

WESTERN AUSTRALIAN GOVERNMENT Gazette

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- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
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ADVERTISING RATES AND PAYMENTS

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

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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 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Real Estate and Business Agents Act 1978

Real Estate and Business Agents (General) Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Real Estate and Business Agents (General) Amendment Regulations 2004*.

2. *Real Estate and Business Agents (General) Regulations 1979* amended

- (1) The amendments in this regulation are to the *Real Estate and Business Agents (General) Regulations 1979**.

[* Reprinted as at 8 March 2002.

For amendments to 24 December 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 311.*]

- (2) Regulation 6 is amended by inserting before “The” the subregulation designation “(1)”.
- (3) At the end of regulation 6 the following subregulation is inserted —

“

- (2) In respect of a person who was a licensee and ceased to be licensed due to section 30(2a) of the Act the prescribed examinations for the purposes of clause 1(a) of the Schedule also include the examinations which were prescribed under regulation 6 of these regulations immediately before the commencement of the *Real Estate and Business Agents (General) Amendment Regulations 2003*.

”.

Clause 26 amended

4. Clause 26 of the principal local laws is amended by—
- (a) inserting immediately after paragraph (c) the following new paragraph—
 - “(d) before allowing vacation of or vacating any premises—
 - (i) where the rear part of the premises is completely secured by any combination of fences, gates and buildings, ensure that the receptacles are stored within the rear of those premises; or
 - (ii) where the rear part of the premises is not so secured, provide at least 2 days notice of the intention to vacate the premises to the City”;
 - (b) renumbering previous paragraphs (d) and (e) to (e) and (f) respectively;
 - (c) deleting the words “by or due to negligence of the occupier” from the paragraph renumbered “(e)” by clause 4(b) of this local law and inserting in their place “or contributed to by negligence of the owner or occupier, including any failure to comply with the requirements of this Clause”.

Clause 28 amended

5. Clause 28 of the principal local laws is amended by—
- (a) deleting the word “and” appearing at the end of paragraph (e)(iii);
 - (b) deleting the full stop at the end of paragraph (f) and replacing it with a semi colon; and
 - (c) adding the following new paragraphs—
 - “(g) not deposit any material in any receptacle supplied by the Council or its contractor for use at premises other than those premises owned or occupied by him or her; and
 - (h) ensure that no material, other than materials specified by the Council or its contractor as acceptable for recycling purposes, is placed in a receptacle supplied by the Council or its contractor specifically for the deposit, collection and recycling of such materials.”

Clause 45 amended

6. Clause 45 (1)(a) and 45(2)(a) of the principal local laws are each amended by deleting the comma and the words “Water and Catchment Protection” immediately following the word “Environment”.

Clause 111 amended

7. Clause 111(1)(b) of the principal local laws is amended by deleting “, Water and Catchment Protection” immediately following the word “Environment”.

Clause 117 amended

8. Clause 117(1) of the principal local laws is amended by deleting “, Water and Catchment Protection” immediately following the word “Environment”.

Clause 125 amended

9. Clause 125(b) of the principal local laws is amended by deleting “, Water and Catchment Protection” immediately following the word “Environment”.

Clause 129 amended

10. Clause 129(d) of the principal local laws is amended by deleting “, Water and Catchment Protection” immediately following the word “Environment”.

Passed by resolution of a special majority of the Council on 20th October 2003.

The Common Seal of the City of Armadale was hereunder affixed on this 28th day of November 2003 in the presence of—

L. REYNOLDS, JP, Mayor.
R. S. TAME, Chief Executive Officer.

Consented to—

MARGARET STEVENS, Executive Director,
Public Health.

Date: 29 December 2003.

— PART 2 —

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

REVOCATIONS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of Justice has revoked the following Permits to do High-Level Security Work:

Surname	First Name(s)	Permit Number	Date Permit Revoked
Rowe	David Edward	CS4-039	05/01/2004
Boddington	Georgina Rosalyn	CS2-276	05/01/2004
Brien	Richard Gerald	CS4-010	05/01/2004

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

BRIAN YEARWOOD, A/Director,
Custodial Contracts.

JU402*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

REVOCATIONS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of Justice has revoked the following Permits to do High-Level Security Work:

Surname	First Name(s)	Permit Number	Date Permit Revoked
Smith	Deanne Louise	CS2-365	05/01/2004
Laurence	Trenton Clarke	CS4-025	05/01/2004
Collins	Michael Brian	CS2-024	05/01/2004

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

BRIAN YEARWOOD, A/Director,
Custodial Contracts.

JU404*

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
Bynder	Kevin James	CS4-058	07/01/04	24/10/03	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.

JU403*

JUSTICES ACT 1902

REVOCATION

It is hereby notified for public information that the appointment of Mr Liam Francis Motherway of 26 Marsh Way, Karratha, as a Justice of the Peace for the State of Western Australia has been revoked pursuant to section 7 of the *Justices Act 1902* (WA).

MICHAEL JOHNSON, A/Executive Director, Court Services.

LAND ADMINISTRATION

LA401*

LAND ADMINISTRATION ACT 1997

DPI 557/2002

WESTERN AUSTRALIA

Instrument of Delegation

Pursuant to section 159(b) of the *Land Administration Act 1997* (the "Act"), I Alannah MacTiernan, acting in my capacity as the body corporate Minister for Lands continued by section 7(1) of the Act, hereby delegate to the Minister responsible for administering the *Main Roads Act 1930*, all of my powers and duties under the following Parts of the Act—

Part 9, Divisions 2, 3, 4, 5 and 6 — Taking interests in lands for Public Works, entry into land, use and disposal of land designated for a public work and general provisions

Part 10 — Compensation

The powers and duties hereby delegated are to be exercised for the purposes of the proper administration of the *Main Roads Act 1930*.

This delegation shall come into operation on the day this instrument is published in the *Government Gazette*.

The common seal of the Minister for Lands is hereto affixed on this 24th day of December 2003.

In the presence of—

ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

LOCAL GOVERNMENT

LG401

SHIRE OF KENT

Appointments

The Shire of Kent wishes to advise for public information the appointments of David Burt, Laurelie Peskett and David Long as authorised officers to operate within the Shire of Kent to enforce the following Acts, Regulations and Local Laws, effective immediately—

- Local Government Act 1995 and Regulations
- Litter Act 1979
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976 and Regulations
- Bush Fires Act 1954 and Regulations
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Shire of Kent Local Laws
- Agriculture and Related Resources Protection Act 1976 and Regulations
- Stock (Identification and Movement) Act 1970 and Regulations
- Caravan Park and Camping Grounds Act 1995 and Regulations

With the exception of current authorised employees, all previous appointments are hereby cancelled.

In addition, the Shire of Kent wished to advise for public information the appointments of the undermentioned as authorised Dog Registration Officers pursuant to the Dog Act 1976, effective immediately. All previous dog registration officer appointments are hereby cancelled.

- Jayde Hobley
- Michelle Hams
- Leanne Jury

DAVID BURT, Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI401*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENTS

No.1057/33—Regional Roads (Part 6)

No.1078/33—Kalamunda Road, High Wycombe

Call For Public Submissions

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for road reservations in the Cities of Canning and Swan, and the Shire of Kalamunda. Public comment is invited.

1057/33—Regional Roads (Part 6)

The purpose of this amendment is to revise the land requirements for the following five sections of Other Regional Roads reservation in the City of Canning and the Shire of Kalamunda—

- Canning Road—Railway Road to Lesmurdie Road
- Canning Road—Lesmurdie Road to Pomeroy Road
- Pomeroy Road—Canning Road to Welshpool Road
- Welshpool Road—Pomeroy Road to Crystal Brook Road
- Manning Road—Hamilton Street to Albany Highway

1078/33—Kalamunda Road, High Wycombe

This amendment rationalises the Other Regional Roads reservation of a section of Kalamunda Road, between Abernethy Road and Hawkvale Road, High Wycombe in the Shire of Kalamunda.

Display Locations

Full details of the proposals can be found in the Commission's explanatory *Amendment Reports*. A separate report is available for each amendment. These documents, along with the amending plans and other supporting documentation showing the proposed change to the zones and reservations of the Scheme, will be available for public inspection from Tuesday 9 December 2003 to Friday 26 March 2004 at the following locations—

1057/33—Municipal offices of the City of Canning and the Shire of Kalamunda.

1078/33—Municipal offices of the City of Swan and the Shire of Kalamunda

All documents are also available at the offices of—

- Department for Planning and Infrastructure, Wellington Street, Perth;
- Main Roads WA, Waterloo Crescent, East Perth;
- JS Battye Library, Francis Street, Northbridge;
- City of Perth, St George's Terrace, Perth; and
- City of Fremantle, William Street, Fremantle.

The *Amendment Report* is also available from the Commission's Internet Site www.wapc.wa.gov.au.

Submissions

Any person who wishes to make a submission either supporting, objecting to or providing comment on any provisions of the proposed Amendments should do so on a submission form (Form 6A). These forms are available from the display locations, the relevant *Amendment Report* and the Internet.

Submissions must be lodged with the—

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

on or before 5.00pm FRIDAY, 26 March 2004. Late submissions will not be considered.

P. M. MELBIN, Secretary, Western Australian Planning Commission.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT, 1928*Shire of Augusta-Margaret River*

Interim Development Order No. 16

Ref: 26/6/3/1 Vol 2

Notice is hereby given that, in accordance with the provisions of sub-section (2) of section 7B of the Town Planning and Development Act, 1928 (as amended), and by direction of the Hon. Minister for Planning and Infrastructure, a summary, as set out hereunder, of the Shire of Augusta-Margaret River Interim Development Order No. 16, as modified by an amending Order, made pursuant to the provisions of section 7B of that Act is published for general information.

The Hon. Minister for Planning and Infrastructure has made copies of this amended Order, is available for inspection by any person free of charge at the offices of the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, at the office of the Augusta-Margaret River Shire Council, Town View Terrace, Margaret River during normal office hours.

SUMMARY

1. The Shire of Augusta-Margaret River Interim Development Order No. 16, as modified by Amending Order approved by the Hon Minister for Planning & Infrastructure on 3rd December 2003, contains provisions *inter alia*—

- (a) That the Order applies to the whole of the Shire of Augusta-Margaret River as specified in the Order.
- (b) That, subject as therein stated, the Augusta-Margaret River Shire Council is the authority responsible for its administration.
- (c) That, subject as therein stated, certain development is exempt from the need to obtain planning approval from the Council.
- (d) That the Order is to be read in conjunction with the Augusta-Margaret River Town Planning Scheme Nos 11, 16, 17, 18 and 19.
- (e) That where the Schemes referred to in sub-clause (d) are inconsistent with the Order, the Order will prevail.
- (f) Relating to certain development permitted by this Order.
- (g) Relating to the continuance of the lawful use of land and buildings.
- (h) Relating to appeals against refusal of approval for development or against conditions subject to which approval to carry out development is granted.

2. The Order, as modified by the Amending Order, has effect from and after the publication of this Summary in the *Government Gazette*.

IAN BODILL, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Mundaring

Town Planning Scheme No. 3—Amendment No. 34

Ref: 853/2/27/3 Pt 34

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 Mundaring Town Planning Scheme Amendment on 6 January 2004 for the purpose of amending Schedule 1 of Town Planning Scheme 3, which relates to Mundaring Special Purpose Zone No. 10 to read as follows—

Prescribed Use/Purpose	Land Particulars	Permissibility of Uses and Special Conditions
Locality: Mundaring 10. Psychotherapeutic and Rehabilitation Centre	Mundaring Weir Road Pt Sw Loc 928/929 being Lot 5 on Dia. 2	AA—"A" Frame therapy room, Residential quarters, Ablution block, Craft/workshop machinery shed, House, Shed, Swimming pool, Single bed chalets, 1 d/b chalet, Garage, Kiln shed, Meditation Room, and Incidental Uses as determined by Council. (max. 18 residents).

T. GERAGHTY, President.
M. N. WILLIAMS, Chief Executive Officer.

PI403*

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

Town Planning Scheme No. 3—Amendment No. 4

Ref: 853/2/23/20 Pt 4

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 Cockburn Town Planning Scheme Amendment on 6 January 2004 for the purpose of—

1. Rezoning Lots 3 and 4 Lyon Road, Banjup from 'Public Purposes' reserve to 'Development' zone.
2. Amending the Scheme Maps to include Lots 3 and 4 Lyon Road, Banjup in 'Development' zone.

R. GRAHAM, Deputy Mayor.
D. M. GREEN, Acting Chief Executive Officer.

TRANSPORT

TR401

PORT AUTHORITIES ACT 1999
DAMPIER PORT AUTHORITY
Appointment

Office of the Minister for Planning
and Infrastructure, Perth.

It is hereby notified for general information that the Minister for Planning and Infrastructure has approved the appointment of—

- Mr Darren Yeates as a Director on the Dampier Port Authority Board for a term expiring on 30 June 2006.

This appointment is in accordance with Sections 7-10 of the Port Authorities Act 1999.

ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

WATER

WA401*

WATER AGENCIES (POWERS) ACT 1984
WATER SUPPLY IMPROVEMENTS: BOYUP BROOK
Shire of Boyup Brook

Notice of Proposal to Construct a 1000m³ Ground Level Tank

To improve the Boyup Brook Water Supply, the Water Corporation proposes to construct a reinforced concrete ground level water storage tank of approximately 1000 cubic metres capacity, 19 metres diameter and four metres wall height, with a metal sheeted roof of zincalume finish and associated pipework including valves, meters and concrete valve pits.

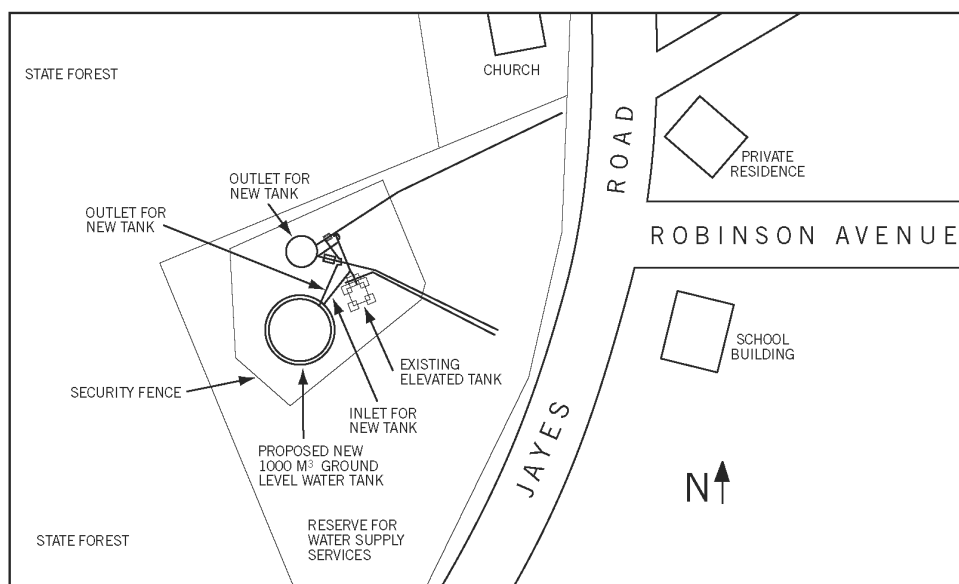
The construction of the proposed works will be above ground except for the foundation works which shall be buried within the ground.

The proposed works are scheduled to commence in April 2004, and will continue for approximately three months.

A copy of this Notice of Proposal (referred to as GY 21-0-1) is available for viewing, during office hours, at the Water Corporation's Regional Office at Bunbury Tower, 61 Victoria Street, Bunbury, WA.

Further information may be obtained by contacting the Acting Project Manager, Nitin Shah on telephone 08 9721 8722.

Objections to the proposed works will be considered if lodged in writing, addressed to the Project Manager, Water Corporation, Bunbury Tower, 61 Victoria Street, Bunbury, WA, 6230 before the close of business on 16 February 2004.



PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the undermentioned deceased persons are required by the personal representatives of care of Minter Ellison of Central Park, 152-158 St George's Terrace, Perth to send particulars of their claims to them by the 13th day of February, 2004 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Depiazzi, Victor Alphonsus, late of Midland Nursing Home, 44 John Street, Midland, Western Australia, Retired Farmer, Deceased. Died 16 August 2003.

Stevenson, Ronda Mavis, late of Unit 75 St Ives Northshore Retirement Estate, 177 Dampier Avenue, Kallaroo, Western Australia, Deceased. Died 22 December 2003.

WESTERN AUSTRALIA

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STATE LAW PUBLISHER

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