

WESTERN AUSTRALIAN GOVERNMENT Gazette

5965



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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.
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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 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

CITY OF STIRLING

GENERAL LOCAL LAWS—PART I

Under the powers conferred by the Local Government Act 1995 and under all other powers, the Council of the City of Stirling resolved on 1 February 2000 to amend the following local laws.

Clause 2

In the definition of “Act” is deleted and the following is substituted—

“**Act**” means the Local Government Act 1995 and includes regulations and other subsidiary legislation made under that Act.

The following definitions are inserted in the appropriate alphabetical positions.

“**Administrative Centre**” means the offices of the City located on the corner of Civic Place and Cedric Street, Stirling.

“**business hours of the City**” means the hours during which the Administrative Centre is open to the public for business being Monday to Friday 8.30am to 4.30pm, public holidays excepted.

“**carriageway**” means the paved or made portion of a street used or designed for use by vehicles.

“**CEO**” means the Chief Executive Officer of the City.

“**liquor**” has the meaning given to it in the *Liquor Licensing Act 1988*.

“**town planning scheme**” means a town planning scheme made by the City under the *Town Planning and Development Act 1928* and which applies in the district.

“**verge**” means that part of a street between the carriageway and the land which abuts the street, but does not include any footpath.

Clauses 3 to 9

Repealed

Clauses 10 to 10A

Repealed

Clause 11

“of Stirling” is deleted

Clauses 12 to 16

Repealed

Dated the 15th day of May 2000.

The Common Seal of City of Stirling was hereunto Affixed by authority of a resolution of the Council in the presence of—

D. C. VALLELONGA JP, Mayor.
M. J. (MIKE) WADSWORTH, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995

CITY OF STIRLING

GENERAL LOCAL LAWS—PART III

Under the powers conferred by the Local Government Act 1995 and under all other powers, the Council of the City of Stirling resolved on 1 February 2000 to amend the following local laws.

Clause 156

“of Stirling” is deleted

Clause 157

“Council of the City of Stirling” is deleted and the following is substituted “City”

“Town Clerk” is deleted and the following is substituted

“Chief Executive Officer”

Clause 158 to 160

“Town Clerk” is deleted and the following is substituted

“Chief Executive Officer”

Clause 161

“By Law” is deleted and the following is substituted

“Clause”

“Council” is deleted and the following is substituted

“Administration Centre”

Clause 162

“record including deeds, books, papers, documents, files, vouchers maps and tape recordings from the Council Offices” is deleted and the following is substituted

“document or thing which stores information, from the Administrative Centre”

Clause 163

“record including deeds, books, papers, documents, files, vouchers maps and tape recordings” is deleted and the following is substituted

“documents or information stored on any thing”

Clause 164

“by-law” is deleted and the following is substituted

“clause”

“by-law 75” is deleted and the following is substituted

“clause 3.6 of the Local Law relating to Standing Orders”

Clause 165

Repealed

Dated the 15th day of May 2000.

The Common Seal of City of Stirling was hereunto Affixed by authority of a resolution of the Council in the presence of—

D. C. VALLELONGA JP, Mayor.

M. J. (MIKE) WADSWORTH, Chief Executive Officer.

LG303***LOCAL GOVERNMENT ACT 1995***CITY OF STIRLING***GENERAL LOCAL LAWS—PART IV**

Under the powers conferred by the Local Government Act 1995 and under all other powers, the Council of the City of Stirling resolved on 1 February 2000 to amend the following local laws.

Clause 166

“Town Clerk/City Manager” is deleted and the following is substituted

“Chief Executive Officer”

“The Executive Manager, Finance and Corporate Services” is deleted and the following is substituted

“Deputy Chief Executive Officer”

“The Executive Manager, Community Development” is deleted and the following is substituted

“Executive Manager, Development”

“The Executive Manager, Works / Business Units” is deleted and the following is substituted

“Executive Manager, Works”

The following words are inserted as shown

“Executive Manager, Corporate Projects”

“Executive Manager, Cultural & Social Services”

“Principal Building Surveyor”

“Manager, Planning Services”

“Manager Corporate Projects”

“Manager Corporate Audit”

“Manager, Administrative Services”

Clause 167

“Town Clerk/City Manager” is deleted and the following is substituted

“CEO”

“By-law” is deleted and the following is substituted

”clause”

Clause 167 (b)

is deleted and the following is substituted

“dismiss all employees other than those mentioned in clause 166”

Clause 170

Repealed

Clause 171

“Town Clerk” is deleted and the following is substituted

“CEO”

“Municipality” is deleted and the following is substituted

“City”

“this Act” is deleted and the following is substituted

“the Act”

“Act require” is deleted and the following is substituted

“written law requires”

Clause 172

“Town Clerk” is deleted and the following is substituted

“CEO”

The words “and the authority delegated shall be stated in the Policy Manual” are deleted.

Clause 173

“Town Clerk” is deleted and the following is substituted

“CEO”

Clause 174(1)

The words after “The Council may” are deleted and the following is substituted

“, at any time appoint a person to be Acting CEO to undertake the duties of the CEO in his or her absence.”

Clause 174(2)

“Town Clerk” is deleted and the following is substituted

“CEO”

“sub by-law (1) hereof” is deleted and the following is substituted

“subclause (1)”

Clause 184

“by-law” is deleted and the following is substituted

“clause (1)”

Clause 184 (c)

”these by-laws;” is deleted and the following is substituted

“clauses 166-196.”

Clause 184 (d)

Repealed

Clause 186

After “his long service leave.” the following is inserted

“Provided that the leave is not directed to be taken within 6 months of the employee becoming entitled to it,”

Clause 187

“in accordance with By-law 196 hereof” is deleted

After “sum of money” is deleted and the following is substituted

“calculated in accordance with regulation 8(1) or (2) of the *Local Government (Long Service Leave) Regulations* whichever is applicable.”

Insert “her or” before where “his” appears

Clause 189

“Where an employee is entitled to long service leave under these local laws, then”

Inserted before “In the event of an employee”

“an employee” is deleted and the following is substituted

“that employee”

Insert “her or” after where “his” appears

The words after “payment to the” are deleted and the following is substituted

“personal representative of the employee (upon request by the personal representative) of an amount calculated in accordance with regulation 8(1) or (2) of the *Local Government (Long Service Leave) Regulations*, whichever is applicable”.

Clause 190

Repealed

Clause 191

Repealed and replaced with

“Where long service leave is to be paid under regulation 6(3) of the *Local Government (Long Service Leave) Regulations*, then the employee shall be entitled to an amount of pro rata long service leave on the basis of $1\frac{6}{7}$ weeks leave for each year of uninterrupted service from 1 July 1965.”

Clause 192

Repealed

Clauses 194 - 196

Repealed

Dated the 15th day of May 2000.

The Common Seal of City of Stirling was hereunto Affixed by authority of a resolution of the Council in the presence of—

D. C. VALLELONGA JP, Mayor.
M. J. (MIKE) WADSWORTH, Chief Executive Officer.

LG304***LOCAL GOVERNMENT ACT 1995***CITY OF STIRLING***AMENDMENT TO KEEPING AND CONTROL OF CATS LOCAL LAW 1999**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the City of Stirling hereby records having resolved on 1 August 2000 to make the following amendments to the local law—

1. The City of Stirling Keeping and Control of Cats Local Law published in the *Government Gazette* of 12 January 2000 is hereby amended in the following manner—
 - 1.1 Amend clause 3.7(4) by deleting “.” and inserting instead—
“, with such conditions being set in accordance with the objects of the local law.”
 - 1.2 Amend clause 3.8 by deleting “A” and inserting instead—
“Subject to a defence under clause 10.4, a...”
 - 1.3 Amend clause 3.9(2) by deleting “may give a” and inserting instead—
“shall give a permit holder, and may give any other...”
 - 1.4 Amend clause 3.9(4) as follows—
 - (a) deleting “Where” and inserting instead “Subject to a defence under clause 10.4, where...”;
 - (b) deleting “subclause (1)” and inserting instead “subclause (2)”

-
- 1.5 Amend clause 4.2(2) by inserting after “Area” — “, subject to a defence under clause 10.4,…”
 - 1.6 Amend the heading to Part 10 by inserting after “OFFENCES”—
“; DEFENCE”
 - 1.7 Insert heading “Division 3—Defence” after clause 10.3
 - 1.8 Under heading “Division 3—Defence” the following clause is inserted—
“10.4 It is a defence to a charge of an offence of contravening clause 3.8, 3.9(4), 4.2 if the keeper charged satisfies the court that at the material time some other person (whom he shall identify) over the age of 18 years was the keeper of the cat(s).”

Dated the 3rd day of May 2001.

The Common Seal of City of Stirling was hereunto Affixed by authority of a resolution of the Council in the presence of—

D. C. VALLELONGA JP, Mayor.
M. J. (MIKE) WADSWORTH, Chief Executive Officer.

— PART 2 —

JUSTICE

JU401**JUSTICES ACT 1902**

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

Mr Paul Mullane of 2 Brown Street, Carnarvon
to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director,
Court Services.

LOCAL GOVERNMENT

LG401**CITY OF BELMONT**

Appointment of Authorised Person

It is hereby notified for public information that effective from 8th November 2001, the person listed hereunder has been appointed an "authorised person" in accordance with Section 9.10 of the Local Government Act 1995 and are hereby authorised to exercise powers in accordance with the following Acts, Regulations and Local Laws—

- Local Government (Parking for Disabled Persons) Regulations 1996
- City of Belmont—Parking and Parking Facilities Local Laws

This authorisation is confined to the Belmont Forum Shopping Centre Parking Stations (Parking Station No. 1 and Parking Station No. 2) as constituted by Council resolution on 14th August 2000.

Authorised Person—

- David Wayne Johnson

The following appointment is hereby cancelled—

- Wayne Peter Johnson

BRUCE GENONI, Chief Executive Officer.

LG402***SHIRE OF GREENOUGH**

Ranger

The public are advised that Council has appointed the following person as Ranger for the Shire of Greenough—

Mr Kim Joseph Thompson

The appointee is an authorised officer in accordance with the Local Government Act, Dog Act, Bush Fires Act, Off Road Vehicles Act and other Acts and By-Laws pertaining to the operation of Council.

PLANNING AND INFRASTRUCTURE

PI401***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF ALBANY

TOWN PLANNING SCHEME No. 1A—AMENDMENT No. 126

Ref: 853/5/2/15 Pt 126

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 5 November, 2001 for the purpose of—

1. Rezoning Lot 502 Albany Highway from the “Public Purpose” reserve to the “Industry” zone.
2. Amending the Scheme Maps accordingly.

A. E. GOODE, Mayor.

A. C. HAMMOND, Chief Executive Officer.

PI402***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF AUGUSTA-MARGARET RIVER

TOWN PLANNING SCHEME No. 17—AMENDMENT No. 11

Ref: 853/6/3/17 Pt 11

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the Shire of Augusta-Margaret River Town Planning Scheme Amendment on 5 November, 2001 for the purpose of rezoning Lot 273 Clarke Road, Margaret River from “Public Purposes—High School” to “Service Commercial”.

J. KELLY, President.

N. MASON, Acting Chief Executive Officer.

PI403***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

TOWN OF NARROGIN

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 18

Ref: 853/4/2/10 Pt 18

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the Town of Narrogin Town Planning Scheme Amendment on 5 November, 2001 for the purpose of—

1. Realigning the existing proposed link road in accordance with Main Roads drawing identified as Figure 1 in project TH005702B1.
2. Reserving/zoning (as necessary) those areas previously included within the reservation for the north-south link road.

S. A. HIGGINS, Mayor.

S. D. TINDALE, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF NORTHAMPTON

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 38

Ref: 853/3/14/6 Pt 38

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning and Infrastructure approved the Shire of Northampton Town Planning Scheme Amendment on 5 November 2001 for the purpose of—

1. Rezoning the rear portion of Lot 4 (Kalbarri Lots Pt 51 and 52), Grey Street and Kalbarri Lot 65 Mortimer Street, Kalbarri, from “Residential R50” to “Tourist Accommodation”.
2. Rezoning a portion of Lot 4 (Kalbarri Lots Pt 51 and 52), Grey Street from “Commercial” to “Tourist Accommodation”.
3. Amending the Scheme Maps accordingly.

G. V. PARKER, President.

G. L. KEEFFE, Chief Executive Officer.

PI405*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME AMENDMENT No. 1041/33
SOUTH WEST DISTRICTS OMNIBUS (No. 5)
CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the Cities of Fremantle, Melville, Cockburn and Rockingham and the Town of Kwinana and is seeking public comment.

The purpose of this amendment is to transfer land between various zones and reservations as detailed in the Commission's *Amendment Report*. This amendment contains 17 individual proposals.

The procedure for amending the Scheme, as set out in section 33 of the Metropolitan Region Town Planning Scheme Act, is to be used to advertise this proposal. Public submissions are invited and the amendment will eventually be put to Parliament for final approval. In accordance with the procedure in section 33, the Hon Minister for Planning and Infrastructure has approved the amendment for public display and for the calling of submissions.

Copies of the amending plans and detail plans showing the proposed changes to the zones and reservations of the Scheme, and the Commission's *Amendment Report* which explains the various proposals, will be available for public inspection from 12 November 2001 to 22 February 2002 at each of the following places—

- | | |
|---|--|
| <ul style="list-style-type: none"> • Department for Planning and Infrastructure
1st Floor, Albert Facey House
469 Wellington Street
PERTH • J S Battye Library (LISWA)
Alexander Library Building
Francis Street
NORTHBRIDGE | <p>Council Offices of the municipalities of—</p> <ul style="list-style-type: none"> • City of Perth • City of Fremantle • City of Cockburn • City of Melville • City of Rockingham • Town of Kwinana |
|---|--|

Any person who desires to make a submission either supporting, objecting or providing comment on any provisions of the proposed Amendment should do so on a Form 6A. This submission form is available on request from the display locations and is also contained in the explanatory *Amendment Report*.

Submissions must be lodged with the—

Secretary
 Western Australian Planning Commission
 469 Wellington Street
 PERTH WA 6000

on or before **5.00pm Friday 22 February 2002**. Late submissions will not be considered.

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

POLICE

PO501

**POLICE ACT 1892
POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by public auction at Karratha Police Station, Welcome Road, Karratha at 10.00 am on Saturday December 1, 2001.

Auction to be conducted by Judith Wright, Licensed Auctioneer.

B. MATHEWS, Commissioner of Police.

WESTERN AUSTRALIA

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(Reprinted as at 9 February 2001)

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WESTERN AUSTRALIA

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	\$
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	\$
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More than 10 users (each).....	170.50

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