

WESTERN AUSTRALIAN GOVERNMENT Gazette

3751



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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 —

PROCLAMATIONS

AA101*

POLICE AMENDMENT ACT 2003

7 of 2003

PROCLAMATION

WESTERN AUSTRALIA
John Sanderson,
Governor.
[L.S.]

} By His Excellency Lieutenant General John Murray
Sanderson, Companion of the Order of Australia,
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Police Amendment Act 2003*, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 19 August 2003.

By Command of the Governor,

MICHELLE ROBERTS, Minister for Police and Emergency Services.

GOD SAVE THE QUEEN !

CONSERVATION

CO301*

Conservation and Land Management Act 1984

Jurien Bay Marine Park Order 2003

Made under section 13(1) and (4) of the Act by the Governor in Executive Council.

1. Citation

This order may be cited as the *Jurien Bay Marine Park Order 2003*.

2. Terms used in this order

In this order, unless the contrary intention appears —

“**Coastal Waters**” has the meaning given to “coastal waters of the State” in section 3(1) of the *Coastal Waters (State Powers) Act 1980* of the Commonwealth;

“**High Water Mark**” has the meaning given to that term in section 3(1) of the *Land Administration Act 1997*;

“**Low Water Mark**” means ordinary low water mark at spring tides.

3. Jurien Bay Marine Park reserved

The area described in Schedule 1 item 1 is reserved as a marine park, to be known as the Jurien Bay Marine Park, and classified as of Class A.

4. Application of Geocentric Datum of Australia 1994

A reference in this order to a geographic coordinate is to a coordinate expressed in accordance with the Geocentric Datum of Australia 1994 (GDA 94).

5. Inspection of Deposited Plan No. 36779

The Department is to make a copy of Deposited Plan No. 36779 available for inspection by members of the public during normal office hours at the following Departmental offices —

- (a) Marine Conservation Branch, 1st Floor, 47 Henry St, Fremantle;
- (b) Midwest Regional Office, 1st Floor, 201 Foreshore Drive, Geraldton; and
- (c) Moora District Office, Lot 124 Bashford St, Jurien Bay.

Schedule 1 — Description of the area of the Jurien Bay Marine Park

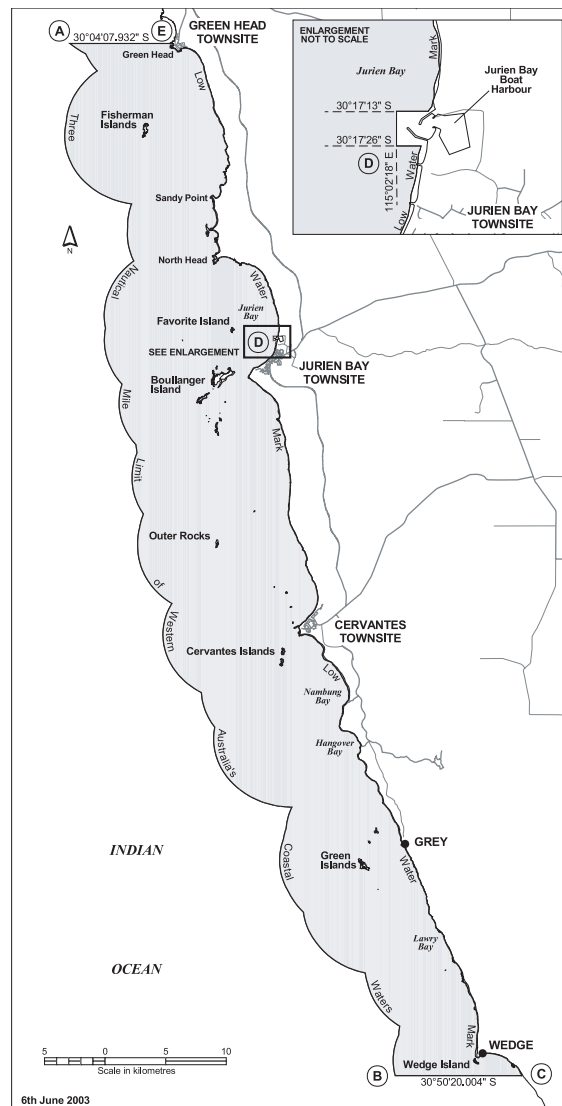
[cl. 3]

1. All that portion of the Indian Ocean contained within and bounded by lines starting from the intersection of latitude 30 degrees 4 minutes 7.932 seconds south with the 3 Nautical Mile Limit of Western Australia's Coastal Waters; thence generally southerly along that 3 Nautical Mile Limit to its intersection with the parallel of latitude 30 degrees 50 minutes 20.004 seconds south; thence east along that parallel of latitude to the Low Water Mark of Western Australia's mainland coastline; thence generally northerly along that Low Water Mark to its intersection with the parallel of latitude 30 degrees 17 minutes 26 seconds south; thence west along that parallel of latitude to its intersection with the meridian of longitude 115 degrees 2 minutes 18 seconds east; thence north along that meridian of longitude to its intersection with the parallel of latitude 30 degrees 17 minutes 13 seconds south; thence east along that parallel of latitude to the Low Water Mark; thence generally northerly along that Low Water Mark to its intersection with the parallel of latitude 30 degrees 4 minutes 7.932 seconds south and thence west along that parallel of latitude to the starting point excluding all unallocated land on islands above High Water Mark and contiguous with either the High or Low Water Mark comprising existing water tenure boundaries of allocated land on islands.

2. For information purposes —
- (a) the area referred to in item 1 is the area delineated in Deposited Plan No. 36779 —
 - (i) in pink and bordered black; and
 - (ii) as Class “A” Marine Reserve No. 8 (Jurien Bay Marine Park),
 as at the date of this order; and
 - (b) a plan showing the boundary of the Jurien Bay Marine Park delineated on Deposited Plan No. 36779 is set out in Schedule 2.

Schedule 2 — Boundary of the Jurien Bay Marine Park delineated on Deposited Plan No. 36779

[Sch. 1 item 2]



By Command of the Governor,

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

GOVERNMENT EMPLOYEES SUPERANNUATION BOARD

GZ301*

State Superannuation Act 2000

State Superannuation Amendment Regulations (No. 2) 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *State Superannuation Amendment Regulations (No. 2) 2003*.

2. The regulations amended

The amendments in these regulations are to the *State Superannuation Regulations 2001**.

[* *Published in Gazette 16 February 2001, p. 921-1074.*
For amendments to 2 July 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 362, and Gazette 13 June 2003.*]

3. Regulation 244 amended

(1) Regulation 244(1) is amended as follows:

- (a) after paragraph (b) by deleting “or”;
- (b) after paragraph (c) by deleting the comma and inserting a semicolon and —

“

(d) a person who is not a Member but in respect of whom contributions have been made as if he or she was a Member; or

(e) a class of persons each of whom is a person referred to in paragraphs (a) to (d),

”.

(2) After regulation 244(1) the following subregulation is inserted —

“

(1a) In a direction in relation to a person referred to in subregulation (1)(d) the Treasurer must specify who is to be regarded as the Employer for the purposes of subregulation (2).

”.

- (3) After regulation 244(2) the following subregulation is inserted —

“

- (3) When giving a direction under subregulation (1) the Treasurer may make payment of the benefit subject to any conditions the Treasurer considers appropriate.

”.

4. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) in Division 1 item 10, by deleting “of” and inserting instead —

“ **for** ”;

- (b) by deleting Division 2 item 69 and inserting instead —

“

69. **Zoological Parks Authority** established under the *Zoological Parks Authority Act 2001*

”.

Certified under section 38(4)(b) of the Act —

DERMOT BALSON, Actuary appointed by the Board.

Date 3/7/03.

Approved under section 38(5)(a) of the Act —

ERIC RIPPER, Treasurer.

Date 13/8/03.

By Command of the Governor,

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

POLICE

PO301*

Police Act 1892

**Police Force Amendment
Regulations 2003**

Made by the Governor in Executive Council under section 138A.

1. Citation

These regulations may be cited as the *Police Force Amendment Regulations 2003*.

2. Commencement

These regulations come into operation on the day on which section 8 of the *Police Amendment Act 2003* comes into operation.

3. The regulations amended

The amendment in these regulations is to the *Police Force Regulations 1979**.

[* Reprinted as at 15 June 2001.

For amendments to 11 August 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 294 and Gazette 30 June 2003.*]

4. Part VIA inserted

After regulation 626 the following Part is inserted —

“

**Part VIA — Procedure relating to Part IIB
of the Act****6A01. Interpretation**

In this Part, unless the contrary intention appears —

“**Assistant Commissioner**” means a person holding or acting in the office of Assistant Commissioner (Professional Standards);

“**member**” has the same meaning as it has in section 33K of the Act;

“**notice**” means a notice given under section 33L(1) of the Act;

“privilege” means —

- (a) a privilege that would attach to documents prepared for the purpose of pending or contemplated proceedings or in connection with the obtaining or giving of legal advice;
- (b) immunity from production of documents or materials where their disclosure would be against the public interest; or
- (c) immunity from production of documents or materials under an enactment;

“review officer” means a person appointed under regulation 6A02.

6A02. Appointment of review officer

- (1) If a complaint or other information is received by the Commissioner or the Assistant Commissioner concerning a member’s integrity, honesty, competence, performance or conduct, the Commissioner or the Assistant Commissioner may appoint a review officer in relation to that member.
- (2) If practicable, a person is not to be appointed as a review officer in relation to a member if that person is or has been involved in an investigation that resulted in the complaint being made or the information being supplied to the Commissioner or the Assistant Commissioner.

6A03. Role of review officer

- (1) In subregulation (2) —
“relevant materials” means materials relevant to issues identified in the Summary of Investigation concerning the member.
- (2) The review officer shall conduct an inquiry into the member referred to in regulation 6A02(1) and prepare —
 - (a) a written report, called a “Summary of Investigation”, that includes reference to relevant materials that were gathered by the review officer for the purpose of the inquiry; and
 - (b) a written list, called an “Inspection List”, of relevant materials that were gathered by the review officer for the purposes of the inquiry.
- (3) The review officer shall identify in the Inspection List any documents in respect of which privilege is claimed and state in that List the grounds on which the privilege is claimed.

- (4) The review officer is subject to the direction of the Assistant Commissioner in conducting the inquiry and preparing the Summary of Investigation and Inspection List.

6A04. Provision of materials to the Commissioner

- (1) When the review officer completes his or her inquiry, the review officer or the Assistant Commissioner shall provide the Commissioner with —
 - (a) the Summary of Investigation;
 - (b) the Inspection List; and
 - (c) any material referred to in the Inspection List that the review officer or the Assistant Commissioner considers appropriate.
- (2) Before the Commissioner decides whether or not to issue a notice, the Commissioner or the Assistant Commissioner may cause further materials, including written reports, to be provided to the Commissioner.
- (3) The Commissioner may direct the review officer to conduct a further review in accordance with regulation 6A03 and subregulation (1) to prepare and submit to him or her a supplementary Summary of Investigation and a supplementary Inspection List.
- (4) The Commissioner's direction may include a direction as to the matters to be investigated and included in the supplementary Summary of Investigation.

6A05. Notice for purpose of section 33L(1) of the Act

- (1) Apart from the matter set out in section 33L(1) of the Act, a notice shall —
 - (a) set out the particular conduct or behaviour on which the Commissioner's loss of confidence is based; and
 - (b) advise the member that within 21 days of being given the notice or such longer period as is allowed by the Commissioner he or she may make a written submission to the Commissioner in respect of the grounds on which the Commissioner has lost confidence in the member's suitability to continue as a member.
- (2) As soon as practicable after the Commissioner gives a notice to a member, the Commissioner shall —
 - (a) provide to the member a copy of any of the following documents relating to the decision to give the notice —
 - (i) the Summary of Investigation and any supplementary Summary of Investigation;

- (ii) the Inspection List and any supplementary Inspection List;
 - (iii) any document examined and taken into account in deciding to issue the notice;
 - and
 - (b) make available to the member for inspection any other material examined and taken into account in deciding to issue the notice.
- (3) Subregulation (2) does not apply to any document or material that is privileged.
- (4) If the Commissioner does not provide a member with a copy of a document or make available to the member for inspection any other material because it is privileged the Commissioner shall advise the member of the ground for the document or material being privileged.

6A06. Access to material

- (1) During the period referred to in section 33L(2) of the Act, the Commissioner shall permit a member who has been given a notice or the member's legal representative to inspect any materials referred to in the Inspection List that are not privileged.
- (2) If a member who has been given a notice wishes to inspect any material, other than material provided to the member under these regulations, that —
- (a) the member has seen or created in the course of his or her duties as a member; and
 - (b) is relevant to issues concerning the member referred to in the notice,

the member may make a request in writing to the Assistant Commissioner for permission to inspect that material.

- (3) The request shall be made as soon as practicable after, and in any event within 14 days of, the day on which the member was given the notice.
- (4) During the period referred to in section 33L(2) of the Act the Commissioner shall as far as practicable permit the member or the member's legal representative to inspect the material the subject of a request under subregulation (2).

6A07. Commissioner's assessment of the member's submission

- (1) If the Commissioner receives a submission from a member under section 33L(2) of the Act, the Commissioner or the Assistant Commissioner may cause further materials, including written reports, to be provided to the Commissioner.

- (2) The Commissioner shall within 21 days, where practicable, and in any event within 42 days of the end of the period referred to in section 33L(2) of the Act decide whether or not a period for further investigation or analysis of any submission of the member is necessary.
- (3) If the Commissioner decides that a further period for investigation or analysis is required, the Commissioner shall endeavour to cause that investigation or analysis to be completed within 7 weeks of receiving the member's submission.
- (4) If the further investigation or analysis cannot be completed within the period referred to in subregulation (3), the Commissioner shall give the member a notice stating —
 - (a) the reasons for the further investigation or analysis;
 - (b) the period of time required to complete the further investigation or analysis; and
 - (c) the reason for the need for that period of time.
- (5) Despite deciding under section 33L(3)(a) of the Act not to take removal action, the Commissioner may consider whether or not the member's performance or conduct warrants other action being taken in relation to the member under the Act or these regulations.

6A08. Further ground for removal, or revocation of appointment

- (1) If during an assessment under this Part the Commissioner concludes that he or she has lost confidence in the suitability of the member the subject of the assessment to continue as a member on a ground other than a ground set out in the notice the Commissioner shall —
 - (a) give the member notice in writing of the further ground;
 - (b) provide to the member a copy of any documents and make available for inspection any other materials that have been examined and taken into account by the Commissioner during the assessment under this Part with the exception of —
 - (i) those documents copies of which have already been given to the member or materials which have already been made available for inspection by the member under this Part; and

- (ii) privileged documents or materials;
 - and
 - (c) allow the member a specified period to provide a response to the further ground.
- (2) For the purpose of subregulation (1), the specified period is —
 - (a) the period of 21 days beginning on the day on which the member is given the notice of the further ground or copies of documents under subregulation (1), whichever is the later; or
 - (b) such other longer period as the Commissioner may approve on an application made before the expiration of the period referred to in paragraph (a).
- (3) If the Commissioner does not provide the member with a copy of a document or make available for inspection any other material that was examined and taken into account by the Commissioner during the assessment because it is privileged the Commissioner shall advise the member of the ground for the document or material being privileged.
- (4) Subregulation (3) does not apply if the Commissioner has already advised the member under this Part of the ground for the document or material being privileged.

6A09. Notice of Commissioner's recommendation or revocation of appointment of aboriginal aide

- (1) A notice under section 33L(3)(b) of the Act shall be given to the member within 7 days of the making of the decision to take removal action.
- (2) The Commissioner is not required to comply with section 33L(5)(b) of the Act —
 - (a) to the extent that he or she has already provided the member with a copy of the documents or made available to the member for inspection any other materials under this Part; or
 - (b) the documents or materials are privileged.
- (3) If the Commissioner does not comply with section 33L(5)(b) of the Act because the documents or materials are privileged the Commissioner shall advise the member of the ground for the documents or materials being privileged.
- (4) Subregulation (3) does not apply if the Commissioner has already advised the member under this Part of the ground for the documents or materials being privileged.

6A10. Services of notices or documents

- (1) If a notice or document is required to be given to a member under Part IIB of the Act or this Part, service may be effected on the member —
 - (a) by delivering it to the member personally;
 - (b) by properly addressing and posting it (by pre-paid post) as a letter to the usual or last known place of abode of the member or address for service given by the member in writing to the Assistant Commissioner;
 - (c) by leaving it for the member at his or her usual or last known place of abode; or
 - (d) by leaving it for the member at an address for service given by the member in writing to the Assistant Commissioner.
- (2) Service under subregulation (1) is to be taken to be effected —
 - (a) in the case of service under subregulation (1)(a), at the time of delivery to the member;
 - (b) in the case of service under subregulation (1)(b), at the time when the letter would have been delivered in the ordinary course of post;
 - (c) in the case of service under subregulation (1)(c), at the time it is left at the abode; or
 - (d) in the case of service under subregulation (1)(d), at the time it is left at the address given to the Assistant Commissioner.

6A11. Members unfit for further active service

Regulations 6A02 to 6A08 do not apply where removal action is taken or to be taken in respect of a member because the medical board has reported under regulation 1402(4) that he or she is unfit for further active service.

6A12. Restriction on suspending member's pay

During any period in which consideration is being given to a member's suitability to continue as a member of the Police Force the Commissioner of Police and the Governor shall not suspend the member's pay.

”

By Command of the Governor,

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

TREASURY AND FINANCE

TF302*

Stamp Act 1921

Stamp Act section 119 Notice 2003

Made by the Minister under section 119 of the Act.

1. Citation

This notice may be cited as the *Stamp Act section 119 Notice 2003*.

2. Exempt body under section 119

For the purposes of section 119 of the Act, the Public Transport Authority of Western Australia established by the *Public Transport Authority Act 2003* section 5 is declared to be an exempt body with effect on and from the day on which this notice is published in the *Gazette*.

ERIC RIPPER, Treasurer.

Date: 19 August 2003.

— PART 2 —

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994
SHARK BAY SNAPPER FISHERY MANAGEMENT PLAN
AMENDMENT 2003

FD 2751/00 [564]

Made by the Minister under section 54(2).

Citation

1. This instrument may be cited as the *Shark Bay Snapper Fishery Management Plan Amendment 2003*.

Commencement

2. This instrument shall commence operation on 1 September 2003.

Management plan amended

3. The amendments in this instrument are to the *Shark Bay Snapper Management Plan 1994**.

Clause 2 amended

4. Clause 2 is amended by deleting the item commencing “unit entitlement”.

Clause 12 deleted and inserted

5. Clause 12 is deleted and the following clause is inserted instead—

“ Capacity of the Fishery

12. The capacity of the Fishery for any year commencing on 1 September is 338,250 kilograms of snapper (whole weight).”.

Schedule 2 amended

6. Schedule 2 is amended by deleting “25°10'45 south longitude” and inserting instead—
“25°10'45” south latitude”.

*[*Published in the Gazette of 22 July 1994. For corrections and amendments to 20 August 2003 see Notice No. 656 published in the Gazette of 8 November 1994, Notice No. 718 published in the Gazette of 27 June 1995, the Shark Bay Snapper Management Plan Amendment 1998 published in the Gazette of 7 August 1998, the Shark Bay Snapper Fishery Management Plan Amendment 2000 published in the Gazette of 29 December 2000 and the Shark Bay Snapper Fishery Management Plan Amendment 2000 correction published in the Gazette of 10 September 2002.]*

Dated this 21st day of August 2003.

K. M. CHANCE, Minister for Agriculture, Forestry and Fisheries.

HEALTH

HE401

MEDICAL ACT 1894**MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 12) 2003**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the Medical (Unmet Area of Need) Determination (No. 12) 2003.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

Schedule

- Emergency Medical Services at Bunbury Regional Hospital provided by—
 - Staff Specialists
 - Senior Medical Officers
 - Resident Medical Officers
 - Registrars
- and
- General Medical Services at Bunbury Regional Hospital provided by—
 - Registrars

Dated this 14th day of August 2003.

JIM MCGINTY, MLA, Minister for Health.

HE402**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 13) 2003**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the Medical (Unmet Area of Need) Determination (No. 13) 2003.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

Schedule

- Emergency Medical Services at Busselton District Hospital provided by—
 - Staff Specialists
 - Senior Medical Officers
 - Registrars

Dated this 14th day of August 2003.

JIM MCGINTY, MLA, Minister for Health.

HE403**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 14) 2003**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the Medical (Unmet Area of Need) Determination (No. 14) 2003.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 2 years after its commencement.

Schedule

- Neo-natal Paediatric Services at St John of God Health Care, Subiaco

Dated this 14th day of August 2003.

JIM MCGINTY, MLA, Minister for Health.

HERITAGE**HR401*****HERITAGE OF WESTERN AUSTRALIA ACT 1990****NOTICE OF ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES**

Notice is hereby given in accordance with Section 51(2) of the Heritage of Western Australia Act 1990 that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Schedule 1

Description of Place

Armadale District Hall at Cnr Jull Street & Church Avenue, Armadale; That ptn of Lt 31 on DP 30368, being pt of R 21514 & pt of the land contained in CLT V 3055 F 950 as is defined in HCWA survey No 4669 prepared by Fugro Spatial Solutions Pty Ltd.

Beach House, Trigg Island at 352 West Coast Drive, Trigg; Ptn of Lt 2 on P 3875, being the whole of the land comprised in C/T V 1237 F 645.

Chisholm House (fmr) at 32 Genesta Crescent, Dalkeith; Lt 418 on P 3395 (sheet 2), being the whole of the land comprised in C/T V 1792 F 802.

Cue Pensioners Cottages at Austin Street, Cue; Cue Lt 465 on Plan 44191 being part of CR 25665 and being part of the land contained in CLT V 3000 F 834.

Eucla Telegraph Station at Eucla; Eucla Lts 231, 232, 233, 234, 235 and 236 on DP222414 being the whole of the land contained in CLT 's V3130 F555, V3130 F556, V3130 F 557, V3130 F 558, V3130 F559 & V3130 F560 as is described in HCWA survey drawing No 3558 as prepared by Warren King & Company & Midland Survey Services.

Godfrey House at Cnr Thomas Street & Roberts Road, Subiaco; Those ptns of Lt 903 on DP182676 & Lt 930 on DP183862 being part of the land comprised in C/Ts V 1590 Fs 564 & 565 respectively as together are defined on HCWA survey No 5568 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Rawlinna at 378 km west of Kalgoorlie on the Trans Australian Railway; Part of Giles Loc 2 being part of the land contained in C/T V 1681 F 343. Lt 1 on D 12256 and being the whole of the land contained in C/T V 1681 F 341. Lt 3 on D 17645 and being the whole of the land contained in C/T V 1681 F 342.

Lt 5 on D 39703 and being the whole of the land contained in C/T V 1484 F 932 as together are defined in HCWA Survey No 15722 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Pursuant to directions from the Minister for Heritage, notice is hereby given in accordance with Section 49(1) of the Heritage of Western Australia Act 1990 that it is proposed that the places described in Schedule 2 be entered in the Register of Heritage Places. The Heritage Council invites submissions on the proposal which must be in writing & should be forwarded to the address below not later than 7 October 2003. The places will be entered in the Register on an interim basis with effect from today.

Schedule 2

Description of Place

Cottesloe Post Office & Telephone Exchange at 81-83 Forrest Street, Cottesloe; Lts 26 & 27 on P 1303, being the whole of the land comprised in C/T V 1217 F 375.

Edwards' House & Archaeological Sites at 9810 West Swan Road, Henley Brook; Ptn of Lt 26 on D 79425 being part of the land contained in C/T V 2106 F 100 as is defined in HCWA Survey No 4112 as prepared by Warren King & Company and Midland Survey Services.

Metropolitan Hotel (fmr) at Veal Street, Hopetoun; Lt 86 on DP 222574 being the whole of the land comprised in C/T V 1551 F 309.

Nazareth House at Crowtheron Street, Bluff Point, Geraldton; Lts 43 & 44 on P 949 being the whole of the land contained in C/T V 1213 F 485. Lts 47 to 52 (inclusive), Lt 56, Lts 62 to 77

(inclusive), Lts 84 to 99 (inclusive) together with ptns coloured brown on P 949 being part of the land contained in C/T V 1081 F 985. Lts 40, 41 & 42 on P 949 being the whole of the land contained in C/T V 1157 F 589.

Lt 45 on P 949 being the whole of the land contained in C/T V 165 F 72A. Lt 46 on P 949 being the whole of the land contained in C/T V 165 F 73A. Lt 55 on P 949 being the whole of the land contained in C/T V 361 F 148. Lts 53 & 54 on P 949 being the whole of the land contained in C/T V 807 F 157.

Together with the portion of Unallocated Crown Land as is defined in HCWA Survey No 1055 as prepared by Warren King & Company & Midland Survey Services.

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with the requirements of Section 47 (5) of the Heritage of Western Australia Act, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that the places listed in Schedule 3 should be entered in the Register of Heritage Places on an interim basis. The Heritage Council hereby gives notice of the interim registration and invites submissions on the matter; which must be in writing and should be forwarded to the address below not later than 7 October 2003. The places listed in Schedule 3 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

Schedule 3

Description of Place

Balladonia Telegraph Station (fmr) at Eyre Highway, Balladonia; Lt 12 on DP 255205 being the whole of the land contained in C/T V 1739 F 288 together with ptn of Balladonia Loc 36 on DP 238021 & being part of the land in CL 256/1989 & Eyre Highway Road Reserve as is defined by HCWA survey No 761 prepared by Warren King & Company & Midland Survey Services.

District Superintendent's House (fmr) at 2 Forrest Street, Kalgoorlie; That ptn of unnumbered railway reserve as is defined by HCWA survey No 1280 as prepared by Cadgraphics WA.

Railway Worker's Cottage at 22 Forrest Street, Kalgoorlie; That ptn of unnumbered railway reserve as is defined by HCWA survey No 3792 as prepared by Cadgraphics WA.

Station Master's House (fmr), Kalgoorlie at 12-14 Forrest Street, Kalgoorlie; That ptn of unnumbered railway reserve as is defined by HCWA survey No 3791 as prepared by Cadgraphics WA.

Trayning Police Station & Former Police Quarters at Sutherland Street, Trayning; Reserve 15512 being Lt 178 on DP 195522 & the whole of the land contained in CLT V 3122 F 935. Lt 179 on DP 195522 being the whole of the land contained in CLT V 3122 F 936 Lt 180 on DP 35525 being the whole of the land contained in C/T V 2221 F 71

Wittenoom Street Railway Houses at 1-5 Wittenoom Street, Kalgoorlie; That ptn of unnumbered railway reserve as is defined by HCWA survey No 15865 prepared by Cadgraphics WA.

26 August 2003.

IAN BAXTER, DIRECTOR, Office of the Heritage Council.
108 Adelaide Terrace East Perth WA 6004.

JUSTICE

JU101*

CORRECTION

JUSTICES ACT 1902

Order Under Section 7

An error occurred in the notices published in the *Government Gazette* under the above headings on page 3673 (dated 12 August 2003), and are corrected as follows:

Change

It is hereby notified for public information that Cr Barry William Sammels of 3 Stokes Street, Rockingham has been appointed under Section 9 of the *Justices Act 1902* to be a Justice of the Peace for the Magisterial District of Perth during his term of office as the President of the Shire of Rockingham.

to

It is hereby notified for public information that Cr Barry William Sammels of 3 Stokes Street, Rockingham has been appointed under Section 9 of the *Justices Act 1902* to be a Justice of the Peace for the Magisterial District of Perth during his term of office as the Mayor of the City of Rockingham.

GARY THOMPSON, Executive Director, Court Services.

JU401*

DECLARATIONS AND ATTESTATIONS ACT 1913

APPOINTMENTS

It is hereby notified for public information that the Attorney General has approved of the appointment of the following persons as a Commissioner for Declarations under the *Declarations and Attestations Act 1913*:

Mrs Gaye Irene Van Der Helm of 210 Grand Promenade, Bedford
Mr Janos Pfannenwald of 93 Angove Street, North Perth

GARY THOMPSON, Executive Director, Court Services.

JU402*

JUSTICES ACT 1902

APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following persons to the office of Justice of the Peace for the State of Western Australia;

Mrs Dianne Therese Ausburn of 11 Koolparn Court, Kununurra
Mr Robin Wayne Fidock 7 Misty Valley View, Roleystone
Mr Ka Wai Chang of 3 Skender Place, Gwelup
Mr Neil Charles Saxton of 8 Meakins Court, Bayswater

GARY THOMPSON, Executive Director, Court Services.

JU403*

JUSTICES ACT 1902

RESIGNATIONS

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of—

Mr Robert Julien Mitchell of 'Barnong' Station, via Yaloo
Ms Geraldine Patricia Hassall of 36 Munja Way, Nollamara

from the Office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU404*

CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988

RESIGNATIONS

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Mr Robert Julien Mitchell of 'Barnong' Station, via Yaloo as a member of the Children's Court for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

JU405*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following person with Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Smith	Richard Edward	CS4-001	14/08/2003	14/08/2003	30/07/2005

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN YEARWOOD, A/Director, Custodial Contracts.

JU406*

DISTRICT COURT OF WESTERN AUSTRALIA ACT 1969
SITTINGS AND WINTER VACATION FOR 2004

Pursuant to the powers conferred by the *District Court of Western Australia Act 1969* I hereby appoint the following sittings of the District Court for the year 2004.

Civil Sittings at Perth

1. Civil sittings of the District Court at Perth for the trial of causes and issues of fact shall commence on Tuesday 13 January and shall continue, except for the Easter and Winter Vacations and for Public Service holidays, until Thursday 23 December. The Court will be held from 10.30 am on each day of sitting unless otherwise stated.

Criminal Sittings at Perth

2. Criminal sittings of the District Court at Perth shall commence on the following days—

Tuesday	13	January
Monday	2	February
Tuesday	2	March
Thursday	1	April
Monday	3	May
Tuesday	1	June
Monday	19	July
Monday	2	August
Wednesday	1	September
Friday	1	October
Monday	1	November
Wednesday	1	December

The Court will be held from 10.00 am on each day of sitting unless otherwise stated.

Civil and Criminal Sittings at Other Places

3. The places, days and times for other Civil and Criminal sittings of the District Court shall be as follows—

Place	Jurisdiction	Commencing Day
Albany	Criminal and Civil	Monday 19 January
		Monday 8 March
		Monday 10 May
		Monday 26 July
		Monday 13 September
		Monday 8 November
Bunbury	Criminal	Monday 19 January
		Monday 8 March
		Monday 10 May
		Monday 9 August
		Monday 27 September
		Monday 22 November
Bunbury	Civil	Tuesday 13 April
		Monday 14 June
		Monday 13 September
		Monday 8 November
Busselton	Criminal	Monday 16 February
		Monday 14 June
		Monday 6 September
		Monday 8 November
Carnarvon	Criminal and Civil	Monday 2 February
		Monday 21 June
		Monday 18 October
Esperance	Criminal and Civil	Monday 23 February
		Monday 24 May
		Monday 23 August
		Monday 15 November
Fremantle	Criminal	Monday 19 January
		Monday 16 February
		Monday 15 March
		Monday 19 April
		Monday 10 May
		Monday 14 June
		Monday 19 July
		Monday 16 August
		Monday 13 September
		Monday 11 October
		Monday 15 November
		Monday 6 December

Place	Jurisdiction	Commencing Day
Geraldton	Criminal and Civil	Monday 9 February
		Monday 3 May
		Monday 16 August
		Monday 11 October
		Monday 29 November
Joondalup	Criminal	Thursday 15 January
		Thursday 19 February
		Thursday 18 March
		Thursday 8 April
		Thursday 13 May
		Thursday 10 June
		Thursday 22 July
		Thursday 12 August
		Thursday 9 September
		Thursday 14 October
		Thursday 11 November
Kalgoorlie	Criminal and Civil	Tuesday 27 January
		Monday 15 March
		Monday 10 May
		Monday 9 August
		Monday 20 September
Meekatharra	Criminal	Monday 15 November
		Thursday 26 February
		Thursday 10 June
Rockingham	Criminal	Thursday 11 November
		Monday 19 January
		Monday 16 February
South Hedland Derby Karratha Kununurra Broome	Criminal and Civil	Monday 8 March
		Tuesday 13 April
		Monday 24 May
		Monday 14 June
		Monday 26 July
		Monday 16 August
		Monday 6 September
		Monday 25 October
		Monday 8 November
		Monday 6 December
		Monday 2 February
Tuesday 13 April		
Monday 14 June		
Monday 2 August		
Monday 11 October		
Monday 29 November		

The Court will be held from 10.00 am on each day of sitting unless otherwise stated.

Winter Vacation

4. The Winter Vacation for 2004 shall commence on Monday 5 July and shall terminate on Sunday 18 July.

Dated the 18th day of August 2003.

KEVIN HAMMOND, Chief Judge.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Canning

SWIMMING POOL INSPECTION FEES

At the meeting of the City of Canning held on 19th August 2003, it was resolved to impose the following Swimming Pool Inspection Fee for the period 1st July 2003 to 30th June 2004—

Swimming Pool Inspection Fee:	\$11.50 per year
(GST inclusive)	\$5.75 eligible pensioners

Dr MICHAEL LEKIAS, Mayor.
D. CARBONE, Acting Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
GRANT OF RETENTION LEASES
WA-19-R, WA-20-R and WA-21-R

Retention Leases WA-19-R, WA-20-R and WA-21-R held by ChevronTexaco Australia Pty Ltd and Texaco Australia Pty Ltd have been granted to have effect for a period of five (5) years from the 18th day of August 2003.

W. L. TINAPPLE, Director Petroleum Division.

MP402*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
GRANT OF RETENTION LEASES
WA-22-R, WA-23-R, WA-24-R, WA-25-R and WA-26-R

Retention Leases WA-22-R, WA-23-R, WA-24-R, WA-25-R and WA-26-R held by ChevronTexaco Australia Pty Ltd, Texaco Australia Pty Ltd, Mobil Australia Resources Company Pty Limited, BP Exploration (Alpha) Ltd and Shell Development (Australia) Proprietary Limited have been granted to have effect for a period of five (5) years from the 18th day of August 2003.

W. L. TINAPPLE, Director Petroleum Division.

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Broome
Town Planning Scheme No. 4—Amendment No. 13

Ref: 853/7/2/4 Pt 13

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 Broome Town Planning Scheme Amendment on 20 August 2003 for the purpose of rezoning Lot 45 (No. 8) Seko Place, Broome, from 'Residential' R10/20 to 'Residential' R40.

K. A. FONG, President.
G. S. POWELL, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Broome
Town Planning Scheme No. 4—Amendment No. 14

Ref: 853/7/2/4 Pt 14

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 Broome Town Planning Scheme Amendment on 20 August 2003 for the purpose of rezoning Lots 65 and 66 (Nos. 39-41) Frederick Street, Broome, from 'Residential' R10/20 to 'Residential' R40.

K. A. FONG, President.
G. S. POWELL, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Gosnells

Town Planning Scheme No. 6—Amendment No. 9

Ref: 853/2/25/8 Pt 9

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 City of Gosnells Town Planning Scheme Amendment on 20 August 2003 for the purpose of recoding 36-38 (Lot 12) and 32-34 (Lot 13) Camberwell Street, Beckenham, from Residential R17.5 to Residential R60.

P. M. MORRIS, Mayor.
S. J. ARDINE, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 79

Ref: 853/2/26/3 Pt 79

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 Town of Kwinana Town Planning Scheme Amendment on 20 August 2003 for the purpose of substituting Subdivision Guide Map No. 8 in Amendment No. 79 to the Town of Kwinana Town Planning Scheme No. 2, with a new Subdivision Guide Map to be known as Subdivision Guide Map No. 8A.

J. H. D. SLINGER, Mayor.
R. G. SEARLE, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Town of Victoria Park

Town Planning Scheme No. 1—Amendment No. 26

Ref: 853/2/32/2 Pt 26

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 Town of Victoria Park Town Planning Scheme Amendment on 20 August 2003 for the purpose of—

1. Rezoning Lot 147 Westminster Street from 'Residential' zone to 'Special Use' zone with the notation "CP/D".
2. Adding to Precinct Plan P12 (Sheet A) East Victoria Park Precinct—
 - (1) In the 'Legend' in the section 'Town of Victoria Park Scheme Zones' after the 'Special Use' zone category 'PCP—Private Carparking', an additional category notated as "CP/D—Carparking/Drainage".
 - (2) In the text provisions of the 'Special Use' zone after the last paragraph, under a separate heading, the following—

CARPARKING/DRAINAGE

The only permitted use of this land is carparking and/or drainage.

J. A. LEE, Mayor.
J. BONKER, Chief Executive Officer.

POLICE

PO501*

POLICE ACT 1892**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday, 6 September 2003 at 10.00 am.

The auction is to be conducted by Mr Jules Antenucci.

B. MATTHEWS, Commissioner of Police,
Western Australia Police Services.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the Interpretation Act 1984, has approved the following temporary appointment—

Hon E. S. Ripper MLA to act temporarily in the office of Minister for Consumer and Employment Protection; Indigenous Affairs; Minister Assisting the Minister for Public Sector Management in the absence of the Hon J. C. Kobelke MLA for the period 27 September to 4 October 2003 (both dates inclusive).

M. C. WAUCHOPE, Director General.

PC402*

INTERPRETATION ACT 1984**MINISTERIAL ACTING ARRANGEMENTS****Amendment**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the Interpretation Act 1984, has approved the following temporary appointment in place of that published in *Government Gazette* No. 120, dated 15 July 2003, page 2837—

Hon T. G. Stephens MLC to act temporarily in the office of Minister for Tourism; Small Business; Sport and Recreation; Peel and the South West in the absence of the Hon R. C. Kucera MLA for the period 26 September 2003 to 12 October 2003 (both dates inclusive).

M. C. WAUCHOPE, Director General.

PC403*

INTERPRETATION ACT 1984**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the Interpretation Act 1984, has approved the following temporary appointment—

Hon K. M. Chance MLC to act temporarily in the office of Minister for Local Government and Regional Development; Heritage; the Kimberley, Pilbara and Gascoyne; Goldfields–Esperance in the absence of the Hon T. G. Stephens MLC for the period 15 to 24 December 2003 (both dates inclusive).

M. C. WAUCHOPE, Director General.

WATER

WA401*

WATER AGENCIES (POWERS) ACT 1984*Shire of Tambellup***TAMBELLUP WASTEWATER SCHEME**

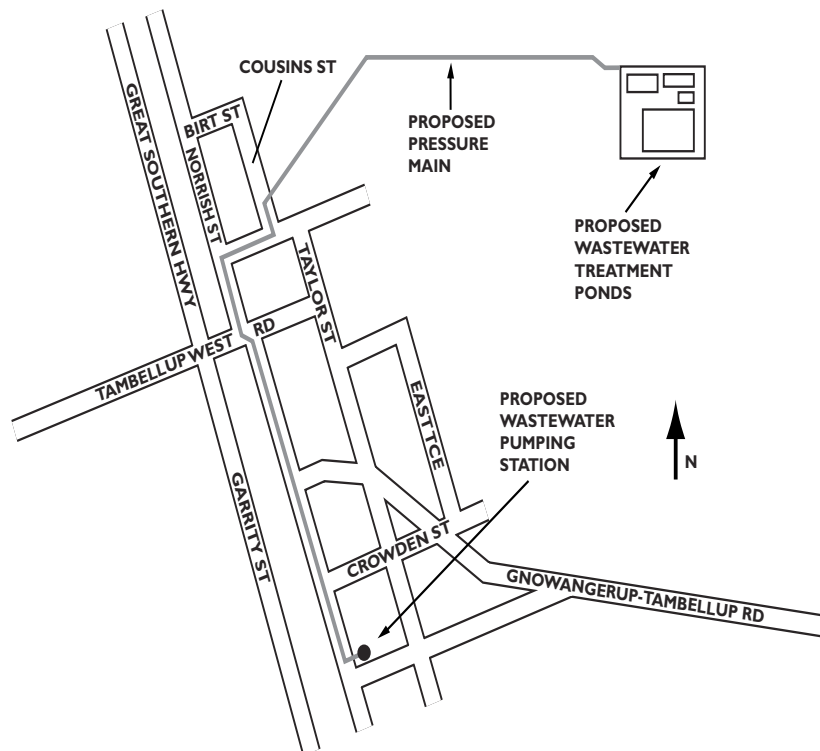
Notice of Proposal to Construct Sewerage Reticulation Area Tambellup 1A, Pumping Station, Pressure Main and Wastewater Treatment Plant

To dispose of wastewater from the town of Tambellup, the Water Corporation proposes to construct a Wastewater Treatment Plant, below ground sewers and a pumping station complete with ancillary items.

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

For further information on this essential wastewater disposal project, please contact Jim Ridgwell on (08) 9420 2634.

Objections to the proposed works will be considered if lodged in writing to the Project Manager, Ian Michelmore, Water Corporation, PO Box 100, Leederville WA 6902, before 4pm on 25 September 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 estates of the undermentioned deceased persons, are required to send particulars of their claim to Plan B Trustees Limited of Level 28, 152 St George's Terrace, Perth on or before the

expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Penberthy, Constance Claire of 77 Sabina Drive, Molloy Island, Augusta, Retired Journalist, died 22/6/03.

Szymakowski, Maria Danuta of Unit 1/6 Vaughan Street, Dianella, Home Duties, died 17/7/03.

Spicer, Clarence of 4A Wilkes Street, Bunbury, Retired Farmhand, died 3/8/03.

Simonini, Ezio of 186 Brockman Street, Pemberton, Retired Farmer, died 23/6/03.

Dated this 21st day of August 2003.

SABINA SCHLINK, Manager Estate Planning.

WESTERN AUSTRALIA

LABOUR RELATIONS REFORM ACT 2002

**Price: \$24.95 counter sales
Plus postage on 400 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

CRIMINAL INVESTIGATION (IDENTIFYING PEOPLE) ACT 2002

**Price: \$22.60 counter sales
Plus postage on 390 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

ROAD SAFETY COUNCIL ACT 2002

**Price: \$3.20 counter sales
Plus postage on 30 grams**

*Prices subject to change on addition of amendments.

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 2004

All subscriptions are for the period from 1 January to 31 December 2004. 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.

* Prices cover period from 1 January to 30 June 2004. From 1 July access to on-line legislation will be free.

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	806.30
Interstate	822.80
Overseas (airmail)	1,124.00
Bound Volumes of full year	1,072.50

Electronic Gazette Online

(includes all Gazettes from Jan 1998)

* Existing hard copy subscriber	122.80
* Electronic Subscription only	360.75
<i>Gazettes on CD ROM from 1998</i>	
(per year)	734.80

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	350.90
Interstate	418.00
Overseas (airmail)	532.00

Electronic Gazette Online

(includes all Gazettes from Jan 1996)

* Existing hard copy subscriber	85.15
* Electronic Subscription only	170.30
<i>Gazettes on CD ROM from 1998</i>	
(per year)	317.90

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	765.60
Interstate	935.00
Overseas (airmail)	881.00

Bound Volumes of Hansard

Within WA	754.60
Interstate	766.70
<i>Hansards on CD ROM from 1999</i>	
(per year)	783.20

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA	273.90
Interstate	303.60
Overseas	281.00
Half Calf Bound Statutes	752.40

Bound Volumes on CD ROM from 1998

(per year)	272.80
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Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA	293.70
Interstate	303.60
Overseas (airmail)	395.00

Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA	403.70
Interstate	422.40
Overseas (airmail)	573.00

Electronic Statutes Online

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

	\$
* 1st user	359.55
* 2nd and each additional user (each)	180.35
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.

