



WESTERN AUSTRALIAN GOVERNMENT Gazette

ISSN 1448-949X PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 7 OCTOBER 2008 No. 171

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

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Local Government Act 1995—Town of Vincent—Local Government Property Amendment Local law 2008 .....	4519

PART 2

Deceased Estates .....	4525
Land.....	4522
Local Government.....	4522
Marine/Maritime.....	4524

## **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).

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 2008 (Prices include GST).

Deceased Estate notices, (per estate)—\$25.60

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$59.70

Other articles in Public Notices Section—\$59.70 minimum charge (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—\$11.95

Bulk Notices—\$218.20 per page

Clients who have an account will only be invoiced for charges over \$50.

For charges under \$50, clients will need to supply credit card details at time of lodging notice (i.e. notice under 5cm would not be invoiced).

Clients without an account will need to supply credit card details or pay at time of lodging the notice.

# — PART 1 —

---

---

## LOCAL GOVERNMENT

---

---

LG301\*

### LOCAL GOVERNMENT ACT 1995

*Town of Vincent*

#### LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Town of Vincent resolved on 8 July 2008 to make the following local law.

#### 1. Citation

This local law may be cited as the *Town of Vincent Local Government Property Amendment Local Law 2008*.

#### 2. Principal local law

In this local law the *Town of Vincent Local Government Property Local Law 2008* published in the *Government Gazette* on 15 April 2008 is referred to as the principal local law. The principal local law is amended as follows.

#### 3. Title

Delete “2007” from the Title and where it appears in Schedule 2 Clause 1.1 and substituted with “2008”.

#### 4. Clause 5.2

The existing Clause 5.2 be deleted and substituted with the following—

##### **5.2 Direction of manager or authorised person to be observed**

(1) The manager or an authorised person may refuse admission to, may direct to leave or may remove or cause to be removed from the pool premises, a person who—

- (a) in her or his opinion is—
  - (i) under the age of 12 years and who is unaccompanied by a responsible person 16 years or older; or
  - (ii) suffering from any contagious, infectious or cutaneous disease or complaint; or
  - (iii) in an unclean condition; or
  - (iv) under the influence of liquor or a prohibited mind altering drug or substance;
- (b) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.

(2) A person shall, on being requested by the manager or an authorised person to leave the pool premises, subject to subclause (1), do so immediately, quietly and peaceably.

(3) A person who fails to comply with a request under subclause (2) may be removed from the pool premises, by the manager, an authorised person or a Police Officer. ”

#### 5. Clause 13.4

The existing Clause 13.4(1) be deleted and substituted with the following—

##### **13.4 Public liability insurance and indemnity**

(1) Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall—

- (a) enter into an agreement with the local government to provide and maintain the required public liability insurance cover during the entire time that the licence is in place;
- (b) take out a public liability insurance policy in the name of the permit holder, covering the Permit holder’s legal liabilities in respect of the permit holder’s usual business activities;

- (c) advise the local government should the permit holder cancel or modify or fail to renew the public liability insurance cover during the period of the licence;
- (d) provide the local government with a Certificate of Currency confirming that public liability insurance cover is in place as per clause 13.4(1) prior to issuing of the licence;
- (e) ensure that, as a minimum, the permit holder's public liability insurance policy has a limit of liability of \$10 million (ten million dollars), or such other amount as the local government considers appropriate to the risk and liability involved. At the discretion of the local government, the limit of liability required may be increased at the policy renewal date;
- (f) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA). "

Dated: 23rd day of September 2008.

The Common Seal of the Town of Vincent was affixed by the authority of to a resolution of the Council in the presence of—

NICK CATANIA, JP, Mayor.  
JOHN GIORGI, JP, Chief Executive Officer.

LG302\*

## LOCAL GOVERNMENT ACT 1995

### *Town of Vincent*

#### TRADING IN PUBLIC PLACES AMENDMENT LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Town of Vincent resolved on 8 July 2008 to make the following local law.

#### 1. Citation

This local law may be cited as the *Town of Vincent Trading in Public Places Amendment Local Law 2008*.

#### 2. Principal local law

In this local law the *Town of Vincent Trading in Public Places Local Law 2008* published in the *Government Gazette* on 15 April 2008 is referred to as the principal local law. The principal local law is amended as follows.

#### 3. Clause 5.4(1)

The existing Clause 5.4(1) be deleted and substituted with the following—

“

##### 5.4 Public liability insurance and indemnity

(1) Where, as a condition of a permit, a permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall—

- (a) enter into an agreement with the local government to provide and maintain the required public liability insurance cover during the entire time that the permit is in place;
- (b) take out a public liability insurance policy in the name of the permit holder, covering the permit holders legal liabilities in respect of 'the permit holder's usual business activities including the provision of an outdoor eating area (alfresco dining) on footpaths or other trading places which may or may not be under the ownership, care, custody and control of the local government;
- (c) advise the local government should the permit holder cancel or modify or fail to renew the public liability insurance cover during the period of the licence;
- (d) provide the local government with a Certificate of Currency confirming that the public liability insurance cover is in place as per the requirements of Clause 5.4(1) prior to issuing of the permit;
- (e) ensure that, as a minimum, the permit holder's public liability insurance policy has a limit of liability of \$5 million (five million dollars), or such other amount as the local government considers appropriate to the risk and liability involved. At the discretion of the local government, the limit of liability required may be increased at the policy renewal date;

- (f) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority (APRA). ”
- 

Dated: 23rd day of September 2008.

The Common Seal of the Town of Vincent was affixed by the authority of to a resolution of the Council in the presence of—

NICK CATANIA, JP, Mayor.

JOHN GIORGI, JP, Chief Executive Officer.

---

---

---

## — PART 2 —

---

---

---

---

### LAND

---

---

LA401\*

**LICENSED SURVEYORS ACT, 1909**

## LAND SURVEYORS LICENSING BOARD

## Appointments

It is hereby notified for general information that the following persons have been registered as Licensed Surveyors under the provisions of the abovementioned Act.

On July 24th 2008—

No. 1023 Beasley, Glenn Robert, 3 North Street, Swanbourne, Western Australia 6010

On September 18th 2008—

No. 1024 Diamond, Dean Naithan, 3 Bartlett St, Willagee, Western Australia, 6156

No. 1025 Parker, Ryan Joseph, 38 Salerno Ave, Stirling, Western Australia, 6021

No. 1026 Wood, Simon, 2/22 Geddes St, Victoria Park, Western Australia 6100

No. 1027 Myles, Brett Christopher, 4 Yoondarn Elbow, Wattle Grove, Western Australia 6107

No. 1028 Miller, Craig Andrew, U6/13 Haig St. Tuart Hill, Western Australia, 6060

No. 1029 Chami, Ahmad Richard, 90 Goodwood Way, Canning Vale, Western Australia 6155

N. E. BROWNE, Chairman.  
RICHARD BROWNE, Secretary.  
Land Surveyors Licensing Board  
Midland Square, Midland WA 6056.

---

---

### LOCAL GOVERNMENT

---

---

LG401\*

**LOCAL GOVERNMENT ACT 1995***City of Cockburn*

## AUTHORISED PERSONS

It is hereby notified for public information that as from 7 October 2008, pursuant to a resolution of Council passed on 14 August 2008 the Cockburn Gateway Shopping Centre, located on Lot 203/816 Beeliar Drive, Success, is hereby constituted as a Parking Station, known as Parking Station Number 1, pursuant to the Parking and Parking Facilities Local Law 2007 and the following persons are authorised persons in accordance with that Local Law as detailed hereunder:—

Robert Allan Leaver

Ian Hargense

Matthew George Kaiser

Linda May Windram

Russell John Hallberg

Travis Shannon Ranieri

Mark Stewart Adams

Brent Matthew Stein

Gary Thomas MacMillan-Smith-Davies

Leanne Chaproniere

Terence William Murphy

Bartholomeus Hendrikus Bartels

Mohamad Hawchar

DON GREEN, Acting Chief Executive Officer.

**LG402\****CITY OF STIRLING*

## APPOINTMENTS

It is hereby notified for public information that the following person—

Gary Perryman	Stuart Robb
Christopher Moylan	Rick Chitarra
Malcolm Geste	Geoff Birkbeck
George Moylan	

have been appointed by the City of Stirling as authorised officers to exercise powers pursuant to the following legislations—

Local Government Act 1995 (as amended)  
 Local Government Act (Miscellaneous Provisions Act 1960)  
 Bush Fires Act 1954 (as amended)  
 Dog Act 1976 (as amended)  
 Litter Act 1979 (as amended)  
 The Control of Vehicles (Off Road Areas Act 1978 (as amended)  
 Spear Guns Act 1955 (as amended)

STUART JARDINE, Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954***City of Canning*

## FIREBREAK NOTICE

Notice to all Owners and/or Occupiers of land within the City of Canning

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are hereby required on or before 31 October 2008 or within 14 days after the date of you becoming an owner or occupier should this be after 31 October 2008 and thereafter up to and including 31 March 2009 to have a firebreak clear of all flammable material at least three (3) metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated in the land.

If it is considered impractical for any reason to clear firebreaks or carry out other work as required by this notice, you may apply to the Council or a duly authorised officer not later than 14 October 2008 for permission to install firebreaks in alternative locations on the land. If the Council or a duly authorised officer does not grant permission, you shall comply with the requirements of this notice.

Residential property owners are reminded that all fire hazards e.g. long dry grass, weeds, dead bushes, etc are to be removed from their property to reduce the hazard between the above dates.

Flammable material is defined for the purpose of this notice to include bush, (as defined in the Bush Fires Act) boxes, cartons, paper and like flammable materials, rubbish and also any other combustible matter, but does not include green standing trees or plants in gardens or lawns.

The penalty for failing to comply with the requirements of this notice is a penalty of not less than \$250 or more than \$5,000 and such person in default is also liable, whether prosecuted or not, to pay the costs of a private contractor being engaged by the City of Canning to carry out the required work.

Further information regarding the requirements of this notice or other related matters may be obtained from Patrol & Security Services on telephone 9231 0699.

**LG502\*****BUSH FIRES ACT 1954***City of Nedlands*

## NOTICE TO ALL OWNERS AND OCCUPIERS OF LAND

As a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, all owners and occupiers of land within the City of Nedlands' district are required on or before the 30th day of November in each year, or within 14 days of becoming an owner or occupier if after that date, to slash all grass and clear all inflammable matter on the land to a height no greater than 5cm and to maintain all grass and all inflammable matter on the land at a height no greater than 5cm up to and including the 31st day of March in the following year.

An owner or occupier of the land who fails or neglects to comply with the requisitions of a notice given pursuant to section 33(1) of the Bush Fires Act 1954 within the time specified in the notice commits an offence and is liable to a penalty of \$5,000 and the City of Nedlands may direct its officers together with such servants, workmen or contractors, and with such vehicles, machinery and appliances as the officers deem fit, to enter upon the land and carry out the requisitions of the notice which have not been complied with and the City of Nedlands may recover the amount of any costs and expenses incurred in carrying out those requisitions in any court of competent jurisdiction as a debt due from the owner or occupier of the land.

If it is impracticable for any reason to clear firebreaks or take measures in accordance with this notice, you may apply to the City of Nedlands in writing before the 19th day of November of each year for permission to provide fire breaks in alternative positions or to take alternative measures to prevent the outbreak or spread of a bush fire. If permission is not granted in writing by the City, you shall comply with the requirements of this Notice.

The requirements of this Notice should be carried out by means other than burning, for example, mowing and rotary hoeing.

#### **Burning Garden Refuse**

Pursuant to the powers contained in Section 24G(2) of the Bush Fires Act 1954, the City of Nedlands prohibits the burning of all garden refuse within its district between the 1st day of December in each year up to and including the 31st day of March in the following year. This prohibition applies to all persons within the City's district. Failure to comply with this prohibition is an offence with a maximum penalty of \$3,000.

GRAHAM FOSTER, Chief Executive Officer.

---

---

## **MARINE/MARITIME**

---

---

**MX401\***

### **WESTERN AUSTRALIAN MARINE ACT 1982**

### **NAVIGABLE WATERS REGULATIONS 1958**

#### **PROHIBITED SWIMMING AREA**

Geraldton

Department for Planning and Infrastructure,  
Fremantle WA, 10 October 2008.

Acting pursuant to the powers conferred by Regulation 10A(b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming, between 7.30 pm and 9.15 pm on Saturday 11 October 2008.

**Area of Closure:-** All the waters within a 200 metre radius of the firing point located at the end of the South East Breakwater of Champion Bay, Geraldton.

This area is set aside for safety measures during the set up and display of pyrotechnics associated with the Geraldton-Greenough Sunshine Festival.

DAVID HARROD, General Manager,  
Marine Safety,  
Department for Planning and Infrastructure.

**MX402\***

### **WESTERN AUSTRALIAN MARINE ACT 1982**

### **NAVIGABLE WATERS REGULATIONS**

#### **Prohibited Swimming Area**

Matilda Bay, Swan River

Department for Planning and Infrastructure,  
Fremantle WA, 10 October 2008.

Acting pursuant to the powers conferred by Regulation 10A(b) of the *Navigable Waters Regulations*, I hereby close all of the following waters to swimming, between 7.30 pm and 8.20 pm on Saturday 11 October 2008.

#### **Matilda Bay**

All those waters within a 50 metre radius of the firing point, located on a barge anchored at a position approximately 300 metres directly offshore of the Royal Perth Yacht Club.

This area is set aside for safety measures during the set up and display of pyrotechnics.

DAVID HARROD, General Manager,  
Marine Safety,  
Department for Planning and Infrastructure.



---

**DECEASED ESTATES**

---

ZX401\*

**TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Peter Beresford Moffitt Marks, late of 30 Turriff Road, Floreat.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 5 August 2007, are required by the personal representative, Judith Marks of c/- Atkinson Legal, PO Box 7797 Cloisters Square, Perth, WA, 6850 to send particulars of their claims to her by Saturday 8 November 2008, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

---

***FREE!!* E-MAIL NOTIFICATION SERVICE *FREE!!***

State Law Publisher now offers a free email notification service for clients.

The “Information Bulletin” is published each Friday afternoon and contains up-to-date information regarding—

- new Acts of Parliament including proclamations;
- new Regulations
- progress of Parliamentary Bills;
- new subsidiary legislation gazetted;
- repealed legislation;
- reprinted legislation;
- titles of *Government Gazettes* published during the week; and
- miscellaneous items of interest.

All previous bulletins are also accessible from our website.

To subscribe, clients need to visit our home page and select “subscribe” under the heading Information Bulletin and follow the prompts.

# Order your Bound Volumes of Government Gazette 2008

An attractively presented set of 4 Bound Volumes  
of Government Gazette

For Government Departments and private firms who require bound copies of Government Gazettes, the State Law Publisher offers a subscription covering 4 Quarterly Volumes at a cost of \$1,138.50.

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**

# 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**

## STATE LAW PUBLISHER SUBSCRIPTION RATES FOR 2009

All subscriptions are for the period from 1 January to 31 December 2009. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and 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 on any day.

<b>All Gazettes</b>	\$
Within WA .....	949.75
Interstate .....	966.80

**Bound Volumes of full year** ..... 1,177.20

### INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA .....	456.10
Interstate .....	543.50

### HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA .....	900.80
Interstate .....	1,101.00

### Bound Volumes of Hansard

Within WA .....	888.25
Interstate .....	902.00

### STATUTES

#### **Bound Statutes**

Bound volumes are posted during March of the following year.

	\$
Within WA.....	320.75
Interstate .....	357.15
Overseas .....	415.65
Half Calf Bound Statutes .....	886.05

#### **Loose Statutes**

Statutes are posted weekly as they become available.

	\$
Within WA.....	345.75
Interstate .....	357.15

#### **Sessional Bills**

Bills are posted weekly as they become available.

	\$
Within WA .....	475.45
Interstate .....	498.20

## CLAIMS FOR MISSING 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 period will not be recognised and will attract payment in full.