

# WESTERN AUSTRALIAN GOVERNMENT Gazette

2723



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## CONTENTS

### PART 1

	Page
Aboriginal Communities Act 1979—Wongatha Wonganarra Aboriginal Community By-laws 2003.....	2725-9
Dog Act 1976—Town of Victoria Park—Dogs Local Law Amendment 2003 .....	2730
Proclamations—Aboriginal Communities Act 1979.....	2725

### PART 2

Fire and Emergency Services .....	2731
Police .....	2731
Premier and Cabinet.....	2731-2
Public Notices.....	2733
Public Sector Management.....	2732
Water .....	2732

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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

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

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AA101

**ABORIGINAL COMMUNITIES ACT 1979**

## 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.
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I, the Governor, acting under the *Aboriginal Communities Act 1979* and with the advice and consent of the Executive Council—

- (a) under section 4(1)(b) of that Act, and on the advice of the Minister for Indigenous Affairs, declare the Wongatha Wonganarra Aboriginal Corporation, an incorporated Aboriginal community, to be an Aboriginal community to which the *Aboriginal Communities Act 1979* applies; and
- (b) under section 6(1) of that Act, declare the following lands to be the community lands of that community—
  - (i) Reserve 24830, being Weld Location 45 on Deposited Plan 189773 as comprised in Qualified Crown Land Title Volume 3000 Folio 591;
  - (ii) Laverton Lot 188 on Deposited Plan 213361 as comprised in Certificate of Title Volume 1452 Folio 136;
  - (iii) Laverton Lot 202 on Deposited Plan 213361 as comprised in Certificate of Title Volume 1452 Folio 156;
  - (iv) Laverton Lot 418 on Deposited Plan 213361 as comprised in Certificate of Title Volume 1453 Folio 127.

Given under my hand and the Public Seal of the State on 24 June 2003.

By Command of the Governor,

A. CARPENTER, Minister for Indigenous Affairs.

GOD SAVE THE QUEEN !

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## INDIGENOUS AFFAIRS

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IX301\*

Aboriginal Communities Act 1979

### Wongatha Wonganarra Aboriginal Community By-laws 2003

#### 1. Introduction

- (1) These are the *Wongatha Wonganarra Aboriginal Community By-laws 2003*.

- (2) These by-laws have been made by the Governing Committee of the Wongatha Wonganarra Aboriginal Corporation and approved by the Governor of Western Australia.
  - (3) As the *Aboriginal Communities Act 1979* says, these by-laws apply to you if you are on the Wongatha Wonganarra Aboriginal community lands and it does not matter if you are a member of the community or not.
  - (4) You are a member of the Wongatha Wonganarra Aboriginal community if the Committee says you are in accordance with the Corporation's rules.
  - (5) Under the *Aboriginal Communities Act 1979* the Governor has said which lands are the Wongatha Wonganarra Aboriginal community lands.
- 2. How the Governing Committee makes decisions**
- (1) When it is making a decision under these by-laws the Governing Committee will consider the welfare of the Community as the most important consideration.
  - (2) The Committee does not have to give reasons for any of its decisions under these by-laws.
  - (3) The Committee can tell you about a decision it has made under these by-laws by speaking or writing to you or by putting up a notice of it in a public place on the community lands.
- 3. Giving and refusing permission**
- (1) The Governing Committee can permit a member of the Committee or any other person to make decisions on its behalf about giving, refusing or taking away permission under these by-laws and if it does it must do so in writing.
  - (2) If you want the Committee's permission under these by-laws to do something you must ask the Committee or a person who the Committee has permitted to make decisions on its behalf about giving or refusing permission.
  - (3) If these by-laws allow the Committee to give permission to do something, it can give permission to any person or to any class of persons and also can at any time —
    - require the person or class to comply with conditions when doing the thing; or
    - change or take away any such conditions; or
    - take away the permission.
  - (4) If these by-laws allow the Committee to give permission to do something, it can refuse to give permission.
- 4. Who can be on the community lands**
- (1) If you are a member of the community you can be on the community lands at any time except when —
    - you are ordered to leave by the Governing Committee under by-law 9(1); or

- you are removed by a member of the Police under by-law 12.
- (2) If you are not a member, you can only be on the community lands if you have got permission from a member, or from the Governing Committee, or if another law says you can.
  - (3) If you have got permission from a member of the community to be on the community lands you must not stay for longer than 7 days in a row.
- 5. Places that are out of bounds**
- (1) The Governing Committee can decide that some places on the community lands are out of bounds to all people, or to some people, at all times or at some times.
  - (2) The Committee can decide that some places on the community lands are out of bounds to all vehicles, or to some vehicles, at all times or at some times.
  - (3) The Committee can decide that all people, or some people, must get the Committee's permission to enter those places.
  - (4) The Committee must mark those places with signs saying who can and cannot enter them and put up a map showing those places in a public place on the community lands.
  - (5) You must obey those signs and not enter those places unless you are allowed to or have the Committee's permission.
- 6. Driving and traffic control**
- (1) When you are driving you must drive carefully and not cause danger to your passengers or other people.
  - (2) When you are driving you must not be drunk or under the influence of any drug or harmful substance.
  - (3) The Governing Committee can put up signs telling drivers where they can drive, how fast they can drive and how they must drive.
  - (4) When you are driving you must obey those signs.
- 7. Damage**
- (1) You must not damage anything that belongs to the Corporation or anything that does not belong to you.
  - (2) You must not damage any building or vehicle, even if it is yours.
  - (3) You must not damage any plant that has been planted by another person or the Corporation.
- 8. Rubbish**
- (1) You must not leave rubbish on the community lands except in a rubbish bin or a rubbish tip set up by the Governing Committee.
  - (2) You must not abandon a vehicle on the community lands except in a rubbish tip set up by the Committee.

**9. Bad behaviour**

- (1) If you are drunk the Governing Committee can ask you to leave the community lands and, if it does, you must leave.
- (2) You must not annoy or frighten other people by using bad or abusive language, by fighting, by carrying a weapon, by being rowdy, or by driving irresponsibly.
- (3) You must not make it difficult for the Committee or any of its members or employees to do their jobs.
- (4) You must not disrupt a meeting of the Committee or of members of the community or a customary meeting.
- (5) If you do disrupt such a meeting, the meeting can ask you to leave and, if it does, you must leave.

**10. Other people's houses**

- (1) You must not enter another person's house without their permission.
- (2) You must leave another person's house if they ask you to leave.

**11. Alcohol and drugs**

- (1) Unless you have the Governing Committee's permission to do so you must not —
  - bring any alcohol or harmful substance, on to the community lands; or
  - give any alcohol or harmful substance, to another person; or
  - have or keep any alcohol or harmful substance; or
  - drink any alcohol.
- (2) You must not —
  - bring any illegal drug on to the community lands; or
  - give any illegal drug to another person; or
  - have or keep any illegal drug; or
  - use or take any illegal drug; or
  - deliberately swallow or inhale any illegal drug or harmful substance.
- (3) An illegal drug is any drug that it is illegal to possess under the laws of Western Australia.
- (4) A harmful substance is any substance that may harm a person's health if they swallow or inhale it, such as glue and petrol.
- (5) This by-law does not stop you taking any medicine in the way it is meant to be taken or any drug that has been prescribed for you by a doctor or nurse.

**12. Police powers**

- (1) If a member of the Police Force believes a person is breaching, or has breached, one of these by-laws, he or she can ask the person for the person's name and address.
- (2) If a member of the Police Force asks you for your name and address under sub-bylaw (1), you must tell him or her.
- (3) If a member of the Police Force believes a person is breaching, or has breached, one of these by-laws, he or she can arrest the person and remove him or her from the community lands.
- (4) A person who is arrested under sub-bylaw (3) must be released after being dealt with by a court for the breach and in any event not be kept in custody for longer than 24 hours.

**13. Offences against these by-laws**

- (1) You commit an offence against these by-laws —
  - if you do not obey one of these by-laws; or
  - if you do not comply with a condition that was imposed by the Governing Committee when it gave you permission under these by-laws to do something.
- (2) A member of the Police Force can charge a person with committing an offence against these by-laws.
- (3) You will be not guilty of an offence against these by-laws if you show the court that at the time of the offence you were a member of the community and that what you did was a custom of the community.
- (4) A court that finds a person guilty of an offence against these by-laws can fine the person not more than \$5 000.
- (5) If a court finds a person guilty of an offence against these by-laws and finds that when the person committed the offence the person damaged property of another person or the Corporation, the court may order the person to pay compensation of not more than \$250 to the other person or the Corporation.

The Common Seal of the Wongatha  
Wonganarra Aboriginal Corporation  
was affixed here in accordance with a  
resolution of the Committee in the  
presence of —

BRUCE SMITH.  
DENNIS CALYUN.  
SOPHIA THOMAS.

Date: 21<sup>st</sup> May 2003.

Approved by the Governor in Executive Council on 24<sup>th</sup> June 2003.

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

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**LOCAL GOVERNMENT**

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LG301\*

**DOG ACT 1976***Town of Victoria Park***DOGS LOCAL LAW AMENDMENT 2003**

Under the powers conferred by the *Dog Act 1976* and all other powers enabling it the Council of the Town of Victoria Park hereby records having resolved on 1 July 2003, to amend its Dogs Local Law published in the *Government Gazette* on 31 May 2000 as follows—

1. Clause 5.2 be deleted and the following is substituted—

**“5.2 Places which are Dog Exercise Areas**

- (1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas—

**Victoria Park**

1. Taylor Street Reserve—Taylor St, Victoria Park
2. Raphael Park—Bounded by Gloucester, Geddes, Washington and Armagh St, Victoria Park
3. Paterson Park (South)—Cnr Great Eastern Hwy and Craig St, Victoria Park
4. Read Park—Albany Highway, Victoria Park

**East Victoria Park**

5. Harold Rossiter Park—Kent St, East Victoria Park
6. Fraser Park—Cnr Fraser and Balmoral St's, East Victoria Park
7. Kent Street Reserve (John MacMillan Park)—Between Kent and Sussex St's, East Victoria Park
8. Higgins Park—Bounded by Hill View Tce, Creaton, Playfield and Devenish St's, East Victoria Park
9. Swansea Street Reserve—Cnr Swansea and Brigg St's, East Victoria Park
10. John Bissett Park—Beatty Avenue, East Victoria Park
11. Kate Street Reserve—Kate Street, East Victoria Park

**St James**

12. Leyland Street/Hitchcock Street Park—Bounded by Hitchcock, Leyland St's and Boundary Road, St James.

**Burswood**

13. Stiles Avenue Griffith Street Park—Cnr Stiles Avenue and Griffith's St Burswood

**Lathlain**

14. Lee Reserve—Bounded by Streatley, Goddard, Midgley and Gallipoli St's, Lathlain
15. Lathlain Oval Surrounds—Cnr McCartney Cres and Roberts Road, Lathlain

**Carlisle**

16. Fletcher Park—Cnr Weston and Holden St's, Carlisle
17. Parnham Park—Cnr Star and Oats St, Carlisle
18. Carlisle Reserve—Cnr Orrong Road and Cohn St, Carlisle

- (2) Subclause (1) does not apply to—

- (a) land which has been set apart as a children's playground;
- (b) an area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
- (c) a car park.”

Dated: 2 July 2003.

The Common Seal of the Town of Victoria Park was hereunto affixed by authority of the Council in the presence of—

J. A. MICK LEE, OAM JP, Mayor.  
J. M. BONKER, Chief Executive Officer.

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## — PART 2 —

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### FIRE AND EMERGENCY SERVICES

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FE401\*

**FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN  
AUSTRALIA ACT 1998****APPROVAL OF FESA UNITS**Fire and Emergency Services Authority  
of Western Australia.

I, Robert Mitchell, the Fire and Emergency Services Authority of Western Australia Chief Executive Officer, hereby declare under section 18M(1) of the *Fire and Emergency Services Authority of Western Australia Act 1998* that the following FESA Units are approved as FESA Units for the purposes of the Act—

Bremer Bay FESA Unit

Eucla FESA Unit

ROBERT MITCHELL, Chief Executive Officer,  
Fire and Emergency Services Authority of Western Australia.

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### POLICE

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PO501\*

**POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday 26th July 2003 at 10.00am.

The auction is to be conducted by Mr Jules Antenucci.

B. MATTHEWS, Commissioner of Police,  
Western Australia Police Service.

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### PREMIER AND CABINET

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PC101

*AUTHORS CORRECTION***CONSTITUTION ACTS AMENDMENT ACT 1899****RECONSTITUTION OF THE GALLOP MINISTRY**

It is hereby notified for public information that the information published in special *Government Gazette* No. 108, dated 27 June 2003, page 2562, pertaining to the appointment of the Hon Kenneth Dunstan Elder Travers MLC as a Parliamentary Secretary, was incorrect and should have read as follows—

Hon Kenneth Dunstan Elder Travers MLC  
Parliamentary Secretary to the Minister for Planning and InfrastructureM. C. WAUCHOPE, Director General and  
Clerk of the Executive Council.

PC401\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon M. H. Roberts MLA in the period 11 to 19 July 2003 (both dates inclusive)

Minister for Police and Emergency Services;  
Justice; Community Safety

Hon J. A. McGinty MLA

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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## PUBLIC SECTOR MANAGEMENT

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PS401

**PUBLIC SECTOR MANAGEMENT ACT 1994**  
**DESIGNATION OF DEPARTMENT**

Notice is hereby given that the Governor has —

- (a) under Section 35(1)(d) of the *Public Sector Management Act 1994* altered, with effect on and from 1 July 2003, the designation of the Department of Land Administration to become “Department of Information”.

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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## WATER

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WA401

**WATER BOARDS ACT 1904**  
**APPOINTMENTS**

Aqwest—Bunbury Water Board

The Governor in Executive Council has approved the appointment of the following persons as members of the Aqwest—Bunbury Water Board:

Mr Thomas Hall	for a period expiring on 31 May 2006
Ms Merrilynn Walker	for a period expiring on 31 May 2006

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

WA402

**WATER BOARDS ACT 1904**  
**APPOINTMENTS**

Busselton Water Board

The Governor in Executive Council has approved the appointment of the following persons as members of the Busselton Water Board:

Mr David Reid	for a period expiring on 31 May 2006
Mr Ronald Piggott	for a period expiring on 31 May 2006
Mr John Anderson	for a period expiring on 31 May 2006
Ms Debra Summers	for a period expiring on 31 May 2004

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

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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 James William Hammond late of 220 Third Street, Geraldton in the State of Western Australia, Retired Waterside Worker, deceased.

Creditors and other persons who have claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovementioned deceased who died on the 3rd day of March 2003 at St John of God Hospital, Subiaco in the State of Western Australia are required by the Executor of his estate, Judith Anne Stewart of 199 Champion Drive, Kelmscott in the State of Western Australia, to send particulars of their claims to her at the address hereunder by the 7th August 2003 after which date the Executor may convey or distribute the assets, having regard only to the claims of which she has notice.

Dated the 2nd day of July 2003.

BOSTOCK & RYAN, Solicitors for the Executor,  
4th Floor, 172 St George's Terrace,  
PERTH WA 6000.

ZZ202

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

## Notice to Creditors and Claimants

Claims against the estate of Elizabeth MacGregor Cozens late of 47 Wansborough Street, Albany should be lodged with the Executors, c/- PO Box 485, Albany, Western Australia before 4 August 2003 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

ZZ203

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

## Notice to Creditors and Claimants

Creditors and other persons having claim (to which Section 63 of the Trustees Act 1962 relates) in respect of the undermentioned deceased persons are required to send particulars of their claims to the Executors care of Kott Gunning, 15 William Street, Perth within one month of the date of this advertisement after which date the Trustees may convey or distribute the assets having regard only to the claims of which notice has been given.

<b>Surname</b>	<b>Given Names</b>	<b>Address</b>	<b>Date of Death</b>
Clarke	Kenneth John	2 Evelyn Road, Claremont	24 June 2003

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