

WESTERN AUSTRALIAN GOVERNMENT Gazette

5709



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- 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.
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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2002 AND NEW YEAR HOLIDAY PERIOD 2003

NOTE: Gazette Published on Tuesday 24 December 2002 will be published at 12.30 pm

Publishing Dates and times

Friday 27 December 2002 at 3.30 pm

Friday 3 January 2003 at 3.30 pm

Closing Dates and Times for copy

Monday 23 December 2002 at 12 noon

Monday 30 December 2002 at 12 noon

From week commencing 6 January normal publishing resumes.



— PART 1 —

EDUCATION

ED301

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911

AMENDING STATUTE

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 33 of the *University of Western Australia Act 1911*, has approved the attached Amending Statute No. 2 of 2002.

ALAN CARPENTER MLA, Minister for Education.

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911

Office of the Minister for Education,
Perth, 2002.

His Excellency the Governor in Executive Council, acting pursuant to the provisions of Section 33 of the *University of Western Australia Act 1911*, has been pleased to approve the Statute made by the Senate of The University of Western Australia which is set out in the schedule hereunder.

ALAN CARPENTER MLA, Minister for Education.

Schedule

AMENDING STATUTE No. 2 of 2002

1. STATUTE No. 17—DISCIPLINE

The title of the statute has changed to STUDENT DISCIPLINE

Existing Clauses 1 to 20 inclusive are deleted and replaced by the following—

1. In this Statute—
 - (a) 'misconduct' means—
 - (i) an act or omission of a student which is prohibited by a University Statute, regulation, rule, by-law or Senate Resolution, or by an order made under a University Statute, regulation, rule, by-law or Senate Resolution; or
 - (ii) any conduct on the part of a student which impairs the reasonable freedom of other members of the University to pursue their studies or researches, or the reasonable freedom of persons to express their opinions, within the University, or to participate in the life of the University, or which impairs University administration;
 - (b) 'student' means a person enrolled in an award course of the University, whether in Perth or elsewhere, or enrolled through University Extension as a continuing education student in units offered within award courses of the University;
 - (c) 'member of the University' means a member of the Senate, a member of Convocation, a member of the University staff or a student as defined in paragraph (b).
2. The purpose of this Statute is to provide a definition of student misconduct and to give the University authority to deal with allegations of misconduct.
3. If no other process for dealing with a complaint is prescribed in a specific instance by another Statute, or regulation, rule or by-law, a complaint of misconduct made by a member of the University against a student must be dealt with in accordance with the regulations made from time to time by the Senate under this Statute.

2. STATUTE No. 29—METHOD OF ELECTION OF MEMBERS OF THE SENATE UNDER SECTIONS 10(fb) and 10A(1)(ca) OF THE UNIVERSITY ACT

The Statute is repealed.

The Common Seal of The University of Western Australia was hereto affixed by authority of the Senate.

Attested by—

Professor DERYCK M. SCHREUDER, Vice-Chancellor
and President.

HEALTH

HE301*

Health Act 1911

Health (Meat Hygiene) Amendment Regulations (No. 3) 2002

Made by the Governor in Executive Council.

1. Citation

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

2. The regulations amended

The amendments in these regulations are to the *Health (Meat Hygiene) Regulations 2001**.

[* *Published in Gazette 1 July 2001, p. 2749-64.*

For amendments to 30 October 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 154, and Gazette 12 March and 13 August 2002.]

3. Schedule 2 amended

Schedule 2 Part 1 item 14 is amended in the column headed "Pigs" by deleting "1.54" and inserting instead —

“ 1.38 ”.

By Command of the Governor,

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

JUSTICE

JU301

*Correction to Reprint***PLANT DISEASES REGULATIONS 1989**

Reprinted as at 20 September 2002.

At page 334: entry "6. Regulation 6(2)" in the column headed "Provision creating offence" should read "7. Regulation 6(2)".

POLICE

PO301*

Pawnbrokers and Second-hand Dealers Act 1994

**Pawnbrokers and Second-hand Dealers
Amendment Regulations (No. 2) 2002**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Pawnbrokers and Second-hand Dealers Amendment Regulations (No. 2) 2002*.

2. The regulations amended

The amendments in these regulations are to the *Pawnbrokers and Second-hand Dealers Regulations 1996**.

[* Reprinted as at 2 March 2001.

For amendments to 1 November 2002 see Gazette
28 June 2002.]

3. Regulation 5 amended

The Table to regulation 5(1) is amended in items 12 and 14 by deleting "lamps other than those required under Part 2 or 3 of the *Road Traffic (Vehicle Standards) Regulations 1977*" in each place where it occurs and inserting the following instead —

“

lights other than those required under Part 8 of the
Road Traffic (Vehicle Standards) Rules 2002

”

By Command of the Governor,

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

RACING, GAMING AND LIQUOR

RG401

RULES OF HARNESS RACING 1999

NOTICE OF AMENDMENT

Notice is hereby given that the Committee of the Western Australian Trotting Association at Gloucester Park, East Perth, on 29 October 2002 resolved by majority of members of the Committee that the *Rules of Harness Racing 1999* be amended as follows—

1. Insert Rule 195A—**195A.**

- (1) This Rule is to apply to any race or series of races which the controlling body stipulates in the Conditions of Entry that it shall apply to; such a race or races being a qualifying race for some other race.
- (2) If in relation to a race to which this rule applies a blood, urine, saliva or other sample or specimen is taken from a horse when it is presented for such race and a certificate from a person or drug testing laboratory approved by the controlling body certifies the presence of a prohibited substance in such specimen or sample then the horse shall be immediately disqualified from participating in any other race for which the race in question provides a qualification for participation.
- (3) This rule is to have effect and to be conclusive irrespective of whether further testing procedures or other circumstances establish that the horse was presented for the race free of any prohibited substances.

GARRY SCOTT, President.

WORKCOVER

WC301*

Workers' Compensation and Rehabilitation (Acts of Terrorism) Act 2001

Workers' Compensation and Rehabilitation (Acts of Terrorism) (Final Day) Regulations 2002

Made by the Governor in Executive Council under section 3A of the Act.

1. Citation

These regulations may be cited as the *Workers' Compensation and Rehabilitation (Acts of Terrorism) (Final Day) Regulations 2002*.

2. Final day prescribed (section 3)

For the purposes of paragraph (b) of the definition of "final day" in section 3 of the Act, the final day is 31 December 2004.

By Command of the Governor,

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

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401

ASSOCIATIONS INCORPORATION ACT 1987

ORDER PURSUANT TO SECTION 34(2)

The Mowanjum Community Incorporated

Pursuant to the provisions of Section 34(2) of the *Associations Incorporation Act 1987*, I hereby order that the undertaking of The Mowanjum Community Incorporated be transferred to Mowanjum Aboriginal Corporation with effect from the date of publication of this order.

PATRICK WALKER, Commissioner for Fair Trading.

LOCAL GOVERNMENT

LG401

HEALTH ACT 1911*Shire of Chittering*

CHANGES TO LODGING HOUSE REGISTRATION FEE

It is hereby advised that pursuant to 344c of the *Health Act 1911* the following fees and charges take effect from the date of gazettal.

Lodging House Registration Fees—

- | | |
|----------------------------|---|
| 1. 7-10 persons | \$100 |
| 2. Greater than 10 persons | \$10 per person with a maximum of \$180 |

RAY HOOPER, Chief Executive Officer.
P.O. Box 70, Bindoon 6502.

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Augusta-Margaret River

Town Planning Scheme No. 11—Amendment No. 118

Ref: 853/6/3/8 Pt 118

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 and Infrastructure approved the Shire of Augusta-Margaret River Town Planning Scheme Amendment on 25 November 2002 for the purpose of—

1. Rezoning Lot 1 of Sussex Locations 2897 and 2898 Rosa Brook Road, Rosa Brook from “Rural” zone to “Special Use” zone.

2. Inserting in the Scheme Text appropriate provisions into Schedule 3—Special Use Sites as follows—

Schedule 3: Special Use Sites

Lot and Location	Permitted Uses (see Clause 4.8)
Lot 1 of Sussex Locations 2897 and 2898 Rosa Brook Road, Rosa Brook	<ol style="list-style-type: none"> 1. Development of the land shall generally be in accordance with the Development Guide Plan attached to the Scheme Amendment report. The Western Australian Planning Commission will not support the future subdivision of Lot 1 unless— <ul style="list-style-type: none"> • the applicant adequately demonstrates that the existing rural industry on proposed Lot 2 is a sustainable rural industry; or • proposed Lot 2 can be demonstrated to be sustainable for intensive agricultural purposes. 2. The uses permitted in this Special Use zone are— <ul style="list-style-type: none"> • Polocrosse Centre comprising— <ul style="list-style-type: none"> - Polocrosse field - Stables - Assessment Area - Assembly Pavilion - Lunging Yard - Twelve Chalets - Meeting hall with dormitory accommodation (residential building use) for a maximum of 30 persons. • Rural Industry • Intensive Agriculture • One single dwelling on proposed Lot 1 • Two single dwellings on proposed Lot 2 3. Proposed Lot 1 shall be developed for the purposes of a polocrosse centre comprising chalets, a manager's residence, meeting hall and associated facilities. 4. Proposed Lot 2 shall be used for rural industry, private residential and viticultural purposes. 5. In considering any proposal for development, the following shall be addressed to the satisfaction of Council— <ul style="list-style-type: none"> • Effluent disposal • Water supply • Access • The following fire management issues need to be addressed in relation to chalet development— <ul style="list-style-type: none"> - elimination of the cul-de-sacs - identifying accessible emergency escape routes - the proposal to give due consideration to the Western Australian Planning Commission document 'Planning for Bush Fire Protection' and DC 3.7 'Fire Planning'. • The Council may request the Western Australian Planning Commission to impose a condition, at the time of subdivision, requiring the subdivider to prepare and implement a Fire Management Plan for the entire subdivision guide plan area to ensure adequate fire protection. • Built form including building materials and building bulk in accordance with Council's Visual Impact Management objectives. • Pollution impacts from equestrian and agricultural activities such as noise, odour and dust on sensitive land uses such as accommodation. • The protection and where possible, the enhancement of native remnant vegetation.

Lot and Location	Permitted Uses (see Clause 4.8)
	<ul style="list-style-type: none"> • The potential for land use conflict shall be minimised by providing adequate separation distances between conflicting land uses and other means as determined by Council. <p>6. All buildings shall comply with AS3959—1991 Construction of Buildings in bushfire prone areas.</p>

N. DORNAN, President.
I. BODILL, Chief Executive Officer.

PAINTERS REGISTRATION BOARD

PX401

PAINTERS' REGISTRATION ACT 1961

PRESCRIBED EXAMINATION

On 8 July 2002 and pursuant to section 13(1) of the *Painters' Registration Act 1961* the Painters' Registration Board prescribed that an approved practical trades test in painting and decorating be a prescribed examination to be undertaken by such persons seeking registration under section 12(1)(a) of the *Painters' Registration Act 1961*.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984

OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996

EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 21 of 2002)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to NDC Wireless from the requirements of Regulation 3.117(1) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to hold a Class 1 demolition licence during the dismantling of the communication structure located in the CSBP & Farmers Co-op site, Railway Parade, Ashfield. I further grant an exemption from the requirements of Regulation 3.118(a) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to ensure that any Class 1 demolition work is done by a holder of a Class 1 demolition licence during the dismantling of the same communication structure.

This exemption is subject to the following conditions—

- A documented method statement and job safety analysis is to be prepared by a competent person prior to the work commencing.
- The dismantling work is to be directly supervised by a competent person at all times during the dismantling of the tower.
- All personnel involved with rigging work are to hold an appropriate rigging certificate of competency.
- All personnel involved with working at heights are to have completed the appropriate training for this work and be competent in the use of fall injury prevention systems in use.
- Adequate public protection is to be provided and maintained during the tower dismantling process.
- All personnel required to work on the communication tower are to have been trained in identifying, monitoring and controlling Radio Frequency Electro-magnetic Emissions.

Dated this 27th day of November 2002.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS402*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 22 of 2002)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to NDC Wireless from the requirements of Regulation 3.117(1) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to hold a Class 1 demolition licence during the dismantling of the communication structure located at Lot 377 Williams – Kondinin Road, Wickiepin West. I further grant an exemption from the requirements of Regulation 3.118(a) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to ensure that any Class 1 demolition work is done by a holder of a Class 1 demolition licence during the dismantling of the same communication structure.

This exemption is subject to the following conditions—

- A documented method statement and job safety analysis is to be prepared by a competent person prior to the work commencing.
- The dismantling work is to be directly supervised by a competent person at all times during the dismantling of the tower.
- All personnel involved with rigging work are to hold an appropriate rigging certificate of competency.
- All personnel involved with working at heights are to have completed the appropriate training for this work and be competent in the use of fall injury prevention systems in use.
- Adequate public protection is to be provided and maintained during the tower dismantling process.
- All personnel required to work on the communication tower are to have been trained in identifying, monitoring and controlling Radio Frequency Electro-magnetic Emissions.

Dated this 27th day of November 2002.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS403*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 23 of 2002)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to NDC Wireless from the requirements of Regulation 3.117(1) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to hold a Class 1 demolition licence during the dismantling of the communication structure located at the Telstra Telephone Exchange, Lot 12 Armstrong Street, Dongara. I further grant an exemption from the requirements of Regulation 3.118(a) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to ensure that any Class 1 demolition work is done by a holder of a Class 1 demolition licence during the dismantling of the same communication structure.

This exemption is subject to the following conditions—

- A documented method statement and job safety analysis is to be prepared by a competent person prior to the work commencing.
- The dismantling work is to be directly supervised by a competent person at all times during the dismantling of the tower.
- All personnel involved with rigging work are to hold an appropriate rigging certificate of competency.
- All personnel involved with working at heights are to have completed the appropriate training for this work and be competent in the use of fall injury prevention systems in use.
- Adequate public protection is to be provided and maintained during the tower dismantling process.
- All personnel required to work on the communication tower are to have been trained in identifying, monitoring and controlling Radio Frequency Electro-magnetic Emissions.

Dated this 27th day of November 2002.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS404*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 24 of 2002)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to NDC Wireless from the requirements of Regulation 3.117(2) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to hold a Class 2 demolition licence during the dismantling of the communication structure located at the Shamrock Market Gardens, approximately 160 km's South of Broome. I further grant an exemption from the requirements of Regulation 3.118(b) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to ensure that any Class 2 demolition work is done by a holder of a Class 2 demolition licence during the dismantling of the same communication structure.

This exemption is subject to the following conditions—

- A documented method statement and job safety analysis is to be prepared by a competent person prior to the work commencing.
- The dismantling work is to be directly supervised by a competent person at all times during the dismantling of the tower.
- All personnel involved with rigging work are to hold an appropriate rigging certificate of competency.
- All personnel involved with working at heights are to have completed the appropriate training for this work and be competent in the use of fall injury prevention systems in use.
- Adequate public protection is to be provided and maintained during the tower dismantling process.
- All personnel required to work on the communication tower are to have been trained in identifying, monitoring and controlling Radio Frequency Electro-magnetic Emissions.

Dated this 27th day of November 2002.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS405*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 25 of 2002)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to NDC Wireless from the requirements of Regulation 3.117(1) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to hold a Class 1 demolition licence during the dismantling of the communication structures located at the Hyde Park Hotel, Cnr of Bulwer and Fitzgerald Street, Perth. I further grant an exemption from the requirements of Regulation 3.118(a) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement to ensure that any Class 1 demolition work is done by a holder of a Class 1 demolition licence during the dismantling of the same communication structures.

This exemption is subject to the following conditions—

- A documented method statement and job safety analysis is to be prepared by a competent person prior to the work commencing.
- The dismantling work is to be directly supervised by a competent person at all times during the dismantling of the tower.
- All personnel involved with rigging work are to hold an appropriate rigging certificate of competency.
- All personnel involved with working at heights are to have completed the appropriate training for this work and be competent in the use of fall injury prevention systems in use.
- Adequate public protection is to be provided and maintained during the tower dismantling process.
- All personnel required to work on the communication tower are to have been trained in identifying, monitoring and controlling Radio Frequency Electro-magnetic Emissions.

Dated this 27th day of November 2002.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WATER

WA401*

WATER AGENCIES (POWERS) ACT 1984

WATER SUPPLY IMPROVEMENTS—SHIRE OF LEONORA—LEONORA

Notice of Proposal to Construct a Water Treatment Plant and a Brine Disposal Pipeline

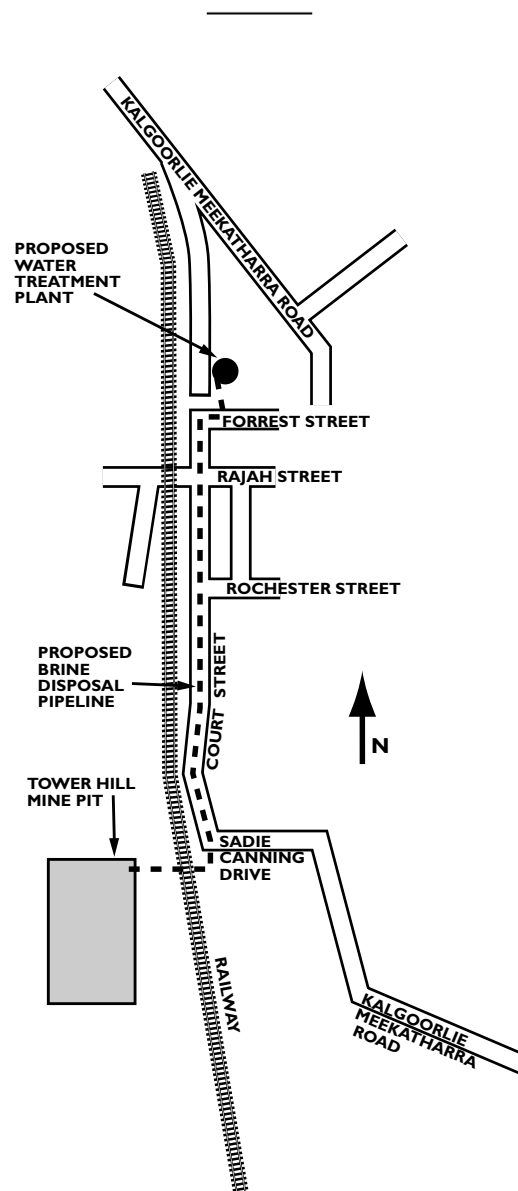
To improve the water quality of the Leonora Water Supply, the Water Corporation proposes to construct a water treatment plant and brine disposal pipeline. The water treatment plant will be installed within the existing pump station site near Forrest Street.

The water treatment plant will comprise a packaged membrane desalination plant, a chlorination plant, water storage tanks, water pumping station, and associated ancillary works. Construction of the proposed brine disposal pipeline within the road reserves will be open trench excavation, which will be backfilled and restored. The section of the pipeline between Sadie Canning Drive and Tower Hill pit will be above ground.

The proposed works are scheduled to commence in February 2003 and will continue for approximately six months.

For further information on this essential water supply project, please contact our Project Manager, Peter Brearley, on (08) 9420 2777.

If you wish to object to the proposed works, please write to Peter Brearley, Water Corporation, PO Box 100, Leederville, WA 6902 before the close of business on 14 January 2003.



PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962
DECEASED ESTATES

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 Paul John Kusmierek, late of Unit 3, 495 Charles Street, North Perth, Western Australia who died on 24 May 2002 are required by the personal representative to send particulars of their claims addressed to the Administrator of the estate of Paul John Kusmierek deceased care of Young & Young 5 Spencer Street Bunbury by the 3 January 2003 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZZ202

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Claims against the estate of William Thomas George Walker late of Clarence Estate, Hardie Road, Albany, Western Australia should be lodged with the Executors, C/- P.O. Box 485, Albany, W.A. before 27 December 2002 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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(Reprinted as at 9 February 2001)

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