



# WESTERN AUSTRALIAN GOVERNMENT **Gazette**

3675



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## **PUBLISHING ALTERATIONS**

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

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

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

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

JOHN A. STRIJK, Government Printer.

## — PART 1 —

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### **ENVIRONMENTAL PROTECTION**

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**EP301\***

Environmental Protection Act 1986

## **Environmental Protection Amendment Regulations 2000**

Made by the Administrator in Executive Council on the recommendation of the Environmental Protection Authority.

### **1. Citation**

These regulations may be cited as the *Environmental Protection Amendment Regulations 2000*.

### **2. The regulations amended**

The amendments in these regulations are to the *Environmental Protection Regulations 1987\**.

[\* *Reprinted as at 2 April 1999.*

*For amendments to 2 June 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 70.]*

[\* *Reprinted as at 2 April 1999.*]

### **3. Part 8 inserted**

After regulation 16 the following Part is inserted —

“

### **Part 8 — Monitoring sulphur dioxide levels in the Goldfields residential areas**

#### **17. Interpretation**

In this Part, unless the contrary intention appears —

**“approved monitoring equipment” means**

monitoring equipment that has been approved by the Chief Executive Officer under regulation 20F;

**“significant industrial source” has the same definition as it has in clause 8(2) of the Policy;**

**“specified monitoring programme”** means a monitoring programme specified by the Chief Executive Officer in a works approval or licence;

**“the Policy”** means the *Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Policy 1992* approved under the *Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Policy Approval Order 1992* and set out in the Schedule to that Order,

and unless the contrary intention appears, other words and expressions have the same respective definitions as they have in the Policy.

**18. Prescribed licence conditions for certain industrial premises**

There is prescribed for the purposes of section 62(1)(h) of the Act as a condition of a works approval or licence in relation to any premises on which there is a significant industrial source the following conditions —

- (a) that monitoring equipment used for the purposes of a works approval or licence or a specified monitoring programme is to be approved monitoring equipment;
- (b) any measurement taken for the purpose of the works approval or licence or a specified monitoring programme is to be taken with approved monitoring equipment.

**19. Approved monitoring equipment to be used in specified monitoring programme**

A person who —

- (a) is required by a works approval or licence to carry out a specified monitoring programme with approved monitoring equipment; and
- (b) does not use approved monitoring equipment for the purpose of carrying out that monitoring programme,

commits an offence.

Penalty: \$5 000.

**20. Duty to ensure that approved monitoring equipment is accurate**

- (1) A person who —
  - (a) is required by a works approval or licence to carry out a specified monitoring programme with approved monitoring equipment; and

- (b) does not ensure that any approved monitoring equipment used in that monitoring programme is operating so as to give measurements that are accurate,  
commits an offence.

Penalty: \$5 000.

- (2) It is a defence to proceedings for an offence under subregulation (1) if the person charged with that offence proves that the person took reasonable precautions and exercised due diligence to prevent the commission of the offence.

**20A. Duty to comply with conditions of approval of monitoring equipment**

- (1) A person who —
- (a) is required by a works approval or licence to carry out a specified monitoring programme with approved monitoring equipment; and
  - (b) does not comply with a condition imposed under regulation 20G,

commits an offence.

Penalty: \$5 000.

- (2) It is a defence to proceedings for an offence under subregulation (1) if the person charged with that offence proves that the person took reasonable precautions and exercised due diligence to prevent the commission of the offence.

**20B. Report on results of specified monitoring programme**

- (1) The Chief Executive Officer may by notice require a person required by a works approval or licence to carry out a specified monitoring programme to report to the Chief Executive Officer on the matters referred to in subregulation (2) at periods or on dates specified in the notice.
- (2) The report under subregulation (1) is to —
- (a) contain details of the measurements taken using approved monitoring equipment or other equipment in the course of a specified monitoring programme;
  - (b) state whether or not any inaccuracy in those measurements is known to the person making the report;
  - (c) if an inaccuracy in those measurements is known —
    - (i) state the extent of the inaccuracy known to the person making the report;

- (ii) state any cause of the inaccuracy known to the person making the report.
- (3) A person given notice under subregulation (1) is to comply with the requirements in that notice.  
Penalty: \$5 000.

**20C. Presumption of accuracy of measurements**

A measurement taken by approved monitoring equipment is to be taken to be correct in the absence of proof, on the balance of probability, to the contrary.

**20D. Presumption of accuracy of contents of report**

A statement in a report as to the results of a specified monitoring programme made under section 62(3) of the Act or regulation 20B detailing the measurements that were taken using approved monitoring equipment is to be taken to be evidence that those measurements were taken by the monitoring equipment in the absence of proof, on the balance of probability, to the contrary.

**20E. Notification of inaccurate measurement**

A person who has submitted a report under regulation 20B who becomes aware that a measurement referred to in the report is inaccurate must, as soon as practicable after discovering the inaccuracy, report to the Chief Executive Officer the extent, and cause, of the inaccuracy which is known to the person making the report.

Penalty: \$5 000.

**20F. Approval of monitoring equipment**

- (1) A person may apply to the Chief Executive Officer for monitoring equipment to be used in a specified monitoring programme to monitor —
  - (a) sulphur dioxide levels in the atmosphere; or
  - (b) meteorological data,to be approved.
- (2) An application for approval of monitoring equipment is to be in a form approved by the Chief Executive Officer unless the Chief Executive Officer approves an application being made by telephone or other electronic means.
- (3) If a person applies to the Chief Executive Officer for monitoring equipment to be approved, the Chief Executive Officer may —
  - (a) require the applicant to provide more information before deciding whether or not to grant the approval;

- (b) refuse to grant the approval; or
  - (c) grant the approval.
- (4) Within 60 days of the making of the application the Chief Executive Officer is to —
- (i) determine the application; and
  - (ii) if the application is refused, provide the person who applied for the approval with a statement of the reasons for refusing the application;
  - (iii) if the application is granted, issue a certificate of approval to the applicant.
- (5) A certificate of the Chief Executive Officer stating that monitoring equipment is or is not approved monitoring equipment is conclusive proof of that fact.

#### **20G. Conditions of approval of monitoring equipment**

If monitoring equipment is approved under regulation 20F, that approval is subject to the following conditions —

- (a) the equipment is to be calibrated in accordance with any of the following standards as the Chief Executive Officer may specify in writing —
  - (i) the standards specified by the manufacturer of the equipment;
  - (ii) an Australian standard;
  - (iii) an international standard; and
- (b) the equipment is to be operated in accordance with such quality assurance programme as the Chief Executive Officer may specify in writing.

#### **20H. Revocation of approval**

- (1) The Chief Executive Officer may revoke an approval under regulation 20F if, in the Chief Executive Officer's opinion —
- (a) the equipment referred to in the certificate of approval is not considered to be suitable to be used in a specified monitoring programme;
  - (b) the equipment referred to in the certificate of approval has not provided accurate measurements; or
  - (c) a person has, in relation to an application under regulation 20F(1), provided information in written or oral form that the person knew, or could reasonably be expected to have known, to be —
    - (i) false or misleading in a material particular; or

- (ii) likely to deceive in a material way.
- (2) The Chief Executive Officer may revoke an approval of approved monitoring equipment if —
- (a) that equipment has not been calibrated or operated in accordance with a condition imposed under regulation 20G; and
  - (b) in the opinion of the Chief Executive Officer, that failure to comply with the condition could have materially affected the accuracy of the equipment or the reliability of the results obtained from that equipment.
- (3) A revocation of an approval under regulation 20F is not effective unless the Chief Executive Officer has caused written notice of the intention to revoke the approval to be served personally or by post on the person who obtained the approval stating the grounds on which the revocation is to be made and has allowed the person 21 days to provide reasons as to why the Chief Executive Officer should not revoke the approval.
- (4) The Chief Executive Officer must set out in the written notice referred to in subregulation (3) the reasons for the revocation of the approval.

**20I. Appeal**

- (1) A person who is aggrieved by a decision of the Chief Executive Officer under regulation 20F, 20G, or 20H may within 21 days after the day on which the person is notified of the decision lodge with the Minister an appeal in writing setting out the grounds of the appeal.
- (2) An appeal lodged under subregulation (1) is to be treated as if it were an appeal under section 102 of the Act, and for that purpose sections 106 to 110 of the Act apply as if the appeal were an appeal under section 102.

**20J. Approval of monitoring equipment pending determination of appeal**

- (1) If —
  - (a) an appeal has been lodged under regulation 20I(1) in relation to an approval revoked under regulation 20H; and
  - (b) the Chief Executive Officer has entered into an agreement in writing with the licensee as to the interim monitoring measures to be adopted by the licensee pending the determination of the appeal,

until 60 days after the determination of the appeal, or such other time as is agreed in writing by the Chief Executive Officer and the licensee, any monitoring

equipment used in accordance with that agreement is to be taken to be approved monitoring equipment.

- (2) A certificate issued by the Chief Executive Officer stating that monitoring equipment specified in the certificate has or has not been used in accordance with an agreement referred to in subregulation (1)(b) is, in the absence of proof on the balance of probability to the contrary, evidence of that fact.
- (3) In this regulation, a reference to the licensee is a reference to a person who is required by a works approval or a licence to carry out a specified monitoring programme with approved monitoring equipment.

**20K. Judicial notice of signature of the Chief Executive Officer**

Judicial notice is to be taken of the signature of the Chief Executive Officer on a certificate purporting to be issued under regulation 20F(5) or 20J(2).

**20L. Review of this Part**

- (1) The Authority is to report to the Minister on the operation and effectiveness of this Part within 24 months after its commencement.
- (2) The report is to be made after —
  - (a) the public has been given an opportunity to make submissions on the operation and effectiveness of the Part; and
  - (b) a reasonable endeavour has been made to obtain the views of public authorities and persons that appear to the Authority to be significantly affected by the Part.
- (3) As soon as is practicable after the preparation of the report the Minister is to cause it to be laid before each House of Parliament.

”.

Recommended by the Environmental Protection Authority.

B. BOWEN, Chairman.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

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**JUSTICE**

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**JM301\***

Prisons Act 1981

## **Prisons Amendment Regulations 2000**

Made by the Administrator in Executive Council.

### **1. Citation**

These regulations may be cited as the *Prisons Amendment Regulations 2000*.

### **2. Commencement**

These regulations come into operation on —

- (a) the day on which the Inspector provisions, as defined by section 2(4) of the *Prisons Amendment Act 1999*, come into operation; or
- (b) the day on which these regulations are published in the *Gazette*,

whichever is the later.

### **3. Regulation 87 inserted**

After regulation 86 of the *Prisons Regulations 1982*\* the following regulation is inserted —

“

#### **87. Guidelines about conflicts of interest in relation to the Inspector of Custodial Services and staff**

- (1) In this regulation —

**“member of the Inspector’s staff”** means a person referred to in section 109H(1), (2) or (3) of the Act.

- (2) The Inspector is to prepare guidelines for the purpose of preventing the Inspector and any member of the Inspector’s staff from performing a function of the Inspector under Part XA of the Act or any other law if that person has or acquires an interest, pecuniary or otherwise, in relation to the function that could conflict with the proper performance of the function.
- (3) The Inspector is to ensure that the guidelines are published in the *Gazette* —
  - (a) before any inspection is undertaken under Part XA of the Act or any other law; and

- (b) no later than 3 months after the Inspector's appointment.

”.

[\* *Reprinted as at 31 January 1997.*

*For amendments to 2 June 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 239-40, and Gazette 7 April 2000.]*

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

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## RACING, GAMING AND LIQUOR

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**RA301\***

WESTERN AUSTRALIAN TROTTING ASSOCIATION

By-laws of the Western Australian Trotting Association

NOTICE OF AMENDMENT

Notice is hereby given that at a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth, on the 22<sup>nd</sup> day of June 2000, it was resolved by an absolute majority of the Committee of the Association that the By-laws of the Western Australian Trotting Association made under the Western Australian Trotting Association Act 1946 ("the Act") be amended as follows—

Amend By-law 13.5—

An error occurred in the notice published under the heading "Western Australian Trotting Association, By-laws of the Western Australian Trotting Association, Notice of Amendment" on page 1842 of *Government Gazette* No 65 dated Tuesday 11 April 2000 and is corrected as follows—

Subclause (3)

Amended wording—

Delete

13.5 (3) (f) the person is a participating member; and

(g) all persons referred to in the application, nomination or, return are participating members.

Insert

13.5 (3) (d) the person is a participating member; and

(e) all persons referred to in the application, nomination or, return are participating members.

Dated 22 June 2000.

GARY PAPADOPOULOS, President.

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## — PART 2 —

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### **CENSORSHIP**

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**CS401\***

#### **CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as refused publications for the purposes of that Act.

Dated this 2<sup>nd</sup> day of July 2000.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

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Schedule

20 June 2000

Refused Classification

Title or Description	Publisher
Australian Rosie Anal, The Summer 1997 No 5	Rosie Publications Pty Ltd
Hot Lesben (Silwa Special) No 8	Silwa Film GMBH
Teenagers (Seventeen) No 57	Bookpress BV

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**CS402\***

#### **CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 2<sup>nd</sup> day of July 2000

CHERYL LYNN EDWARDES, Minister for Labour Relations.

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Schedule

20 June 2000

Restricted Classification

Title or Description	Publisher
40 Plus Vol 9 No 8	Fantasy Publications Ltd
Asia 18 Aug 2000 No 34	Gem Publications Inc
Asian Babes Vol 8 No 9	Fantasy Publications Ltd
Australasian Sex Paper Jul 2000 Vol 11 No 105	ASP Productions Pty Ltd
Best of Asian Babes, The Vol 2 Iss 3	Fantasy Publications Ltd
Best of Club International, The No 38	Paul Raymond Publications Ltd
Big Girls Vol 6 No 6	Fantasy Publications Ltd
Bizarre Jun 2000 Iss 33	John Brown Publishing
Black Portfolio Aug 2000 No 27	Portfolio Magazines Inc
Buf Jul 2000 No 27	Buf Publications Inc
Busen 60 Vol 26 No 2	Pleasure-Verlags GMBH
Candid (Special) No 43	World Media Group
Celebrity Skin Apr 2000 Vol 22 No 85	Man's World Publications
Cheeks Jul 2000 No 30	Violet Media Corp
Club Vol 29 No 4	Paul Raymond Publications Ltd
Club International Vol 29 No 5	Paul Raymond Publications Ltd
D-Cup Jul 2000 No 34	D-Cup Publications Inc
Deep Throat Vol 1 Iss 1	Playtime Publishing Inc
Eros Vol 2 No 3	Fantasy Publications Ltd
Escort Vol 20 No 5	Paul Raymond Publications Ltd

Schedule—*continued*

20 June 2000

## Restricted Classification

Title or Description	Publisher
Expose (The Very Best Of) No 1	Kokoda Publishing Inc
For Men Iss 120	Fantasy Publishing Ltd
Fox Vol 19 No 2	Montcalm Publishing Corporation
Freeway Iss 190	Not Known
Genesis Jul 2000 No 35	Genesis Publications Inc
Gent Jul 2000 Vol 42 No 7	Dugent Corporation
Hustler (Canadian Edition) Apr 2000 Vol 3 No 4	BRZ Publications Inc
Just 18 Aug 2000 No 34	Just 18 Publications Inc
Leg Action Jul 2000 No 34	Leg Action Inc
Leg Tease Jun 2000	World Media Group LLC
Man Eater Vol 1 Iss 1	Playtime Publishing Inc
Mayfair Vol 35 No 5	Paul Raymond Publications Ltd
Mayfair Summer Special No 2	Paul Raymond Publications Ltd
Men Only Vol 65 No 5	Paul Raymond Publications Ltd
Mens World Vol 12 No 5	Paul Raymond Publications Ltd
Model Directory Vol 18 No 5	Paul Raymond Publications Ltd
Naughty Neighbors Jul 2000 Vol 6 No 7	The Score Group
No Man's Land Vol 1 Iss 1	Playtime Publishing Inc
Nude Readers' Wives No 155	Fantasy Publications Ltd
Numbers Aug 2000 Vol 11 No 4	Global Media Group Ltd
Only 18 Vol 3 No 1	Fantasy Publications Ltd
Oriental Slut-a-Rama Vol 1 No 1	Far East Inc
Oriental Women Jul 2000 Vol 31 Iss 4	Global Media Group Ltd
Panty Girls Jun 2000	World Media Group
Private No 159	Private Media Group
Private Sex No 26	Private Media Group
Razzle Vol 18 No 4	Paul Raymond Publications Ltd
Readers' Wives Vol 8 No 2	Fantasy Publications Ltd
Real Wives Vol 7 No 3	Fantasy Publications Ltd
Sex Next Door No 3	Genre Publications Ltd
Shaved Peaches Of The Orient Vol 1 No 2	Far East Inc
Stag's Girls Over 40 Jul 2000 No 35	Stag Publications Inc
Sushi Pussies Vol 1 No 1	Far East Inc
Swank Jul 2000 No 35	Swank Publications Inc
Swank Exposed (Silk Stockings) Jul 2000 No 29	Dogwood Publications Inc
Swank Photo Series (Black Heat) Jul 2000 No 48	Chestnut Publications Inc
Swank Satin (X-tasy) Aug 2000 No 29	Dogwood Publications Inc
Swank Taboo (Legal & Tender) Jul 2000 No 27	Dogwood Publications Inc
Swank Unleashed (Mature Nymphos) Jul 2000 No 29	Dogwood Publications Inc
Teenage No 11	Color-Climax Corporation
TV Oriental Vol 1 No 1	Far East Inc
Velvet Apr 1999 Vol 23 No 4	Velvet Publications Inc
Velvet Jul 2000 No 35	Velvet Publications Inc
Video World Jul 2000 No 27	Video World Publications Inc
Voluptuous Jul 2000 Vol 7 No 7	The Score Group
Young & Old Vol 1 No 1	Fantasy Publications Ltd

**CS403\*****CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as unrestricted publications for the purposes of that Act.

Dated this 2<sup>nd</sup> day of July 2000.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

## Schedule

20 June 2000

## Unrestricted Classification

Title or Description	Publisher
Australian Penthouse (Our Hottest Babes)	Not Known
H & E May 2000	New Freedom Publications Ltd
New Zealand Naturist Jun 2000 Iss 173	New Zealand Naturist Federation Inc

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**EDUCATION**

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**ED401****EDITH COWAN UNIVERSITY ACT 1984**

Office of the Minister for Education,  
Perth 2000.

It is hereby notified that the Administrator in Executive Council, acting under the provisions of Section 27 of the Edith Cowan University Act 1984, has approved Amending Statute No. 1 of 2000 as set out in the attached schedule.

COLIN J. BARNETT, Minister for Education.  
ROD SPENCER, Clerk of the Executive Council.

---

**EDITH COWAN UNIVERSITY ACT 1984**

Edith Cowan University

**Amending Statute No 1 of 2000**

The University Statutes are hereby as amended—

- 1 This Amending Statute comes into operation on the day it is published in the Government Gazette.
  - 2 Statutes No 8 Election of Academic Staff and Salaried Staff to Council, No 9 Election of an Alumnus to Council, and No 10 Election of Enrolled Students to Council are hereby repealed.
  - 3 Statute No 28 Election of Enrolled Students, Alumni and Academic and Salaried Staff as set out in the attached Schedule is hereby enacted.
- 

The Common Seal of the Edith Cowan University was hereto affixed by authority of a resolution of the Council of the University in the presence of—

Professor MILLICENT POOLE, Vice Chancellor.  
DAVID EARL, Authorised Sealing Officer.

Dated this 30th day of 2000.

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**Schedule to Amending Statute No 1 of 2000****Edith Cowan University**

Statute No 28

**ELECTION OF ENROLLED STUDENTS, ALUMNI AND ACADEMIC  
AND SALARIED STAFF TO COUNCIL****1. Purpose**

This Statute prescribes the procedures for the election of the following classes of members of the Council—

- (a) members of the academic staff and the salaried staff, elected pursuant to sub-sections 9(1)(c) and 9(1)(d) of the Act ("staff elections");
- (b) enrolled students, elected pursuant to sub-section 9(1)(e) of the Act ("student elections"); and
- (c) alumni of the University, elected pursuant to sub-section 9(1)(f) of the Act ("alumni elections").

**2. Definitions**

In this Statute, unless the contrary intention appears—

"alumni candidate" means a person nominated for election to the Council whose sole and principal employment is not that of a member of staff of the University and whose name is entered on the Register maintained pursuant to section 8 of this Statute;

"alumni elector" means a person whose name is entered on the Register maintained pursuant to section 8 of this Statute at the time of the closing of nominations;

"biography" means the statement referred to in section 6(c);

"candidate" means an alumni candidate, a staff candidate or a student candidate;

"elector" means an alumni elector, a staff elector or a student elector;

"forms" means forms, including ballot papers, authorised for the conduct of elections by the Returning Officer;

"nominator" means the statement referred to in section 6(a)(ii);

"Presiding Officer" means a person appointed as a Presiding Officer pursuant to section 11B(b) of this Statute;

"Returning Officer" means the person appointed as Returning Officer pursuant to section 3 of this Statute;

"scrutineer" means the person appointed as a scrutineer pursuant to section 15(a) of this Statute; "staff candidate" means a member of the academic staff or salaried staff nominated for election to the Council;

"staff elector" means a member of the academic staff or salaried staff at the time of closing of nominations;

"student candidate" means an enrolled student of the University, whose principal employment (if any) is not that of a member of staff of the University;

"student elector" means an enrolled student of the University at the time of closing of nominations.

### 3. Returning Officer

- (a) The Electoral Commissioner, appointed under the Electoral Act 1907 (as amended) shall nominate a Returning Officer who shall be responsible for the conduct of the election and that appointment shall be made no later than 21 days after receipt by the Electoral Commissioner of the advice or notice referred to in section 4 of this Statute.
- (b) In cases where the Electoral Commissioner is unable to nominate a Returning Officer, the Chancellor shall appoint a Returning Officer who shall be responsible for the conduct of the election.
- (c) Other officers may be appointed by the Returning Officer as Deputy Returning Officers to assist the Returning Officer in the conduct of the election.
- (d) A person is not eligible to be appointed as a Returning Officer if the person is a candidate or an elector, or a person eligible to vote in the election.

### 4. Notice of Election

- (a) Not less than twelve weeks prior to a vacancy occurring due to effluxion of time, the Chancellor shall advise the Electoral Commissioner of such impending vacancy and request the conduct of an election.
- (b) The Chancellor shall, within two weeks of a vacancy occurring other than by effluxion of time, give notice to the Electoral Commissioner requiring the Electoral Commissioner to hold an election for the unexpired portion of the term.
- (c) If a vacancy occurs other than by effluxion of time and the unexpired portion of the term of office is such that it may be impractical because of time constraints to conduct an election the Chancellor or nominee shall decide whether an election shall be conducted for the unexpired term of office.
- (d) The Electoral Commissioner shall, as soon as practical after receiving the advice or notice referred to in this section, notify the Returning Officer of that receipt and direct the Returning Officer to conduct an election in accordance with this Statute.

### 5. Publication of Notice of Election

- (a) The Returning Officer shall, as soon as practicable but in any event within 30 days of receiving notification from the Chancellor requesting the Electoral Commissioner to conduct an election, cause a notice to be published setting out—
  - (i) the intention to hold an election;
  - (ii) the class of office;
  - (iii) the number of members to be elected;
  - (iv) the manner in which nominations are to be made; and
  - (v) the place of lodging nominations;
  - (vi) the time and date of the close of nominations;
  - (vii) the time and date of the ballot.
- (b) Subject to paragraph (c) below, the notice in paragraph (a) shall be taken to be published where a copy of it is to be published shall be—
  - (i) placed on official notice boards on each campus, off-campus centre, and academy;
  - (ii) distributed to electors by any one of the following methods—
    - A. the ordinary internal mail;
    - B. publication in an internal University publication normally used for such notices; and
    - C. an electronic mail systems; and
  - (iii) forwarded to staff associations officially recognised by the Vice Chancellor.
- (c) If the vacancy to be filled is for an alumnus of the University pursuant to section 9(1)(f) of the Act, the notice in paragraph (a) shall be—
  - (i) sent to each alumni elector by post to the address on the Register of Alumni or given as otherwise determined by the Returning Officer; and
  - (ii) published in at least one daily newspaper circulating in Perth and one daily newspaper circulating nationally.

### 6. Nominations

- (a) Nominations of candidates shall be lodged with the Returning Officer not later than the day and time appointed for the receipt of nominations by the notice published under section 5 of this Statute. A nomination shall—
  - (i) specify the class of member for which the candidate is nominating, set out in section 1;
  - (ii) be signed by one nominator, who shall be a person eligible to vote for that class of member, pursuant to sub-sections 9(1)(c), 9(1)(d), 9(1)(e) or 9(1)(f) of the Act;

- (iii) contain the candidate's signature declaring that the candidate is willing to accept the office if elected and that the candidate is eligible for nomination.
- (b) The Returning Officer shall send to each candidate or the person lodging the nomination an acknowledgment of nomination as soon as practical after, the receipt of the nomination.
- (c) There may be delivered with the nomination of a person seeking election a statement—
  - (i) in the English language not exceeding 150 words in length;
  - (ii) which is confined to a description of the person and of the person's aims, objectives and/or policies, and which does not contain comments about any other person or information that the Returning Officer considers to be false, misleading or defamatory;
  - (iii) presented on a single A4 page, or if delivered electronically, capable of being printed on a single A4 page; and
  - (iv) including the proposed candidate's full name and details of where and how he or she can be contacted.
- (d) The Returning Officer shall reject any nomination form which, in his or her opinion, is not in order as required by this Statute and any such rejection shall be final and conclusive in respect of that nomination. Nothing in this paragraph shall prevent a further nomination submitted in respect of a candidate which is in conformity with this Statute being accepted by the Returning Officer before the close of nominations.
- (e) Where the number of candidates nominated does not exceed the number of candidates to be elected, the Returning Officer shall forthwith certify that fact, together with the names and addresses of the candidates nominated, to the Chancellor and such certificate, when received by the Chancellor, shall be the final and conclusive evidence of the election of those candidates as members of the Council.
- (f) When the number of candidates nominated exceeds the number to be elected, the Returning Officer shall—
  - (i) hold an election in accordance with the provisions of this Statute; and
  - (ii) notify each candidate that an election is to be conducted, of the ballot paper order and details of when and where the ballot count is to be conducted.
- (g) Any candidate may by notice in writing signed by the candidate, addressed to the Returning Officer and lodged with the Returning Officer not later than the time fixed for the close of nominations, withdraw his or her consent to the nomination. That candidate shall then be considered as not having been nominated and the Returning Officer shall omit the name of that candidate from the ballot paper.

## 7. Date for Election

The Returning Officer shall—

- (a) fix a date for the close of nominations which shall be not less than seven days or more than 28 days after the date of publication of the notice of election under section 5 of this Statute;
- (b) determine the time on the date for the close of nominations that nominations shall close; and
- (c) fix a date for the closing of the poll which shall not be less than 21 days or more than 42 days after the date fixed for the close of nominations.

## 8. Register of the Alumni

- (a) The Register of Alumni maintained by the University prior to the commencement of this Statute is continued in existence as if it had been established under this Statute.
- (b) The Register of Alumni shall be comprised of alumnus who have recorded their wish to vote in elections for alumni members of the Council by informing the Vice Chancellor or nominee, in writing.
- (c) The University may remove the name and address of an alumnus from the Register of alumni—
  - (i) after mail addressed to the alumnus has been returned unclaimed and in the absence of any other evidence of the correct address of the alumnus;
  - (ii) if that alumnus so requests in writing; or
  - (iii) if the alumnus is deceased.

## 9. Electoral Roll

- (a) Where the Returning Officer is directed under section 4(c) of this Statute to conduct an election the Vice-Chancellor or nominee shall at the close of nominations, supply the Returning Officer with a roll in a format specified by the Returning Officer comprising a true and correct list of the names and addresses for service or posting of voting papers to all electors. The roll shall specify whether the electors are eligible to vote as members of the academic staff, the salaried staff, students or alumni as at the day and time appointed for the receipt of nominations by the notice published under section 5, and the roll shall constitute the electoral roll for use at the election.
- (b) The Vice-Chancellor or nominee shall endorse and sign on the roll so prepared a certificate as to the correctness thereof and that roll shall be conclusive evidence of the right of each person enrolled thereon to vote at the election. If the roll is in electronic format the Vice-Chancellor or nominee shall prepare and sign a statement, which shall include the roll file name and date, as to the correctness of the roll and that roll shall be conclusive evidence of the right of each person enrolled thereon to vote at the election.
- (c) The Vice-Chancellor or nominee may cause a supplementary roll to be supplied to the Returning Officer and endorsed in conformity with, and having the same effect as, sub section(b) so as to

include the names of eligible persons incorrectly omitted from the roll. Such supplementary roll shall be forwarded to the Returning Officer forthwith after endorsement.

- (d) The Returning Officer shall, at the place where he or she carries out the functions as a Returning Officer, make the roll, including any supplementary rolls, applicable to an election for an office available for inspection by any elector, or by any person authorised by the Returning Officer, during the ordinary hours of business until the day on which the result of the election is declared.

#### 10. Polling

When after the receipt of nominations of candidates an election is necessary to elect an elective member of the Council, the Returning Officer shall, as soon as practical after the time fixed for the close of such nominations—

- (a) cause ballot papers to be printed containing the full names of all the candidates. The candidates' names shall appear on the ballot paper in the order determined by the Returning Officer by lot;
- (b) cause a biography submitted by a candidate to be printed, provided the information contained in the biography appears to the Returning Officer to be in accordance with section 6(c) of this Statute. If from the last date of lodgement of nominations the Returning Officer does not consent to the printing of the biography submitted by the candidate, no biography shall be printed.
- (c) The Returning Officer shall display all biographies submitted by candidates on the official notice boards on each campus, off-campus centre and academy and make copies of biographies available on request.

#### 11. Dispatch of Voting Material

##### A. Staff or Alumni Elections

- (a) At least 14 days prior to the time fixed for the closing of the poll, the Returning Officer shall send by prepaid letter post or otherwise to each person whose name appears as an elector on the electoral roll, to the elector's address as shown on the roll—
  - (i) one ballot paper, on which is endorsed the initials of a facsimile thereof, of the Returning Officer, or some other person authorised in that behalf by the Returning Officer;
  - (ii) one envelope for the purpose of enclosing a ballot paper;
  - (iii) one envelope addressed to the Returning Officer;
  - (iv) one counterfoil in a form determined by the Returning Officer, to be completed and signed by the elector; and
  - (v) a biography of each candidate prepared in accordance with section 6(c).
- (b) For the purpose of casting a vote at the election, the elector shall in the following order—
  - (i) mark his or her vote on the ballot paper in the manner set out in section 12 of this Statute;
  - (ii) place the ballot paper in the envelope and seal the envelope;
  - (iii) sign and complete the counterfoil in accordance with directions provided on or with the counterfoil; and
  - (iv) place the sealed envelope containing the ballot paper and the counterfoil in the envelope addressed to the Returning Officer and seal that envelope.
- (c) The elector may then send by post or other means or deliver the envelope addressed to the Returning Officer, with its enclosures, to the Returning Officer at the address shown on the envelope, but so that the envelope shall be in the hands of the Returning Officer not later than the time fixed for the closing of the poll.
- (d) Voting shall not be compulsory.

##### B. Student Elections

- (a) The Returning Officer shall appoint a polling place at each campus.
- (b) The Returning Officer shall appoint not less than two members of the staff of the University as Presiding Officers at each polling place. No candidate, scrutineer or nominator shall be appointed as or occupy the position of a Presiding Officer.
- (c)
  - (i) An elector shall vote in terms of section 9(1)(e) of the Act.
  - (ii) An elector shall cast his or her vote by personally attending at the appointed polling place at a campus between the hours of 8.00 a.m. and 8.00 p.m. on the day appointed for the poll. No elector shall cast more than one vote at an election.
  - (iii) The elector shall state his or her full name to the Presiding Officer.
  - (iv) The Presiding Officer shall enquire whether the elector has voted before at the election and
  - (v) if the answer is in the negative and the elector's name is on the roll the Presiding Officer shall mark the name off the roll and hand the elector a ballot paper. The Presiding Officer shall initial the ballot paper before handing it to the elector. If on inquiry by the Presiding Officer the elector is shown as being marked off the roll the Presiding Officer shall allow the elector a vote providing that the elector makes a Statutory Declaration attesting that the elector had not previously voted in that election.

- (v) The elector shall mark his or her ballot paper in accordance with the directions provided on or with the paper and deposit in the marked paper in a locked or sealed ballot box provided by the Presiding Officer for that purpose.
- (vi) An elector who spoils a ballot paper, and has not deposited it in a ballot box, may return it to the Presiding Officer who shall therein cancel it and hand the elector a further ballot paper.
- (d) As soon as practical after the close of the poll the Presiding Officer shall forward all ballot boxes containing ballot papers to the Returning Officer. The Presiding Officer shall also forward to the Returning Officer rolls used at the election, all unused ballot papers issued to him, any spoilt ballot papers and a record of the number of ballot papers issued.
- (e) Notwithstanding any other provision of this Statute, any elector whose name appears on the roll of enrolled external students, or who has reason to believe that during the hours of polling he or she will not be able to attend a polling place, may make written application to the Returning Officer for a postal ballot paper.
- (f) The Returning Officer shall send by prepaid post or otherwise to those persons referred to in paragraph (e) of this clause, to the address as shown in the application, or shall hand to the elector personally—
  - (i) one ballot paper endorsed with the initials or facsimile thereof of the Returning Officer, or of some other person authorised in that behalf by the Returning Officer;
  - (ii) one envelope for the purpose of enclosing a ballot paper;
  - (iii) one envelope addressed to the Returning Officer;
  - (iv) one counterfoil, in a form determined by the Returning Officer, to be completed and signed by the elector; and
  - (v) a biography of each candidate prepared in accordance with section 10 (b).
- (g) For the purpose of casting his or her vote at the election, the elector shall in the following order—
  - (i) mark his or her vote on the ballot paper in the manner set out in section 12 of this Statute;
  - (ii) place the paper in the envelope marked for the purpose of enclosing a ballot paper and seal the envelope;
  - (iii) sign and complete the counterfoil in accordance with directions provided on or with the counterfoil; and
  - (iv) place the sealed envelope containing the ballot paper and the counterfoil in the envelope addressed to the Returning Officer and seal that envelope.
- (h) The elector may then send by post or other means or deliver the envelope addressed to the Returning Officer, with its enclosures, to the Returning Officer at the address shown on the envelope, but so that the envelope shall be in the hands of the Returning Officer not later than the time fixed for the closing of the poll or may cause it to be delivered to a Presiding Officer during the hours of polling, in which case the Presiding Officer shall deposit the envelope unopened in the locked or sealed ballot box used for ordinary votes.
  - (i) The Returning Officer shall place and keep in a locked or sealed ballot box, until the scrutiny, all envelopes purporting to contain ballot papers received by him or her up to the close of the poll.

## 12. Marking of Ballot Paper

- (a) When only one vacancy is to be filled and there are not more than two candidates, the elector shall mark his or her vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom the elector votes.
- (b) When only one vacancy is to be filled and there are more than two candidates, the elector shall mark his or her vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom the elector votes as first preference, and may give contingent votes for all or any of the remaining candidates by placing the numerals 2, 3 and so on (as the case requires) opposite their names, so as to indicate by such numerical sequence the order of the elector's preference.
- (c) When two vacancies are to be filled, the elector shall mark his or her vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom the elector votes as first preference and the numeral 2 opposite the name of the candidate for whom the elector votes as second preference and may give contingent votes for all or any of the remaining candidates by placing the numerals 3, 4 and so on (as the case requires) opposite their names, so as to indicate by such numerical sequence the order of the elector's preference.
- (d) Provided that in the case of sub-sections (b) and (c), if numerals in arithmetical sequence are placed opposite the names of all the candidates but one, the next following numeral shall be deemed to be placed opposite the name of the remaining candidate. In cases of doubt the Returning Officer will make a final determination as to the validity of an elector's vote.

## 13. Replacement of Voting Material

- (a) If, prior to the closing of the poll, an elector advises the Returning Officer in writing that—
  - (i) the elector has not received a ballot paper and is entitled to vote at the election; or
  - (ii) the ballot paper or envelopes received by the elector have been lost or destroyed,
 the Returning Officer may send by prepaid post or by other means or give personally to the elector a ballot paper and envelopes or a further ballot paper and envelopes, as the case may be.

(b) Paragraph (a) does not apply to an elector who has voted at the poll.

#### 14. Ballot Box

The Returning Officer shall place and keep in a sealed ballot box, until the scrutiny, all envelopes purporting to contain ballot papers received by the Returning Officer up to the close of the poll.

#### 15. Scrutineers

- (a) Each candidate at an election and the Chancellor or nominee shall be entitled to appoint, in writing and signed, one scrutineer, who shall not be a candidate in that election, to be present when the envelopes containing ballot papers relating to the election are being opened at the commencement of the scrutiny and to remain during the scrutiny.
- (b) Every scrutineer shall, before acting as scrutineer, make and sign, before the Returning Officer, a declaration that he or she will carry out their duties faithfully and impartially and to the best of their skill and judgement.
- (c) Any candidate in an election may attend and be present at the counting of the votes for that election.

#### 16. The Scrutiny

- (a) The Returning Officer shall open each outer envelope, compare the counterfoil with the roll and—
  - (i) if satisfied that the counterfoil has been completed and signed by the elector, that the person named on the counterfoil is an elector in terms of the relevant sub-section of section 9(1) of the Act, the name is then indicated as having voted on the roll and, without opening the envelope enclosing the ballot paper, deposit it in a locked or sealed ballot box and set aside the counterfoil for safe keeping;
  - (ii) if the right of the person to vote is not established or the counterfoil is missing or is not signed by the elector, the ballot paper shall not be admitted to the scrutiny and the Returning Officer shall replace the counterfoil and the envelope enclosing the ballot paper in the outer envelope, and set the outer envelope and its contents aside for safe keeping. The outer envelope is to be marked "Rejected" together with the reason for rejection and signed by the Returning Officer.
- (b) As soon as practical after the close of the poll, in the presence of any approved scrutineers, the Returning Officer shall produce and open all sealed and locked ballot boxes in which the envelopes purporting to contain ballot papers and counterfoils have been placed.
- (c) When all the outer envelopes have been opened in accordance with sub-section (b), the Returning Officer shall proceed with the scrutiny and count of the votes.

#### 17. Method of Count

- (a) The method of count shall be by the optional quota preferential method of proportional representation, in accordance with the Proportional Representation Manual of the Proportional Representative Society of Australia, Third Edition 1977.
- (b) Where the count is by computerised or electronic means, the Returning Officer may vary the count method to accommodate those means, provided that in the opinion of the Returning Officer the variation will not materially affect the principles underlying the count method or cause an election outcome different from that which would have occurred had the vote count not been by computer or electronic means.

#### 18. Informality of Ballot Paper

- (a) A ballot paper shall be informal—
  - (i) if it is not initialled either personally or by facsimile by the Returning Officer or the other officer so authorised in the manner specified in this Statute;
  - (ii) if, subject to sub-section (b), it is marked in any manner other than prescribed in section 12 of this Statute;
  - (iii) if it has upon it any mark or writing not authorised by this Statute which in the opinion of the Returning Officer will enable any person to identify the elector;
  - (iv) if it does not indicate the elector's vote or, if when there are two vacancies to be filled, it is not marked so as effectively to indicate the elector's preference as regards the two candidates; or
  - (v) if no mark is indicated on it.
- (b) A ballot paper shall not be informal for any reason other than the reasons stated in sub-section (a) but shall be given effect according to the elector's intention so far as the elector's intention is clear, and, in particular when there are only two candidates, a ballot paper shall not be informal by reason only of the elector having indicated a vote or first preference by a cross or tick instead of the numeral 1.
- (c) The Returning Officer shall be the sole and final judge as to whether a ballot paper is informal.

#### 19. Declaration of Poll

When the Returning Officer has completed the counting of the votes to his or her satisfaction the Returning Officer shall declare the result of the election in the presence of the scrutineers and of any candidates who may be present at the time.

#### 20. Preservation of Papers

On completion of the scrutiny and count of votes and declaration of the poll, the Returning Officer shall—

- (a) enclose in one packet all the used and counted ballot papers, in another packet all counterfoils admitted, and in a third packet all outer envelopes and their contents referred to in section 16(b);

- (b) seal up the several packets and endorse on each packet a description and the number of the contents respectively, the date of the election and sign the endorsement; and
- (c) forward the sealed packets to the Chancellor and obtain a receipt.

#### 21. Certification of Result

When the result of an election has been ascertained and declared the Returning Officer shall forthwith furnish to the Chancellor a certificate of the result and state therein the names of the candidates who have been elected, and such a certificate, when received by the Chancellor, shall be final and conclusive evidence of the election of those candidates as members of the Council, subject however to a determination of any appeal under section 24 of this Statute.

#### 22. Destruction of Papers

Upon the expiry of three months after the date of the certification to the Chancellor of the result of an election, the Returning Officer will authorise the Chancellor to arrange the destruction of the packets referred to in section 20.

#### 23. Costs of Election

- (a) All costs, charges and expenses incurred by the Returning Officer or the officers employed by the Returning Officer in connection with or incidental to the calling or conduct of an election, as certified in writing by the Returning Officer, shall be paid by the Council or reimbursed to the Returning Officer or the other officers employed by the Returning Officer as the case may be.
- (b) The Returning Officer shall notify the Chancellor of all costs, charges and expenses certified under paragraph (a).
- (c) The Council may at its own expense have the accounts of the Returning Officer audited.

#### 24. Right of Appeal

A candidate shall have a right of appeal to the -Electoral Commissioner for 7 days after the declaration of the poll under section 19 of this Statute, on the ground that the poll was not conducted in accordance with this Statute. The -Electoral Commissioner, or another person nominated by the Council at the request of the -Electoral Commissioner, shall make such enquiry into the matter as he or she considers appropriate. The -Electoral Commissioner shall, after considering the results of the enquiry, either—

- (a) confirm the election; or
- (b) annul the election and direct that a fresh election be held, in which case the -Electoral Commissioner may direct which sections of this Statute shall apply to that election.

#### 25. Election Offences

- (a) If the Electoral Commissioner either by the Electoral Commissioner's own enquiry or on receipt of a complaint or by any other means is satisfied beyond reasonable doubt that an Election Offence as specified in University Statute No 14 has been committed the Electoral Commissioner may declare the election invalid in which case the Chancellor or nominee may direct that a fresh election be held.
- (b) Notwithstanding that the Electoral Commissioner may declare the election invalid penalties may be imposed for a breach of Statute No 14 as prescribed by that Statute and the Electoral Commissioner may report on the matter to the Vice Chancellor with a recommendation or recommendations for further action.

## HEALTH

### HE401

#### HEALTH ACT 1911

Health Department of WA,  
Perth, 30 June 2000.

In accordance with the provisions of section 28 of the Health Act 1911, the appointment of the following persons as Environmental Health Officers is approved.

Environmental Health Officer	Date Effective	Local Government
Ian Gladigau	1 June 2000	Shire of Halls Creek
Michael Austin	7 June 2000-21 May 2001	City of Stirling
Andrew Melville	3 July 2000-28 July 2000	Shire of East Pilbara
Justin Gauder	12 June 2000	Shire of Kalamunda
Stuart Harries	12 June 2000	Shire of Kalamunda
Terry Meek	10 July 2000-1 September 2000	Shire of Broome
Kym Delcasale	13 July 2000-4 October 2000	City of Cockburn
Anthony Turner	3 July 2000-25 August 2000	City of Cockburn

Dr PAUL PSAILA-SAVONA, Executive Director,  
Public Health.

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## LAND ADMINISTRATION

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**LA401****LICENSED SURVEYORS ACT 1909****LAND SURVEYORS LICENSING BOARD**

The Administrator in Executive Council, under Section 4 of the Licensed Surveyors Act 1909 has

- (1) Accepted the resignation of Trevor Louis Markey as a member of the Land Surveyors Licensing Board, and
- (2) appointed Neil Edmund Browne to fill the vacancy for the remainder of the term of office expiring 31 December 2000.

G. E. MARION, Secretary,  
Land Surveyors Licensing Board.

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## LOCAL GOVERNMENT

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**LG401****LOCAL GOVERNMENT ACT 1995***Shire of Gingin***APPOINTMENT OF AUTHORISED OFFICER**

It is hereby notified for public information that the following person has been appointed as authorised officer for the registration of dogs under the Dog Act 1976—

Caroline Redford

The appointment of Debra Kay Wright is hereby cancelled.

S. D. FRASER, Chief Executive Officer.

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## MINERALS AND ENERGY

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**MN401****MINING ACT 1978****NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Minerals & Energy,  
Meekatharra WA 6642.

In accordance with Regulation 49(2)(c) of the Mining Act, 1978 notice is hereby given that these Miscellaneous Licences and Prospecting Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

S. WILSON (SM), Warden.

To be heard in the Warden's Court, Meekatharra on the 17th August 2000.

MURCHISON MINERAL FIELD

Prospecting Licences

P51/2163    Robert Demay Wood

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**MN402****MINING ACT 1978****NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Minerals & Energy,  
Mt Magnet WA 6638.

In accordance with Regulation 49(2)(c) of the Mining Act, 1978 notice is hereby given that these Miscellaneous Licences and Prospecting Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

S. WILSON (SM), Warden.

To be heard in the Warden's Court, Mt Magnet on the 23rd August 2000.

MURCHISON MINERAL FIELD  
Prospecting Licences

P20/1468—Castle Hill Resources NL

P20/1469—Castle Hill Resources NL

P58/786—Meddings, Robert John; Nichols, Steven Jeremy Troup

P58/844—Ackley, Kevin Maurice; Leyland, Michael Terrence; Southern, Donald Charles

## PARLIAMENT

**PA401\***

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

It is hereby notified for public information that the Administrator 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 Third Session of the Thirty-Fifth Parliament.

**Short Title of Bill**

<b>Short Title of Bill</b>	<b>Date of Assent</b>	<b>Act No</b>
Horticultural Produce Commission Amendment Act 2000	30 June 2000	20 of 2000
Child Support (Adoption of Laws) Amendment Act 2000	30 June 2000	21 of 2000
Restraining Orders Amendment Act 2000	30 June 2000	22 of 2000
Liquor Licensing Amendment (Petrol Stations and Lodgers' Registers) Act 2000	30 June 2000	23 of 2000

L. B. MARQUET, Clerk of the Parliaments

July 4 2000

## PLANNING

**PD401\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF NEDLANDS*

TOWN PLANNING SCHEME NO 2—AMENDMENT NO 105

Ref: 853/2/8/4 Pt 105

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Nedlands Town Planning Scheme Amendment on 29 June 2000 for the purpose of adding to Schedule 1 in respect of Lot 7 (No 81) Melvista Avenue (corner Vincent Street) Nedlands, the Additional Use—Two (2) Senior Persons Dwellings, incorporating a design catering for the special needs of the elderly.

J. PATERSON, Mayor.  
S. SILCOX, Chief Executive Officer.

**PD402\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF STIRLING*

DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 365

Ref: 853/2/20/34 Pt 365

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 29 June 2000 for the purpose of rezoning Lot 3, HN 54 Flynn Street, Wembley from Special Use Zone—Warehousing to Special Use Zone—Office, Showroom and Warehousing; and amending Schedule 2 of the Scheme accordingly.

D. C. VALLELONGA, Mayor.  
M. J. WADSWORTH, Chief Executive Officer.

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## PUBLIC SECTOR MANAGEMENT

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**PS401**

### **PUBLIC SECTOR MANAGEMENT ACT 1994**

#### **CHIEF EXECUTIVE OFFICER APPOINTMENTS**

The Government of Western Australia is keen to ensure that chief executive officers of all public service departments and agencies are the most suitable for the position. I have therefore decided that it is generally preferable to advertise chief executive officer positions at the expiry of existing appointments to ensure that competitive and merit-based appointments are made. This approach should not, however, be seen as a reflection upon the capacity of current chief executive officers whose terms of appointment have expired. I expect that present occupants will, in most cases, wish to apply for appointment to advertised positions.

Having received and considered relevant advice in respect of the chief executive officer listed below, I, Richard Fairfax Court, Minister for Public Sector Management, notify that I have not recommended the reappointment of—

<b>Agency</b>	<b>Title</b>	<b>Name of Current Occupant</b>
Western Australian Land Authority (LandCorp)	Chief Executive Officer	Mr Ross Holt

I shall soon be requesting the Commissioner for Public Sector Standards to act to enable the filling of this vacancy.

RICHARD COURT MLA, Premier and Minister  
for Public Sector Management.

**PS402**

### **EXEMPTION IN ACCORDANCE WITH SECTION 25 OF THE PUBLIC SECTOR MANAGEMENT ACT 1994**

In accordance with s.25(1)(a) of the Public Sector Management Act 1994, I exempt the Health Department of Western Australia from the Recruitment, Selection and Appointment Standard, for the filling of specified positions in the Geraldton Health Service to enable the absorption of current employees into the public sector.

The functions to which this exemption applies are the Geraldton Community Day Care Centre Inc, and the Geraldton Home Help Inc.

The exemption does not apply to any other positions within the Health Department of Western Australia or for any other purpose not specified in this schedule.

Dated 4 July 2000.

DON SAUNDERS, Commissioner for Public Sector Standards.

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## RACING, GAMING AND LIQUOR

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**RA401**

### **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 Liquor Licensing Division, 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
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#### **APPLICATIONS FOR THE GRANT OF A LICENCE**

7839	Albany Golf Club Inc	Application for the grant of a Restaurant licence in respect of premises situated in Middleton Beach and known as The Albany Golf Club—Restaurant.	6/8/00
7848	Carrington Distributors Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Bibra Lake and known as Carrington Distributors.	14/7/00

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE REMOVAL OF A LICENCE</b>			
113368	Albany Golf Club Inc	Application for the removal of a Club licence from premises situated in Albany suburb to a new site in Middleton Beach and known as Albany Golf Club Inc.	7/8/00
113031	Liquorland (Australia) Pty Ltd	Application for the removal of a Liquor Store licence from premises situated in East Perth to a new site in East Perth and known as Vintage Cellars East Perth.	31/7/00
<b>APPLICATION FOR EXTENDED TRADING PERMIT—ONGOING EXTENDED HOURS</b>			
4810	Paul Anthony Dixon and Diane Kelly	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Carnarvon and known as Sandhurst Tavern.	21/7/00
<b>APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
113360	Mangolin Pty Ltd	Application for the grant of an application to add, vary or cancel a condition of licence or permit in respect of premises situated in Broome and known as The Mangrove Hotel.	21/7/00
113323	Legends of The Lodge Pty Ltd	Application for the grant of an application to add, vary or cancel a condition of licence or permit in respect of premises situated in Yallingup and known as Cape Lodge.	21/7/00
113265	Garama Pty Ltd	Application for the grant of an application to add, vary or cancel a condition of licence or permit in respect of premises situated in Northbridge and known as Club 234.	14/7/00

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

HUGH HIGHMAN, Director of Liquor Licensing.

## TRANSPORT

### TR401

#### PORT AUTHORITIES ACT 1999

Office of the Minister for Transport,  
Perth.

It is hereby notified for general information that the Deputy of the Governor has approved descriptions of the seabed, water and land areas of the Port of Dampier by Port Authorities (Description of Port of Dampier) Order 1999.

(1) The Port of Dampier consists of—

- (a) the area of seabed described under the heading 'TECHNICAL DESCRIPTION SEABED AREA' on Sheet 1 of Plan 20606;
- (b) the area of water described under the heading 'TECHNICAL DESCRIPTION WATER AREA' on Sheet 2 of Plan 20606; and
- (b) the area of land described under the heading 'TECHNICAL DESCRIPTION LAND AREA' on Sheet 3 of Plan 20606.

(2) In Clause (1)—

'Plan 20606' means the Department of Land Administration's Statutory Service Plan 20606.

These descriptions are in accordance with Section 24(1) of the Port Authorities Act, 1999.

MURRAY CRIDDLE, Minister for Transport.

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## PUBLIC NOTICES

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**ZZ101****TRUSTEES ACT 1962****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 7th August 2000 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Brown, Charles Henry, late of 7 Fourth Avenue, Mount Lawley, died 12/6/2000. (DEC 327882 DG4)  
Ellis, Clifford Campbell, late of 79 Bayonet Head Road, Albany, died 24/6/2000. (DEC 327907 DA2)

Ferguson, Phyllis Nellie Elsie, late of 52 Lawnbrook Road, Bickley, died 20/6/2000. (DEC 327895 DS3)  
Fox, John Joseph, late of RSM 306 Chapman Hill Road, Busselton, died 26/2/2000. (DEC 326579 DL2)

Hughes, Winifred Alleen Beatrice Maud, late of Tuohy Nursing Home, 22 Morrison Road, Midland, died 27/6/2000. (DEC 327913 DC2)

Martin, Lillian May, late of Mosman Park Nursing Home, 57 Palmerston Street, Mosman Park, died 14/6/2000. (DEC 327822 DA3)

Mulcahy, Patrick Thomas, late of Lot 304 Forrest Hills Parade, Bindoon, died 14/6/2000. (DEC 327787 DG4)

Palmer, Edward Keith, late of 5 Dutton Close, Merriwa, died 19/6/2000. (DEC 327858 DL3)

Power, Edward, late of Belmont Community Nursing Home, 5 Kemp Place, Rivervale, died 13/1/2000. (DEC 326151 DG4)

Ridpath, Alice Ethel, late of 82 Princess Road, Doubleview, died 15/6/2000. (DEC 327812 DP2)

Scarr, Roy Herbert Lynemore, late of 47 Waverley Street, South Perth, died 15/5/2000. (DEC 327370 DL2)

Silverlock, Norma, late of 68 Dryden Street, Yokine, died 2/6/2000. (DEC 327793 DG2)

Van Der Lugt, Frederika, late of Undercliffe Nursing Home, 22 Coongan Avenue, Greenmount, died 19/5/2000. (DEC 327897 DP2)

Westwood, Brian Merrick, late of 120 Eton Street, North Perth, died 23/4/2000. (DEC 327654 DS2)

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

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**ZZ201****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estate of the undermentioned deceased person, are required by Perpetual Trustees W.A. Ltd of C/- 5th floor, 39 Hunter Street, Sydney NSW, to send particulars of such claims to the Company, by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the company then has notice.

Claims for the following expire one month after the date of publication hereof.

Estate of James Bordoni, late of 104 Lefroy Avenue, Herne Hill, WA 6056, Retired Linesman Assistant, died 15/4/2000.

STEPHEN MAXWELL, Senior Estate Manager,  
Perpetual Trustees WA Limited.  
Direct Phone (02) 9229 3419.

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**ZZ202****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Limited of C/- 5th Floor, 39 Hunter St, Sydney NSW, to send particulars of their claims to the company, by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Estate Late Beatrice Maud Whitaker  
Late of 17B Sedgemen Mews, Murdoch WA, Widow  
Died 4/4/2000

Estate Late Nellie Mary Hilton  
Late of Bright Water Nursing Home, 2 Walter Road, Inglewood WA, Widow  
Died 10/4/2000

Estate Late Alan Ross Beeck  
Late of 79 Thelma Street, Como WA, Retired Farmer  
Died 5/5/2000

Estate Late Mary Constance Anderson  
Late of St Vincent's Nursing Home, Mangles Street, Bunbury WA, Widow  
Died 15/5/2000

Estate Late Florence Elaine Lathwell  
Late of RITCHER Lodge, 480 Guildford Road, Bayswater, WA, Widow  
Died 19/3/2000

Estate Late Robert Cyril Holmes  
Late of 39A Graingel Way, Thornlie, WA, Retired Security Officer  
Died 17/4/2000

Estate Late Lilian Timmins  
Late of Unit 19, 93 Herdsman Parade, Wembley, WA, Retired Clerical Worker  
Died 18/4/2000

Estate Late Marianne McDonald  
Late of Two Pines Nursing Home, 61 Clarkson Road, Maylands, WA, Widow  
Died 19/5/2000

Estate Late Janet Margaret Russell  
Late of 43 Tonkin Road, Hilton, WA, Retired Postal Worker  
Died 10/4/2000

Estate Late Donald Gordon Stevenson  
Late of 7 Euroa Court, Kallaroo, WA, Landscape Gardener  
Died 12/4/2000

Estate Late Alice Emily Dickhart  
Late of Two Pines Nursing Home, 77 Clarkson Road, Maylands, WA, Widow  
Died 17/5/2000

STEPHEN MAXWELL, Senior Estate Manager,  
Perpetual Trustees WA Limited.

Direct Phone: 02 9229 3419

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**ZZ203****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims to which Section 63 of the Trustees Act applies in respect of the Estate of Doreen Alice Verrills late of 40/7 Harmon Road, Sorrento, who died on 4 February 2000 are required by the trustees, Susan Margaret King and Peter Brian Verrills to send particulars of their claim to their solicitor, Paynes of 263 Adelaide Terrace, Perth in the State of Western Australia by 8th August 2000 after which date the trustees may convey and distribute the assets, having regard only to the claims of which they then have notice.

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**ZZ401****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

To the owner or owners of cattle found to be trespassing on Challa Station, Pastoral Lease 3114/496 and Special Lease 332/1911, Mt Magnet, please be advised you are requested to prevent these cattle from further trespassing. Any cattle found to be trespassing on this lease will be impounded and fees for poundage, trespass and damage costs will be claimed as is lawfully allowed in Section 463 of the Local Government (Miscellaneous Provisions) Act 1960.

J. DOWDEN, Owner.

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