  
Ms Maxinne Sclanders  
Mr Ron Creagh  
Mr Robert John Gillam  
Ms Michelle Allen  
Mr John Michael O'Brien
  - Pursuant to Section 5 (2) (c) of the Act—  
Mr Peter William Brown  
Mr Brian William Young  
Mr Michael Blackburn  
Mr Keith Stanley Bridgart  
Mr Robin Frederick Mills
- (b) Appoint, pursuant to Section 5 (3) of the Act, Mr Christopher John Richardson to be the chairperson of the Agriculture Protection Board of Western Australia for a 12 month term expiring on 8 December 2009.
- (c) Cancel the appointment of Mr Keith David Wright.

TERRY REDMAN MLA, Minister for Agriculture and Food.

---

### CONSUMER AND EMPLOYMENT PROTECTION

---

CE401\*

#### ASSOCIATIONS INCORPORATION ACT 1987 REINSTATED ASSOCIATION

Metals, Manufacturing and Services Industry Training Council Incorporated

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 12 December 2008.

AARON RAYNER, A/Director, Business Services,  
for Commissioner for Consumer Protection.

---

## FISHERIES

---

FI401\*

### PEARLING ACT 1990

#### PEARLING (ANNUAL FEES) NOTICE 2008

FD 347/00 [891]

Made by the Minister under section 27(1)(a).

#### 1. Citation

This notice is the *Pearling (Annual Fees) Notice 2008*.

#### 2. Interpretation

In this notice—

**“pearling (seeding) licence”** has the same meaning as in the regulations;**“pearling (wildstock) licence”** has the same meaning as in the regulations;**“pearl shell unit”** means—

- (a) in Zone 1, 1000 pearl oysters that may be taken under a pearling (wildstock) licence;
- (b) in Zone 2 and Zone 3, 2200 pearl oysters that may be taken under a pearling (wildstock) licence;
- (c) in respect of a pearling (seeding) licence, 1000 pearl oysters that may be seeded under that licence;

**“regulations”** means the *Pearling (General) Regulations 1991*.

#### 3. Annual fees for farm leases, pearling licences, hatchery licences and permits

For the purposes of section 27(1)(a) of the Act, the annual fee declared for the year ending 31 December 2009 in respect of—

- (a) a farm lease is \$155.00 per square nautical mile of the area of the relevant pearl oyster farm;
- (b) a pearling (wildstock) licence is \$2984.00 per pearl shell unit or part thereof;
- (c) a pearling (seeding) licence is \$2984.00 per pearl shell unit or part thereof;
- (d) a hatchery licence is \$316.00;
- (e) a pearling permit is \$76.00;
- (f) a hatchery permit is \$76.00.

#### 4. Payment by instalments

(1) For the purposes of regulation 9A of the regulations, the annual fee for a pearling (wildstock) licence, pearling (seeding) licence or hatchery licence may be paid by instalments as specified in the Schedule if—

- (a) an election to pay by instalments is made by the holder of the licence in accordance with subclause (2); and
- (b) there is no other fee, charge or levy in respect of the licence which has not been paid at the time the election is received at the head office of the Department.

(2) An election made for the purposes of subclause (1) must be—

- (a) made in writing; and
- (b) received at the head office of the Department on or before 1 January 2009; and
- (c) accompanied by the first instalment plus the surcharge.

(3) For the purposes of regulation 9A(2) of the regulations, the surcharge shall be 0% of the annual fee.

#### Schedule

##### Payment by Instalments

- (1) The first instalment is 10% of the annual fee and is due for payment on or before 1 January 2009.
- (2) The second instalment is 35% of the annual fee and is due for payment on or before 1 April 2009.
- (3) The third instalment is the annual fee less the instalments provided for in paragraphs (1) and (2) and is due for payment on or before 1 July 2009.

Dated this 3rd day of December 2008.

NORMAN MOORE, Minister for Fisheries.

FI402\*

**FISH RESOURCES MANAGEMENT ACT 1994**  
**WEST COAST DEMERSAL SCALEFISH FISHERY**  
**(INTERIM) MANAGEMENT PLAN AMENDMENT 2008**

FD 297/07 [882]

Made by the Minister under section 54.

**1. Citation**

This instrument is the *West Coast Demersal Scalefish Fishery (Interim) Management Plan Amendment 2008*.

**2. Commencement date**

This instrument comes into operation on 1 January 2009.

**3. Plan amended**

The amendments in this instrument are to the *West Coast Demersal Scalefish (Interim) Management Plan 2007* \*.

**4. Clause 4 amended**

Clause 4 is amended by deleting the definition of “troll line” and inserting in the correct alphabetical position the following definitions—

“**current units of entitlement**” means the usual entitlement conferred by a permit as—

- (a) increased by any entitlement transferred to the permit under section 141 of the Act; or
- (b) decreased by any entitlement transferred from the permit under section 141 of the Act;

“**port area**” means an area described in Schedule 7;

“**troll line**” means a handline that is towed by a boat;

“**unit value**” means the value of a unit determined in accordance with clause 16B(3);

“**usual units of entitlement**” means the entitlement conferred by a permit without regard to any entitlement temporarily transferred to or from the permit under section 141 of the Act.”.

**5. Clause 13 repealed**

Clause 13 is repealed.

**6. Clause 15 replaced**

Clause 15 is repealed and the following clause is inserted instead—

“**15. Fees**

The fee payable in respect of the renewal of a permit that expired on 31 December 2008 is the sum determined by multiplying the number of units of entitlement conferred by the permit on renewal by the respective unit fee specified in Schedule 8.”.

**7. Clause 16 amended**

Clause 16 is amended by deleting paragraph (g) and inserting instead—

“(g) the current and usual units of entitlement conferred by the permit; and”.

**8. Part 3A inserted**

After Part 3 the following Part is inserted—

“**Part 3A—Capacity and scheme of entitlement**

**16A. Capacity of Areas of the Fishery**

The capacity of each of the Kalbarri, Mid-West, South-West and Offshore Areas of the Fishery is specified in Schedule 5.

**16B. Scheme of entitlement**

(1) The sum of the entitlements conferred by all the permits conferring an entitlement to fish in the Kalbarri, Mid-West or South-West Areas of the Fishery is to equal the capacity of the Kalbarri, Mid-West or South-West Area respectively.

(2) The entitlement to fish in the Kalbarri, Mid-West or South-West Areas of the Fishery under the authority of a permit shall be expressed as a number of units.

(3) The extent of the entitlement that arises from a unit, to be known as the unit value, shall be determined in accordance with Schedule 6 and limited by reference to a period of time.

(4) The number of units of entitlement conferred by a permit upon renewal after it expired on 31 December 2008 is specified in Schedule 6.

(5) The extent of the entitlement to fish in the Inshore Areas of the Fishery under the authority of a permit is limited to the value of the units of entitlement conferred by the permit.

**16C. Grounds for refusal to transfer part of an entitlement**

The CEO may refuse to transfer part of an entitlement under a permit to another permit on the grounds that—

- (a) the proposed transfer is not for a whole number of units;
- (b) the value of the current units of entitlement that would be conferred by the permit from which the units are being transferred would, after the transfer, be less than the extent

- of fishing carried out under the authority of the permit in the period for which the permit has been granted or renewed;
- (c) if the transfer were given effect the usual units of entitlement conferred by a permit would be less than one;
- (d) the total fee has not been paid in respect of the permit from which the units are to be transferred; or
- (e) the CEO is of the opinion that the holder of the permit from which the units are to be transferred may be liable for prosecution for an offence prescribed for the purposes of section 224 of the Act.

#### **16D. Temporary transfer of entitlement**

Part of an entitlement may be temporarily transferred from a permit, for a period ending at the time the permit expires, provided that—

- (a) the value of the current units of entitlement that would be conferred by the permit from which the units are being temporarily transferred would not, after the transfer, be less than the extent of fishing carried out under the authority of the permit in the period for which the permit has been granted or renewed; and
- (b) the transfer is for a whole number of units; and
- (c) the permit from which the units are being temporarily transferred would, after the transfer has been effected, confer not less than one unit; and
- (d) the total fee has been paid in respect of the permit from which the units are to be temporarily transferred.

#### **16E. Extent of fishing taken to have been carried out**

(1) This clause is subject to clause 16F.

(2) For the purposes of this plan, fishing in an Area of the fishery is to be taken to have been carried out where an authorised boat is used in the waters of that Area except during any period when the boat is being used to transit waters in accordance with subclauses 24C(3) or (4).

(3) For the purposes of this plan, the extent of fishing that is to be taken to have been carried out by the use of an authorised boat in the waters of an Area is the greater of—

- (a) the time that the boat was in the waters of the Area during that fishing trip; or
- (b) the minimum debit amount in respect of that Area.

(4) For the purposes of subclause (3), the minimum debit amount in respect of—

- (a) the Kalbarri Area is 20 hours;
- (b) the Mid-West Area is 12 hours;
- (c) the South-West Area is 8 hours;
- (d) the Offshore Area is 12 hours.

#### **16F. Extent of fishing carried out where more than 10 lines are used**

Where the number of lines on board or used from an authorised boat at any time during a fishing trip is greater than 10, then for the purposes of this plan the extent of fishing taken to have been carried out in any Area shall be one tenth of the time determined under clause 16E multiplied by the greater of—

- (a) the greatest number of lines used during the trip; and
- (b) the greatest number of lines on board during the trip; and
- (c) the number of lines in any relevant nomination made under clause 19(3b). ”.

### **9. Clause 18 replaced**

Clause 18 is repealed and the following clause is inserted instead—

#### **“18. Prohibition on fishing in certain Areas**

A person fishing in the Fishery under the authority of a permit must not—

- (a) fish in the Metropolitan Area;
- (b) fish in an Inshore Area of the Fishery other than the Metropolitan Area unless the extent of fishing carried out in that Area under the relevant permit during the year for which the permit has been issued, expressed in terms of units of entitlement and determined in accordance with clauses 16E and 16F, is less than the value of the units of entitlement conferred by the permit.”.

### **10. Clause 19 amended**

Clause 19 is amended by deleting subclauses 19(2) and 19(3) and inserting instead—

“(2) Subject to subclause (3a), the master of an authorised boat must ensure that—

- (a) not more than 10 lines are used for fishing from the boat at any time; and
- (b) no line having more than 30 hooks or gangs of hooks attached is used for fishing from the boat at any time.

(3) Subject to subclause (3a), the master of an authorised boat must ensure that there is not at any time on board the boat—

- (a) more than 10 lines with hooks attached; and
- (b) any line having more than 30 hooks or gangs of hooks attached.

(3a) Subclauses (2)(a) and (3)(a) do not apply where—

- (a) the authorised boat is being used to fish in the waters of the South-West Area in accordance with a permit that confers units of entitlement for that Area; and
- (b) a nomination has been made in accordance with subclause (3b); and
- (c) the number of lines used does not exceed the number of lines nominated under paragraph (b).

(3b) A nomination made under subclause (3a)(b) must be made by the relevant approved ALC in accordance with the approved directions and nominate more than 10 lines and not more than 20 lines.”.

#### **11. Clause 24 amended**

Clause 24(2)(b) is amended by deleting “aquatic eco-tourism” and “an aquatic eco-tour” and inserting instead—

“restricted fishing tour” and “a restricted fishing tour” respectively.

#### **12. Part 4A inserted**

After Part 4 the following Part is inserted—

##### **“Part 4A—Automatic location communicators and nominations**

##### **24A. Requirement for ALC to be installed in an authorised boat**

(1) A person must not use an authorised boat in the Fishery unless an approved ALC has been installed in that boat in accordance with the approved directions.

(2) A person must not use an authorised boat in the Fishery unless—

- (a) the approved ALC installed in that boat has been tested, and is being used, in accordance with the approved directions; and
- (b) the person has and maintains at all times on board the authorised boat a legible copy of the approved directions.

(3) It is a condition of the permit that an authorised boat must not be used in the Fishery unless an approved ALC is fitted to the boat and the ALC is being used in the manner specified in the approved directions.

(4) It is a condition of a permit that regulations 55C and 55D are complied with at all times.

##### **24B. Nomination to use an authorised boat in the Fishery**

(1) A person must not use an authorised boat to fish for demersal scalefish in the Fishery unless a nomination to enter the Fishery is in effect under subclause (2).

(2) A nomination to enter the Fishery must be made, and may be cancelled, by the relevant approved ALC in accordance with the approved directions, and a nomination ceases to have effect—

- (a) at the end of the calendar year in respect of which it was made;
- (b) if the relevant authorised boat leaves the waters of the Fishery;
- (c) upon the transfer of the relevant permit under section 140 of the Act; or
- (d) if the nomination is cancelled in accordance with the approved directions.

(3) A nomination does not cease to have effect where the authorised boat is in a port area or on land and the sleep mode facility of the ALC is in operation.

##### **24C. Nominations to depart port or transit waters**

(1) Subject to subclauses (2), (3) and (4) the master of an authorised boat must not, in any waters of any Area of the Fishery—

- (a) fish, or permit any fishing to be carried out, from the boat; or
- (b) have any lines or hooks on board the boat; or
- (c) have any demersal scalefish other than bait on board the boat.

(2) Subclause (1) does not apply at any time during the course of a fishing trip in respect of which a ‘Nomination to Depart Port’ was made—

- (a) by the relevant approved ALC in accordance with the approved directions; and
- (b) not more than 2 hours before the commencement of the trip in the waters of the Fishery; and
- (c) in respect of the Area, the boat, and the trip.

(3) Subclause (1) does not apply in respect of fishing gear and demersal scalefish on board an authorised boat during a fishing trip in waters of the Fishery that have not been nominated under subclause (2) where—

- (a) not less than one hour before commencing to use the boat in those waters or transiting into those waters from the waters to which the nomination made under subclause (2) applies, a ‘Nomination to Transit’ is made by the relevant approved ALC in accordance with the approved directions; and
- (b) all fishing gear is securely stowed; and
- (c) the boat is only used to transit those waters by the shortest practicable and most direct route for the purposes of the trip; and
- (d) the boat travels continuously through those waters at not less than 6 knots.

- (4) Subclause (1) does not apply in respect of fishing gear on board an authorised boat where—
- (a) the boat is used to transit waters of the Fishery; and
  - (b) a nomination under subclause (2) or (3) does not apply; and
  - (c) a 'Nomination to Transit' has been made by the relevant approved ALC in accordance with the approved directions; and
  - (d) all fishing gear is securely stowed; and
  - (e) the boat travels continuously through those waters at not less than 6 knots.
- (5) Subclause (1)(a) does not apply in the waters of a port area.
- (6) The master of an authorised boat must not activate the sleep mode facility of an approved ALC except—
- (a) where the boat is in a port area, or on land; and
  - (b) immediately after giving a nomination by the ALC to enter sleep mode in accordance with the approved directions.
- (7) The master of an authorised boat must not use the boat in any waters of the Fishery outside a port area at any time when the sleep mode facility of the relevant approved ALC is in operation.

#### **24D. Exceptions to clauses 24B and 24C**

Clauses 24B and 24C(1)–(5) do not apply to—

- (a) fishing by a person under the authority of an authorisation issued under a management plan for a fishery specified in Schedule 4;
- (b) fishing by a person under the authority of an authorisation issued under the *Mackerel Fishery (Interim) Management Plan 2004*;
- (c) fishing by a person under the authority of an authorisation issued under the *Abrolhos Islands and Mid West Trawl Management Plan 1993*; or
- (d) recreational fishing for demersal scalefish. “.

#### **13. Clause 25 amended**

Clause 25 is amended by deleting subclause (4) and inserting instead—

“(4) Where, in the opinion of the CEO, having regard to—

- (a) the extent of fishing carried out in the Offshore Area; and
- (b) nominations made in accordance with clause 24C,

the extent of the hours fished and to be fished by all permit holders in the Offshore Area in any permit year is likely to exceed, or has exceeded, the capacity of the Offshore Area the CEO may, by notice published in the Gazette, prohibit fishing in the Offshore Area from the day specified in the notice.

(5) Where the CEO—

- (a) has published a notice under subclause (4); and
- (b) is satisfied that the hours fished by all permit holders in the Offshore Area has not exceeded the capacity of the Offshore Area,

the CEO may issue a notice permitting fishing in the Offshore Area for a specified period.

(6) A person must not fish in any Area or part of an Area at any time when—

- (a) fishing in that Area or part of an Area is prohibited by a notice made under subclause (1) or subclause (4); and
- (b) in the case of a notice made under subclause (4), fishing is not permitted in the Offshore Area by a notice made under subclause (5).”.

#### **14. Clause 26 repealed**

Clause 26 is repealed.

#### **15. Clause 27 replaced**

Clause 27 is repealed and the following clause is inserted instead—

##### **“27. Offences**

A person who contravenes a provision of clause 17, 18, 19, 20, 21, 22, 23, 24A(1), 24A(2), 24B(1), 24C(1), 24C(6), 24C(7), or 25 commits an offence, and for the purposes of section 75 of the Act the offences are major provisions.”

#### **16. Schedules 5, 6, 7, and 8 inserted**

After Schedule 4 the following Schedules are inserted—

“

#### **SCHEDULE 5**

##### **Capacity of Areas of the Fishery—Clause 16A**

For the year ending on 31 December 2009 the capacity of each Area of the Fishery other than the Metropolitan Area is specified in the following Table—

Kalbarri Area	Mid-West Area	South-West Area	Offshore Area
10 488 hours	24 398 hours	6 622 hours	2 400 hours

For each calendar year after 31 December 2009 the capacity of each Area of the Fishery is specified in the following Table—

Kalbarri Area	Mid-West Area	South-West Area	Offshore Area
10 488 hours	24 272 hours	5 069 hours	2 400 hours

## SCHEDULE 6

### Units of Entitlement—Clause 16B

#### 1 Calculation of unit value

- (a) The extent of the entitlement arising from a unit shall be determined in accordance with the formula—

$$\frac{C}{N} = U$$

Where—

‘C’ is the capacity of an Area of the Fishery;

‘N’ is the total number of units conferred by all the permits conferring an entitlement to fish in the relevant Area at the relevant time;

‘U’ is the value of a unit.

- (b) Where the value of a unit resulting from a determination made in accordance with paragraph (a) is not a whole number any fraction greater than 5/1000 is rounded upwards, and any other fraction is rounded downwards, to the second decimal place.

#### 2. Units conferred by permits on renewal

Interim Managed Fishery Permit No.	Units of entitlement conferred		
	<i>Kalbarri units</i>	<i>Mid-West units</i>	<i>South-West units</i>
WCDS 2755	1254	407	0
WCDS 2756	1063	112	0
WCDS 2757	831	399	0
WCDS 2758	403	663	0
WCDS 2760	410	1400	0
WCDS 2761	305	273	0
WCDS 2762	614	53	0
WCDS 2763	369	947	0
WCDS 2764	79	859	0
WCDS 2765	0	18	334
WCDS 2766	1069	931	0
WCDS 2767	0	60	0
WCDS 2768	23	1033	31
WCDS 2769	0	0	751
WCDS 2770	0	251	78
WCDS 2771	0	22	447
WCDS 2772	206	331	0
WCDS 2775	0	307	1539
WCDS 2776	81	216	0
WCDS 2777	0	250	0
WCDS 2778	0	0	262
WCDS 2779	0	14	7
WCDS 2780	628	0	0
WCDS 2781	162	86	0
WCDS 2782	47	1059	0
WCDS 2783	0	362	0
WCDS 2784	173	528	0
WCDS 2787	9	361	0
WCDS 2788	0	1119	0
WCDS 2789	0	396	0



<b>Interim Managed Fishery Permit No.</b>	<b>Units of entitlement conferred</b>		
	<i><b>Kalbarri units</b></i>	<i><b>Mid-West units</b></i>	<i><b>South-West units</b></i>
WCDS 2790	622	239	0
WCDS 2791	10	369	0
WCDS 2792	0	235	0
WCDS 2793	173	547	0
WCDS 2794	0	179	0
WCDS 2795	0	0	699
WCDS 2797	79	58	0
WCDS 2798	0	0	493
WCDS 2799	0	324	0
WCDS 2801	48	918	0
WCDS 2803	0	225	0
WCDS 2805	96	23	0
WCDS 2806	3	47	0
WCDS 2810	113	1707	0
WCDS 2811	0	467	0
WCDS 2812	253	112	0
WCDS 2813	45	332	0
WCDS 2814	59	700	0
WCDS 2815	6	275	0
WCDS 2816	0	852	0
WCDS 2817	0	125	370
WCDS 2818	445	671	0
WCDS 2819	0	329	0
WCDS 2820	0	543	0
WCDS 2821	233	491	0
WCDS 2822	0	405	52
WCDS 2823	0	0	0
WCDS 2825	166	967	0
WCDS 2828	201	48	8
WCDS 2831	0	631	0
WCDS 2833	212	2	0
<b>TOTALS</b>	10490	24278	5071

**SCHEDULE 7****Port areas***Kalbarri*

All the waters of the Fishery within 2 nautical miles of the intersection of 27° 42.49' South latitude and 114° 09.29' East longitude.

*Port Gregory*

All the waters of the Fishery within 2 nautical miles of the intersection of 28° 11.45' South latitude and 114° 14.95' East longitude.

*Geraldton*

All the waters of the Fishery within 2 nautical miles of the intersection of 28° 46.46' South latitude and 114° 35.29' East longitude.

*Dongara (Port Denison)*

All the waters of the Fishery within 2 nautical miles of the intersection of 29° 16.41' South latitude and 114° 54.44' East longitude.

*Leeman*

All the waters of the Fishery within 2 nautical miles of the intersection of 29° 56.59' South latitude and 114° 57.97' East longitude.

*Jurien Bay*

All the waters of the Fishery within 2 nautical miles of the intersection of 30° 17.30' South latitude and 115° 02.52' East longitude.

*Cervantes*

All the waters of the Fishery within 2 nautical miles of the intersection of 30° 28.61' South latitude and 115° 03.82' East longitude.

*Lancelin*

All the waters of the Fishery within 2 nautical miles of the intersection of 31° 00.89' South latitude and 115° 19.67' East longitude.

*Ledge Point*

All the waters of the Fishery within 2 nautical miles of the intersection of 31° 06.83' South latitude and 115° 22.29' East longitude.

*Two Rocks*

All the waters of the Fishery within 2 nautical miles of the intersection of 31° 29.77' South latitude and 115° 34.98' East longitude.

*Mindarie*

All the waters of the Fishery within 2 nautical miles of the intersection of 31° 41.30' South latitude and 115° 41.94' East longitude.

*Hillarys*

All the waters of the Fishery within 2 nautical miles of the intersection of 31° 49.38' South latitude and 115° 44.36' East longitude.

*Fremantle*

All the waters of the Fishery within 2 nautical miles of the intersection of 32° 03.73' South latitude and 115° 44.56' East longitude.

*Safety Bay*

All the waters of the Fishery within 2 nautical miles of the intersection of 32° 18.33' South latitude and 115° 42.42' East longitude.

*Mandurah*

All the waters of the Fishery within 2 nautical miles of the intersection of 32° 31.27' South latitude and 115° 42.13' East longitude.

*Bunbury*

All the waters of the Fishery within 2 nautical miles of the intersection of 33° 18.25' South latitude and 115° 38.83' East longitude.

*Busselton*

All the waters of the Fishery within 2 nautical miles of the intersection of 33° 37.74' South latitude and 115° 23.49' East longitude.

*Dunsborough*

All the waters of the Fishery within 2 nautical miles of the intersection of 33° 37.97' South latitude and 115° 08.29' East longitude.

*Canal Rocks*

All the waters of the Fishery within 2 nautical miles of the intersection of 33° 38.34' South latitude and 115° 01.33' East longitude.

*Cowaramup*

All the waters of the Fishery within 2 nautical miles of the intersection of 33° 51.76' South latitude and 114° 59.28' East longitude.

*Hamelin Bay*

All the waters of the Fishery within 2 nautical miles of the intersection of 34° 13.10' South latitude and 115° 01.70' East longitude.

*Augusta*

All the waters of the Fishery within 2 nautical miles of the intersection of 34° 18.94' South latitude and 115° 09.78' East longitude.

**SCHEDULE 8****Fees on renewal of permits—Clause 15**

Area of the Fishery	Fee per unit—2009
Kalbarri Area unit	\$2.19
Mid-West Area unit	\$1.19
South-West Area unit	\$1.39

[\* Published in the Gazette of 9 November 2007. ]

Dated this 12th day of December 2008.

NORMAN MOORE, Minister for Fisheries.

---

## HOUSING AND WORKS

---

HW401\*

### HOUSING ACT 1980

#### DETERMINATION OF STANDARD RATES OF INTEREST

Department of Housing and Works  
(The Housing Authority), Perth,  
December 2008.

Pursuant to Sections 33 and 42 being loans under Section 36 of the *Housing Act 1980*, The Housing Authority by this determination which was approved by the Honourable Minister for Housing and Works fixes the following maximum standard rates of interest to apply in respect of the various classes of loan granted by it.

1. Keystart Loans, Income Based Loans. Shared Equity (including First Start Realstart, Goodstart, Access, Sole Parent, and the Aboriginal Schemes), pre 1985 Variable Interest Schemes and Wisechoice under Sections 33 and 36 to 6.24% per annum.
2. In respect of Shared Equity 1997 (GoodStart—Subsidised Rate) Loans the standard rate of interest shall be 6.5% fixed per annum, until the borrower's income exceeds the Department's maximum public rental income eligibility limits. The rate will then move to the Commonwealth Bank's standard home loan variable interest rate subject to a minimum interest rate of 6.5% per annum.

This determination is effective from 15th December 2008.

GRAHAME SEARLE, Director General,  
Department of Housing and Works.

---

## LOCAL GOVERNMENT

---

LG401

### LOCAL GOVERNMENT ACT 1995

#### APPOINTMENTS

Authorised Person

*City of Melville*

It is hereby notified for public information that Michael Klein and Yana Allum has been appointed as an Authorised Person at St John of God Hospital (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Section 9.10, 9.13 and 9.15 of the *Local Government Act 1995*.

SHAYNE SILCOX, Chief Executive Officer.

LG402\*

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

*Town of Kwinana*

#### APPOINTMENTS

It is hereby notified for public information that David Vickery-Howe has been appointed as a Ranger under the provisions of Section 449-450 of the *Local Government (Miscellaneous Provisions) Act 1960* and as authorised officers to enforce the provisions of various legislation and Local Laws as authorised by Council and/or Chief Executive Officer under delegated authority.

---

## MINERALS AND PETROLEUM

---

MP401\*

Commonwealth of Australia

**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006****SURRENDER OF EXPLORATION PERMIT WA-297-P**

The surrender of Exploration Permit No. WA-297-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

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

---

## PLANNING AND INFRASTRUCTURE

---

PI401\*

**PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***City of Bayswater*

Town Planning Scheme No. 24—Amendment No. 30

Ref: 853/2/14/29 Pt 30

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater local planning scheme amendment on 26 November 2008 for the purpose of—

1. Rezoning Lot 22 (454) Guildford Road, Bayswater from ‘Service Station’ to ‘Medium and High Density Residential’, with an applicable density code of ‘R40’.
2. Inserting into Appendix 10 ‘Special Control Area’ provisions applicable to Lot 22 (454) Guildford Road, Bayswater, as follows—

**APPENDIX 10 SPECIAL CONTROL AREAS**

Special Control Area 4—Corner King William Street and Guildford Road, Bayswater

**Site Particulars:**

Lot 22, No. 454 Guildford Road (corner King William Street), Bayswater.

**Description:**

SCA No. 4 Area is bounded to the north by Guildford Road, to the north east by King William Street and to the south and west by Lot 23.

---

**Provisions**

---

**Purpose:**

To enable the development of the site with quality grouped dwellings, whilst safeguarding the amenity of the surrounding residential area.

**Development Requirements: General**

- Development shall be generally in accordance with a Development Concept Plan endorsed by Council.
- Minimum lot sizes shall be in accordance with the ‘R50’ provisions of the Residential Design Codes of WA.
- Average lot sizes shall be in accordance with the ‘R40’ provisions of the Residential Design Codes of WA, and a maximum yield of 13 dwelling units shall apply.
- Vehicular access is not permitted directly to or from the site via Guildford Road.
- Solid street boundary fencing to a height of 1.8 metres shall be permitted subject to incorporation of the following design elements—
  - Visual relief through the use of a variety of materials/textures;
  - Articulation of the fence frontage;
  - Direct pedestrian access to lots with frontage to public streets; and/or
  - Landscaping to be implemented as a means of visual relief, in accordance with a Landscape Plan endorsed by Council.
- Upper floor windows and/or balconies to be provided to Guildford Road and King William Street frontages, to facilitate passive surveillance.
- Internal access to be provided via a 6 metre wide access way.
- Nil setbacks to the internal access way shall be permitted.

Development Requirements: General—*continued*

- All dwellings to provide for passive surveillance of internal access way.
- An Outdoor Living Area in accordance with the requirements for the 'R50' density code is to be provided for each dwelling.
- Parapet walls to internal boundaries shall be permitted, where in accordance with an endorsed Development Concept Plan.

---

L. J. MAGRO, Mayor.  
FRANCESCA LEFANTE, Chief Executive Officer.

## PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Gosnells*  
Town Planning Scheme No. 6—Amendment No. 79

Ref: 853/2/25/8 Pt 79

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Gosnells local planning scheme amendment on 19 November 2008 for the purpose of rezoning Lot 9 (1) Phiel Court, Kenwick from Residential R17.5 to Residential R30.

O. SEARLE, Mayor.  
T. PERKINS, Acting Chief Executive Officer.

## PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Mandurah*  
Town Planning Scheme No. 3—Amendment No. 82

Ref: 853/6/13/12 Pt 82

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Mandurah local planning scheme amendment on 1 December 2008 for the purpose of—

- (a) Deleting Part 9—Administration of the Scheme Text and replacing with the following—

“PART 9—ENFORCEMENT AND ADMINISTRATION

9.1 POWERS OF THE COUNCIL

9.1.1 The Council in implementing the Scheme has the power to—

- (a) enter into an agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matter pertaining to the Scheme;
- (b) acquire any land or buildings within the Scheme area under the provisions of the Scheme or the Act; and
- (c) deal with or dispose of any land which it has acquired under the provisions of the Scheme or the Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

9.1.2 An employee of the Council authorised by the Council may, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

9.2 DELEGATION OF FUNCTIONS

9.2.1 The Council may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the *Local Government Act 1995*, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

9.2.2 The CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1

9.2.3 The exercise of the power of delegation under clause 9.2.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.

- 9.2.4 Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

9.3 PERSON MUST COMPLY WITH PROVISIONS OF SCHEME

A person must not—

- (a) contravene or fail to comply with the provisions of the Scheme;
- (b) use any land or commence or continue to carry out any development within the Scheme area—
  - (i) otherwise than in accordance with the Scheme;
  - (ii) unless all approvals required by the Scheme have been granted and issued;
  - (iii) otherwise than in accordance with any conditions imposed upon the grant and the issue of any approval required by the Scheme; and
  - (iv) otherwise than in accordance with any standards laid down and any requirements prescribed by the Scheme or determined by the Council under the Scheme with respect to that building or that use.

Note: Section 218 of the Act provides that a person who—

- (a) contravenes the provisions of a planning scheme;
  - (b) commences, continues or carries out any development in any part of a region the subject of a region planning scheme or any part of an area the subject of a local planning scheme otherwise than in accordance with the provisions of the planning scheme; or
  - (c) commences, continues or carries out any such development which is required to comply with a planning scheme otherwise than in accordance with any condition imposed under this Act or the scheme with respect to the development, or otherwise fails to comply with any such condition,
- commits an offence.

Section 223 of the Act provides that unless otherwise provided, a person who commits an offence under the Act is liable to a penalty of \$50 000 and, in the case of a continuing offence, a further fine of \$5 000 for each day during which the offence continues.

9.4 COMPENSATION

- 9.4.1 A person whose land or property is injuriously affected by the making or amendment of the Scheme may make a claim for compensation under section 173 of the Act—

- (a) in any case, within 6 months of the date of publication of notice of the approval of the Scheme or the amendment, as the case requires, in accordance with the Town Planning Regulations 1967; or
- (b) where the land has been reserved for a public purpose and—
  - (i) an application made under the Scheme for approval to carry out development on the land is refused; or
  - (ii) an application made under the Scheme for approval to carry out development on the land is granted subject to conditions that have the effect of permitting the land to be used or developed for no purpose other than a public purpose, not later than 6 months after the application is refused or the permission granted.

- 9.4.2 A person whose land or property is injuriously affected by the making of a Scheme may not claim compensation for that injurious affection more than once under clause 9.4.1.

9.5 PURCHASE OR TAKING OF LAND

- 9.5.1 If, where compensation for injurious affection is claimed under the Act, the Council elects to purchase or take the land compulsorily the Council is to give written notice of that election to the claimant within 3 months of the claim for compensation being made.

- 9.5.1. The Council may deal with or dispose of land acquired by it for the purpose of a Local Reserve upon such terms and conditions as it thinks fit but the land must be used, and preserved, for a use compatible with the purpose for which it is reserved.

Note: Section 187 of the Act empowers the Council to purchase or compulsorily acquire land comprised in a scheme.

9.6 LOCAL PLANNING POLICIES

9.6.1 Local Planning Policies

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

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the Scheme area or in one or more parts of the Scheme area, and may amend or add to or rescind the Policy.

9.6.2 Relationship of Local Planning Policies to Scheme

- 9.6.2.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

9.6.2.2 A Local Planning Policy is not part of the Scheme and does not bind the Council in respect of any application for planning approval but the Council is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Note: Local Planning Policies are guidelines used to assist Council in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme, they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Design Codes. In considering an application for planning approval, the Council must have due regard to relevant Local Planning Policies as required under clause 7.5.

9.6.3 Procedure for making or amending a Local Planning Policy

9.6.3.1 If Council resolves to prepare a Local Planning Policy, the Council—

- (a) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of—
  - (i) where the draft Policy may be inspected;
  - (ii) the subject and nature of the draft Policy; and
  - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- (b) may publish a notice of the proposed Policy in such other manner and carry out such other consultation as the Council considers appropriate.

9.6.3.2 After the expiry of the period within which submissions may be made, the Council is to—

- (a) review the proposed Policy in the light of any submissions made; and
- (b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

9.6.3.3 If the Council resolves to adopt the Policy, the Council is to—

- (a) publish notice of the Policy once in a newspaper circulating in the Scheme area; and
- (b) if, in the opinion of the Council, the Policy affects the interests of the Commission, forward a copy of the Policy to the Commission.

9.6.3.4 A Policy has effect on publication of a notice under clause 9.6.3.3(a).

9.6.3.5 A copy of each Local Planning Policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the Council.

9.6.3.6 Clauses 9.6.3.1 to 9.6.3.5, with any necessary changes, apply to the amendment of a Local Planning Policy.

9.6.4 Revocation of Local Planning Policy

A Local Planning Policy may be revoked by—

- (a) the adoption by Council of a new Policy under clause 9.6.3 that is expressed to supersede the existing Local Planning Policy; or
- (b) publication of a notice of revocation by Council once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area

9.7 RIGHTS OF APPEAL

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal under Part 14 of the Act.

P. CREEVEY, Mayor.  
M. R. NEWMAN, Chief Executive Officer.

---

## DECEASED ESTATES

---

ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Ivan Charles Quartermaine, late of 16 Melba Street, Kalgoorlie, Western Australia and his associated entities Cognitif Pty Ltd ACN 105 611 041, Meridian FP Pty Ltd ACN 094 961 805, Kalbase Holdings Pty Ltd ACN 080 877 112, Napoleon Pty Ltd ACN 108 410 144, Rosendo Pty Ltd ACN 107 823 450 and Quartermaine Pty Ltd ACN 009 447 116.

Creditors and other persons having claims in respect of the estate of the deceased, who died 13th September 2005, are required by the trustee Raymond Victor Steffanoni of 103 Holland Street, Wembley, Western Australia 6014 to send particulars of their claims to him by the 19th day of January 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.



# Order your Bound Volumes of Government Gazette 2009

An attractively presented set of 4 Bound Volumes  
of Government Gazette

For Government Departments and private firms who require bound copies of Government Gazettes, the State Law Publisher offers a subscription covering 4 Quarterly Volumes at a cost of \$1,177.20.

The Gazettes will be bound in black cloth with gold foil lettering on the spine and can be personalised by the addition of the client's name in gold lettering on the front cover if required.

## PLEASE NOTE

On the rare occasion where extra gazettes are published in one quarter, a fifth volume may be required. In this instance the extra cost involved will be borne by the State Law Publisher and not passed on to clients.

For further information please contact:

**State Law Publisher**

**Telephone: 9321 7688**

## STATE LAW PUBLISHER

### SUBSCRIPTION RATES FOR 2009

All subscriptions are for the period from 1 January to 31 December 2009. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

#### GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically on any day.

<b>All Gazettes</b>	\$
Within WA .....	949.75
Interstate .....	966.80

**Bound Volumes of full year** ..... 1,177.20

---

#### INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA .....	456.10
Interstate .....	543.50

---

#### HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA .....	900.80
Interstate .....	1,101.00

#### **Bound Volumes of Hansard**

Within WA .....	888.25
Interstate .....	902.00

---

#### STATUTES

##### **Bound Statutes**

Bound volumes are posted during March of the following year.

	\$
Within WA.....	320.75
Interstate .....	357.15
Overseas .....	415.65
Half Calf Bound Statutes .....	886.05

##### **Loose Statutes**

Statutes are posted weekly as they become available.

	\$
Within WA.....	345.75
Interstate .....	357.15

##### **Sessional Bills**

Bills are posted weekly as they become available.

	\$
Within WA .....	475.45
Interstate .....	498.20

---

### CLAIMS FOR MISSING SUBSCRIPTION ITEMS

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this period will not be recognised and will attract payment in full.