

WESTERN AUSTRALIAN GOVERNMENT Gazette

1341



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SPECIAL PUBLICATION NOTICE

GOVERNMENT GAZETTE—EASTER 2002

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 2002.

EASTER ISSUES:

THURSDAY 28 MARCH (Copy closes Tuesday 26 March at 12.00 noon)

FRIDAY 5 APRIL (Copy closes Wednesday 3 April at 12.00 noon)

There will be no edition for TUESDAY 2 APRIL.

Any enquiries should be directed to John Thompson,
Phone (08) 9426 0010

— PART 1 —

JUSTICE

JU301*

The Criminal Code
Sentencing Act 1995

Criminal Procedure Amendment Rules 2002

Made by the Judges of the Supreme Court.

1. Citation

These rules may be cited as the *Criminal Procedure Amendment Rules 2002*.

2. The rules amended

The amendments in these rules are to the *Criminal Procedure Rules 2000**.

[* *Published in Gazette 2 January 2001 p. 1-75.*
For amendments to 6 February 2002 see Gazette
17 August 2001.]

3. Rule 21 amended

Rule 21(2) is amended by deleting “subrule (2).” and inserting instead —

“ subrule (3). ”.

4. Rule 30 amended

(1) Rule 30(1) is repealed and the following subrule is inserted instead —

“

(1) If a party or other person wants a court to issue a subpoena to a person (the “**witness**”), he or she must file a request in the form of Form 7 to which is attached a draft subpoena, or draft subpoenas, for one or both of the following, as the case requires —

- (a) a subpoena to give oral evidence in the form of Form 8;
- (b) a subpoena to produce a record or thing in the form of Form 9.

”.

- (2) Rule 30(7) is amended after “hearing” by inserting —

“

or, if it is not practicable to do so, of another proceeding at which a judge is presiding

”.

5. Rule 33 amended

Rule 33(1) and (2) are amended after “pre-trial hearing” by inserting —

“ or other proceeding ”.

6. Rule 39 amended

Rule 39 is amended as follows:

- (a) by deleting “rule 38” and inserting instead —
“ rule 37 or 38, or both those rules, ”;
- (b) after “that rule” by inserting —
“ , or both those rules, ”;
- (c) after “with it” by inserting —
“ or them ”.

7. Rule 50 amended

- (1) Rule 50(1) is amended by deleting the definition of “stay order” and inserting the following definition instead —

“

“stay order” means an order made by a court on the conviction of a person that stays the operation of —

- (a) section 24(1) of *The Sale of Goods Act 1895* (the **“relevant statutory provision”**) in relation to the reversioning of the property in stolen goods;
- (b) an order for the restitution or delivery of any thing;
- (c) an order for the forfeiture, disposal or destruction of any thing;
- (d) a community order within the meaning of the *Sentencing Act 1995*;
- (e) an order imposing a fine or for the payment of compensation or another sum of money;
or
- (f) an order imposing a disqualification on that person.

”.

- (2) Rule 50(2) is amended by deleting “a party or any other person with a sufficient interest” and inserting instead —

“

the person convicted or sentenced, the DPP or any other person who is, or is to be, affected by the

operation of the relevant statutory provision or the order in relation to which the stay order is sought

”.

(3) Rule 50(3) is amended by deleting “commenced” and inserting instead —

“ finally determined ”.

(4) Rule 50(4), (5) and (6) are repealed and the following subrules are inserted instead —

“

(4) A court may make a stay order on any terms and conditions that it thinks fit, including terms and conditions for the purpose of —

- (a) ensuring that an appeal is prosecuted without delay;
- (b) securing the safe custody of any record or thing during the period that the order has effect;
- (c) requiring security to be given in relation to an order imposing a fine or for the payment of compensation or another sum of money.

(5) A court may make an order varying or revoking a stay order.

(6) The operation of a stay order is subject to section 694 of the Code.

”.

8. Schedule 1 amended

Schedule 1 is amended by deleting Form 6 and inserting the following form instead —

“

6. Request that person in custody be present to give evidence (r. 29)

| | | |
|---|--|--|
| <i>The Criminal Code</i> <i>Criminal Procedure Rules 2000</i> Request that person in custody be present to give evidence | | <input type="checkbox"/> Court of Criminal Appeal <input type="checkbox"/> Supreme Court <input type="checkbox"/> District Court At: Number: |
| Matter | [Names of all parties] | |
| Applicant | [Name of the party requesting] | |
| Request | The applicant requests the Court to require the following person(s) to be present on [Date] at [Place] to give evidence on behalf of the above applicant in this matter. | |
| | Full name of person in custody | Place of custody (if known) |
| | | |
| Signature of applicant or lawyer | Applicant/Applicant's lawyer | Date: |

”.

Dated: 20 February 2002.

DAVID K. MALCOLM,
Chief Justice's signature

H. A. WALLWORK

M. J. MURRAY

G. F. SCOTT

C. D. STEYTLER

K. H. PARKER

A. J. TEMPLEMAN

G. P. MILLER

N. P. HASLUCK

L. W. ROBERTS-SMITH

C. J. McLURE

C. J. L. PULLIN

C. A. WHEELER

Judges' signatures

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Denmark

REPEAL LOCAL LAW

Under the powers conferred by the Local Government Act 1995 and by all other powers, the local government of the Shire of Denmark resolved to make the following Local Law on the 28th day of August 2001.

The following Local Law is repealed—

- (a) Shire of Denmark Local Law Relating to Signs Billposting and Hoardings published in the *Government Gazette* of 19th April 1991;

Dated the 12th day of March 2002.

The Common Seal of the Shire of Denmark was affixed by authority of a Resolution of the Council in the Presence of—

C. DONNELLY, Shire President.
P. DURTANOVICH, Chief Executive Officer.

WATER AND RIVERS

WR301*

Rights in Water and Irrigation Act 1914

Rights in Water and Irrigation (Water Shortage-Southwest) Order 2002

Made by the Water and Rivers Commission under section 26GD.

1. Citation

This order may be cited as the *Rights in Water and Irrigation (Water Shortage-Southwest) Order 2002*.

2. Water shortage declaration

A water shortage exists in the area comprised of the local government districts referred to in Schedule 1.

Schedule 1 — Area of water shortage

[cl. 2]

Shires

| | | | |
|---------------------------------|------------------------------|---------------------------|--------------------------------|
| Shire of Augusta-Margaret River | Shire of Denmark | Shire of Merredin | Shire of Serpentine-Jarrahdale |
| Shire of Beverley | Shire of Donnybrook-Balingup | Shire of Mingenew | Shire of Swan |
| Shire of Boddington | Shire of Dowerin | Shire of Moora | Shire of Tambellup |
| Shire of Boyup Brook | Shire of Dumbleyung | Shire of Morawa | Shire of Tammin |
| Shire of Bridgetown-Greenbushes | Shire of Dundas | Shire of Mount Magnet | Shire of Three Springs |
| Shire of Brookton | Shire of Esperance | Shire of Mount Marshall | Shire of Toodyay |
| Shire of Broomehill | Shire of Gingin | Shire of Mukinbudin | Shire of Trayning |
| Shire of Bruce Rock | Shire of Gnowangerup | Shire of Mullewa | Shire of Victoria Plains |
| Shire of Busselton | Shire of Goomalling | Shire of Mundaring | Shire of Wagin |
| Shire of Capel | Shire of Greenough | Shire of Murchison | Shire of Wandering |
| Shire of Carnamah | Shire of Harvey | Shire of Murray | Shire of Waroona |
| Shire of Chapman Valley | Shire of Irwin | Shire of Nannup | Shire of West Arthur |
| Shire of Chittering | Shire of Jerramungup | Shire of Narembeen | Shire of Westonia |
| Shire of Collie | Shire of Kalamunda | Shire of Narrogin | Shire of Wickiepin |
| Shire of Coolgardie | Shire of Katanning | Shire of Northam | Shire of Williams |
| Shire of Coorow | Shire of Kellerberrin | Shire of Northampton | Shire of Wongan-Ballidu |
| Shire of Corrigin | Shire of Kent | Shire of Nungarin | Shire of Woodanilling |
| Shire of Cranbrook | Shire of Kojonup | Shire of Peppermint Grove | Shire of Wyalkatchem |
| Shire of Cuballing | Shire of Kondinin | Shire of Perenjori | Shire of Yalgoo |
| Shire of Cue | Shire of Koorda | Shire of Pingelly | Shire of Yilgarn |
| Shire of Cunderdin | Shire of Kulin | Shire of Plantagenet | Shire of York |
| Shire of Dalwallinu | Shire of Lake Grace | Shire of Quairading | |
| Shire of Dandaragan | Shire of Manjimup | Shire of Ravensthorpe | |
| Shire of Dardanup | Shire of Menzies | Shire of Sandstone | |

Cities

| | |
|-------------------|---------------------|
| City of Albany | City of Joondalup |
| City of Armadale | City of Mandurah |
| City of Bayswater | City of Melville |
| City of Belmont | City of Nedlands |
| City of Bunbury | City of Perth |
| City of Canning | City of Rockingham |
| City of Cockburn | City of South Perth |
| City of Fremantle | City of Stirling |
| City of Geraldton | City of Subiaco |
| City of Gosnells | City of Wanneroo |

Towns

| | |
|------------------------|-----------------------|
| Town of Bassendean | Town of Kwinana |
| Town of Cambridge | Town of Mosman Park |
| Town of Claremont | Town of Narrogin |
| Town of Cottesloe | Town of Victoria Park |
| Town of East Fremantle | Town of Vincent |

The common seal of the Water and Rivers Commission was affixed here on the 14th day of March 2002 in the presence of —

K. C. WEBSTER.

ROGER PAYNE.

Members of the board of management of the Water and Rivers Commission.

— PART 2 —

AGRICULTURE

AG401*

SOIL AND LAND CONSERVATION ACT 1945

CAPEL LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2002

MADE by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Capel Land Conservation District (Appointment of Members) Instrument 2002*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Capel Land Conservation District) Order 1993**, the following members are appointed to the land conservation district committee for the Capel Land Conservation District—

- (a) on the nomination of the Shire of Capel: Thomas Frederick Hutton of Capel;
- (b) to represent the Western Australian Farmers Federation (Inc): David John Hutton of Capel; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district:
 - (i) Elizabeth Joy Golden of Lower River
 - (ii) Gary Ernest Scott of Capel
 - (iii) Nick Hornibrook of Capel
 - (iv) Kingsley David Gibson of Capel
 - (v) Michael Jerome Tichbon of Boyanup
 - (vi) James Alexander Roy Campbell of Capel
 - (vii) Claire Rosalind Thorstensen of Stratham
 - (viii) Cheryl Denise Campbell of Capel
 - (ix) Kenneth John Sharpe of Capel River

(*Published in the Gazette of 23 April 1993 at pp. 2170-72 and Amendment Orders approved by Executive Council on 2 July 1996, 13 August 1996 and 1 December 1998 (Department of Agriculture reference: 881848V02P0T)).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 December 2004.

Dated this day 28th of February 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG402*

SOIL AND LAND CONSERVATION ACT 1945

KENT RIVER LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2002

MADE by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Kent River Land Conservation District (Appointment of Members) Instrument 2002*.

2. Appointment of members

Under section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Kent River Land Conservation District) Order 1984**, the following members are appointed to the land conservation district committee for the Kent River Land Conservation District—

- (a) on the nomination of the Shire of Cranbrook: Bernice Climie of Cranbrook;

- (b) on the nomination of the Shire of Plantagenet: Joan Golda Cameron of Rocky Gully; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district:
 - (i) Robert Paul Henry Webb of Tenterden
 - (ii) Adrian Robert Bridge of Perillup
 - (iii) Allan Bruce Parsons of Tenterden
 - (iv) John Llewellyn Gillam of Tenterden West
 - (v) Carlien Trotter of Perillup
 - (vi) Brian Charles Bunker of Kendenup
 - (vii) Lynette Gaye Slade of Mount Barker
 - (viii) District Manager, Department of Conservation and Land Management, Walpole

(*Published in the Gazette of 2 November 1984 at pp. 3547-48 and amended in the Gazettes of 3 October 1986 at pp. 3797-98; 1 November 1991 at pp. 5590-91; 3 March 1995 at pp. 771-71 and 29 September 1995 at p. 4652).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 December 2004.

Dated this day 28th of February 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG403*

SOIL AND LAND CONSERVATION ACT 1945

NAPIER KING LAND CONSERVATION DISTRICT

(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2002

MADE by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Napier King Land Conservation District (Appointment of Members) Instrument 2002*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Napier King Land Conservation District) Order 1987**, the following members are appointed to the land conservation district committee for the Napier King Land Conservation District—

- (a) on the nomination of the City of Albany: Merryn Bojcun of Napier; and
- (b) as persons actively engaged in, or affected by or associated with, land use in the district:
 - (i) Mary Charmaine Hickman of Napier
 - (ii) Kim Anthony Roberts of Napier
 - (iii) Robert James Norman of Napier
 - (iv) David Gerald Hicks of Albany
 - (v) Allen Thomas Wright of Napier
 - (vi) Thomas Charles Ferguson Paterson of Lower King
 - (vii) Christopher John Gilbert of Napier
 - (viii) Thomas Stanley Collins of Napier
 - (ix) Nigel John Hickman of Napier
 - (x) Clive Bonnie of Albany
 - (xi) Dianne Barclay of Napier
 - (xii) Sue Collins of Napier King

(*Published in the Gazette of 22 May 1987 at pp. 2197-98, 13 May 1988 at p. 1629, 12 July 1991 at pp. 3417-18, 1 November 1991 at pp. 5589-90 and 2 June 1995 at p. 2178).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 December 2004.

Dated this day 28th of February 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG404***SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Sharon Vicki Haeusler of Three Springs is appointed a member of the Three Springs Land Conservation District (*the Committee was established by an Order in Council, Published in the Gazette 18 January 1985 at p. 266 and amended in the Gazettes of 22 August 1986 at pp. 3006-07, 30 July 1993 at pp. 4121-22 and Amendment Orders approved by Executive Council on 11 March 1997 and 7 October 1997 {refer to Agriculture Western Australia reference: 881723V02P0H}*). The appointment is for a term ending on 30 September 2003.

Dated this day 28th of February 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG405***SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Under Section 23 (2b)(d) of the Soil and Land Conservation Act 1945, on the nomination of the Department of Conservation and Land Management, the Senior Operations Officer, Carnarvon is appointed a member of the Upper Gascoyne Land Conservation District (*the Committee was established by an Order in Council, published in the Gazette of 26 July 1991 at pp. 3837-39 and amended in the Gazette of 20 June 1995 at p. 2396, and an Amendment Order approved by Executive Council on 16 December 1997 {Department of Agriculture reference: 881762V03P0M}*). The appointment is for a term ending on 30 September 2004.

Dated this day 8th of March 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG406***SOIL AND LAND CONSERVATION ACT 1945****WADDI FOREST LAND CONSERVATION DISTRICT****(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2002**

MADE by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Waddi Forest Land Conservation District (Appointment of Members) Instrument 2002*.

2. Appointment of members

Under section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Waddi Forest Land Conservation District) Order 1985**, the following members are appointed to the land conservation district committee for the Waddi Forest Land Conservation District—

- (a) on the nomination of the Shire of Coorow: Alvin James Ovens of Coorow; and
- (b) as persons actively engaged in, or affected by or associated with, land use in the district:
 - (i) Alastair Christopher Falconer of Waddi Forest
 - (ii) Jayne-Louise Cullen of Waddi Forest
 - (iii) Colin George Kerr of Waddi Forest
 - (iv) Alison Doley of Coorow
 - (v) John Daley of Coorow
 - (vi) Alister Adams of Coorow
 - (vii) David Middleton Falconer of Waddi Forest
 - (viii) Barry Fowler of Waddi Forest
 - (ix) Joy Fowler of Waddi Forest
 - (x) Donald Roy Patton of Coorow
 - (xi) Beth Broun of Coorow
 - (xii) Fiona Falconer of Coorow
 - (xiii) Frank Keith Morcombe of Waddi Forest

(*Published in the Gazette 4 October 1985 at pp. 3925-27 and amended in the Gazettes of 12 July 1991 at pp. 3416-17 and an Amendment Order approved by Executive Council on 2 July 1996 {Department of Agriculture reference: 881745V02P0N}).)

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 December 2004.

Dated this day 28th of February 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG407***SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Under Section 23 (2b)(c) of the Soil and Land Conservation Act 1945, on the nomination of the Western Australian Farmers Federation, Douglas Charles Maitland of Wyalkatchem and Kevin Wallace Jones of Cowcowing are appointed members of the Wyalkatchem Land Conservation District (*the Committee was established by an Order in Council, published in the Gazette of 18 January 1985 at p. 266 and amended in the Gazettes of 2 June 1989 at pp. 1633-34, 13 November 1992 at p. 5533, 7 May 1993 at p. 2340 and an Amendment Order approved by Executive Council on 27 January 1999 {Department of Agriculture reference: 881734V03P0Q}*). *The appointment is for a term ending on 30 September 2004.*

Dated this day 28th of February 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

AG408***SOIL AND LAND CONSERVATION ACT 1945****YALLINGUP LAND CONSERVATION DISTRICT****(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2002**

MADE by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Yallingup Land Conservation District (Appointment of Members) Instrument 2002*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Yallingup Land Conservation District) Order 1993**, the following members are appointed to the land conservation district committee for the Yallingup Land Conservation District—

- (a) on the nomination of the Shire of Busselton: David John Hunt of Yallingup; and
- (b) as persons actively engaged in, or affected by or associated with, land use in the district:
 - (i) Dennis Cuthbert of Dunsborough
 - (ii) Lawrence Bernard Schlueter of Yallingup
 - (iii) Patrick George Mountjoy Gillett of Yallingup
 - (iv) Craig Ashley of Busselton
 - (v) Warwick Harold Mitford Rowell of Dunsborough
 - (vi) Geoffrey Ian North of Yallingup
 - (vii) Jennifer Mitchell of Yallingup
 - (viii) Neil Taylor of Yallingup
 - (ix) Peter McDonald of Yallingup

(*Published in the Gazette of 23 April 1993 at pp. 2166-67 and an Amendment Order approved by Executive Council on 17 June 1997 {Department of Agriculture reference: 881849V02P07}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 December 2004.

Dated this day 8th of March 2002.

DAVID HARTLEY, Commissioner of Soil and Land Conservation

CONSUMER AND EMPLOYMENT PROTECTION

CE401

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

Good Friday 2002

I, John Charles Kobelke, Minister for Consumer and Employment Protection, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979* do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person involved in operating the **Timezone** centres listed in the Schedule below from 12.00 noon to 9.00pm on Good Friday, 29 March 2002.

SCHEDULE

- Greater Union Cinema Complex, Joondalup Drive, Joondalup
- Shop 2, Warwick Entertainment Centre, Beach Road, Warwick
- Greater Union Cinema Complex, Liege Street, Innaloo
- 31 Lake Street, Northbridge
- Southlands Boulevard Shopping Centre, Burrendah Boulevard, Willetton
- 32-33 South Terrace Plaza, Fremantle

JOHN KOBELKE, Minister for Consumer
and Employment Protection.

CE402

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

Good Friday 2002

I, John Charles Kobelke, Minister for Consumer and Employment Protection, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979*, do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person who uses any place between 12.00 noon and 12.00 midnight on Good Friday, 29 March 2002, for the screening or viewing of any motion picture including a motion picture classified under the *Censorship Act 1996* as being for restricted exhibition.

JOHN KOBELKE, Minister for Consumer
and Employment Protection.

HEALTH

HE401*

HEALTH ACT 1911**ANAESTHETIC MORTALITY COMMITTEE
(APPOINTMENT OF MEMBERS) INSTRUMENT 2002**

Made by the Minister for Health under sections 340BB and 340BC of the Act.

1. Citation

This instrument may be cited as the *Anaesthetic Mortality Committee (Appointment of Members) Instrument 2002*.

2. Interpretation

In this instrument—

“table” means a table in the schedule to this instrument; and

“the Act” means the *Health Act 1911* (WA); and

“the Committee” means the Anaesthetic Mortality Committee constituted under section 340BB(1) of the Act.

3. Appointment of Permanent Members and Deputies

Each of the persons named in column 2 of table 1 are appointed as permanent members of the Committee, pursuant to the provision of the Act specified in column 1 of table 1 adjacent to the name of that person.

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

4. Appointment of Provisional Members and Deputies

Each of the persons named in column 2 of table 2 are appointed as provisional members of the Committee, pursuant to the provision of the Act specified in column 1 of table 2 adjacent to the name of that person.

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

SCHEDULE

TABLE 1

| Column 1 | Column 2 | Column 3 |
|-------------|-----------------------|--|
| Section | Members | Deputies |
| 340BB(3)(a) | Dr Neville Mark Gibbs | No Deputy |
| 340BB(3)(b) | Dr Jennifer Bruce | Dr Geoffrey Gee (previously appointed) |
| 340BB(3)(c) | Professor Teik Oh | Dr Moira Denise Westmore |
| 340BB(3)(d) | Dr Peter John Maddern | Dr Aileen Margaret Donaghy |

TABLE 2

| Column 1 | Column 2 | Column 3 |
|-------------|---------------------------|-----------------|
| Members | Section | Deputies |
| 340BB(4)(a) | Dr John Love | No deputy |
| 340BB(4)(b) | Dr Stuart Crowther Burton | Dr Warren Thyer |
| 340BB(4)(b) | Dr Stephen Cohen | No deputy |

5. Appointment of Chairman

Dr Neville Mark Gibbs is appointed as Chairman of the Committee pursuant to section 340BB(3)(a) of the Act.

6. Terms of Appointment

The Chairman of the Committee is appointed for a period of 4 years and the other permanent, provisional and deputy members are appointed for a period of 3 years, commencing 25 March 2002. Dr Jennifer Bruce is appointed for the period ending 9 April 2003.

Date: 26/2/02.

BOB KUCERA, Minister for Health.

LOCAL GOVERNMENT

LG401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING REGULATIONS 1967

Shire of Esperance

ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE DISTRICT TOWN PLANNING SCHEME NO 23 & A LOCAL PLANNING STRATEGY

Notice is hereby given that the Council of the Shire of Esperance on 26th February, 2002 passed the following resolution—

That the Council, in pursuance of Section 7 of the Town Planning and Development Act 1928, prepare a new District Town Planning Scheme No 23 and Local Planning Strategy to revoke and replace Town Planning Scheme No 22 with reference to the area situated wholly within the Shire of Esperance.

Dated this 26th day of February 2002.

R. T. HILTON, Acting Chief Executive Officer.

LG402

DOG ACT 1976*City of Kalgoorlie-Boulder*

APPOINTMENTS

It is hereby notified that Ms Annette Marie Fissioli has been appointed as officer to the following position with the City of Kalgoorlie-Boulder.

Appointed as Registration Officer under the provisions of the Dog Act 1976 and Authorised Officer in accordance with the Dog Act 1976.

IAN FLETCHER, Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI401

EAST PERTH REDEVELOPMENT ACT 1991**EAST PERTH REDEVELOPMENT AUTHORITY**

East Perth Redevelopment Scheme

Amendment No. 13

Final Approval

It is hereby notified for public information that the Minister for Planning and Infrastructure has granted Final Approval to Amendment No. 13 to the East Perth Redevelopment Scheme.

The purpose of this amendment is to modify the wording of the *'Statement of Intent'* for the Lake Street Precinct (Precinct 21) of the Scheme.

Details of the amendment are available at the offices of the East Perth Redevelopment Authority, 184 Bennett Street, East Perth WA 6004, between the hours of 8.30am and 5.00pm, Monday to Friday.

PI402*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT

DECLARATION OF PLANNING CONTROL AREA No. 59

LONG SWAMP—PORTION OF LOC 339 AND LOC PT 305 AND PT 467

HOPE VALLEY ROAD, HOPE VALLEY

TOWN OF KWINANA

General Description

The Hon Minister for Planning and Infrastructure has granted approval to the declaration of a Planning Control Area over land at Portion of Loc 339 and Loc Pt 305 and Pt 467 Hope Valley Road, Hope Valley as shown on Western Australian Planning Commission Plan No. 3.1473.

Purpose of The Planning Control Area

The purpose of the Planning Control Area is for Long Swamp and its surrounds to be declared 'Parks and Recreation pursuant to Part IVA of the *Metropolitan Region Town Planning Scheme Act*. Long Swamp and its surrounds is identified as 'Wetland Conservation' by the Preferred Strategy in the final report of the *Fremantle-Rockingham Industrial Area Regional Strategy* (FRIARS). To ensure the intentions of the FRIARS final strategy for conservation of Long Swamp and its surrounds, a Planning Control Area has been declared so the land can be brought into public ownership and management.

Duration And Effects

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette* or until revoked by the Western Australian Planning Commission with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a Planning Control Area without the prior approval of the Western Australian Planning Commission. The penalty for failure to comply with this requirement is \$2,000 and, in the case of a continuing offence, a further fine of \$200 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the Western Australian Planning Commission in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Where the Planning Control Area is Available for Public Inspection

- Ministry for Planning
1st floor, 469 Wellington Street
PERTH WA
- Municipal office of the Town of Kwinana
• Cnr Gilmore Avenue & Sulphur Road
• KWINANA WA
- JS Battye Library
Alexander Library Building
NORTHBRIDGE WA

R. N. STOKES, Secretary,
Western Australian Planning Commission.

PI501*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME AMENDMENTS
IN THE EASTERN DISTRICTS

- No. 1043/33—Helena River Parks and Recreation Link, Hazelmere
No. 1044/33—Addition to Urban Zoning, Helena Valley Road, Helena Valley
No. 1048/33—Addition to Urban Zoning, West Parade, South Guildford
No. 1049/33—Disability Services Commission Property, Market Street, Guildford

Call for Public Submissions

The Western Australian Planning Commission is considering proposals to amend the Metropolitan Region Scheme for land in the City of Swan and Shire of Mundaring. Public comment is invited.

Purpose

The purpose of these proposed amendments would be to give effect to a number of changes to zones and reservations of the Metropolitan Region Scheme. The individual proposals are contained within four Amendments as listed below.

No. 1043/33—Helena River Parks and Recreation Link, Hazelmere: The amendment proposes to transfer portions of lots adjacent to the Helena River in Hazelmere from the Rural zone to the Parks and Recreation reservation. This will allow the completion of a Parks and Recreation reservation link from the Swan River to Midland. (City of Swan)

No. 1044/33—Addition to Urban Zoning, Helena Valley Road, Helena Valley: The amendment proposes to transfer approximately 70 hectares of land in Helena Valley from the Rural to the Urban zone. The land was identified in the 1992 Foothills Structure Plan as suitable for future urban purposes and adjoins existing residential estates. Transfer to the Urban zone will allow for residential and other compatible uses. (Shire of Mundaring)

No. 1048/33—Addition to Urban Zoning, West Parade, South Guildford: The main purpose of the amendment is to transfer approximately 23 hectares of land in South Guildford from the Rural zone to the Urban zone. The land adjoins existing residential estates and has good access to most urban services. The major constraint to development in the past has been the location of a poultry farm on one of the subject lots. There is a proposal to remove the poultry farm on the basis of Urban zoning. (City of Swan)

No. 1049/33—Disability Services Commission Property, Market Street, Guildford: The amendment proposes to transfer land in Market Street, Guildford from the Public Purposes (Special Use) reservation to the Urban zone. The Property is surplus to the Disability Services Commission's needs and transfer to the Urban zone would allow the Commission to dispose of the property. (City of Swan)

Full details of each proposal can be found in the Commission's explanatory *Amendment Report*. All four Amendments are published under one cover.

Copies of the plans and the *Amendment Report* will be available for public inspection from Tuesday 12 February 2002 to Friday 17 May 2002 at each of the following places—

- | | |
|--|--|
| <ul style="list-style-type: none"> • Department for Planning and Infrastructure 1st Floor Albert Facey House 469 Wellington Street PERTH WA • J S Battye Library Alexander Library Building Francis Street NORTHBRIDGE WA | <p>Council Offices of the municipalities of—</p> <ul style="list-style-type: none"> • City of Perth • City of Fremantle • City of Swan • City of Belmont • Town of Bassendean • Shire of Mundaring |
|--|--|

Documents may also be viewed on the Department for Planning and Infrastructure website <http://www.planning.wa.gov.au>.

Any person who wishes to make a submission either supporting, objecting to or providing comment on any provisions of the proposed Amendments should do so on the appropriate submission form (Form 6A). These submission forms are contained in the explanatory *Amendment Report*. They are also available from the display locations and on the Internet.

Submissions must be lodged with the—

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

on or before 5.00pm **Friday 17 May 2002**. Late submissions will not be considered.

R. N. STOKES, Secretary,
Western Australian Planning Commission.

WATER

WA401*

WATER AGENCIES (POWERS) ACT 1984

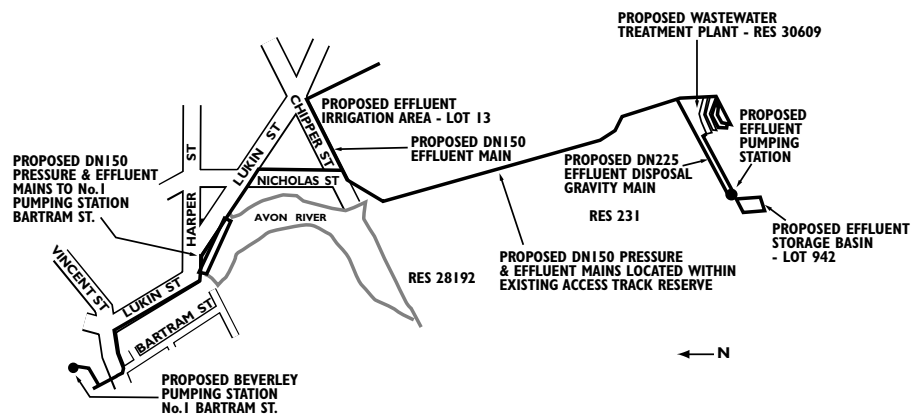
Wastewater Improvements

Shire of Beverley

Notice of Authorisation to Construct a Wastewater Treatment Plant and Effluent Disposal System

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for the Environment and Heritage has authorised the Water Corporation to construct a wastewater treatment plant, effluent irrigation area and below ground effluent pumping station, effluent main, effluent gravity main and pressure main.

The works will provide for disposal and treatment of Wastewater within the Shire of Beverley.



WORKSAFE

WS401

OCCUPATIONAL SAFETY AND HEALTH ACT 1984

INSTRUMENT OF DECLARATION

Made under section 4(3).

The Minister for Consumer and Employment Protection and the Minister for State Development hereby jointly declare that all of the provisions of the *Occupational Safety and Health Act 1984* and any regulations made, or to be made, under that Act shall, from 1 March 2002 until the cancellation of this notice, apply to and in relation to the workplaces or parts of workplaces specified in Schedule 1 to this Instrument of Declaration.

SCHEDULE 1

1. All workplaces or parts of workplaces that, from time to time—

- (a) are a mine to which the *Mining Act 1978* applies, or at which work is carried out on a mine to which the *Mining Act 1978* applies; and

- (b) are, or form part of, a railway or rolling stock that is operated, managed or controlled by the Pilbara Rail Company.

2. In this Schedule—

- (a) “infrastructure” means the facilities necessary to enable a railway to operate safely and includes railway track, associated track structures, over or under track structures, supports (including supports for equipment or items associated with the use of a railway), tunnels, bridges, stations, platforms, train control systems, signalling systems, communication systems, electric traction infrastructure, buildings, workshops and associated plant, machinery and equipment;
- (b) “Pilbara Rail Company” means the Pilbara Rail Company Pty Ltd (ABN 77 096 504 700) and its employees, agents, contractors, successors and assigns;
- (c) “railway” means a guided system designed for the movement of rolling stock which has the capability of transporting passengers, freight or both on a railway track, together with its infrastructure and associated sidings, and includes a heavy railway, light railway, monorail, inclined railway or tramway, a railway within a marshalling yard or a passenger or freight terminal; and
- (d) “rolling stock” means a vehicle, whether or not self propelled, that operates on or uses a railway track (for example a locomotive, carriage, rail car, rail motor, light rail vehicle, train, tram, light inspection vehicle, road/rail vehicle, trolley and wagon) but does not include a vehicle designed to operate both on and off a railway track when the vehicle is not operating on a railway track”.

Dated the 27th day of February 2002.

J. C. KOBELKE, Minister for Consumer and Employment Protection.
C. M. BROWN, Minister for State Development.

PUBLIC NOTICES

ZZ101

PARTNERSHIP ACT 1895

DISSOLUTION OF PARTNERSHIP

The partnership between Lachlan Partington, of 65 Newell Way, Noranda 6062, and Kenneth Goh, of 17 Barberry Court, Dianella 6059, trading under the business name Microsim was dissolved on 30 June 2000.

ZZ102

Form 4

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300

To: MORKIM PTY LTD (ACN 008 863 223) of Unit 6, 663 Newcastle Street, Leederville WA 6007
and

To: Kim Morrison of 4 Jetty Road, Claremont WA 6010, Bailor

1. You were given notice on 3rd of September 2001 that the following goods:
Skateboard ramp situated at 32 Cook Street, Busselton 6280 WA were ready for redelivery.
2. Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, FTE Engineering of 32 Cook Street, Busselton WA 6280, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the act.

Date: 14/3/02

(Signed)

SHADDICKS, Solicitors for FTE Engineering,
Bailee.

ZZ201

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Lloyd Raymond Furlong, late of 17 Bottlebrush Drive, Greenwood, Western Australia, Retired Bank Manager, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 7th day of October 2001, are required by the Trustee ANZ Executors & Trustee Company Limited (ACN 006 132 332) of Level 9, Allendale Square, 77 St George's Terrace, Perth WA 6000 to send particulars of their claim to him by 13 April 2002 after which the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992**Price: \$14.55 counter sales****Plus postage on 132 grams****RETIREMENT VILLAGES REGULATIONS 1992*****Price: \$4.65 counter sales****Plus postage on 25 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

FREEDOM OF INFORMATION ACT 1992***Price: \$16.70 counter sales****Plus postage on 365 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

YOUNG OFFENDERS ACT 1994***Price: \$16.70 counter sales****Plus postage on 300 grams****YOUNG OFFENDERS REGULATIONS 1995*****Price \$4.65 counter sales****Plus postage on 65 grams**

*Prices subject to change on addition of amendments.



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