

# WESTERN AUSTRALIAN GOVERNMENT Gazette

4101



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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*.

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- 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).

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- 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.

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## ADVERTISING RATES AND PAYMENTS

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Deceased Estate notices, (per estate)—\$21.80

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Per Column Centimetre—\$10.15

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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 —

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## WATER

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WA301

### ORD IRRIGATION DISTRICT BY-LAWS CORRECTION TO REPRINT

Reprinted as at 8 August 2003.

At page 11: before by-law 30, insert the following—

“ [29. Repealed in Gazette 27 Jun 1986 p. 2138] ”.

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## WORKCOVER

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WC301\*

Workers' Compensation and Rehabilitation Act 1981

## Workers' Compensation and Rehabilitation Amendment Regulations 2003

Made by the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Workers' Compensation and Rehabilitation Amendment Regulations 2003*.

### 2. The regulations amended

The amendments in these regulations are to the *Workers' Compensation and Rehabilitation Regulations 1982\**.

[\* Reprint 4 as at 17 April 2003.]

### 3. Regulation 12A amended

Regulation 12A(2) is amended by deleting “\$25 000.” and inserting instead —

“ \$40 000. ”.

**4. Regulation 15 amended**

Regulation 15 is amended by deleting “the Appendix.” and inserting instead —

“ Appendix 1. ”.

**5. Appendix 1 amended**

- (1) Appendix 1 is amended in Form 16 by deleting “[r. 19]” and inserting instead —

“ [r. 15] ”.

- (2) Appendix 1 is amended in Form 17 by deleting “[r. 19]” and inserting instead —

“ [r. 15] ”.

By Command of the Governor,

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

  
  

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## — PART 2 —

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### FIRE AND EMERGENCY SERVICES

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FE401\*

**FIRE BRIGADES ACT 1942****FIRE AND EMERGENCY SERVICES LEGISLATION (EMERGENCY SERVICES  
LEVY) AMENDMENT ACT 2002****Fire Brigades (Insurance Companies' Contribution) (Specified  
Percentage) Notice 2003**

For the purposes of section 37(2) of the *Fire Brigades Act 1942* (as read with clause 4(2)(c) of Schedule 1 to the *Fire and Emergency Services Legislation (Emergency Services Levy) Amendment Act 2002*), the specified percentage is 37.5%.

MICHELLE ROBERTS, Minister for Police  
and Emergency Services.

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### LOCAL GOVERNMENT

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LG401

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***City of Gosnells***SWIMMING POOL INSPECTION LEVY 2003/2004**

In accordance with the Local Government (Miscellaneous Provisions) Act 1960, Section 245A, the City of Gosnells gives notice that at the meeting held on 1 July 2003 Council imposed a Swimming Pool Inspection Levy of \$13.75 per property containing a private swimming pool (GST inclusive).

LG402\*

*SHIRE OF DANDARAGAN***CAMPFIRE BAN POLICY 1.3.14**

Notice is hereby given to all ratepayers, residents, and visitors to the district under the Shires control, that a new policy has been adopted prohibiting the lighting of campfires effective 1 November 2003.

***Policy 1.3.14***

**A total ban on the lighting of campfires is effective between 1 November-31 March of said year.**

Council has introduced this policy due to the continued destruction of flora within camping areas and the increase in fires escaping and threatening property, livestock and crops as experienced last summer.

Offenders will be prosecuted under the Bush Fires Act 1954 Section 25(1a) and on the spot fines of \$250.00 will apply.

B. J. GOLDING, Chief Executive Officer.

LG601\*

**BUSH FIRE ACT 1954***Shire of Dandaragan*

## NOTICE TO ALL OWNERS/OCCUPIERS OF LAND WITHIN THE SHIRE OF DANDARAGAN

**FIREBREAKS**

Pursuant to the powers contained in section 33 of the above Act, you are hereby required on or before the 1st day of November 2003 to clear of all inflammable materials and/or install firebreaks in accordance with the following, and thereafter to maintain the firebreaks clear of all inflammable materials up to and including the 29th day of March 2004.

**RURAL LAND**

1. Clear of all inflammable material, firebreaks at least three (3) metres wide inside and within fifty (50) metres of all external boundaries of all improved and unimproved land owned or occupied by you. For the purpose of this section, all road reserves are to be taken as boundaries.
2. Where the bush on land owned or occupied by you has been bulldozed, chained or prepared in any similar manner for clearing by burning (whether you intend to burn or not), clear of all inflammable materials firebreaks not less than twenty (20) metres wide immediately inside the external boundaries of the land on which bulldozed, chained or otherwise prepared bush is situated.
3. Where there is standing timber on land owned or occupied by you and it is intended to burn such timber, to clear of all inflammable materials, fire breaks not less than six (6) metres wide immediately inside the external boundaries of the land on which the timber is standing.
4. Landowners and/or occupiers adjoining Crown Land are, in addition to the above, encouraged to maintain external firebreaks where their property adjoins the vacant Crown Land.

**TOWNSITES**

Pursuant to the powers contained in section 33 of the aforementioned Act, for property owners within the townsites of **Jurien Bay and Cervantes**, you are hereby required on or before the **15th** day of **November 2003**, to clear all inflammable materials, install firebreaks and/or remove any fire hazards in accordance with the following, and thereafter to maintain the property of all inflammable materials up to and including the 29th March 2004.

**SPECIAL RURAL/TOWNSITES**

The townsites and special rural areas of **Badgingarra and Dandaragan Alta Mare and Jurien Bay Heights** shall comply with the aforementioned requirements on or before the **1st** day of **November 2003**, and shall maintain the property clear of all inflammable materials up to and including the 29th March 2004.

Owners and/or Occupiers of any land within the townsites of Dandaragan, Regans Ford, Badgingarra, Cervantes and Jurien Bay on all undeveloped and/or vacant properties shall comply with the following—

That within all townsites, on all undeveloped lots, that a two (2) metre wide firebreak be slashed around all boundaries of each lot and that all inflammable materials be removed from the property.

All properties which have buildings or structures upon the property, shall remove all/any inflammable materials from the property.

Inflammable material is defined for the purpose of this notice to include bush, dry grasses, timber, boxes, cartons, paper and similar flammable materials, rubbish and any combustible matter, but does not include green standing trees or growing bushes and plants in gardens or lawns.

The Council is aware soil erosion may occur in some circumstances, therefore should soil erosion begin, it is the owners responsibility to stabilise the property with suitable natural material eg: gravel, shellgrit, gypsum etc.

**NOTE: TREE LIMBS OR ANY OTHER COMBUSTIBLE MATERIALS MUST NOT BE USED AS A SOIL STABILISER.**

**GENERAL**

1. If, for any reason, it is considered impractical to comply with the requirements of this notice, you may apply in writing to the Council or it's duly authorised officer by no later than the 15th October 2003, for permission to provide alternative fire hazard reduction within the property and include details outlining what alternatives. If such permission is not granted by Council, or its duly appointed officer, you shall comply with the requirements of this notice.
2. Persons who fail to comply with the requirements stated in this order may incur penalties, either by way of infringements or prosecutions, as defined in the Bush Fire Act 1954 Regulations. In addition, should property owners fail to comply with this order, Council can, at any time AFTER the specified dates, enter the property and carry out the required work, where the owner(s) of the property will be liable for all penalties and costs incurred.
3. If the requirements of this order are carried out by burning, such burning must be carried out in accordance with the relevant provisions of the Bush Fires Act 1954.
4. The requirements of this notice are considered to be the minimum standard of fire prevention to protect not only individual properties, but the district generally. In addition to this order, the **Shire of Dandaragan** may issue separate special orders on owners or occupiers if a particular fire hazard removal is deemed necessary.

5. Council NO LONGER installs firebreaks for ratepayers. Council recommends the owner(s) of vacant properties contact local contractors as soon as possible to ensure the requirements of this notice are carried out.

### SPECIAL ORDERS—Section 33

The requirements of this order are considered to be the minimum standard of fire prevention work required to protect not only the individual properties, but the district generally. In addition to this order, the Shire Council may issue separate special orders on owners or occupiers if a particular hazard removal is deemed necessary.

By Order of the Council,

B. J. GOLDING, Chief Executive Officer.

## 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. 10

Ref: 853/7/2/4 Pt 10

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 9 September 2003 for the purpose of—

1. Amending the Zoning Table by the addition of the following—

	Town Centre Chinatown	Local Centre	Mixed Use	Tourist	Residential	Industry	Light & Service Industry	Rural Living	Rural Agriculture	General Rural
<b>Take-away Food Outlet</b>	P	D	P	P	X	X	X	X	X	X

2. Amending Schedule 1 by adding the following definition—

**occasional use** means the use of any land or building on an occasional basis for the purpose of recreation, entertainment, community or other similar activity which does not in the opinion of the Council prejudice the orderly and proper planning or the preservation of the amenity of the locality in which the land or building is situated. The term includes a swap-meet, market or fair, the profits of which (if any) are to be employed for charitable or community purposes.

3. Amending the Zoning Table by the addition of the following—

	Town Centre Chinatown	Local Centre	Mixed Use	Tourist	Residential	Industry	Light & Service Industry	Rural Living	Rural Agriculture	General Rural
<b>Occasional Use</b>	P	D	D	D	X	X	X	X	X	X

4. Replacing the number “300” by the number “500” in Clause 6.1.5.4.

5. Deleting Clause 4.16.2.2 and replacing it with the following—

4.16.2.2 Landscaping may be required by Council to be provided and maintained abutting the boundary of all street frontages to a minimum depth of 3 metres from the boundary.

6. Deleting Clause 4.19.2.1(c) and replacing it with the following—

(c) side and rear—subject to the Building Code of Australia, and at least one of these setbacks shall be a minimum width of 6 metres to provide for adequate areas to incorporate service areas, storage, parking, manoeuvring and/or access ways.

7. Amending the scheme maps by increasing the Land Use Buffer Area around the existing rubbish tip to 500m.

K. A. FONG, President.

G. S. POWELL, Chief Executive Officer.

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**POLICE**

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PO401\*

**ROAD TRAFFIC ACT 1974****TEMPORARY SUSPENSION OF REGULATIONS**

I, Robin Michael Langford, Superintendent (Traffic Support) being the delegated officer of the Minister for Transport under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of:

A Cycle Event by members/entrants of the Cyclewest Promotions/Midland on 16th August 2003 between the hours of 11:30 Hrs and 16:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Throssell Street, Patterson Street (Collie), Collie Preston Road (Mumballup), Donnybrook/Boyup Brook Road (Lowden), Southwest Highway (Donnybrook).

All participants to wear approved head protection at all times.

A Cycle Race—Two Up Time Trial by members/entrants of the Hedland Cycle Club on 16th August 2003 between the hours of 16:00 hrs and 17:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Keesing Street, Athol Street, Cooke Point Drive, Styles Road, Mathieson Drive, Counihan Crescent, McGregor Street, Crawford Street and Sutherland Street in Port Hedland.

All participants to wear approved head protection at all times.

A Cycle Event by members/entrants of the Cyclewest Promotions/Midland on 23rd August 2003 between the hours of 13:00 hrs and 17:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Cameron Road, Stoneville Road, Anketell Road and Alice Road in the area of Gidgegannup.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 30th August 2003 between the hours of 14:00 Hrs and 16:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Hannan Street, Goldfields Highway and Orabanda Road in Kalgoorlie/Boulder Area.

All participants to wear approved head protection at all times.

A Cycle Event by members/entrants of the Cyclewest Promotions/Midland on 30th August 2003 between the hours of 13:00 hrs and 17:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Pickering Brook Road, Patterson Road, Repatriation Road and Forrest Road in Pickering Brook.

All participants to wear approved head protection at all times.

A Cycle Race—Graded Mass Start by members/entrants of the Hedland Cycle Club on 31st August 2003 between the hours of 08:00 hrs and 09:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Great Northern Highway, Port Hedland.

All participants to wear approved head protection at all times.

A School Marathon by members/entrants of the Three Springs Primary on 3rd September 2003 between the hours of 14:30 hrs and 15:15 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the carriageway on Carter Street, Thomas Street, Mayrhofer Street, Hall Street, Hunt Street, Water Street in Three Springs.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 6th September 2003 between the hours of 14:00 Hrs and 16:30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Bypass Road (from Mt Charlotte Entry to Anzac Drive) and Hannan Street in Kalgoorlie.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 20th September 2003 between the hours of 14:00 hrs and 16:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Bypass Road (from Sunderland Street, south to roundabout) in the Kalgoorlie/Boulder Area.

All participants to wear approved head protection at all times.

A Fun Run and Relay by members/entrants of the Bunbury Runners Club Inc on 21st September 2003 between the hours of 08:00 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.



Racing to be confined to the left hand side of the carriageway on South West Highway, Ferguson Valley Road in the Shire of Dardanup.

A Cycle Race by members/entrants of the Eastern Goldfields Cycle Club on 27th September 2003 between the hours of 14:00 hrs and 16:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Yarri Road and Bulong Road in the Kalgoorlie/Boulder area.

All participants to wear approved head protection at all times.

A Multi Club—Motor Vehicle Hillclimb by members/entrants of the South West Touring Car Club on 28th September 2003 between the hours of 07:30hrs and 17:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the carriageway on Meelup Beach Road in Dunsborough.

All participants to wear approved head protection at all times.

A Port to Point Community Fun Run by members/entrants of the Albany Athletics Club Inc on 12th October 2003 between the hours of 09:00 hrs and 14:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Princess Royal Drive, Dual Use Pathway, Flinders Parade (Middleton Beach), Griffiths Street, Boongarie Street and Cunningham Street (Emu Point).

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Melville Fremantle Cycling Club on 12th, 19th, 26th October and 2nd November 2003 between the hours of 08:30 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Canvale Road and Wittenberg Drive in Canning Vale.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Melville Fremantle Cycling Club on 9th, 16th, 23rd and 30th November 2003 between the hours of 08:30 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Canvale Road and Wittenberg Drive in Canning Vale.

All participants to wear approved head protection at all times.

A Cycle Race by members/entrants of the Melville Fremantle Cycling Club on 14th and 28th December 2003 between the hours of 08:30 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Canvale Road and Wittenberg Drive in Canning Vale.

All participants to wear approved head protection at all times.

R. M. LANGFORD, Superintendent (Traffic Support).

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## WATER

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WA401

### NAVIGABLE WATERS REGULATIONS 1958

#### SHIRE OF DONNYBROOK/BALINGUP

#### WATER SKI AREA

#### Glen Mervyn Dam

Department for Planning and Infrastructure,  
Fremantle WA, 16 September 2003.

Acting pursuant to the powers conferred by Section 48A of the Navigable Waters Regulations the department by this notice defines and sets aside the following area of Navigable Water for the purpose of Water Skiing between the hours of Sunrise and Sunset and orders that bathing shall be prohibited therein—

**GLEN MERVYN DAM:** All the waters of Glen Mervyn Dam bounded by lines commencing at a point on the western foreshore 250 metres north of the dam head, extending across the dam to the eastern foreshore at a point 300 metres north of the dam head; thence extending in a northerly direction across the eastern arm of the dam to a point on the foreshore thence following along the foreshore to the start point.

GREG MARTIN, Chief Executive Officer,  
Department for Planning and Infrastructure.

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**PUBLIC NOTICES**

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**ZZ201****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the Estate of Debra Joy Hall, late of 33 Purley Crescent, Lynwood in the State of Western Australia, Administrator, deceased.

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962 relate in respect of the Estate of the deceased, who was found on the 24th day of July 2003, are required by the Executor, Kerry Victor Hall to send the particulars of their claim to Messrs Taylor Smart of Level 8, 50 St George's Terrace, Perth in the State of Western Australia, by the 20th day of October 2003, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 11th day of September 2003.

GARRY E. SAME, Taylor Smart.

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**ZZ202****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the undermentioned deceased persons are required by the personal representatives of care of Marks & Sands Lawyers, Level 9, 30 The Esplanade, Perth to send particulars of their claims to them by the 14th day of October 2003 after which date the personal representatives and Trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

Newing, John Leonard late of 62 Taylor Street, Tambellup, Western Australia, Farmer, died 23/3/03

Laird, Robert Blair late of 2 Massingham Street, Kellerberrin, Western Australia, Retired Farmer, died 9/4/02

Last, Maurice Walter late of Inglewood Farm, Nukarni, Western Australia, died 26/9/02

Eley, Pam late of 32 Gladstone Avenue, South Perth, Western Australia, Investor, died 1/9/95

Stratton, Mary-Lynne late of 1B Mitchell Place, Padbury, Western Australia, Home Duties, died 10/12/02

Veidmans, Vilhelmine late of Ocean Gardens Retirement Village, Unit 232, 60 Kalinda Drive, City Beach, Western Australia, died 28/11/02

Lynch, Philip Denis late of Limeric Farm, Lovering Road, Hyden, Western Australia, died 10/5/02

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**ZZ203****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Noel Burkett, in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on 21 March 2003 are required to send particulars of their claims to the Executor (details below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

Ref: S. OATES,  
c/- RSM Bird Cameron Chartered Accountants,  
8 St George's Terrace, Perth WA 6000.  
Telephone: (08) 9261 9100

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

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