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### **CONTENTS**

### PART 1

	Page
Conservation and Land Management Act 1984—Conservation and Land	
Management (Reservation of Timber Reserve) Order (No. 1) 2004	1107
Dog Act 1976—Dog (Restricted Breeds) Amendment Regulations 2004	1112
Health Act 1911—City of Gosnells Health Amendment Local Laws 2003	1112-5
Legal Practice Act 2003—Legal Practice (Professional Indemnity Insurance)	
Amendment Regulations 2004	1107-11

### PART 2

Agriculture	1116
Consumer and Employment Protection	1116
Heritage	1116-7
Justice	1117
Local Government	1117-8
Minerals and Petroleum	1118-22
Planning and Infrastructure	1123-4
Premier and Cabinet	1124
Public Notices—Deceased Estates	1126-7
Racing, Gaming and Liquor	1125
Water	1125

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## GOVERNMENT GAZETTE—EASTER 2004

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 2004.

### **EASTER ISSUES:**

THURSDAY 8 APRIL (Copy closes Tuesday 6 April at 12.00 noon)

There will be no edition for TUESDAY 13 APRIL.

Any enquiries should be directed to John Thompson, Phone (08) 9426 0010

## — PART 1 —

## CONSERVATION

### CO301\*

### CONSERVATION AND LAND MANAGEMENT ACT 1984

Conservation and Land Management (Reservation of Timber Reserve) Order (No. 1) 2004

Made by the Governor in Executive Council under section 10 of the Conservation and Land Management Act 1984.

#### 1. Citation

This order may be cited as the Conservation and Land Management (Reservation of Timber Reserve) Order (No. 1) 2004.

### 2. Background to this order

- (i) Two areas of Crown land have been identified as being suitable for inclusion into the adjoining Timber Reserves.
- (ii) The lands referred to in subclause (i) are described in Schedules 1-2.

### 3. Additions to Timber Reserve Nos. 130/25 and 170/25

The lands described in Schedule 1-2 are reserved as additions to the respective Timber Reserves.

### Schedule 1—Land Reserved as part of Timber Reserve No. 130/25

Lot 13820 (closed road) as surveyed and shown on Deposited Plan 36115.

Area: 1.9655 hectares.

Department of Land Information Plan: Lake Muir NE (2229-III-NE).

### Schedule 2—Land Reserved as part of Timber Reserve No. 170/25

Lot 5948 as surveyed and shown on Deposited Plan 221111.

Area: 9.9497 hectares.

Department of Land Information Plan: Donnybrook SW (2030-I-SW).

By Command of the Governor,

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

## **JUSTICE**

JU301\*

Legal Practice Act 2003

# **Legal Practice (Professional Indemnity Insurance) Amendment Regulations 2004**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Legal Practice* (*Professional Indemnity Insurance*) Amendment Regulations 2004.

## 2. The regulations amended

The amendments in these regulations are to the *Legal Practitioners (Professional Indemnity Insurance) Regulations 1995\**.

[\* *Published in Gazette 12 May 1995, p. 1781-87.*]

### 3. Regulation 1 amended

Regulation 1 is amended by deleting "*Practitioners*" and inserting instead —

" Practice "

## 4. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) by deleting the definitions of "Board" and "Law Society";
- (b) in the definition of "barrister", by deleting "Crown";
- (c) by deleting the definition of "firm" and inserting instead —

"

### "firm" means —

- (a) a practitioner who practises on his or her own account alone;
- (b) 2 or more practitioners who practise on their own account in partnership;
- (c) a multi-disciplinary partnership; or
- (d) an incorporated legal practice,

but does not include —

- (e) an exempt practitioner;
- (f) a partnership of exempt practitioners;
- (g) a multi-disciplinary partnership if all of the partners who are practitioners are exempt practitioners; or
- (h) an incorporated legal practice if all of the officers and employees of the practice who are practitioners are exempt practitioners;

"

### 5. Regulation 4 amended

(1) Regulation 4(1) is amended by deleting "practitioners and former practitioners" and inserting instead —

"

practitioners, incorporated legal practices, former practitioners and former incorporated legal practices

".

(2) Regulation 4(2) is amended by inserting after "practitioners" — " and incorporated legal practices".

## 6. Regulation 5 amended

Regulation 5 is amended as follows:

(a) by deleting "every practitioner who is not an exempt practitioner is required" and inserting instead —

۲,

- (a) every practitioner who is not an exempt practitioner; and
- (b) every incorporated legal practice, unless all of the officers and employees of the practice who are practitioners are exempt practitioners,

is required

,,,

(b) by deleting "him or her" and inserting instead —"him, her or it".

## 7. Regulation 7 amended

Regulation 7(4)(d) is deleted and the following paragraphs are inserted instead —

"

- (d) the business structure of the firm;
- (e) if the firm is a practitioner who practises on his or her own account, the number of persons employed by the firm;
- (f) if the firm is a partnership other than a multi-disciplinary partnership
  - (i) the number of partners in the firm;
  - (ii) the number of persons employed by the firm;
- (g) if the firm is a multi-disciplinary partnership
  - (i) the number of partners in the firm and how many of them are practitioners;
  - (ii) the number of persons employed by the firm and how many of them are employed in the provision of legal services;
  - (iii) the types of non-legal services provided by the firm;
  - (iv) the proportions of the services provided by the firm that are, and are not, legal services;

- (h) if the firm is an incorporated legal practice
  - the number of directors and how many of them are legal practitioner directors;
  - (ii) the number of officers and employees of the firm and how many of them are engaged in the provision of legal services;
  - (iii) whether the firm provides non-legal services, and if so
    - (I) the types of services provided;
    - (II) the proportions of the services provided by the firm that are, and are not, legal services.

8. Regulation 8 amended

Regulation 8(2) is amended by deleting "any of the matters mentioned in regulation 7(4)(a) to (d) or any other relevant matter." and inserting instead —

any relevant matters including those mentioned in regulation 7(4).

9. Regulation 9 amended

Regulation 9(2) is amended by deleting "the arrangements." and inserting instead —

the arrangements for —

- (a) if the firm is a practitioner who practises on his or her own account, the practitioner and all practitioners employed by the firm;
- (b) if the firm is a partnership
  - (i) the partners in the firm who are practitioners; and
  - (ii) all practitioners employed by the firm;

or

- (c) if the firm is an incorporated legal practice
  - (i) all the officers and employees of the firm who are practitioners; and
  - (ii) the firm itself as a corporate entity.

10. Regulation 11 amended

Regulation 11 is amended as follows:

(a) in paragraph (c) by deleting "Crown" in both places where it occurs and inserting instead —

"State";

".

"

,,

- (b) by deleting paragraph (e);
- (c) in paragraph (f) by deleting "section 76 or 77" and inserting instead
  - " section 123 ".

## 11. Regulation 13 amended

- (1) Regulation 13(1) is repealed and the following subregulation is inserted instead
  - (1) If—
    - (a) a practitioner commences practice on his or her own account;
    - (b) 2 or more practitioners become a partnership;
    - (c) 2 or more firms combine to form a single firm;
    - (d) a firm becomes a multi-disciplinary partnership;
    - (e) a firm becomes an incorporated legal practice;
    - (f) a firm otherwise changes its business structure,

the resulting firm must immediately make application to take and maintain insurance under the arrangements.

- (2) Regulation 13(3) is repealed and the following subregulation is inserted instead
  - (3) If, immediately before the occurrence of the event referred to in subregulation (1), all of the practitioners, firms and incorporated legal practices involved had valid and current certificates of insurance under the arrangements, the Law Society may reduce or waive the annual contribution payable by the resulting firm under subregulation (2)(a).

By Command of the Lieutenant-Governor and deputy of the Governor,

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

## LOCAL GOVERNMENT

LG101\*

Dog Act 1976

## Dog (Restricted Breeds) Amendment Regulations 2004

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Dog (Restricted Breeds) Amendment Regulations 2004.* 

## 2. The regulations amended

The amendments in these regulations are to the *Dog (Restricted Breeds) Regulations (No. 2) 2002\**.

[\* Published in Gazette 9 August 2002, p. 3883-91. For amendments to 22 March 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 83.]

## 3. Regulation 14 amended

Regulation 14 is amended by deleting "22 April 2004" and inserting instead —

" 22 April 2005 ".

By Command of the Lieutenant-Governor and deputy of the Governor,

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

LG301\*

### **HEALTH ACT 1911**

CITY OF GOSNELLS HEALTH AMENDMENT LOCAL LAWS 2003

Made by the Council of the City of Gosnells under Clause 342 of the *Health Act 1911* in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*.

### 1. Citation

These Local Laws may be cited as the City of Gosnells Health Amendment Local Laws 2003.

### 2. The local laws

The amendments in these local laws are to the City of Gosnells Health Local Laws 1999\*.

(\*Published in Gazette No. 224 of 24 November 1999 pages 5861-5897).

### 3. Clause 3 amended

Clause 3 is amended by deleting reference to "Town Planning Scheme No. 1" where it appears under the definitions for "Scheme" and "Zone" and substituting it with "Town Planning Scheme No. 6".

#### 4. Clause 5 amended

Clause 5 is amended by inserting the following sub-clause—

"5 (3) The floor of the toilet shall be impervious to water, properly surfaced and graded to an approved floor waste outlet"

### 5. Clause 6 amended

Clause 6 (1) (c) (v) is amended by inserting "as determined by Council" after "sanitary conveniences".

### 6. Clause 7 amended

Clause 7. (1) is amended by inserting ",unless otherwise approved by Council," after "shall' where it appears in the second line.

#### 7. Clause 25 amended

Clause 25 (d) is amended by deleting the words "and disinfect" where they appear after the word "clean" and substituting with the words " 'disinfect, repair or replace".

#### 8. Clause 31 amended

Clause 31 is repealed and the following Clause inserted—

"31. A person shall not deposit or cause or permit to be deposited liquid refuse on any land or place, other than in an approved receptacle provided for the purpose or depot duly authorised for that purpose unless otherwise approved by Council."

### 9. Clause 32 amended

Clause 32 is amended by deleting the interpretation of "approved incinerator".

### 10. Clause 43 amended

Clause 43 is amended as follows—

- by amending Clause 43 (1) by deleting "unless otherwise approved in writing by an authorised person." and inserting a full stop after "material".
- by amending Clause 43(2)(a) by deleting "authorised officer" and inserting "authorised person".
- by amending Clause 43 (2) (e) by printing the title of Bush Fires Act 1954 in italics.
- by deleting Clause 43(3) and substituting it with—
  - "Barbeques, solid fuel water heaters, space heaters and ovens fired with dry paper, dry wood, synthetic char or charcoal type fuel will be exempted from this clause unless otherwise prescribed by the *Bush Fires Act 1954.*"
- · by inserting the following sub-clause—
  - "(4) Sub-clause (2) (a) does not apply to land zoned rural under the Scheme".

### 11. Clause 44 amended

Clause 44(1)(a) is amended by—

- deleting "or" after the semi colon after "capacity" in the third line.
- deleting the full stop after the word "lid" where it appears in the fifth line and substituting it with "; or ".
- inserting a new line to read: "- or other approved container ".

### 12. Clause 60 amended

Clause 60 is amended as follows-

- paragraph (i) of Sub-clause (2) of Clause 60 is repealed.
- deleting the dash "-" after the word "to" in Sub-clause (2).
- deleting the paragraph designation "(ii)" in Sub-clause (2).

### 13. Clause 63 amended

Clause 63 is amended by deleting the definitions of "stable" and "stall" and inserting the following definition instead—  $\,$ 

"

"stable" means any building in which a horse is stabled or kept and includes any shed, loose-box, stall or shelter used for the keeping, stabling, feeding, watering, grooming, sheltering, shoeing, or veterinary treatment of a horse."

### 14. Clause 64 amended

Clause 64 (1) is amended by deleting "land permitted within the Scheme" and inserting "in an approved veterinary centre or area zoned rural or special rural in accordance with the Scheme".

#### 15. Clause 65 amended

Clause 65 is repealed and the following Clause inserted—

"65.(1) Every stable in respect to the keeping of a horse must fulfil all of the following requirements—

- (a) the construction of every stable and its situation with respect to adjacent buildings must be in accordance with the Building Code and Scheme;
- (b) every stable shall have an area of not less than 11m² and walls not less than 3 metres measured either horizontally or vertically;
- (c) a stable provided in a yard for the protection of horses from inclement weather shall have an area of not less than 9m² and a height of not less than 2.5 metres. It shall not be capable of being closed and shall have at least one side completely open to the outside air; and
- (d) every stable shall have approved impervious rodent-proof receptacles for the storing of chaff, bran, pollard or grain or similar, intended for horse feed.
- (2) No part of the stable shall be located any less than 15 metres from any dwelling house.
- (3) Any paddock or yard used for the keeping of any horse shall have a fence or railing at a distance of not less than 15 metres from any dwelling house or 9 metres from a building or buildings housing a trainer and/or employee engaged in the care of horses.
- (4) When required by an Environmental Health Officer, any paddock or yard used for the keeping of any horse shall have a fence or railing erected at a distance of not less than 1.25 metres from the boundary of any land not in the same occupation or possession.
- (5) Not more than 1 horse per 2000 square metres is permitted on land approved for the keeping of horses."

### 16. Clause 67 amended

Clause 67 is amended as follows—

- under the interpretation of "prohibited area" in paragraph (a) by deleting "zoned R12.5 or greater" and substituting it with the words "less than  $1000 \mathrm{m}^2$ ".
- by deleting the interpretation of "Residential Planning Codes".

### 17. Clause 95A inserted

After Clause 95 the following Clause is inserted—

### "Morgues

95A. The occupier of any premises for the temporary reception and keeping of the bodies of the dead awaiting burial or cremation on any premises shall ensure that

- (a) the use is approved as a funeral parlour under the Scheme.
- (b) the person is the holder of a funeral director's licence or a permit has been issued under the Cemeteries Act 1986.
- (c) the premises complies in all respects with the Australian Funeral Directors' Association "Required Standards For Premises, Equipment and Vehicles Guidelines" issued September 2002, and amended from time to time.
- (d) the handling, transportation, preparation, transferring, encoffing and embalming of the body complies in all respects with the Australian Funeral Directors' Association (WA Division) and Department of Health *Infection Control Guidelines For The Funeral Industry* issued March 1997, and amended from time to time."

### 18. Clause 104 amended

Clause 104 (2) is amended by deleting "(5)" and inserting "(1) after "sub-clause".

### 19. Clause 129 amended

Clause 129 (3) is amended by deleting "Town Planning Scheme No. 1" and inserting "Scheme".

Passed by resolution of a special majority of the Council of the City of Gosnells at its meeting held on 24th February 2004.

Dated this 5th day of March 2004.

The Common Seal of the City of Gosnells was hereunto affixed in the presence of—

PATRICIA M. MORRIS, AM, JP, Mayor. STUART JARDINE, Chief Executive Officer.

Consented to-

MARGARET STEVENS, Executive Director, Public Health.

Dated this 18th day of March 2004.

## — PART 2 —

## **AGRICULTURE**

**AG401** 

## WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976

APPOINTMENT

Western Australian Meat Industry Authority
Midland

I, Kim Chance MLC, Minister for Agriculture, Forestry and Fisheries, hereby appoint the following person as an inspector pursuant to Section 24G of the Western Australian Meat Industry Authority Act 1976.

James Matthew Giorgi

KIM CHANCE, MLC, Minister for Agriculture; Forestry and Fisheries.

## **CONSUMER AND EMPLOYMENT PROTECTION**

**CE401** 

### ASSOCIATIONS INCORPORATION ACT 1987

ORDER PURSUANT TO SECTION 34(2)

A Western Australian Association of Masseurs Inc.

Pursuant to the provisions of Section 34(2) of the Associations Incorporation Act 1987, I hereby order that the undertaking of the A Western Australian Association of Masseurs Inc be transferred to Australian Association of Massage Therapists Limited ACN 104 153 460 with effect from the date of publication of this order.

Dated the 25th day of March 2004.

PATRICK WALKER, Commissioner for Fair Trading.

## **HERITAGE**

HR401\*

### HERITAGE OF WESTERN AUSTRALIA ACT 1990

NOTICE OF INTENTION TO AMEND AN ENTRY IN THE REGISTER OF HERITAGE PLACES

In accordance with the requirements of Section 54(2) of the Heritage of Western Australia Act 1990, the Heritage Council hereby gives notice that it is proposed to amend the entry in the Register on a permanent basis in respect of the Place being Yalgoo Railway Station Group, Piesse Street, Yalgoo.

The reason for the proposed amendment is to give effect to the original intention to include Yalgoo Lot 199, Reserve 6200, Reserve 46916 being Lot 135 on Plan 83215, portion of Reserve 21865, portion of Reserve 4787, portion of Badja Woolshed Road, portion of Geraldton Mount Magnet Road and the portion of unallocated Crown land described below in the description of the Place and which were omitted from the description due to an administrative error and to reflect accurately current land tenure for the Place. The amended description of the Place will be—

Lot 197 on Deposited Plan 91650 being Reserve 39961 and being the whole of the land contained in Crown Land Title Volume: 3078 Folio: 23, Lot 209 on Deposited Plan 193573 being the whole of the land contained in Certificate of Title Volume; 2147 Folio: 340, Lot 135 on Plan 83213 being

Reserve 46916 and being the whole of the land contained in Crown Land Title Volume: 3128 Folio: 634, Yalgoo Lot 199 being the land contained in Crown Lease 38/1989, the whole of Reserve 6200, portion of Warramboo Location 15 being portion of Reserve 21865 and part of the land contained in Crown Land Title Volume 3071 Folio 938, portion of Reserve 4787, portion of Badja Woolshed Road being portion of road number 5086, portion of Geraldton Mount Magnet Road being portion of road number 1653 and portion of unallocated Crown land together as is defined in Heritage Council of Western Australia Survey Drawing No 2778 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

The Heritage Council invites submissions on the proposal. Copies of the survey drawing may be obtained by telephoning (08) 9220 4114. Submissions must be in writing and should be forwarded to the following address not later than 5pm on 14 May 2004.

The Director, Office of the Heritage Council 108 Adelaide Terrace, East Perth WA 6004

Dated this 2nd day of April 2004.

IAN BAXTER, Director, Office of the Heritage Council.

## **JUSTICE**

JU401\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

### REVOCATION OF PERMITS

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
Randall	Matthew Arnold	CS2-117	23/03/2004
Shepherd	Elizabeth	CS4-077	23/03/2004

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

BRIAN YEARWOOD, Director, Custodial Contracts.

## LOCAL GOVERNMENT

LG401

### JUSTICES ACT 1902

### APPOINTMENT

The following appointed person listed below is authorised in accordance with the Justices Act 1902, to make complaints and act under and enforce the various Acts, Regulations and Local Laws for the Municipality of the City of Swan as detailed hereunder—

Lees Jane-

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976, Regulations and Local Laws thereunder
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations thereunder
- Bush Fires Act 1954, Regulations and Local Laws thereunder
- Litter Act 1979 and Regulations thereunder
- Caravan Parks and Camping Grounds Act 1995

Restrictions to these authorised appointments apply under the Chief Executive Officer of the City of Swan's Delegation of Authority and are valid until termination of appointment.

LG402\*

### LOCAL GOVERNMENT ACT 1995

City of Armadale (RATING EXEMPTION)

Department of Local Government And Regional Development. 23 March 2004.

**DLGRD: AK5-6#2** 

It is hereby notified for public information that the Hon Tom Stephens MLC, Minister for Local Government and Regional Development has under the provisions of section 6.26 (4) of the *Local Government Act 1995*, declared exempt from the payment of local government rates, Lot 152, 86 River Road Kelmscott, within the City of Armadale and cancelled the declaration exempting Lot 3, 2942 Albany Highway Kelmscott from local government rates published in the *Government Gazette* of 26 March 2004.

CHERYL GWILLIAM, Director General.

LG403\*

### LOCAL GOVERNMENT ACT 1995

City of Wanneroo (BASIS OF RATES)

Department of Local Government And Regional Development. 29 March 2004.

DLGRD: WC5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Tom Stephens MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the Local Government Act 1995, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 24th March 2004.

CHERYL GWILLIAM, Director General.

## SCHEDULE Additions to Gross Rental Value Area

City of Wanneroo

All that portion of land being Lot 103 as shown on Deposited Plan 36095.

## MINERALS AND PETROLEUM

**MP401\*** 

## STATE OF WESTERN AUSTRALIA PETROLEUM ACT 1967

INSTRUMENT OF DELEGATION

- I, Clive Morris Brown, Minister for State Development for the State of Western Australia, being authorised by or under the Act to delegate any of my powers and functions under the Act, and in the title instruments issued under the Act (other than the power of delegation), or under an Act that incorporates the Act do hereby—
  - (a) revoke all previous delegations made pursuant to Section 25 of the Act; and
  - (b) delegate to the person who holds, occupies or performs the duties of the office of Director, Petroleum and Royalties Division, Department of Industry and Resources all my powers under the Act (other than the power of delegation) and its associated Act, the Petroleum (Registration Fees) Act 1967.

- (c) delegate to the person who for the time being holds, occupies or performs the duties of the office of Manager Policy Legislation & Titles, Petroleum Registrar, Work Commitments Monitoring Officer and Legislation and Special Projects Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 70(2), 70(3), 70(4), 70(6), 71, 72(5), 72(7), 72(9), 72(11), 73(2), 73(3), 75(9), 75(11), 75(12), 75(14), 78, 81, 81A.
- (d) delegate to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer and Research Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 70(2), 70(3), 70(4), 70(6), 71, 72(5), 72(7), 73(3), 75(9), 75(11), 78, 81, 81A.
- (e) delegate to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 70(2), 70(3), 70(4), 70(6), 71, 72(5), 72(7), 75(9), 75(11).

Dated at Perth this 26th day of March 2004.

Made under the Petroleum Act 1967 of the State of Western Australia.

CLIVE MORRIS BROWN, Minister for State Development.

**MP402\*** 

## STATE OF WESTERN AUSTRALIA PETROLEUM PIPELINES ACT 1969

### INSTRUMENT OF DELEGATION

I, Clive Morris Brown, Minister for State Development, for the State of Western Australia, being authorised by or under the Act to delegate any of my powers and functions under the Act, and in the title instruments issued under the Act (other than the power of delegation), do hereby—

In respect to the Petroleum Pipelines Act 1969—

- (a) revoke all previous delegations made pursuant to Section 61 of the Act; and
- (b) delegate to the person who holds, occupies or performs the duties of the office of Director, Petroleum and Royalties Division, Department of Industry and Resources all my powers under the Act (other than the power of delegation)
- (c) delegate to the person who for the time being holds, occupies or performs the duties of the office of Manager Policy Legislation & Titles, Petroleum Registrar, Work Commitments Monitoring Officer and Legislation and Special Projects Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 20(2)(b), 20(3), 20(5), 43(2), 43(3), 43(4), 43(6), 44(5), 44(7), 44(9), 44(11), 45(2), 45(3), 47(9), 47(11), 47(12), 47(14), 50, 53, 53A.d
- (d) delegate to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer and Research Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 20(3), 20(5), 43(2), 43(3), 43(4), 43(6), 44(5), 44(7), 45(3), 47(9), 47(11), 50, 53, 53A.
- (e) delegate to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 43(2), 43(3), 43(4), 43(6), 44(5), 44(7), 47(9), 47(11).

In respect to the Petroleum Pipelines Regulations 1970—

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Director, Petroleum and Royalties Division, in the Department of Industry and Resources all the powers and functions of the Minister.

Dated at Perth this 26th day of March 2004.

Made under the Petroleum Pipelines Act 1969 of the State of Western Australia.

 ${\bf CLIVE\ MORRIS\ BROWN,\ Minister\ for\ State\ Development.}$ 

MP403\*

## COMMONWEALTH OF AUSTRALIA PETROLEUM (SUBMERGED LANDS) ACT 1967

### Instrument of Delegation

I, Clive Morris Brown, Designated Authority for the State of Western Australia, being authorised by or under the Act to delegate any of my powers and functions under the Act, other than the power of delegation, or under an Act that incorporates the Act, do hereby revoke all previous delegations made pursuant to Section 15 of the Act; and

In respect to the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia;

- (a) delegate to the person who for the time being holds, occupies or performs the duties of the office of Director, Petroleum and Royalties Division, Department of Industry and Resources all my powers under the Act (other than the power of delegation) and its associated Acts, the Petroleum (Submerged Lands) Fees Act 1994 and Petroleum (Submerged Lands) (Registration Fees) Act 1967.
- (b) delegate to the person who for the time being holds, occupies or performs the duties of the office of Manager Policy Legislation & Titles, Petroleum Registrar, Work Commitments Monitoring Officer and Legislation and Special Projects Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Designated Authority under the following sections and subsections of the Act: 76(2), 76(3), 76(4), 76(6), 77, 78(5), 78(7), 78(9), 78(11), 79(2), 79(3), 81(9), 81(11), 81(12), 81(14), 84, 87, 87A.
- (c) delegate to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer and Research Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Designated Authority under the following sections and subsections of the Act: 76(2), 76(3), 76(4), 76(6), 77, 78(5), 78(7), 79(3), 81(9), 81(11), 84, 87, 87A.
- (d) delegate to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Designated Authority under the following sections and subsections of the Act: 76(2), 76(3), 76(4), 76(6), 77, 78(5), 78(7), 81(9), 81(11).

In respect to the—

Petroleum (Submerged Lands) Regulations 1985; and

Petroleum (Submerged Lands) (Occupational Health and Safety) Regulations 1993;

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Director, Petroleum and Royalties Division, in the Department of Industry and Resources all the powers and functions of the Designated Authority.

in respect to the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 1996;

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Director, Petroleum and Royalties Division, in the Department of Industry & Resources all the powers and functions of the Designated Authority.

in respect to the Petroleum (Submerged Lands) (Management of Environment) Regulations 1999;

delegate to the person who, from time to time, holds, occupies or performs the duties of, the office of Director, Petroleum and Royalties Division, in the Department of Industry and Resources all the powers and functions of the Designated Authority.

Dated at Perth this 26th day of March 2004.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

CLIVE MORRIS BROWN, Designated Authority.

MP404\*

## STATE OF WESTERN AUSTRALIA PETROLEUM (SUBMERGED LANDS) ACT 1982

INSTRUMENT OF DELEGATION

- I, Clive Morris Brown, Minister for State Development for the State of Western Australia, being authorised by or under the Act to delegate any of my powers and functions under the Act, and in the title instruments issued under the Act (other than the power of delegation), or under an Act that incorporates the Act do hereby—
  - (a) revoke all previous delegations made pursuant to Section 16 of the Act; and
  - (b) delegate to the person who holds, occupies or performs the duties of the office of Director, Petroleum and Royalties Division, Department of Industry and Resources all my powers under the Act (other than the power of delegation) and its associated Act, the Petroleum (Submerged Lands) Registration Fees Act 1982

- (c) delegate to the person who for the time being holds, occupies or performs the duties of the office of Manager Policy Legislation & Titles, Petroleum Registrar, Work Commitments Monitoring Officer and Legislation and Special Projects Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 76(1), 76(2), 76(3), 76(5), 77, 78(5), 78(7), 78(9), 78(11), 79(2), 79(3), 81(9), 81(11), 81(12), 81(15), 84, 87, 87A.
- (d) delegate to the person who for the time being holds, occupies or performs the duties of the office of Senior Titles Officer and Research Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 76(1), 76(2), 76(3), 76(5), 77, 78(5), 78(7), 79(3), 81(9), 81(11), 84, 87, 87A.
- (e) delegate to the person who for the time being holds, occupies or performs the duties of the office of Titles Officer, Policy Legislation & Titles Branch, Petroleum and Royalties Division, in the Department of Industry and Resources the powers and functions of the Minister under the following sections and subsections of the Act: 76(1), 76(2), 76(3), 76(5), 77, 78(5), 78(7), 81(9), 81(11).

Dated at Perth this 26th day of March 2004.

Made under the Petroleum (Submerged Lands) Act 1982 of the State of Western Australia.

CLIVE MORRIS BROWN, Minister for State Development.

MP405\*

## COMMONWEALTH OF AUSTRALIA PETROLEUM (SUBMERGED LANDS) ACT 1967

NOTICE OF GRANT OF PRODUCTION LICENCE

Production Licence No. WA-28-L has been granted to Woodside Energy Limited to have effect for a period of twenty one (21) years from 29 March 2004.

W. F. MASON, Acting Director Petroleum Division.

**MP407** 

### MINING ACT 1978

### CANCELLATION OF EXEMPTION

The Minister for State Development pursuant to the powers conferred on him by section 19 of the Mining Act 1978, hereby cancels the exemption of the six (6) areas of land as described hereunder and bearing the Departmental reference number S19/173 (not being private land or land that is subject of a mining tenement or an application therefor) from divisions 1 to 5 of Part IV of the Mining Act 1978, notice of which was published at pages 133 and 134 of the *Government Gazette* dated 21 January 2003.

### Location: Lissadell-Kimberley Mineral Field

Area 1 (Formerly Mining Lease 80/108)

Area 2 (Formerly Mining Lease 80/109)

Area 3 (Formerly Mining Lease 80/110)

Area 4 (Formerly Mining Lease 80/111)

Area 5 (Formerly Mining Lease 80/112)

Area 6 (Formerly Mining Lease 80/113)

(Schedule "A" as published on pages 133 and 134 of the *Government Gazette* dated 21 January 2003 contains a detailed description of these areas).

Dated at Perth this 26th day of March 2004.

CLIVE BROWN MLA, Minister for State Development.

MP406\*

### PETROLEUM ACT 1967

### RENEWAL OF EXPLORATION PERMITS

Exploration Permit Nos. EP369 R2, EP405 R1 and EP410 R1 held by Longreach Oil Limited have been renewed to have effect for a period of five (5) years from 26 March 2004.

W. F. MASON, Acting Director Petroleum Division.

**MP408** 

### MINING ACT 1978

### CANCELLATION OF FORFEITURE

Department of Industry and Resources, PERTH WA 6000.

In accordance with Section 97A(8) of the Mining Act 1978 I hereby cancel the forfeiture of the undermentioned mining leases previously declared forfeited for breach of covenant, being failure to pay a penalty for late payment of rent under Section 97(1), and restore the lessee to its former estate.

CLIVE BROWN MLA, Minister for State Development.

Number	Holder	Mineral Field
80/108	Astro Bow River Mines Ltd	Kimberley
80/109	Astro Bow River Mines Ltd	Kimberley
80/110	Astro Bow River Mines Ltd	Kimberley
80/111	Astro Bow River Mines Ltd	Kimberley
80/112	Astro Bow River Mines Ltd	Kimberley
80/113	Astro Bow River Mines Ltd	Kimberley

**MP409** 

### MINING ACT 1978

### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and Resources, Norseman WA 6443.

In accordance with Regulation 49(2)(c) of the Mining Act 1978 notice is hereby given that these Prospecting Licences are liable to forfeiture under the provisions of Section 96(2)(ba) for breach of covenant, viz, failure to comply with expenditure conditions.

S. SHARRATT (SM), Warden.

To be heard in the Warden's Court, Norseman on the 15th June 2004.

DUNDAS MINERAL FIELD Prospecting Licence

63/1110—Alan Joseph McGrath

**MP410** 

### **MINING ACT 1978**

FORFEITURE

Department of Industry and Resources, PERTH WA 6000.

I hereby declare in accordance with the provisions of Section 96A(1) of the "Mining Act 1978" that the undermentioned Exploration Licence is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions with prior right of application being granted to the plaintiff under Section 100(2).

CLIVE BROWN MLA, Minister for State Development.

Number Holder 38/479 Johnson's Well Mining NL Menzies, John Charles Richmond, William Robert

Mineral Field Mt Margaret

## PLANNING AND INFRASTRUCTURE

PI101\*

### CORRECTION

### METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENT NO. 1086/33A

Curtin Avenue Extension Rationalisation

CALL FOR PUBLIC SUBMISSIONS

It is hereby notified for public information that the notice under the above Amendment No 1086/33A published at page 774 of the *Government Gazette* No. 42 dated 12 March 2004, contained an error which is now corrected by inserting the following words between the paragraphs Purpose and Procedure—

#### Certificate

The Western Australian Planning Commission hereby certifies that, in its opinion, the amendment does not constitute a substantial alteration to the Metropolitan Region Scheme.

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

PI102\*

### **CORRECTION**

### METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME AMENDMENT NO. 1085/33A

Lots 106 & 107 Wright Road, Forrestdale

CALL FOR PUBLIC SUBMISSIONS

It is hereby notified for public information that the notice under the above Amendment No 1085/33A published at page 775 of the *Government Gazette* No. 42 dated 12 March 2004, contained an error which is now corrected by inserting the following words between the paragraphs Purpose and Procedure—

### Certificate

The Western Australian Planning Commission hereby certifies that, in its opinion, the amendment does not constitute a substantial alteration to the Metropolitan Region Scheme.

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

PI401\*

### WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985

As Read In Conjuction With The

### METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

PEEL REGION SCHEME AMENDMENT NO. 002/33A

General Omnibus No. 1

### CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Peel Region Scheme (PRS) for various portions of land located in the City of Mandurah and Shires of Murray and Waroona and is seeking public comment.

### Purpose

The amendment comprises twelve separate proposals affecting land in a range of locations within the Peel region. Eight proposals relate to land already in public ownership, and mainly seek to include the land within reservations for public purposes. Four propose minor adjustment of zone or reservation boundaries.

### **Procedure**

The procedure for amending the Scheme, as set out in section 33A of the *Metropolitan Region Town Planning Scheme Act* (as read in conjunction with the *Western Australian Planning Commission Act*), is to be used to advertise this proposal. Public submissions are invited.

### Certificate

The Western Australian Planning Commission hereby certifies that, in its opinion, the amendment does not constitute a substantial alteration to the Peel Region Scheme.

### **Exhibition**

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 proposal, will be available for public inspection from Friday 2 April 2004 to Wednesday 2 June 2004 at each of the following places—

- Department for Planning and Infrastructure 1st floor, Albert Facey House 469 Wellington Street PERTH
- City of Mandurah Peel Street MANDURAH
- Shire of Waroona Hesse Street WAROONA

- Department for Planning and Infrastructure (Peel Region Office)
   Unit 2B, 11 Pinjarra Road MANDURAH
- Shire of Murray Pinjarra Road PINJARRA
- State Reference Library Alexander Library Building Francis Street NORTHBRIDGE

Documents are also available from the Commission's internet site http://www.wapc.wa.gov.au.

#### Submissions

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 33A. This submission form is available from the display locations, the Amendment Report and the Internet.

Submissions must be lodged with the Secretary, Western Australian Planning Commission, Unit 2B, 11-13 Pinjarra Road, Mandurah WA 6210 on or before 5.00 pm Wednesday 2 June 2004.

Late submissions will not be considered.

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

PI402\*

### TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Albany

Town Planning Scheme No. 3—Amendment No. 227

Ref: 853/5/4/5 Pt 227

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 Albany Town Planning Scheme Amendment on 16 March 2004 for the purpose of—

- 1. Rezoning Lot 226 La Perouse Road from the 'Local Shopping' Zone to the 'Residential' Zone.
- 2. Amending the Scheme Maps accordingly.

M. EVANS, Deputy Mayor. A. C. HAMMOND, Chief Executive Officer.

## PREMIER AND CABINET

### PC401\*

### APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Lieutenant-Governor and deputy of the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Honourable Justice Neville John Owen, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following period—

8 to 17 April 2004 (both dates inclusive).

## RACING, GAMING AND LIQUOR

### **RG401**

### **LIQUOR LICENSING ACT 1988**

### SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATION	ONS FOR THE GRANT O	F A LICENCE	
10205	Brad Skraha and Orest Skraha and Robyn Skraha	Application for the grant of a Producer's licence in respect of premises situated in Boyup Brook and known as Wild Orchid Wines	15/4/04
10207	FNP Catalano Nominees Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Seaduce Seafood Café/Restaurant	12/4/04
APPLICATION	ONS FOR EXTENDED TH	RADING PERMITS—ONGOING EXTENDED HO	URS
19862	Siritus Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Manypeaks and known as Cheynes Beach Caravan Park and Service Centre	15/4/04
19882	PDR Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Bunbury and known as Fitzgeralds Irish Bar	18/4/04

This notice is published under section 67(5) of the Liquor Licensing Act 1988.

H. R. HIGHMAN, Director of Liquor Licensing.

## **WATER**

### WA401

### WATER SERVICES LICENSING ACT 1995

NOTICE UNDER SECTION 31 (5)

Amendment of Licence.

Notice is given that the following operating licence has been amended—

Licensee: Water Corporation

Classification: Operating Licence, Water Supply, Sewerage, Irrigation and Drainage

Services

Term of Licence: Up to and including 28 June 2021

Amendment: Amendments have been made to the following operating areas—

• OWR-OA-203C Dunsborough Sewerage Services

• OWR-OA-113D Salmon Gums Potable Water Supply Services

• OWR-OA-079C Augusta Sewerage Services

Inspection of Licence: Economic Regulation Authority

Water Division 6th Floor

197 St George's Terrace

Perth WA 6000

## **PUBLIC NOTICES**

**ZZ201** 

#### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the estate of Joy Lorraine Connolly, late of 5 Jasmine Loop, Willetton in the State of Western Australia, deceased.

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 the 7th day of January 2004 are required by the Executor Peter John Hannan of 29 Dorado Beach Crescent, Connolly in the said State to send particulars of their claims to him by the 3rd day of May 2004 after which date the Executor may convey or distribute the assets, having regard only to the claims of which the Executor then has notice

HAMMOND KING TOUYZ, 3rd Floor, 8 St George's Terrace, Perth in the said State, Solicitors for the Executor.

**ZZ202** 

### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Dorothy Lillian Avery, late of Regents Garden Aged Care Facility, 2 Amur Place, Bateman, 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 deceased, who died on the 3rd day of January 2004 are required by the executor Jackson McDonald, GPO Box M971, Perth WA 6843 to send particulars of their claims to them by the 3rd day of May 2004, after which date the executors may convey or distribute the assets, having regard only to the claims of which he/she has notice.

**ZZ203** 

### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Ernest Ronald Avery, late of 10 Park Road, Mt Pleasant, 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 deceased, who died on the 25th day of December 1979 are required by the executor Jackson McDonald, GPO Box M971, Perth WA 6843 to send particulars of their claims to them by the 3rd day of May 2004, after which date the executors may convey or distribute the assets, having regard only to the claims of which he/she has notice.

**ZZ20**4

### TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 2nd May 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Cartwright, Edward Harry, late of 14 Northgate Street, Karrinyup, died 9/3/04, (DE19600880EM36)

Court, Reginald Norman, late of 31 Recreation Road, Waroona, died 26/2/04, (DE19894664EM13)

Fitzgerald, Catherine Jean, late of The Pines Aged Care Facility, 167 Ponte Vecchio Boulevard Ellenbrook formerly of 213 Bridgewater Drive Kallaroo, died 3/3/04, (DE19852126EM36)

Foster, Alan David, late of 12 Yalgorup Court, Preston Beach, Waroona, died 22/2/04, (DE19790250EM16)

Kenworthy, Violet Ruby, late of 41 Bristol Avenue, Bicton, formerly of 71 Kinross Drive, Kinross, died 10/3/04 (DE30309469EM17)

Morton, Kenneth Harold, late of 1522 Jolimar Road, Toodyay, formerly of 21 Ward Crescent, Kelmscott, died 18/2/04, (DE19713365EM13)

Noseda, Neil Gerard, late of 61 Jeanes Road, Karrinyup, died 27/2/04, (DE19510102EM15)

Truglio, Carmelo, late of Midland Nursing Home, 44 John Street, Midland, died 15/2/04, (DE19850308EM23)

Williams, Jack also known as John Neville Williams, late of Craigmont Nursing Home, Third (East) Avenue, Maylands, died 18/12/03, (DE20001576EM23)

> ANTONINA ROSE McLAREN, Public Trustee, Public Trust Office, 565 Hay Street, Perth WA 6000. Telephone 9222 6777.

### WESTERN AUSTRALIA

## THE CRIMINAL CODE

(Reprinted as at 7 February 2003)

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### 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**

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June 2004. From 1 July access to on-line

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