

WESTERN AUSTRALIAN GOVERNMENT Gazette

4351



PERTH, TUESDAY, 27 AUGUST 2002 No. 155

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

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

| | Page |
|---|---------|
| Fines, Penalties and Infringement Notices Enforcement Act 1994—Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2002 | 4353-4 |
| Land Administration Act 1997—Land Administration Amendment Regulations 2002 | 4354-5 |
| Local Government Act 1995—Shire of East Pilbara—Local Law (Signs, Hoardings and Bill Posting) | 4355-6 |
| Mining Act 1978—Mining Amendment Regulations (No. 3) 2002 | 4356-7 |
| Town Planning and Development Act 1928—Town Planning Amendment Regulations 2002 | 4357-61 |

PART 2

| | |
|--------------------------------------|--------|
| Agriculture | 4362 |
| Local Government | 4362 |
| Public Notices—Deceased Estate | 4363 |
| Racing, Gaming and Liquor | 4362-3 |

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

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

PUBLISHING DETAILS

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

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

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

Postal address:

State Law Publisher
P.O. Box 8448,
Perth Business Centre 6849

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

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

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

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2002 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.10

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$49.20

Other articles in Public Notices Section—\$49.20 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$9.80

Bulk Notices—\$183.00 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

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 —

JUSTICE

JU301*

Fines, Penalties and Infringement Notices Enforcement Act 1994

Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2002

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994**.

[* Reprinted as at 6 August 1999.

For amendments to 25 July 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 101-2.]

3. Regulation 10 amended

Regulation 10 is amended by inserting in the appropriate alphabetical position the following items —

“

Department of Consumer and Employment Protection
Gaming Commission of Western Australia

”

4. Schedule 1 amended

Schedule 1 is amended by inserting in the appropriate alphabetical position the following items —

“

Builders' Registration Act 1939
Casino (Burswood Island) Agreement Act 1985
Casino Control Act 1984
Gaming Commission Act 1987
Home Building Contracts Act 1991
Petroleum Products Pricing Act 1983
Port Authorities Act 1999

”.

By Command of the Lieutenant-Governor
and deputy of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

LAND ADMINISTRATION

LA301*

Land Administration Act 1997

Land Administration Amendment Regulations 2002

Made by the Lieutenant-Governor and deputy of the Governor in
Executive Council.

1. Citation

These regulations may be cited as the *Land Administration
Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Land
Administration Regulations 1998**.

[* *Published 27 March 1998, p. 1741-61.*

*For amendments to 14 March 2002 see 2000 Index to
Legislation of Western Australia, Table 4, p. 189, and Gazette
10 April and 13 July 2001.]*

3. Regulation 17C amended

Regulation 17C is amended as follows:

- (a) after paragraph (c) by deleting “and”;
- (b) by deleting paragraph (d) and inserting instead —
“
- (d) goats (*capra hircus*); and
- (e) stock kept for domestic or household use.

”.

4. Schedule 1 amended

Schedule 1 item 5(b) is amended by deleting “\$60.00” and inserting instead —

“ \$66.00 ”.

By Command of the Lieutenant-Governor
and deputy of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

SHIRE OF EAST PILBARA

LOCAL LAW (SIGNS, HOARDINGS AND BILL POSTING)

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of East Pilbara resolved on 26 July 2002 to make the following local law.

The Town of Port Hedland Local Law (Signs, Hoardings and Bill Posting) published in the *Government Gazette* of 3 August 2000, is adopted as a local law of the Shire of East Pilbara with the modifications which follow:

1. Preliminary

Wherever the “Town of Port Hedland” is mentioned in the local law substitute “Shire of East Pilbara”

Schedule of Modifications

| Part No | Title of Part | Modifications |
|---------|----------------|---|
| Part 1 | Preliminary | Delete the paragraph “Revocation” |
| Part 2 | Interpretation | After the interpretation “Town Planning Scheme” delete: “means the Town of Port Hedland Town Planning Scheme No. 5 as amended from time to time or such other Town Planning Scheme for the time being in force within the District of the Town of Port Hedland, and the term also includes where the context permits any interim development order or other Town Planning Scheme operating in respect of any of the district to which Town Planning Scheme No. 5 does not apply;” |

| Part No | Title of Part | Modifications |
|---------|---------------|--|
| | | and substitute: "means the Shire of East Pilbara Town Planning Scheme No. 1 as amended from time to time or such other Town Planning Scheme for the time being in force within the District of the East Pilbara Shire, and the term also includes where the context permits any interim development order or other Town Planning Scheme operating in respect of any of the district to which Town Planning Scheme No. 1 does not apply;" |

Dated this 1st Day of August 2002.

The Common seal of the Shire of East Pilbara was Affixed in the presence of—

ALAN COCHRANE, Mayor/President.
ALLEN COOPER, Chief Executive Officer.

MINERALS AND PETROLEUM

MP301*

Mining Act 1978

Mining Amendment Regulations (No. 3) 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining Amendment Regulations (No. 3) 2002*.

2. Commencement

These regulations come into operation on 1 January 2003.

3. The regulations amended

The amendments in these regulations are to the *Mining Regulations 1981**.

[* Reprinted as at 21 July 2000.

For amendments to 18 July 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 228 and Gazette 8 February and 28 June 2002.]

4. Regulation 86 amended

The Table to regulation 86 is amended, in column 3, in the item relating to tantalum by deleting "2½% of the royalty value when sold as concentrate; or 2½% of the value in concentrate form if processed further before sale." and inserting instead —

“

The rate is —

- (a) in the period beginning on 1 January 2003 and ending on 30 June 2003 —
 - (i) 3.3% of the royalty value if sold as concentrate;

- (ii) 3.3% of the value in concentrate form if processed further before sale;
- (b) in the period beginning on 1 July 2003 and ending on 30 June 2004 —
 - (i) 4.1% of the royalty value if sold as concentrate;
 - (ii) 4.1% of the value in concentrate form if processed further before sale;
- and
- (c) on or after 1 July 2004 —
 - (i) 5% of the royalty value if sold as concentrate;
 - (ii) 5% of the value in concentrate form if processed further before sale.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

PLANNING AND INFRASTRUCTURE

PI301*

Town Planning and Development Act 1928

Town Planning Amendment Regulations 2002

Made by the Minister under sections 8 and 9 of the Act.

1. Citation

These regulations may be cited as the *Town Planning Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Town Planning Regulations 1967**.

[* Reprinted as at 28 May 1996.

For amendments to 21 February 2002 see 2000 Index to Legislation of Western Australia, Table 4, p. 356.]

3. Regulation 3 amended

Regulation 3 is amended by inserting in the appropriate alphabetical positions —

“

“**authorised person**” means a person or body appointed under regulation 3A as an authorised

person for the purposes of the regulation in which the expression is used;

“**Department**” means the department of the Public Service principally assisting the Minister in the administration of this Act;

”.

4. **Regulation 3A inserted**

After regulation 3 the following regulation is inserted —

“

3A. Authorised persons

- (1) Subject to subregulation (3), the Minister may by instrument in writing appoint any person or body to whom this regulation applies to be an authorised person for the purposes of any one or more of these regulations.
- (2) This regulation applies to —
 - (a) any officer employed in the office of the Minister;
 - (b) the chief executive officer of the Department;
 - (c) any officer of the Department nominated in writing for the purposes of this section by the chief executive officer of the Department;
 - (d) the Commission and any member of the Commission;
 - (e) the secretary of the Commission; and
 - (f) any committee established under the *Western Australian Planning Commission Act 1985*.
- (3) The Minister shall not appoint a person or body referred to in subregulation (2)(d), (e) or (f) as an authorised person for the purposes of regulation 13, 14, 19, 20 or 25AA.
- (4) The appointment of a person or body as an authorised person for the purposes of a regulation does not preclude the Minister from exercising or performing a function under that regulation.
- (5) The appointment may be made subject to such conditions, qualifications, limitations or exceptions as the Minister may specify.
- (6) The appointment may be amended or revoked by the Minister by instrument in writing.

”.

5. Regulation 11 amended

Regulation 11(1)(b) is amended by inserting after “the Minister” —

“ or an authorised person ”.

6. Regulation 13 amended

(1) Regulation 13(2) is amended by inserting after “the Minister” —

“ or an authorised person ”.

(2) Regulation 13(3) is amended by deleting “to the Minister under subregulation (2) that he give his consent” and inserting instead —

“ that consent be given ”.

7. Regulation 14 amended

(1) Regulation 14(1), (1a), (1b) and (2) are each amended by inserting after “Minister” —

“ or authorised person ”.

(2) Regulation 14(4) is amended by inserting after “Minister” in the 3 places where it occurs —

“ or authorised person ”.

8. Regulation 15 amended

(1) Regulation 15(1) is amended by deleting “the Minister has given his consent” and inserting instead —

“ consent has been given ”.

(2) Regulation 15(5) is amended by deleting “Minister” and inserting instead —

“ Commission ”.

9. Regulation 17 amended

Regulation 17(1) is amended as follows:

(a) in paragraph (a) by deleting “by the Commission or the Minister, as the case requires,”;

(b) by deleting “by the Minister” and inserting instead —

“ by the Commission ”.

10. Regulation 19 amended

Regulation 19 is amended by inserting after “Minister” —

“ or an authorised person ”.

11. Regulation 20 amended

(1) Regulation 20(1) is amended by inserting after “Minister” —

“ or authorised person ”.

- (2) Regulation 20(2) is amended by deleting “by the Minister”.
- (3) Regulation 20(3) is amended as follows:
 - (a) by deleting “specified by the Minister” and inserting instead —
“ specified ”;
 - (b) by inserting after “approved by the Minister” —
“ or an authorised person ”.

12. Regulation 25 amended

- (1) Regulation 25(1) is amended as follows:
 - (a) in paragraph (d) by deleting “to the Minister”;
 - (b) in paragraph (f) by deleting “the Minister giving his” and inserting instead —
“ the giving of ”;
 - (c) in paragraph (fa)(ii) by deleting “by the Commission or the Minister, as the case requires,”;
 - (d) in paragraph (fb) —
 - (i) by deleting “by the Commission or the Minister, as the case requires,”;
 - (ii) by deleting “that the Commission or the Minister, as the case requires, has”.
- (2) Regulation 25(2) is amended as follows:
 - (a) in paragraph (h) by deleting “to the Minister”;
 - (b) in paragraph (k) by deleting “by the Commission or the Minister, as the case requires,”;
 - (c) in paragraph (o) —
 - (i) by inserting after “if the Minister” —
“ or an authorised person ”;
 - (ii) by deleting “the Minister may” and inserting instead —
“ the Minister or that person may ”;
 - (iii) by deleting “the Minister considers” and inserting instead —
“ the Minister or that person considers ”;
 - (d) in paragraph (p) —
 - (i) by deleting “the Minister gives” and inserting instead —
“
the Minister or an authorised person gives
”;
 - (ii) by deleting “the Minister is” and inserting instead —
“ the Minister or the authorised person is ”.

13. Regulation 25AA amended

- (1) Regulation 25AA(1)(c) is amended by inserting after “to the Minister” —
“ or an authorised person ”.
- (2) Regulation 25AA(3) is amended as follows:
 - (a) by deleting “the Minister shall” and inserting instead —
“ the Minister or the authorised person shall ”;
 - (b) by deleting “of the Minister”.
- (3) Regulation 25AA(4) is amended by deleting “of the Minister” in both places where it occurs.
- (4) Regulation 25AA(6) is amended by inserting after “the Minister” —
“ or an authorised person ”.

14. Regulation 25B amended

- Regulation 25B(4)(c) is amended by inserting after “the Minister” —
“ or an authorised person ”.

ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

— PART 2 —

AGRICULTURE

AG401*

SOIL AND LAND CONSERVATION ACT 1945
SOIL AND LAND CONSERVATION COUNCIL
APPOINTMENT OF MEMBERS

Department of Agriculture,
South Perth, WA 6151.

Agric. 301/91

The Governor has been pleased to reappoint pursuant to Section 9 of the Soil and Land Conservation Act 1945, Mr George Rex Edmondson, Ms Joan Golda Cameron, Mr Roger Armstrong, Mr Michael McFarlane and Mr William Mitchell as members of the Soil and Land Conservation Council for a term of office expiring 31 December 2002.

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

LOCAL GOVERNMENT

LG401

City of Geraldton
APPOINTMENTS

The City of Geraldton wishes to advise for public information the appointment of Tracey Bone as honorary parking inspector on behalf of the City of Geraldton for the Central West College of TAFE. The appointment gives the abovementioned the authority to police parking and to issue infringements within the confines of the abovementioned car park areas only.

The appointment of Peter Williams and Frank Scuito are hereby cancelled.

This appointment is effective the date of this notice.

ROBERT JEFFERIES, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG401

LIQUOR LICENSING ACT 1988
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 |
|---|---|--|--------------------------|
| APPLICATIONS FOR THE GRANT OF A LICENCE | | | |
| 9263 | Universal Star Catering (Belmont) Pty Ltd | Application for the grant of a Restaurant licence in respect of premises situated in Belmont and known as La Porchetta Pizza Restaurant Belmont | 16/9/2002 |
| 9265 | Michael John Moore and Joanne Michele Moore | Application for the grant of a Producer's licence in respect of premises situated in Dwellingup and known as Newbliss Orchard | 16/9/2002 |
| 9275 | Sundancer Backpackers Resort Pty Ltd | Application for the grant of a Special Facility—Bed & Breakfast licence in respect of premises situated in Fremantle and known as Sundancer Backpackers Resort | 22/9/2002 |

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

HUGH HIGHMAN, Director of Liquor Licensing.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

NOTICE TO CREDITORS AND CLAIMANTS

Frank Crouch, late of Unit 2, 8 Hammad Street, Palmyra, Western Australia, Pensioner, 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 22 August 2001 are required by the Executors and Trustees, Craig Leyland, Jeffrey Dean Crouch, Ruth Leyland-Cowan and Maree Elizabeth Crouch of Post Office Box 361 Mount Lawley, Western Australia, 6929 to send particulars of their claims to us within one (1) month of the date of publication of this notice after which date the Executors and Trustees may convey or distribute the assets, having regard only to the claims of which we then have notice.

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992

Price: \$15.05 counter sales

Plus postage on 235 grams

RETIREMENT VILLAGES REGULATIONS 1992

*Price: \$4.80 counter sales

Plus postage on 40 grams

* Prices subject to change on addition of amendments.

PERTH OBSERVATORY



THE W.A. SPECIALISTS IN
ASTRONOMICAL
RESEARCH & EDUCATIONAL
ASTRONOMY

Public Tours (day and night)
Field Nights, Lectures
Astronomical Information

Astronomical Handbook
Sun rise & set; Moon rise & set
Legal advice
Chronometer calibration
Astronomical souvenirs

SERVING WESTERN AUSTRALIA SINCE 1896

WALNUT ROAD, BICKLEY 6076
TELEPHONE 9293 8255 FAX 9293 8138

**ASTRONOMY IS LOOKING
UP**

Order your Bound Volumes of Government Gazette 2002

An attractively presented set of 4 Bound Volumes
of Government Gazette

For Government Departments and private firms who presently arrange binding for their copies of Government Gazettes, the State Law Publisher is now offering a subscription covering 4 Quarterly Volumes at a cost of \$1,013.10.

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

PLEASE NOTE

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

For further information please contact:

State Law Publisher

Telephone: 9321 7688

CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

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

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER

SUBSCRIPTION CHARGES 2003

All subscriptions are for the period from 1 January to 31 December 2003. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include postage by surface mail unless stated otherwise.

GOVERNMENT GAZETTE

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

Special *Government Gazettes* are published periodically.

| | |
|---|----------|
| All Gazettes | \$ |
| Within WA | 781.00 |
| Interstate | 797.50 |
| Overseas (airmail) | 1,197.90 |
| Bound Volumes of full year | 1,039.50 |

Electronic Gazette Online

(includes all Gazettes from Jan 1998)

| | |
|--|--------|
| Existing hard copy subscriber | 178.20 |
| Electronic Subscription only | 594.00 |
| <i>Gazettes on CD ROM from 1998</i> (per year)..... | 711.70 |

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

| | |
|--------------------------|--------|
| | \$ |
| Within WA | 339.90 |
| Interstate | 404.80 |
| Overseas (airmail) | 566.50 |

Electronic Gazette Online

(includes all Gazettes from Jan 1996)

| | |
|--|--------|
| Existing hard copy subscriber | 110.00 |
| Electronic Subscription only..... | 220.00 |
| <i>Gazettes on CD ROM from 1998</i> (per year)..... | 308.00 |

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

| | |
|--------------------------|--------|
| | \$ |
| Within WA | 741.40 |
| Interstate | 906.40 |
| Overseas (airmail) | 939.40 |

Bound Volumes of Hansard

| | |
|---|--------|
| Within WA | 731.50 |
| Interstate | 742.50 |
| <i>Hansards on CD ROM from 1999</i> (per year) | 759.00 |

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

| | |
|--------------------------------|--------|
| | \$ |
| Within WA..... | 265.10 |
| Interstate | 293.70 |
| Overseas | 299.20 |
| Half Calf Bound Statutes | 729.30 |

Bound Volumes on CD ROM from 1998

| | |
|-----------------|--------|
| (per year)..... | 264.00 |
|-----------------|--------|

Loose Statutes

Statutes are posted weekly as they become available.

| | |
|-------------------------|--------|
| | \$ |
| Within WA..... | 283.80 |
| Interstate | 293.70 |
| Overseas (airmail)..... | 420.20 |

Sessional Bills

Bills are posted weekly as they become available.

| | |
|--------------------------|--------|
| | \$ |
| Within WA | 390.50 |
| Interstate | 409.20 |
| Overseas (airmail) | 610.50 |

Electronic Statutes Online

Includes all Acts, Regulations, Bills, Acts by year, Index to Statutes, Hansard, etc

| | |
|--|--------|
| | \$ |
| 1st user | 697.40 |
| 2nd and each additional user (each) | 348.70 |
| More than 4 users—site licenses apply— please contact our sales staff for rates | |

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

