



# WESTERN AUSTRALIAN GOVERNMENT Gazette

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## CONTENTS

### PART 1

	Page
Financial Administration and Audit Act 1985—Financial Administration and Audit (Designation of Statutory Authorities) Regulations (No. 2) 2004 .....	6133-4
Proclamations—Motor Vehicle Dealers Amendment Act 2003—73 of 2003.....	6133

### PART 2

Housing and Works.....	6135
Local Government.....	6135
Minerals and Petroleum .....	6136
Planning and Infrastructure .....	6136-9
Public Notices.....	6139-40

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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2004 AND NEW YEAR HOLIDAY PERIOD 2005

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**NOTE:** Due to Tuesday 28th December being a public holiday there will not be a gazette published on that day

#### Publishing Dates and times

Friday 31 December 2004 at 3.30 pm

Tuesday 4 January 2005 at 3.30 pm

#### Closing Dates and Times for copy

Wednesday 29 December 2004 at 12 noon

Friday 31 December 2004 at 12 noon



# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**MOTOR VEHICLE DEALERS AMENDMENT ACT 2003**

73 of 2003

## PROCLAMATION

WESTERN AUSTRALIA  
John Sanderson,  
Governor.  
[L.S.]

} By His Excellency Lieutenant General John Murray  
Sanderson, Companion of the Order of Australia,  
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Motor Vehicle Dealers Amendment Act 2003*, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 19, 20 and 21, come into operation.

Given under my hand and the Public Seal of the State on 7 December 2004.

By Command of the Governor,

JOHN KOBELKE, Minister for Consumer and Employment Protection.

GOD SAVE THE QUEEN !

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## TREASURY AND FINANCE

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TF301\*

Financial Administration and Audit Act 1985

### **Financial Administration and Audit (Designation of Statutory Authorities) Regulations (No. 2) 2004**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Financial Administration and Audit (Designation of Statutory Authorities) Regulations (No. 2) 2004*.

**2. The Act amended**

The amendments in these regulations are to the *Financial Administration and Audit Act 1985*\*.

[\* Reprint 8 as at 9 July 2004.]

**3. Schedule 1 amended**

Schedule 1 is amended as follows:

- (a) by deleting “Central West College of TAFE” and inserting instead —  
“ Central West TAFE ”;
- (b) by deleting “Kimberley College of TAFE” and inserting instead —  
“ Kimberley TAFE ”;
- (c) by deleting “West Coast College of TAFE” and inserting instead —  
“ West Coast TAFE ”.

By Command of the Governor,

M. TRAVERS, Clerk of the Executive Council.

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## — PART 2 —

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### HOUSING AND WORKS

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HW401

**CONSTRUCTION CONTRACTS ACT 2004**

## NOTICE OF DESIGNATION

I, the Minister for Housing and Works, acting under section 47(2) of the Act, designate the holder of the office of Executive Director, Office of Policy and Planning, of the State Housing Commission (Position No. 99050503), to be the Construction Contracts Registrar for the purposes of the Act.

Date: 14/12/2004.

N. D. GRIFFITHS, Minister for Housing and Works.

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### LOCAL GOVERNMENT

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LG401\*

**BUSH FIRES ACT 1954***Shire of Dumbleyung***FIRE CONTROL OFFICERS 2004-05**

The following have been appointed as Dual Bush Fire Control Officers for the Shire of Dumbleyung in accordance with the Bush Fires Act 1954. All previous appointments from the Shire of Wickepin are hereby cancelled—

Shire of Wickepin

Mr Lachlan White

IAN V. CRAVEN, Chief Executive Officer.

LG402

**DOG ACT 1976***Shire of Halls Creek*

## APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed under the provision of the Dog Act 1976 for the Municipality of the Shire of Halls Creek—

**Registered Officers**

Mr P. McConnell

Mr A. Morley

Miss M. Nilon

Mr L. Bedford

Mr M. Wilkie

Mr C. Brown

Mrs R. Wilkie

Miss C. Hornsby

**Authorised Officers**

Mr A. Morley

Mr M. Wilkie

Mr L. Bedford

All previous appointments are hereby cancelled dated 9th December 2004.

P. J. McCONNELL, Chief Executive Officer.

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**MINERALS AND PETROLEUM**

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**MP401\*****PETROLEUM PIPELINES ACT 1969****GRANT OF PIPELINE LICENCE**

Pipeline Licence No. PL66 was granted to Redback Pipelines Pty Ltd to have effect for a period of 21 years from 16 December 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**MP402\***

State of Western Australia

**PETROLEUM ACT 1967****GRANT OF DRILLING RESERVATION**

Drilling Reservation No. DR 7 has been granted to Red Mountain Energy Pty Ltd to have effect for a period of one (1) years from 8 December 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**PLANNING AND INFRASTRUCTURE**

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**PI401\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***City of Albany*

Town Planning Scheme No. 1A—Amendment No. 141

Ref: 853/5/2/15 Pt 141

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 15 December 2004 for the purpose of—

1. Rezoning Portion of Albany Town Pt Lots 9, 10, 74 and 75 Mill Street, Albany from the Industry zone to the Residential zone with an R30 density code.
2. Amending the Scheme Maps accordingly.

A. E. GOODE, Mayor.  
A. C. HAMMOND, Chief Executive Officer.

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**PI402\*****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***City of Armadale*

Town Planning Scheme No. 2—Amendment No. 193

Ref: 853/2/22/4 Pt 193

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Armadale Town Planning Scheme Amendment on 15 December 2004 for the purpose of—

1. Rezoning Lot 104 Albany Highway, Kelmscott from “Special Use No. 79” and “Residential R10” to “Special Use: Showroom”.
2. Deleting “Special Use No. 79” from the Special Use Development Table of Town Planning Scheme No. 2.
3. Amending the Scheme Maps accordingly.

4. Amending the Scheme Text by inserting in appropriate numerical order, a new entry into the Special Use Development Table as follows—

PRESCRIBED SPECIAL USE	REQUIREMENTS	PARTICULARS OF LAND
Showroom Permitted Uses ("P" Uses)— <ul style="list-style-type: none"> <li>• Showroom</li> <li>• Office</li> </ul> Discretionary Uses ("AA" Uses)— <ul style="list-style-type: none"> <li>• Consulting Rooms</li> <li>• Indoor sports, fitness and health centre</li> </ul> Incidental Uses ("IP" Uses)— <ul style="list-style-type: none"> <li>• Warehouse</li> <li>• Kiosk/café</li> <li>• Retail Garden Centre</li> </ul>	<ol style="list-style-type: none"> <li>1. Car parking to be provided on site as follows—               <ul style="list-style-type: none"> <li>• Offices—1 bay per 30m<sup>2</sup>.</li> <li>• Showroom—1 bay per 30m<sup>2</sup>.</li> <li>• Consulting Room—6 bays per consulting room</li> <li>• Warehouse—1 bay per 100m<sup>2</sup></li> <li>• Indoor sports, fitness and health centre—1 bay per 4-attendance capacity.</li> </ul> </li> <li>2. The overall development of the site shall be of a suitable quality architectural design to ensure that the buildings address the street and enhance the streetscape of Albany Highway. Parking areas are required to be suitably screened and arranged to avoid the proliferation of parking between the buildings and Albany Highway.</li> <li>3. Car parking areas abutting residential properties shall be screened with masonry fencing to the satisfaction of the City.</li> <li>4. Site layout, landscaping, fencing and car parking shall be to the satisfaction of the City.</li> <li>5. Legally binding reciprocal rights of access/carriageway shall be entered into with the landowners of abutting Lot 3 and 103 Albany Highway to the satisfaction of the City.</li> <li>6. Vehicular access/egress shall be restricted to one (1) crossover onto Albany Highway to the satisfaction of the City and Main Roads Western Australia.</li> </ol>	Lot 104 Albany Highway, Kelmscott.

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

PI403

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Swan*

Town Planning Scheme No. 9—Amendment No. 431

Ref: 853/2/21/10 Pt 431

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Swan Town Planning Scheme Amendment on 15 December 2004 for the purpose of—

- A. Inserting the following new definition in Schedule 1 of the Scheme—

"Telecommunications Infrastructure" means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network and includes Radio & T.V. Installations used for business purposes or commercial gain.

- B. Modifying the existing definition of "Radio & T.V. Installation—Private" in Schedule 1 of the Scheme to read—

means masts, aerials, satellite dishes and other associated equipment used for the transmission and reception of radio or television signals for personal or hobby purposes only, associated with a dwelling on the lot, but does not include similar equipment used for business purposes or for gain.

## C. Deleting the following definitions in Schedule 1 of the Scheme—

“Radio &amp; T.V. Installation—Small Scale Commercial”.

“Radio &amp; T.V. Installation—Large Scale Commercial”.

## D. Deleting the following use classes from Tables 3A &amp; 3B of the Scheme—

“Radio &amp; T.V. Installation—Small Scale Commercial”.

“Radio &amp; T.V. Installation—Large Scale Commercial”.

## E. Inserting the use class of Telecommunications Infrastructure with accompanying permissibility and modifying the permissibility of the existing use class of Radio &amp; T.V. Installation—Private in Table 3A of the Scheme—

Use Class	Zones	City Centre—Business	City Centre—Regional Shopping	City Centre—Commercial Deferred+	City Centre—Showroom/Warehouse	City Centre—Civic & Administration	City Centre—Residential & Mixed Uses	City Centre—Residential 1	City Centre—Residential 2	City Centre—Light Industrial
Telecommunications Infrastructure		AA	AA	AA	AA	AA				AA
Radio & T.V. Installation—Private		P	P	P	P	P	P	P	P	P

## F. Inserting the use class of Telecommunications Infrastructure with accompanying permissibility and modifying the permissibility of the existing use class of Radio &amp; T.V. Installation—Private in Table 3B of the Scheme—

Use Class	Zones	Commercial						Residential				Industrial			Rural						Other				
		General Commercial	Highway Service	Service Station	Hotel	Motel	Tavern	Residential Development	Residential 1	Residential 2	Residential 3	Industrial Development	General Industrial	Light Industrial	General Rural	Special Rural	Swan Valley Rural	Rural Living	Rural Residential	Landscape	Resource	Private Clubs & Institutions	Place of Public Assembly	Caravan Park	Special Purpose
Telecommunications Infrastructure		AA	AA	AA	AA	AA	AA	SA				AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Radio & T.V. Installation—Private		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

## G. Deleting reference to Radio &amp; T.V. Installation use classes within Appendix 6—Special Purpose Zones.

## H. Modifying the conditions applying to the following exempted development provisions in Appendix 8 to read as follows—

Exempted Development	Applicable Zone	Conditions Applying to the Exempted Development
Radio and TV Installation—Private (excepting satellite dishes)	General Rural; Special Rural; Swan Valley Rural; Rural Living; Rural Residential; Landscape; Resource	Where the development meets all of the following criteria— <ul style="list-style-type: none"> <li>Consists of an aerial, antenna or mast not exceeding 12 metres in height above natural ground level;</li> <li>Is located within an approved building envelope or where no building envelope exists is set back from the property boundaries in accordance with Table 8B. Where no setback is specified in this table it shall be exempt if it meets the required setbacks for a General Rural Zone.</li> </ul>
	City Centre—Residential 1 and 2; City Centre—Residential & Mixed Uses; Residential Development; Residential 1, 2 and 3; Special Purpose Zone.	Where the development complies with the acceptable development provisions of the Residential Design Codes (where applicable).

## I. Inserting the following text after Clause 3.1.13 in the Scheme—

## 3.1.14 Telecommunications Infrastructure

When considering an application for Telecommunications Infrastructure, the Council shall have regard to any relevant planning policy adopted by the Council pursuant to clause 2.4A, WAPC Statement of Planning Policy 5.2 (Telecommunications Infrastructure), any other relevant Statement of Planning Policy and to the following objectives—

- (d) To encourage co-location as a means of preventing unnecessary proliferation and duplication of such infrastructure;



- (e) To minimise the visual impact of such infrastructure on the surrounding locality; and
- (f) To prevent ad-hoc development of such infrastructure by requiring applicants to provide a report in accordance with the requirements of WAPC Statement of Planning Policy 5.2 and any other relevant Statement of Planning Policy and demonstrating an industry-wide strategic approach to the location of such infrastructure throughout the City.

C. M. GREGORINI, Mayor.  
E. W. LUMSDEN, Chief Executive Officer.

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## PUBLIC NOTICES

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**ZZ201**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

**Notice to Creditors and Claimants**

Gwendolene Cornelia Williams, late of 2/37 Britannia Road, Leederville in Western Australia, Home Duties.

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 19 September 2004 at St John of God, Hospital, Subiaco in Western Australia, are required by the personal representative, being Winifred Edith Parr Corfield to send particulars of their claims to Locked Bag 10, South Perth WA 6951 within 30 days of publication of this notice after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

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**ZZ202**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

**Notice to Creditors and Claimants**

In the estate of Benjamin Bowring late of St Lucy's Nursing Home, Kitchener Avenue, Victoria Park, 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 24th day of August, 2003 are required by the personal representative Rosemary Verna Wheatley of care of Franklyn Simon Wheatley, PO Box 1363, West Perth, Western Australia to send particulars of their claims to her by the 31st day of January 2005 after which date the personal representative may convey or distribute the assets having regard only to the claims of which she then has notice.

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**ZZ203**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

**Notice to Creditors and Claimants**

Estate of the late Barbara Helen Gordon of Wembley Downs 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 above-named deceased who died on 19th of July 2004 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron (see address 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.

c/- RSM Bird Cameron Chartered Accountants, 8 St. George's Terrace, Perth WA 6000.

Telephone: (08) 9261 9100

Ref: S. OATES.

ZZ204

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

## Notice to Creditors and Claimants

Creditors and other persons having claims in respect of the Estate of the Late Michael Rutherford Watson late of Unit 188, RAAFA Village, Merriwa in the said State who died on the 17th day of July, 2004 are requested to send particulars of their claims to the Executors, Edward Arthur McKinnon and Craig Harry James c/- Gibson & Gibson Lawyers, PO Box 7492 Cloisters Square, WA 6850 within one (1) month from the date of the publication of this notice after which date the Executors may distribute the assets having regard only to the claims of which they have then had notice and the said Executors shall not be liable to any person of whose claim they have had no notice at the time of administration or distribution.

EDWARD ARTHUR MCKINNON.  
CRAIG HARRY JAMES.

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