

# G

WESTERN  
AUSTRALIAN  
GOVERNMENT

# Gazette



PERTH, TUESDAY, 1 MARCH 1994 No. 26

PUBLISHED BY AUTHORITY G. L. DUFFIELD, GOVERNMENT PRINTER AT 3.30 PM

## Publishing Details

The *Western Australian Government Gazette* is published by State Print for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances (changes to this arrangement will be advertised beforehand on the inside cover).

Special *Government Gazettes* and Extraordinary *Government Gazettes* are published periodically, only the special gazettes are included in the subscription price.

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- Material submitted to the Executive Council and which requires 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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G. L. DUFFIELD, Director.

## COMMERCE AND TRADE

CO301

## INTERPRETATION ACT 1984

## REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

## REGIONAL DEVELOPMENT COMMISSIONS REGULATIONS 1994

Made by His Excellency the Governor in Executive Council under section 25 (1) of the *Interpretation Act 1984* and section 15 (1) and 16 of the *Regional Development Commissions Act 1993*.

**Citation**

1. These regulations may be cited as the *Regional Development Commissions Regulations 1994*.

**Board of management — Gascoyne Development Commission**

2. For the purposes of section 15 (1) of the Act, the Gascoyne Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 2 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 2 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 2 other members appointed at the Minister's discretion.

**Board of management — Goldfields-Esperance Development Commission**

3. For the purposes of section 15 (1) of the Act, the Goldfields-Esperance Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 3 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 3 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 3 other members appointed at the Minister's discretion.

**Board of management — Great Southern Development Commission**

4. For the purposes of section 15 (1) of the Act, the Great Southern Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 2 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 2 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 2 other members appointed at the Minister's discretion.

**Board of management — Kimberley Development Commission**

5. For the purposes of section 15 (1) of the Act, the Kimberley Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 3 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 3 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 3 other members appointed at the Minister's discretion.

**Board of management — Mid West Development Commission**

6. For the purposes of section 15 (1) of the Act, the Mid West Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 3 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 3 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 3 other members appointed at the Minister's discretion.

**Board of management — Peel Development Commission**

7. For the purposes of section 15 (1) of the Act, the Peel Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 3 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 3 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 3 other members appointed at the Minister's discretion.

**Board of management — Pilbara Development Commission**

8. For the purposes of section 15 (1) of the Act, the Pilbara Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 3 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 3 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 3 other members appointed at the Minister's discretion.

**Board of management — South West Development Commission**

9. For the purposes of section 15 (1) of the Act, the South West Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 2 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 2 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 2 other members appointed at the Minister's discretion.

**Board of management — Wheatbelt Development Commission**

10. For the purposes of section 15 (1) of the Act, the Wheatbelt Development Commission is comprised of —

- (a) the Director, by virtue of his or her office;
- (b) 3 other members who are resident in the region and nominated in accordance with regulation 11;
- (c) 3 other members nominated by local government authorities in the region in accordance with regulation 12; and
- (d) 3 other members appointed at the Minister's discretion.

**Board members resident in the region — method of nomination (section 16)**

11. (1) The members referred to in regulation 2 (b), 3 (b), 4 (b), 5 (b), 6 (b), 7 (b), 8 (b), 9 (b) and 10 (b) must be nominated in the following manner —

- (a) nominations will be sought from —
  - (i) the community, by way of advertisements placed in newspapers circulating in the appropriate region; and
  - (ii) a wide range of community organisations, including employer and employee groups, education and training institutions, tourism and recreation bodies and other sections of the community, by way of direct correspondence with those organisations;
- (b) the period for nominations will be noted on the advertisement or correspondence, being a period of not less than 42 days from the day on which the advertisement is published or the correspondence is sent (as the case may be).

(2) Where nominations are sought for a particular region in accordance with subregulation (1) and —

- (i) names have not been provided by the community and the community organisations in that region; or
- (ii) sufficient nominations are not received by the Minister,

within the nomination period, the Minister may (after the expiry of the nomination period) nominate for appointment to the Board as members such persons as he or she thinks fit, in sufficient numbers to fill the remaining places available, and those persons are appointed as if they were nominated in accordance with subregulation (1).

**Members nominated by local government authorities —  
method of nomination (section 16)**

12. (1) The members referred to in regulation 2 (c), 3 (c), 4 (c), 5 (c), 6 (c), 7 (c), 8 (c), 9 (c) and 10 (c) must be nominated in the following manner —

- (a) nominations will be sought from local government authorities or wards in the appropriate region by way of direct correspondence with those authorities or wards;
- (b) the local government authorities or wards will be requested to provide the names of twice as many persons who are willing and able to be candidates for appointment as there are places available to local government nominees on the Board in that region;
- (c) the period for nominations will be noted on the correspondence, being a period of not less than 42 days from the day on which the correspondence is sent.

(2) Where local government authorities and/or wards have been requested to provide the names of twice as many persons who are willing and able to be candidates for appointment as there are places available to local government nominees on the Board in that region and —

- (i) a list of names has not been provided by any of the authorities or wards in that region; or
- (ii) sufficient nominations are not received by the Minister,

within the nomination period, the Minister may (after the expiry of the nomination period) nominate for appointment to the Board as members such persons as he or she thinks fit, in sufficient numbers to fill the remaining places available, and those persons are appointed as if they were nominated in accordance with subregulation (1).

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

**EMPLOYMENT AND TRAINING**

**EP401**

**COLLEGES ACT 1978**

Office of the Minister for Employment and Training,  
Perth, 1993.

It is hereby notified for general information that His Excellency the Governor in Executive Council, has approved in accordance with the provisions of section 13 (1) (f) of the Colleges Act 1978, the appointment of Ms Kylie Agale of 10 Becker Court, South Hedland, as a member of the Hedland College Council for a term expiring on 31 December 1995.

NORMAN MOORE, Minister for Employment and Training.

Dated this 18th day of January 1994.

D. G. BLIGHT, Clerk to the Council.

EP402

**HAIRDRESSERS REGISTRATION ACT 1946**Office of the Minister for Employment and Training,  
Perth, 1993.

It is hereby notified that His Excellency the Governor in Executive Council acting in accordance with the provisions of section 5 of the Hairdressers Registration Act 1946, has approved the appointments of Mr Ralph Dawson of 11 Godbold Close, Shelley as Chairman, Ms Denyce Beasley of 40 Coppin Road, Mundaring as Deputy Chair, Ms Gail Wright of 3 David Street, Mullaloo as a Member, Mr John Aquilia of 12 Wittenoom Place, Duncraig as a Deputy Member, Mr Giovanni Caminiti of 3 Beavis Street, Noranda as a Member, Mr Robert Ragni of 65 Lindisfarne Way, Balcatta as Deputy Member, Ms Patricia Young of 72 Matlock Street, Mount Hawthorn as a Member, Mr Antony Martin of 5 Gawler Court, Willetton as Deputy Member, Ms Norma Roberts of 16 Clive Road, Mount Lawley as a Member and Ms Paula Lucich of 115 Bottlebrush Drive, Lockridge as Deputy Member of the Hairdressers Registration Board, for terms expiring on 31 December 1994.

NORMAN MOORE, Minister for Employment and Training.

Dated this 18th day of January 1994.

D. G. BLIGHT, Clerk to the Council.

**FAIR TRADING**

FT301

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (No. 2) 1994**

Made by the Minister for Fair Trading under section 5.

**Citation**

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 2) 1994*.

**Commencement**

2. This Order shall come into operation on the date on which it is published in the *Government Gazette*.

**Exemption**

3. Section 12 of the *Retail Trading Hours Act 1987* does not apply to the general retail shops specified in Column 1 of the Schedule on the days or during the hours specified opposite and corresponding to those general retail shops in Column 2 of the Schedule.

## Schedule

Column 1	Column 2
General Retail Shops	Days and Hours of Exemption
General retail shops in the City of Mandurah.	Any day from 12.01 am to midnight.

PETER FOSS, Minister for Health; The Arts; Fair Trading.

**HERITAGE COUNCIL**

HR401

**HERITAGE OF WESTERN AUSTRALIA ACT 1990****NOTICE OF INTENTION TO ENTER PLACES IN THE REGISTER OF HERITAGE PLACES**

The Minister for Heritage, Richard Lewis has directed that the places described in Schedule 1 be entered in the Register of Heritage Places on a permanent basis pursuant to section 47 (1) of the Heritage of Western Australia Act 1990.

## Schedule 1

Place	Location	Land Description
St Matthews Anglican Church	Edgar Street, Port Hedland	Lot 37 on OP Port Hedland 102 in C/T 1857/907
Guildford Hotel	James Street/Johnson Street Guildford	Lot 18 on D42637 in C/T 1904/ 943
Paisley Centre	Stephen Street/Arthur Street, Bunbury	Reserve 3753

The Minister for Heritage, Richard Lewis, has directed that the place described in Schedule 2 be entered in the Register of Heritage Places as interim registrations pursuant to section 47 (1) of the Heritage of Western Australia Act 1990.

In accordance with the requirements of section 49 (1) of that Act, the Heritage Council of Western Australia hereby gives notice that it is proposed that the place be entered in the Register on a permanent basis.

Submissions on the proposed entry on a permanent basis are invited from interested persons.

Submissions must be in writing and should be forwarded to the following address:

The Director  
Office of the Heritage Council  
292 Hay Street  
East Perth WA 6004

Submissions concerning the entries of the place listed in Schedule 2 must be lodged by April 12th 1994.

## Schedule 2

Place	Location	Land Description
Earlsferry	1a Nurstead Avenue Bassendean	Lot 500 on D77234 in C/T 1868/599

Dated this 1st day of March 1994.

IAN BAXTER, Director,  
Office of the Heritage Council.

## JUSTICE

JM301

### SUPREME COURT ACT 1935

#### SUPREME COURT AMENDMENT RULES 1994

Made by the Judges of the Supreme Court.

#### Citation

1. These rules may be cited as the *Supreme Court Amendment Rules 1994*.

#### Principal rules

2. In these rules the *Rules of the Supreme Court 1971\** are referred to as the principal rules.

[\* Reprinted in the Gazette of 21 March 1986 at pp. 779-1100.  
For amendments to 25 January 1994 see 1992 Index to Legislation  
of Western Australia, Table 4, pp. 261-3, and Gazettes of  
6 January, 26 March, 20 April, 29 June and 17 September 1993.]

#### Order 5 amended

3. Order 5 of the principal rules is amended in Rule 9 by deleting "Service and Execution of Process Act 1901" and substituting the following —

" Service and Execution of Process Act 1992 "

**Order 10 amended**

## 4. Order 10 of the principal rules is amended in Rule 1A —

- (a) by inserting after the Rule designation "1A." the paragraph designation "(1)"; and
- (b) by inserting the following paragraph —

“

(2) This Order does not apply to any service of process to which the Service and Execution of Process Act 1992 of the Commonwealth applies.

”

**Order 34 amended**

## 5. Order 34 of the principal rules is amended —

- (a) in Rule 14 (3) by deleting “the exhibits put in by that party” and substituting the following —

“

, or to the person who produced them, the exhibits put in by that party or produced by that person.

”

- (b) in Rule 15 (1) by inserting after “that appeal,” the following —

“

subject to Rule 15B (1), ”; and

- (c) by inserting after Rule 15 the following Rules —

“

**Return of document or object to the person who produces the document or object**

**15A.** (1) A party to an action who subpoenas a document or object, belonging to a person not a party to the action, which was —

- (a) marked for identification but not tendered; or
- (b) neither marked nor tendered,

in the action must, at the completion of the hearing of the action, uplift the document or object forthwith and return it to the person named in the subpoena.

**Return of exhibit to the person who produces the exhibit**

**15B.** (1) If an appeal is not instituted within the time mentioned in Rule 14 (1), or if an appeal is instituted, then upon the disposal of that appeal, the associate or Principal Registrar, as the case may be, must cause a document or object, belonging to a person who is not a party to the action which has been put in as an exhibit during the trial of an action, to be delivered or transmitted to the person named in the subpoena, if it was produced pursuant to a subpoena, and otherwise to the person who produced the exhibit.

(2) This Rule is subject to the provisions of the High Court Rules providing for the retention and transmission of exhibits in appeals from the Supreme Court.

”

**Order 36 amended****6. Order 36 of the principal rules is amended —**

- (a) in Rule 12 by inserting after paragraph (1) the following paragraph —

“

(1a) A notice in accordance with —

- (a) Form 22A, if the person to whom the writ of subpoena is addressed is not in prison; and
- (b) Form 22B, if the person to whom the writ of subpoena is addressed is in prison,

informing the person of his rights and obligations in respect of the writ of subpoena, must be attached to the writ of subpoena, or a copy of the writ of subpoena.

”;

- (b) by inserting after Rule 15 the following Rule —

“

**Time for Service**

**15A.** (1) Service of a writ of subpoena is effective only if the period between service and the day on which the person to whom the writ of subpoena is addressed is required to comply with the subpoena is not less than —

- (a) 14 days; or
- (b) such shorter period as the Court may, on application, allow.

(2) The Court may allow a shorter period only if it is satisfied that —

- (a) the giving of the evidence likely to be given by the person to whom the subpoena is addressed, or the production of a document or thing specified in the subpoena, is necessary in the interests of justice; and
- (b) there will be enough time for the person to —
- (i) comply with the subpoena without hardship or serious inconvenience; and
- (ii) make an application under Rule 18.

(3) In granting an application the Court —

- (a) is to impose a condition that the subpoena not be served after a specific day; and
- (b) may impose other conditions.

”;

and

- (c) in Rule 16 —

- (a) by inserting after the Rule designation “16.” the paragraph designation “(1)”; and

(b) by inserting the following paragraph —

“

(2) Service of the writ of subpoena is effective only if —

- (a) a copy of the relevant notice prescribed under Rule 12 (1a); and
- (b) in a case where an application under Rule 18 is granted, a copy of the order granting the application,

are attached to the writ of subpoena, or copy of the writ of subpoena, served.

”

#### Order 44A amended

7. Order 44A of the principal rules is amended in Rule 8 (1) (b) by deleting “1901” and substituting the following —

“ 1992 ”.

#### Order 60 amended

8. Order 60 of the principal rules is amended —

(a) in Rule 1 (1) —

(i) by inserting after subparagraph (fa) the following subparagraph —

“

(fb) under section 16 (1) (b) of the *Evidence Act 1906*, when hearing a trial in open court;

”;

and

(ii) by deleting subparagraph (u);

and

(b) after paragraph (1B) by inserting the following paragraph —

“

(1C) A Master shall have power to hear and determine all applications under Parts 2, 3 and 6 of the Service and Execution of Process Act 1992 of the Commonwealth.

”.

#### Order 63 amended

9. Order 63 of the principal rules is amended in Rule 7 by deleting paragraphs (1) and (2) and substituting the following paragraphs —

“

(1) Unless the Full Court or a Judge otherwise orders, an appeal must be entered for hearing before the expiration of 12 weeks from the institution of the appeal.

(2) Unless the Full Court or a Judge otherwise orders, an appeal, not being an application by way of renewal of an *ex parte* application that has been refused, must be entered for hearing at least 2 months before the day appointed for the commencement of the sittings at which the appeal is to be heard.

”.

**Order 65A amended**

10. Order 65A of the principal rules is amended in Rule 1 by inserting after paragraph (2) the following paragraph —

“

(3) This Order applies to appeals from an order of a magistrate under Part 5 of the Service and Execution of Process Act 1992 of the Commonwealth.

”

**Order 73 amended**

11. Order 73 of the principal rules is amended in Rule 3 —

(a) in paragraph (1), by deleting “paragraph (2)” and substituting the following —

“ paragraphs (1a) and (2) ”; and

(b) after paragraph (1) by inserting the following paragraph —

“

(1a) Notwithstanding paragraph (1) leave of the Court is not required if a writ or notice of a writ in a probate action is served out of the jurisdiction under the Service and Execution of Process Act 1992 of the Commonwealth.

”

**Order 81B repealed and an Order substituted**

12. Order 81B of the principal rules is repealed and the following Order is substituted —

“

**ORDER 81B****PROCEEDINGS UNDER THE SERVICE AND EXECUTION OF PROCESS ACT 1992 OF THE COMMONWEALTH****Interpretation**

1. (1) In this Order —

“court of rendition”, “enforcement” and “place of rendition” have the same respective meanings as in section 104 of the Act;

“the Act” means the Service and Execution of Process Act 1992 of the Commonwealth.

(2) All applications under the Act must be made pursuant to these Rules.

**Enforcement of judgments under section 105 of the Act**

2. (1) A party seeking to enforce a judgment under section 105 of the Act must file a sealed copy of the judgment, or a fax of such a sealed copy, supported by an affidavit.

(2) The affidavit must state that, at the time when the proceeding to enforce is or is to be taken, the judgment is capable of being enforced in or by —

(a) the court of rendition; or

(b) a court in the place of rendition,

and the extent to which it is capable of being enforced in that jurisdiction.

**Interest under section 108 of the Act**

3. A party seeking to claim interest under section 108 of the Act must file an affidavit verifying to the satisfaction of the Court —

- (a) the rate or rates payable in respect of the same period or periods as are applicable in the court of rendition; and
- (b) the total amount of interest to be recovered based on those rates and periods.

”

**Order 81F amended**

13. Order 81F of the principal Rules is amended —

- (a) by repealing Rule 17; and
- (b) by deleting “Crown Solicitor” wherever it occurs in the provisions referred to in the Table to this paragraph and substituting in each case the following —

“ Director of Public Prosecutions ”.

**TABLE**

Rule 14 (3)  
Rule 15 (2)  
Rule 16 (2)

**Transitional**

14. Any Rules made under section 27 of the Service and Execution of Process Act 1901 of the Commonwealth that were in force immediately before the commencement of the Service and Execution of Process (Transitional Provisions and Consequential Amendments) Act 1992 of the Commonwealth continue to apply with respect to any matter commenced or action taken under the Service and Execution of Process Act 1901 of the Commonwealth as if that Act had not been repealed.

**Second Schedule amended**

15. The Second Schedule to the principal rules is amended —

- (a) in Form No. 6 by deleting “\*If the writ carries the endorsements required by the Service and Execution of Process Act (Clth.) the address must comply with such endorsements.” and substituting the following —

“

\*If the writ carries the endorsements required by the Service and Execution of Process Act 1992 of the Commonwealth the address must comply with such endorsements.

”;

and

- (b) after Form No. 22 by inserting the following forms —

“  
No. 22A  
[O.36 R.12 (1a)]

**NOTICE TO WITNESS**

**THIS NOTICE IS VERY IMPORTANT**

**PLEASE READ IT AND THE ATTACHED  
DOCUMENT OR DOCUMENTS VERY  
CAREFULLY**

**IF YOU HAVE ANY TROUBLE  
UNDERSTANDING  
THEM YOU SHOULD GET LEGAL ADVICE AS  
SOON  
AS POSSIBLE**

Attached to this notice is a subpoena (“the attached subpoena”) issued by the Supreme Court.

**YOUR RIGHTS**

You may be able to apply to the Court to set aside or obtain other relief in respect of the attached subpoena. If you would like to make an application you should get legal advice as soon as possible.

**YOUR OBLIGATIONS**

You must obey the attached subpoena if —

- (a) at the time of service or at some reasonable time before [*date for compliance*] you were offered or given either —
- (i) enough money to meet your reasonable expenses in obeying it, including any travel and accommodation costs; or
  - (ii) a combination of money, travel tickets and vouchers to meet those expenses;
- and
- (b) either —
- (i) you received the attached subpoena at least 14 days before [*date of compliance*]; or
  - (ii) you received the attached subpoena less than 14 days before [*date of compliance*] and you received with the attached subpoena a copy of an order made by the Court permitting the attached subpoena to be less than 14 days before [*date of compliance*].

**THIS IS MOST IMPORTANT**

If you are subject to a restriction on your movements that you might breach if you comply with the attached subpoena, there are some additional actions you must take for your own protection.

The restriction on you could be imposed as —

- (a) conditions of bail;
- (b) conditional release from prison;
- (c) conditions of probation;
- (d) home or periodic detention;
- (e) a community service order, community based order, attendance order or work and development order; or
- (f) some other restriction on your movements imposed by law or by order of a court.

If you are under a restriction of this kind, you must, as soon as practicable after you receive the attached subpoena, inform your supervisor of the service of the attached subpoena. If you are on bail, and your bail is subject to a condition that you report periodically, your supervisor is the police officer or correction service officer you report to. If you are not on bail, or if you are on bail but are not required to report periodically, your supervisor is the person who supervises your compliance with an order or restriction.

Also you must as soon as practicable, inform —

the Supreme Court; and

the *[person at whose request the subpoena was issued]*,

of the restriction to which you are subject.

You must take all reasonable steps to have the restriction varied so that you can comply with the attached subpoena.

If the restriction is not varied you must inform —

the Supreme Court; and

the *[person at whose request the subpoena was issued]*,

either —

- (a) of the steps you took to have the restriction or obligation varied, and that the restriction or obligation has not been varied; or
- (b) that the law does not permit that variation,

whichever is the case.

No. 22B

[O.36 R.12 (1a)]

**NOTICE TO WITNESS****THIS NOTICE IS VERY IMPORTANT****PLEASE READ IT AND THE ATTACHED  
DOCUMENT OR DOCUMENTS VERY CAREFULLY****IF YOU HAVE ANY TROUBLE UNDERSTANDING  
THEM YOU SHOULD ASK TO RECEIVE LEGAL  
ADVICE AS SOON AS POSSIBLE**

Attached to this notice is a subpoena ("the attached subpoena") issued by the Supreme Court.

**YOUR RIGHTS**

The person in charge of the institution or place in which you are held must provide any assistance that you reasonably require to —

- (a) apply to set aside or obtain other relief from the attached subpoena; or
- (b) obtain legal advice.

You may be able to apply to a court to set aside or obtain other relief in respect of the attached subpoena. If you would like to make an application you should ask for assistance to obtain legal advice as soon as possible. If you make an application of this kind, you must, within 24 hours, give a copy to the person in charge of the institution or place in which you are held.

**YOUR OBLIGATIONS ON RELEASE FROM  
CUSTODY**

If you are released from the institution or place where you are held before [*date for compliance*], you must obey the attached subpoena yourself if —

- (a) there is sufficient time between when you are released and [*date for compliance*] for it to be reasonably practicable for you to comply with the attached subpoena; and
- (b) within a reasonable time after you were released you were offered or given —
  - (i) enough money to meet your reasonable expenses in obeying it, including any travel and accommodation costs; or
  - (ii) a combination of money, travel tickets and vouchers to meet those expenses.

**THIS IS MOST IMPORTANT**

If, after your release, you are subject to a restriction on your movements that you might breach if you comply with the attached subpoena, there are some additional actions you must take for your own protection.

The restriction on you could be imposed as —

- (a) conditions of bail;
- (b) conditional release from prison;
- (c) conditions of probation;
- (d) home or periodic detention;
- (e) a community service order, community based order, attendance order or work and development order; or
- (f) some other restriction on your movements imposed by law or by order of a court.

If you are under a restriction of that kind, you must, as soon as practicable after you are released, inform your supervisor of the service of the attached subpoena. If you are on bail, and your bail is subject to a condition that you report periodically, your supervisor is the police officer or correction service officer you report to. If you are not on bail, or if you are on bail but are not required to report periodically, your supervisor is the person who supervises your compliance with an order or restriction.

Also you must as soon as practicable, inform —

the Supreme Court; and

the *[person at whose request the subpoena was issued]*,

of the restriction to which you are subject.

You must take all reasonable steps to have the restriction varied so that you can comply with the attached subpoena.

If the restriction is not varied you must inform —

the Supreme Court; and

the *[person at whose request the subpoena was issued]*,

of the restriction to which you are subject, and —

- (a) of the steps you took to have the restriction varied, and that the restriction has not been varied; or
- (b) that the law does not permit that variation,

whichever is the case.

Dated the 31st day of January 1994.

[Judges' signatures]

DAVID K. MALCOLM.

G. A. KENNEDY.

B. ROWLAND.

E. M. FRANKLYN.

PAUL SEAMAN.

TERENCE A. WALSH.

D. A. IPP.

HENRY WALLWORK.

R. J. M. ANDERSON.

N. J. OWEN.

K. WHITE.

GRAEME SCOTT.

**LAND ADMINISTRATION**

LA101

**CORRECTION  
LAND ACT 1933  
DECLARATION THAT PART 1A DOES NOT APPLY**

Department of Land Administration,  
Midland, 24 February 1994.

DOLA File No. 1660/992

On page 568 of the *Government Gazette* dated 18 February, 1994 under the heading LAND after Crown Survey to read—

"PLAN"

in lieu of—

"DIAGRAM"

A. A. SKINNER, Chief Executive.

**LOCAL GOVERNMENT**

LG401

**LOCAL GOVERNMENT ACT 1960**

*City of Belmont*

It is hereby notified for public information that the following person has been appointed Honorary Parking Inspector for the Belmont Forum Shopping Centre under the provisions of section 669DA of the Local Government Act 1960, effective from 23rd February 1994.

Mr Michael Wilson.

B. R. GENONI, Town Clerk.

LG402

**LOCAL GOVERNMENT ACT 1960**

*City of Belmont*

It is hereby notified for public information that Mark Garner has been appointed Ranger effective from 28 February 1994, and authorised to enforce the following Acts, Regulations and Council By-laws.

Local Government Act (1960)  
Control of Vehicles (Off Road Areas) Act 1978 and Regulations  
Dog Act (1976) and Regulations  
Bush Fires Act (1954) and Regulations  
Litter Act (1979) and Regulations  
Parking Facilities By-laws  
Uniform General By-laws relating to the Parking for Disabled Persons (1988)  
Council By-laws

The appointment of Mr Simon Alexander Moss is hereby cancelled.

B. R. GENONI, Town Clerk.

LG403

**BUSH FIRES ACT 1954**

*City of Belmont*

It is hereby notified for public information that the undermentioned person has been appointed a Fire Control Officer for the City of Belmont, effective from 28th February 1994.

Mr Mark Garner

The appointment of Mr Simon Alexander Moss is hereby cancelled.

B. R. GENONI, Town Clerk.

LG404

**DOG ACT 1976***Shire of Kojonup*

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

## Registration Officers

Miss H. Blacklock  
Mrs A. Turner  
Mrs L. Leusciatti  
Mrs S. Collins  
Mr J. E. Perrett  
Mr N. P. Hartley

## Authorized Persons

Mr M. Martin (Shire of Katanning)  
Mr M. Reid  
Mr R. Francis  
Mr B. Jones  
Mr I. Guidi  
Mr J. E. Perrett  
Mr N. P. Hartley

All previous appointments are hereby cancelled.

N. P. HARTLEY, Shire Clerk.

LG901

**LOCAL GOVERNMENT ACT 1960***Shire of Dandaragan*

## NOTICE OF INTENTION TO BORROW

Proposed Loan (No. 107) of \$70 000

Pursuant to section 610 of the Local Government Act, the Dandaragan Shire Council hereby gives notice that it proposes to borrow money for the following purpose: \$70 000 for a period of five (5) years, repayable at the Office of the Council, Dandaragan, by ten (10) equal half yearly instalments of principal and interest. Purpose of Loan—Extensions to Jurien Administration Office.

Plans, specifications etc. as required by section 609 of the Act, are open for inspection at the office of the Council, for 35 days after publication of this notice.

GARY SNOOK, President.

BARRY GOLDING, Shire Clerk.

LG902

**LOCAL GOVERNMENT ACT 1960***Shire of Augusta-Margaret River*

## NOTICE OF INTENTION TO BORROW

Proposed Loan (Number 129) of \$25 000

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by the sale of debentures on the following terms for the following purposes—

\$25 000.00 for period of five (5) years repayable at the Office of the Shire of Augusta-Margaret River by ten (10) half yearly instalments of Principal and Interest.

Purpose: To finance the development of the Wallis Road Sanitation Site.

Estimate of costs, plans and specifications are requested by section 609 of the Act, are open for inspection at the office of Council during office hours, for a period of 35 days after publication of this notice.

L. W. SHEPHERDSON, President.

L. J. CALNEGGIA, Shire Clerk.

LG903

**LOCAL GOVERNMENT ACT 1960***Shire of Augusta-Margaret River***NOTICE OF INTENTION TO BORROW**

Proposed Loan (Number 130) of \$50 000

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by the sale of debentures on the following terms for the following purposes—

\$50 000.00 for period of five (5) years repayable at the Office of the Shire of Augusta-Margaret River by ten (10) half yearly instalments of Principal and Interest.

Purpose: To finance the building of the new library in Margaret River.

Estimate of costs, plans and specifications are requested by section 609 of the Act, are open for inspection at the office of Council during office hours, for a period of 35 days after publication of this notice.

L. W. SHEPHERDSON, President.  
L. J. CALNEGGIA, Shire Clerk.

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE**

OA401

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984****OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**

Exemption Certificate Pursuant to Regulation 213

(No. 2 of 1994)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to Midland Crane Service from the requirements of Regulation 507(2)(c) of the Occupational Health, Safety and Welfare Regulations 1988 in relation to the lifting of a locomotive on and off a road transporter on 30 occasions only, to be on or before 30 April 1995 subject to—

- (i) the lift not exceeding 115 tonnes;
- (ii) the 2 x PH T550 cranes used for the lifts to have a boom angle of not less than 65° and a boom length not greater than 10.6 metres;
- (iii) the 2 x Kato NK500E cranes being used for the lifts to have a boom angle of not less than 62° and a boom length not greater than 10.8 metres;
- (iv) no luffing or slewing during the lift;
- (v) a certificated rigger controlling the lift; and
- (vi) approved procedures for lifting a locomotive.

Dated this 16th day of February 1994.

NEIL BARTHOLOMAEUS, Commissioner for  
Occupational Health, Safety and Welfare.

OA402

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984****OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**

Exemption Certificate Pursuant to Regulation 213

(No. 3 of 1994)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby—

recognise the Certificate of Competency issued by the Work Health Authority—Occupational Health and Safety Division in the Northern Territory to the following persons for the work described below; and

grant an exemption from Regulation 1003 of the Occupational Health, Safety and Welfare Regulations 1988 in relation to operation of cranes or dogging work carried out as employees of Brambles Manford in Kununurra;

## Operation of cranes

Reginald Andrew Hackett	Erwin Hecht
C. Thomas Andrews	Bart Kenneth Sutherland
Wayne Andrew Meeson and Hilton Ron Hage.	Dean Randall Fleming

## Dogging

C. Thomas Andrews and Dean Randall Fleming.	Bart Kenneth Sutherland
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This exemption valid until 5 pm 31 July 1994.

Dated this 17th day of February 1994.

NEIL BARTHOLOMAEUS, Commissioner for  
Occupational Health, Safety and Welfare.

## OA403

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984**  
**OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**  
Exemption Certificate Pursuant to Regulation 213  
(No. 4 of 1994)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to Marine and Civil Construction from the requirements of Regulation 513(e) of the Occupational Health, Safety and Welfare Regulations 1988 in relation to piling activities being carried out on the Dampier Port Authority Public Wharf extensions requiring the use of a mancage over water without provision of overhead protection, subject to the following conditions—

- (a) the mancage is only to be used without overhead protection when over water;
- (b) the persons in the mancage are competent;
- (c) all other requirements of Regulation 513 are to be met; and
- (d) an inspection is to be carried out and approval given during first operational use.

Dated this 18th day of February 1994.

NEIL BARTHOLOMAEUS, Commissioner for  
Occupational Health, Safety and Welfare.

**PLANNING AND URBAN DEVELOPMENT**

## PD401

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**  
*City of Bayswater*

Town Planning Scheme No. 21—Amendment No. 47

Ref: 853/2/14/25, Pt. 47.

Notice is hereby given that the City of Bayswater has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 38 No. 312 Walter Road, Morley, from "Residential R17.5" to "Office".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 61 Broun Avenue, Morley and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

M. J. CAROSELLA, Town Clerk.

**PD402****TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Bunbury*

Town Planning Scheme No. 6—Amendment No. 151

Ref: 853/6/2/9, Pt. 151.

Notice is hereby given that the City of Bunbury has prepared the abovementioned scheme amendment for the purpose of:

1. rezoning proposed Lot 2 Ocean Drive from 'Residential R40' to 'Special Use—Tavern, Restaurant, Local Shop and R60'.
2. rezoning Lots 8, 9, 10 and 11 Ocean Drive from 'Special Use—Tavern' to 'Residential R40'.
3. including in 'Appendix IV—First Schedule: Special Uses' development conditions which apply to proposed Lot 2.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Stephen Street, Bunbury and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. P. BRENNAN, Town Clerk.

**PD403****TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Fremantle*

Town Planning Scheme No. 3—Amendment No. 33

Ref: 853/2/5/6, Pt. 33.

Notice is hereby given that the City of Fremantle has prepared the abovementioned scheme amendment for the purpose of rezoning Part Lot 12 Norman Street from 'Residence' to 'Local Centre' and amending the Scheme Maps accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, William Street, Fremantle and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 29 March 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 29 March 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

P. de VILLIERS, A/Town Clerk.

**PD404****TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Melville*

Town Planning Scheme No. 3—Amendment No. 115

Ref: 853/2/17/10, Pt. 115.

Notice is hereby given that the City of Melville has prepared the abovementioned scheme amendment for the purpose of:

1. Rezoning Portion Jandakot AA Lot 574 Beasley Road, Leeming from Local Open Space Reserve to Residential A (R20).
2. Amending Clause 4.5.17 to ensure that all lots are between 680 m<sup>2</sup> and 1 250 m<sup>2</sup> (upon subdivision).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Almondbury Road, Ardross and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. G. HUNT, Town Clerk.

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PD405

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 290

Ref: 853/6/6/6, Pt. 290.

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of rezoning Pt Lot 4 being Portion of Sussex Location 5 Yale Street, Busselton from 'Single Residential' to 'Group Residential'.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 5 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 5 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. STUBBS, Shire Clerk.

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PD406

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Capel*

Town Planning Scheme No. 3—Amendment No. 8

Ref: 853/6/7/4, Pt. 8.

Notice is hereby given that the Shire of Capel has prepared the abovementioned scheme amendment for the purpose of modifying the land area and configuration of land set aside for 'Proposed Public Open Space' on the northern side of Sleaford Drive, as delineated on the Amendment Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Forrest Road, Capel and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

R. G. BONE, Shire Clerk.

PD407

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Kalamunda*

District Planning Scheme No. 2—Amendment No. 105

Ref: 853/2/24/16, Pt. 105.

Notice is hereby given that the Shire of Kalamunda has prepared the abovementioned scheme amendment for the purpose of rezoning or re-classify the various areas of land (excluding Lot 296 Dixon Road) reserved as "Important Regional Road" (Kalamunda By-Pass Road from Elizabeth Street to Stanhope Road) to "Residential", "Service Station", "Public Building", "Recreation/Open Space" and "Local Roads" as depicted on the Scheme Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

E. H. KELLY, Shire Clerk.

PD408

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Kalamunda*

District Planning Scheme No. 2—Amendment No. 136

Ref: 853/2/24/16, Pt. 136.

Notice is hereby given that the Shire of Kalamunda has prepared the abovementioned scheme amendment for the purpose of including as an additional use for Lot 101 (HN 19) Loaring Road, Bickley, the supply of meals as an adjunct to existing wine tastings/sales.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 22 March 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 22 March 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

E. H. KELLY, Shire Clerk.

PD409

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 184

Ref: 853/2/21/10, Pt. 184.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of amending Tables 3A and 3B of the Scheme Text to correct anomalies in the use class tables and to assist in streamlining administrative procedures.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

S. M. HILLER, A/Chief Executive Officer/Shire Clerk.

PD410

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 218

Ref: 853/2/21/10, Pt. 218.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot 186 (Reserve B1091) Helena Street, Guildford from 'Residential 1' (R20) to 'Regional Reserve—Parks and Recreation'.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 22 March 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 22 March 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

S. M. HILLER, A/Chief Executive Officer/Shire Clerk.

PD411

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 225

Ref: 853/2/21/10, Pt. 225.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of amending Appendix 6B to include Auction Mart as an Additional Use for Lot 7 West Swan Road/Harrow Street, West Swan.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

E. W. LUMSDEN, Shire Clerk.

PD412

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Town of East Fremantle*

Town Planning Scheme No. 2—Amendment No. 28

Ref: 853/2/4/2, Pt. 28.

Notice is hereby given that the Town of East Fremantle has prepared the abovementioned scheme amendment for the purpose of amending Clause 5.13 to eliminate the Third Party Appeals Right Anomaly from the Town Planning Scheme.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 135 Canning Highway, East Fremantle and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 12 April 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 12 April 1994.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

B. COLEY, Town Clerk.

**POLICE****PE401****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of Cycle Races by members/entrants of the Eastern Goldfields Cycle Club on 6, 13, 20 and 27 March 1994 between the hours of 0830 and 1030 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Broadarrow Road/Mt. Percy turn off, north for 25 kms on Broadarrow Road, and return to start.

All participants to wear approved head protection at all times.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Albany Cycle Club on 16 April 1994 between the hours of 1400 and 1700 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lower Denmark Road, from Old Woolstores for 20 kms and return to start.

All participants to wear approved head protection at all times.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Albany Cycling Club Inc on 10 April 1994 between the hours of 0830 and 1030 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Princess Royal Drive, Frenchmans Bay Road to Big Groove and return to start.

All participants to wear approved head protection at all times.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Albany Cycling Club on 7 May 1994 between the hours of 1400 and 1700 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Princess Royal Drive, Hanrahan Road, Upper Denmark Road (No. 1 Hwy), Ruderford Road, Lower Denmark Road, Frenchmans Bay Road, Princess Royal Drive, Albany.

All participants to wear approved head protection at all times.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of Cycle Races by members/entrants of the Melville Fremantle Cycling Club on 30 April 1994 between the hours of 1300 and 1600 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Mandogalup Road, Wattelup Road, Postans Road, Hope Valley Road, Hope Valley.

All participants to wear approved head protection at all times.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

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**PE402****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of an Endurance Challenge by members/entrants of the Australian Army on 7 May 1994 between the hours of 0800 and 1230 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on McCallum Park dual use paths to Kings Park, Forrest Drive, May Drive and return to McCallum Park via Riverside Drive dual use path.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

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**PE403****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Footrace by members/entrants of the W.A. Marathon Club on 29 May 1994 between the hours of 0730 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Aquamotion Pool, Civic Drive, Karimba Street, Tunder Street, Belgrade Road, Franklin Road, Rousset Road, Townsend Road, Hawkins Road South, Ross Street, Sydney Road and return.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

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**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Footrace by members/entrants of the W.A. Marathon Club on 24 April 1994 between the hours of 0800 and 0930 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to McCallum Park cyclepath around the river (Narrows to Causeway), Douglas Avenue, Jubilee Street, Weston Avenue, Mill Point Road, Meadowvale Avenue, finish at McCallum Park, South Perth.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Footrace by members/entrants of the W.A. Marathon Club on 8 May 1994 between the hours of 0730 and 0930 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on cycleway from Mosman Park Tennis Club to Rule Street, Alfred Street, John Street, Turton Street, Rule Street, McCabe Street, Downey Drive, Marshall Street, Bateman Street, Wellington Street, Mosman Park.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of the Cottesloe Cup Footrace by members/entrants of the W.A. Marathon Club on 1 May 1994 between the hours of 1000 and 1130 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on John Street, Curtin Avenue, Warton Street, Marine Parade, Cottesloe.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**PE404****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of the Perth Marathon Footrace by members/entrants of the W.A. Marathon Club on 17 July 1994 between the hours of 0730 and 1230 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on McCallum Park, Ellam Street, Mill Point Road, Douglas Avenue, dual use path Melville Beach Road, Dee Road, Fraser Road, dual use path to Narrows Bridge, Riverside Drive, dual use path to McCallum Park, South Perth.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**PE405****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a race by members/entrants of the Northam Running Club on 24 March 1994 between the hours of 1730 and 1830 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Broome Terrace, Peel Terrace Bridge, Heaton Avenue, Minson Avenue, Avon Bridge, and finish at Apex Park, Northam.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a race by members/entrants of the Northam Running Club on 19 May 1994 between the hours of 1700 and 1800 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Katrine Road, for 4 klms from Cemetery and return.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a race by members/entrants of the Northam Running Club on 16 June 1994 between the hours of 1700 and 1800 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Mt. Ommanney Road, Northam.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**PE406****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a running/walking race by members/entrants of the Northam Running Club on 28 July and 11 August 1994 between the hours of 1700 and 1800 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Broome Terrace, Peel Terrace Bridge, Heaton Avenue, Minson Avenue, Newcastle Bridge, and return to Apex Park, Northam.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a running/walking race by members/entrants of the Northam Running Club on 26 June 1994 between the hours of 0900 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway from Clackline Garage on Spencers Brook Road to Spencers Brook Tavern, Northam.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**PE407****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a running/cycle race by members/entrants of the Northam Running Club on 27 March 1994 between the hours of 0900 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Katrine Road from the Cemetery for 10 kms and return.

Dated at Perth this 17th day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

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**PE408****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a triathlon by members/entrants of the Sports Promotions Australia on 17 April 1994 between the hours of 0730 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Rockingham Foreshore, Railway Terrace, Harrison Street, Val Street, Esplanade, Hymus Street, Safety Bay Road, Currie Street, Pt. Peron Road, Garden Island Causeway, and return to start.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

---

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a triathlon by members/entrants of the Albany Triathlon Club on 24 April 1994 between the hours of 0900 and 1130 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Mermaid Avenue, Boongarrie Street, Golf Links Road, Troode Street, Lower King Road, Albany and return to start.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

---

**ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a triathlon by members/entrants of the Shire of Mundaring on 10 April 1994 between the hours of 0900 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lake Leschenaultia, Rosedale Road, Wilcox Street, Old Northam Road, to Wooreloo and return to start.

All participants to wear approved head protection at all times.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**PE409****ROAD TRAFFIC ACT 1974**

I, Angelo Neville Scaini, Acting Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a womens cycle race by members/entrants of the Womens Sport Foundation of W.A. on 1 May 1994 between the hours of 1000 and 1200 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Perry Lake Drive, Underwood Avenue, Brookdale Street, Alderbury Street, Oceanic Drive, Perry Lakes Drive, Floreat.

All participants to wear approved head protection at all times.

Dated at Perth this 22nd day of February 1994.

A. N. SCAINI, Acting Commander (Metropolitan Traffic).

**RACING AND GAMING****RA401****RACING PENALTIES (APPEALS) ACT 1990**

Office of Racing and Gaming,  
Perth, March 1994.

I, G. M. Evans, being the Minister administering the Racing Penalties (Appeals) Act 1990, appoint, under section 5 (1) of the said Act, Mr Dan Mossenson of 19th Floor, 1 William Street, Perth as Chairperson of the Racing Penalties Appeal Tribunal for a term expiring on 28 February 1997.

G. M. EVANS, Minister for Racing and Gaming.

**RACING PENALTIES (APPEALS) ACT 1990**

Office of Racing and Gaming,  
Perth, March 1994.

I, G. M. Evans, being the Minister administering the Racing Penalties (Appeals) Act 1990, appoint, under section 6 (3) of the said Act, the following persons as members of the Racing Penalties Appeal Tribunal for terms expiring on 28 February 1997—

Ms Pamela Hogan  
Wickham Chambers  
5th Floor, 524 Hay Street  
Perth 6000

Mr Patrick Hogan  
Legal Aid Commission  
7th Floor, 55 St George's Terrace  
Perth 6000

Mr Thomas Edward Mulligan  
351 Marmion Street  
Cottesloe 6011

Mr John Fraser Syme  
16 Elphin Street  
Floreat 6014

Mr Frederick Charles Robins  
15 Margaret Street  
Cottesloe 6011

Mr John Brian Prior  
Unit 4  
5 Burt Street  
Cottesloe 6011

Mr Lindsay Robbins  
c/- Ministry of Justice  
Westralia Square  
141 St George's Terrace  
Perth 6000

G. M. EVANS, Minister for Racing and Gaming.

## TRANSPORT

TR401

**WA MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS**  
**Water Ski Areas**  
**Closure of Navigable Waters**

Department of Transport,  
4 March 1994.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations and section 66 paragraph (d) of the Western Australian Marine Act the Department of Transport by this notice revokes paragraph (b)(8)(iii) of the notice published in the *Government Gazette* of 25 October 1991 relating to the Water Ski Area, Shire of Cranbrook, Lake Nunijup and substitutes the following—

(b)(8) SHIRE OF CRANBROOK

(iii) Lake Nunijup: All the waters of Lake Nunijup, with the exception of boating prohibited area, contained within an area marked by signs and buoys commencing at the eastern most corner of Reserve 29175

and closes the following waters to navigation by all craft until further notice—

SHIRE OF CRANBROOK

Lake Nunijup

All the waters in an area marked by signs on the shore and buoys in the water, commencing on the western shore, from the base of the northern groyne at the eastern most corner of Reserve 29175, then extending 100 metres at 090° T, then to the northern shore at 000° T.

STUART HICKS, Executive Director.

## PUBLIC NOTICES

ZZ201

**TRUSTEES ACT 1962**

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estate of the undermentioned person are required to send particulars of their claim to Mallesons Stephen Jaques, 225 St George's Terrace Perth (GPO Box B75 Perth 6001) by the 1st day of April 1994 after which date the executor or administrator, as the case may be, may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated this 1st day of March 1994.

Shilkin, Natalie late of Unit 3, 83 Bay View Terrace, Claremont, Widow who died on 18 November 1993 at Nedlands.

ZZ401

**WESTERN AUSTRALIAN TROTTING ASSOCIATION**  
**RULES OF TROTTING**  
**Notice of Amendment**

Notice is hereby given that at a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth, on 22 February 1994, it was resolved by an absolute majority of the members of the Committee that the Rules of Trotting be amended as follows—

Delete existing Rule 333 and insert Rule 333(a) which reads—

333. (a) If any horse by misbehaviour or for any other reason is in the opinion of the Starter liable to cause delay at the start, the Starter shall warn the driver of such horse and shall not further delay the start provided that the Starter may recommend to the Stewards that the horse be declared withdrawn from the race.

Insert Rule 333(b) which reads—

333. (b) A horse which, in the opinion of the Stewards displays unsatisfactory barrier manners, may be excluded from the barrier draw in subsequent standing start races until such time as whatever conditions the Stewards impose are met.

J. HIGGINS, President.



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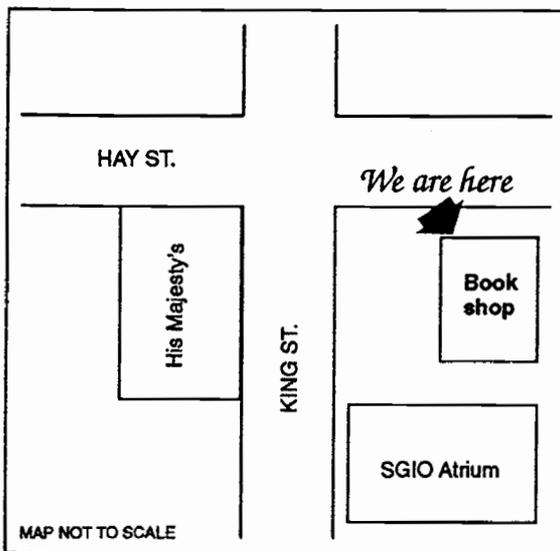
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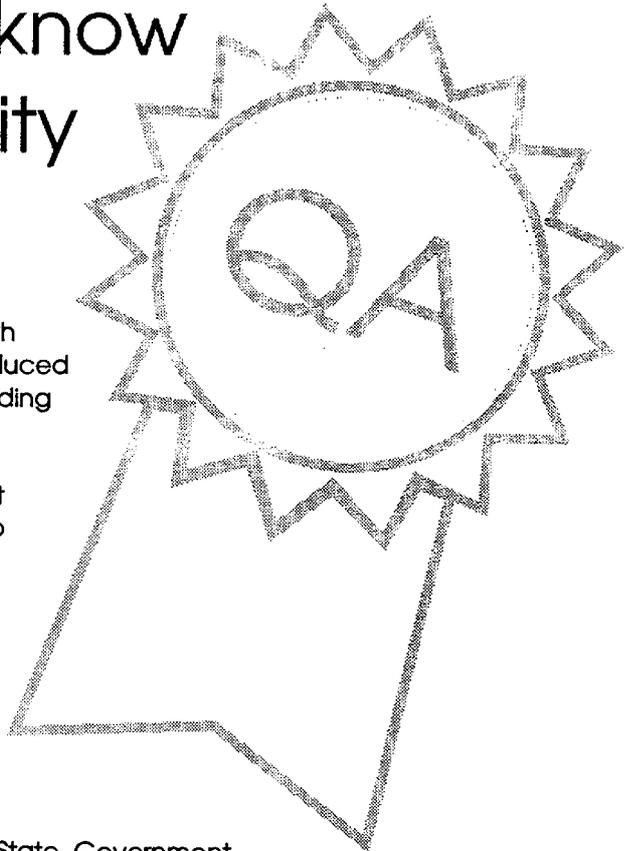
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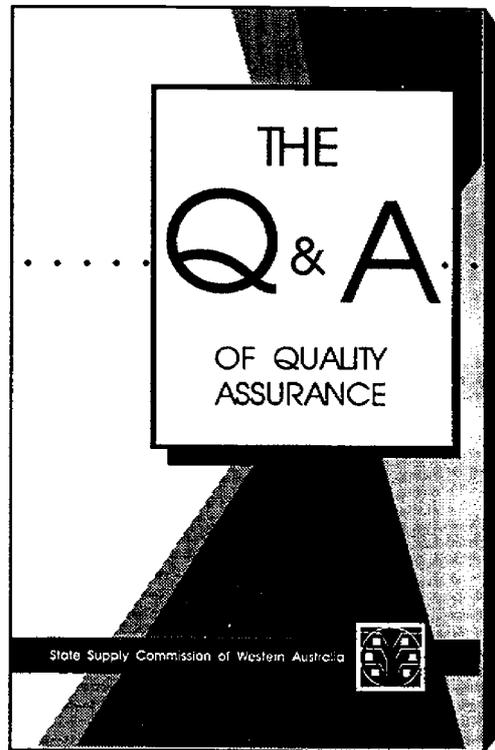
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