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Gazette



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or Tuesday 3 January 1995.

PROCLAMATIONS**AA101****ENERGY CORPORATIONS (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) ACT 1994**

(No. 89 of 1994)

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery,		
Governor. [L.S.]		

I, the Governor, acting under section 2 (2) of Energy Corporations (Transitional and Consequential Provisions) Act 1994, and with the advice and consent of the Executive Council, fix 1 January 1995 as the day on which that Act, other than the long title, and sections 1, 2, 42, 43 and 44 comes into operation.

Given under my hand and the Public Seal of the State on 20 December 1994.

By His Excellency's Command,

C. J. BARNETT, Minister for Energy.

GOD SAVE THE QUEEN !

AA102**GAS CORPORATION ACT 1994**

(No. 87 of 1994)

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery,		
Governor. [L.S.]		

I, the Governor, acting under section 2 (2) of Gas Corporation Act 1994, and with the advice and consent of the Executive Council, fix 1 January 1995 as the day on which sections 90, 91 and 93 come into operation.

Given under my hand and the Public Seal of the State on 20 December 1994.

By His Excellency's Command,

C. J. BARNETT, Minister for Energy.

GOD SAVE THE QUEEN !

AA103**ENERGY COORDINATION ACT 1994**

(No. 71 of 1994)

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery,		
Governor. [L.S.]		

I, the Governor, acting under section 2 of Energy Coordination Act 1994, and with the advice and consent of the Executive Council, fix 1 January 1995 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 20 December 1994.

By His Excellency's Command,

C. J. BARNETT, Minister for Energy.

GOD SAVE THE QUEEN !

AA201

LOCAL GOVERNMENT (SUPERANNUATION) LEGISLATION AMENDMENT ACT 1994

(No. 60 of 1994)

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military
Governor, } Cross, Governor of the State of Western
[L.S.] } Australia.

I, the Governor, acting under section 2 of the Local Government (Superannuation) Legislation Amendment Act 1994 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State at Perth on 20 December 1994.

By His Excellency's Command,

P. D. OMODEI, Minister for Local Government.

GOD SAVE THE QUEEN !

AGRICULTURE

AG401

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

Agriculture Protection Board,
South Perth.

The Agriculture Protection Board, acting pursuant to sections 15 and 16 of the Agriculture and Related Resources Protection Act 1976 hereby—

- (i) cancels the appointments of the following persons as members of the Zone Control Authority designated—

Paul Frater (1B), David Rees (6)

- (ii) appoints persons whose names are listed below to be members of the Authorities for the Zone designated to hold office until 1 August in the years specified—

Name	Zone	Retires
Tim Willing	1B	1997
John Leeds	2	1995
John Moyes	6	1995

Dated 20 December 1994.

ROGER L. O'DWYER, Acting Chairman,
Agriculture Protection Board.

ENERGY IMPLEMENTATION

EG301

GAS CORPORATION ACT 1994

GAS TRANSMISSION ACCESS ORDER 1994

Made by the Minister under section 93 (1) (a)

Citation

1. This order may be cited as the *Gas Transmission Access Order 1994*.

Commencement

2. This order comes into operation on the day on which section 91 of the *Gas Corporation Act 1994* comes into operation.

Operation of clause 2(1) of Schedule 5 to the Act

3. The Gas Corporation is to make available in respect of the gas transmission system access to spare capacity on a non-discriminatory basis to—

- (a) any new shipper proposing to take at least 1000 terajoules of gas in any consecutive 12 month period through a single metered connection to the gas transmission system; or
- (b) any gas consumer proposing to take at least 1000 terajoules of gas in any consecutive 12 month period through a single metered connection to the gas transmission system in addition to the quantity of gas which is the subject of any existing arrangement which the gas consumer has with the corporation for the supply of gas.

C. J. BARNETT, Minister for Energy.

EG302

GAS CORPORATION ACT 1994**GAS SUPPLY (PILBARA) DIRECTION 1994**

Given by His Excellency the Governor in Executive Council under section 39 (1).

Citation

1. This instrument may be cited as the *Gas Supply (Pilbara) Direction 1994*.

Commencement

2. This instrument comes into operation on the day on which a copy of it is served on the Gas Corporation under section 39 (1) of the Act.

Definition

3. In this instrument "Pilbara Region" means the municipal districts of the Shires of East Pilbara, Ashburton, Roebourne and the Town of Port Hedland.

Direction

4. Except for any sale or supply of natural gas by way of reticulation to any town site within the Pilbara Region, the Gas Corporation must not, during the period commencing on 1 January 1995 and ending on 30 June 2005, sell or supply natural gas within, or for delivery or consumption within, the Pilbara Region.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

EG303

GAS CORPORATION ACT 1994**GAS TRANSMISSION (EXEMPTED CONTRACT) ORDER 1994**

Made by the Minister under Clause 6 (1) of Schedule 5.

Citation

1. This order may be cited as the *Gas Transmission (Exempted Contract) Order 1994*.

Commencement

2. This order comes into operation on the day on which section 91 of the *Gas Corporation Act 1994* comes into operation.

Schedule 5 does not apply to Alcoa contract

3. Schedule 5 to the *Gas Corporation Act 1994* does not apply to the contract referred to in the Appendix which is an existing contract within the meaning of clause 6 of that Schedule.

Saving

4. Clause 3 is not affected by the abolition of the State Energy Commission of Western Australia and the succession of the Gas Corporation to its interest in the contract referred to in clause 3 pursuant to the *Energy Corporations (Transitional and Consequential Provisions) Act 1994*.

Appendix

The contract dated 7 February 1983 between The State Energy Commission of Western Australia and Alcoa of Australia Limited (ACN 004 879 298) as amended by—

- a Memorandum of Agreement on Capital Cost dated 3 March 1988;
- a Revised Index Deed dated 2 June 1987;
- a Deed of Amendment dated 29 September 1988;
- a Deed of Amendment No. 2 dated 26 July 1991;
- a Deed of Compromise and Settlement dated 26 July 1991;
- a Supplemental Deed dated 24 October 1991;
- a Letter Agreement dated 29 June 1993;
- a Letter Agreement dated 16 December 1993;
- a Letter Agreement dated 31 March 1994;
- a Letter Agreement dated 10 May 1994;
- a Letter Agreement dated 10 June 1994;
- a Letter Agreement dated 28 July 1994;
- a Letter Agreement dated 18 August 1994;
- a Letter Agreement dated 22 September 1994;
- a Letter Agreement dated 25 October 1994;
- a Letter Agreement dated 21 November 1994; and
- the Alcoa Sale Gas Cessation Deed dated 20 December 1994.

C. J. BARNETT, Minister for Energy.

FISHERIES

FI301

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS (NO. 11) 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fisheries Amendment Regulations (No. 11) 1994*.

Commencement

2. These regulations come into operation on 1 January 1995.

Principal regulations

3. In these regulations the *Fisheries Regulations 1938** are referred to as the principal regulations.

[* Reprinted as at 15 September 1988.
For amendments to 9 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 82-3, and Gazettes of 25 February, 17 May, 28 June, 2 September and 1, 15 and 29 November 1994.]

Regulation 12EB amended

4. Regulation 12EB of the principal regulations is amended —
 - (a) by inserting after “12EC,” the following —

“ 12ECA, ”; and
 - (b) by inserting before the definition of “Exmouth townsite” the following definition —

“
“Exmouth Gulf Land Zone” means all land between 22° 35' south latitude and 21° 53' south latitude, east of the Minilya-Learmonth and Murat Roads and west of 114° 19' east longitude;
”.

Regulation 12ECA inserted

5. After regulation 12EC of the principal regulations the following regulation is inserted —

“

Fish brought ashore into Exmouth Gulf Land Zone

12ECA. (1) A person shall not bring ashore into Exmouth Gulf Land Zone any fish other than whole fish.

Penalty: \$1 000.

(2) Notwithstanding subregulation (1), a person may bring ashore into Exmouth Gulf Land Zone —

- (a) gilled and gutted fish; and
- (b) filleted mackerel of the family *Scombridae*.

(3) Subregulation (2) (b) does not apply unless a fish is filleted so that —

- (a) each fillet consists of one complete side of the fish, excluding the head and backbone; and
- (b) the skin and pectoral fin are intact and attached to each fillet.

”.

Regulation 12ED amended

6. Regulation 12ED of the principal regulations is amended —

- (a) in subregulation (1), by deleting “Park and Ningaloo Marine Park Land Zone” and substituting the following —

“

Park, Ningaloo Marine Park Land Zone and Exmouth Gulf Land Zone

”;

- (b) in subregulation (5) —

- (i) by deleting “or” after paragraph (b);
- (ii) in paragraph (c), by deleting “Zone,” and substituting the following —

“ Zone; or ”; and

- (iii) by inserting after paragraph (c) the following paragraph —

“

(d) bring ashore into Exmouth Gulf Land Zone,

”;

and

- (c) by deleting the heading above Table 1 and substituting the following heading —

“

**BAG LIMITS FOR NINGALOO MARINE PARK,
NINGALOO MARINE PARK LAND ZONE AND
EXMOUTH GULF LAND ZONE**

”.

Regulation 12EH amended

7. Regulation 12EH of the principal regulations is amended —

- (a) by inserting after “12EC,” the following —

“ 12ECA, ”; and

- (b) by inserting after “apply to” the following —

“ or in relation to ”.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

FAIR TRADING**FT301****RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS AMENDMENT REGULATIONS 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Retail Trading Hours Amendment Regulations 1994*.

Principal regulations

2. In these regulations the *Retail Trading Hours Regulations 1988** are referred to as the principal regulations.

[* *Published in Gazette of 12 August 1988 at p. 2756-60.*
For amendments to 6 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 224.]

Regulations 5 and 6 repealed and regulations substituted

3. Regulations 5 and 6 of the principal regulations are repealed and the following regulations are substituted —

“

Goods and services for sale at small retail shops

5. Under section 10 (3) (a) of the Act goods and services of all descriptions are prescribed for the purposes of sale at a small retail shop.

Application for small retail shop certificate

6. An application under section 11 (1) of the Act is to be made in a form approved by the chief executive officer.

”

Schedule amended

4. The Schedule to the principal regulations is amended by deleting Forms 1, 2, 3 and 4.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

FT302**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (NO. 12) 1994**

Made by the Minister for Fair Trading under section 5 (1) of the Act.

Citation

1. This order may be cited as the *Retail Trading Hours Exemption Order (No. 12) 1994*.

Certain general retail shops — exemption from s.12 (1)

2. (1) A general retail shop is exempt from section 12 (1) of the Act if —
 - (a) the general retail shop is owned by one eligible person or not more than 6 eligible persons trading in partnership or by a body corporate with not more than 6 shareholders all of whom are eligible persons;
 - (b) the general retail shop is operated for the benefit of the eligible persons referred to in paragraph (a);

- (c) the eligible persons referred to in paragraph (a) are personally and actively engaged in the general retail shop;
 - (d) not more than 10 persons (inclusive of the eligible persons who own and operate the general retail shop) work in the general retail shop at any one and the same time;
 - (e) the general retail shop is owned and operated in accordance with the directions given under section 10 (3b) of the Act in respect of small retail shops; and
 - (f) the chief executive officer has issued a certificate in relation to the general retail shop certifying that it is an exempt general retail shop in terms of this subclause.
- (2) A person is not an eligible person for the purposes of subclause (1) unless —
- (a) in relation to a case where the person is the only person in question the person —
 - (i) is a natural person; and
 - (ii) does not own or operate, either alone or together with any other person, more than 3 retail shops except as a shareholder in a listed corporation as defined under the *Companies (Western Australia) Code*; and
 - (b) in relation to a case where the person in question is one of a group of persons, the person —
 - (i) is a person to whom the provisions of paragraph (a) (i) and (ii) apply;
 - (ii) does not own or operate another retail shop together with a person who is outside that group of persons; and
 - (iii) does not himself or herself own or operate a retail shop alone if one of the other persons in the group owns or operates a retail shop that is not owned or operated together with the other persons in the group.
- (3) It is a condition of this exemption that the operator of a general retail shop to which the exemption applies —
- (a) is to notify the chief executive officer of any change in the ownership or directorship of the general retail shop within 14 days of such change; and
 - (b) is to display the certificate referred to in subclause (1) (f) in a prominent position, clearly visible to staff and members of the public, within the retail shop.
- (4) The chief executive officer may cancel a certificate issued under subclause (1) (f) if the chief executive officer is satisfied that the general retail shop is not owned or operated in terms of subclauses (1) and (2).

Small retail shops — exemption from s.12 (2)

3. Small retail shops are exempt from section 12 (2) of the Act.

Certain general retail shops — exemption from s.13

4. A general retail shop that is exempt from section 12 (1) of the Act under clause 2 of this order is exempt from section 13 of the Act.

P. G. FOSS, Minister for Fair Trading.

HEALTH**HE301****POISONS ACT 1964****POISONS AMENDMENT REGULATIONS (NO. 7) 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Poisons Amendment Regulations (No. 7) 1994*.

Regulation 2 amended

2. Regulation 2 of the *Poisons Regulations 1965** is amended in the definition of "SUSDP" by deleting "4 March 1994." and substituting the following —

"

4 March 1994, and AMENDMENT NO. 2 and No. 3 adopted by the Council's Public Health Committee and as effective from 1 July 1994

".

[* Reprinted as at 7 February 1993.
For amendments to 14 September 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 206-8, and Gazettes of 26 May, 24 June and 2 and 16 September 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE302**POISONS ACT 1964****POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER
(NO. 3) 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. This order may be cited as the *Poisons (Scheduled Substances) Amendment Order (No. 3) 1994*.

Commencement

2. This order comes into operation on the day it is published in the *Government Gazette*.

Appendix A amended

3. Appendix A to the *Poisons Act 1964** is amended —

(a) in the Second Schedule —

- (i) in the item commencing "IODINE" by deleting "(excluding radiographic contrast media)";
- (ii) in the item commencing "PARACETAMOL" by deleting "except —" and substituting the following —
" for therapeutic use except — "; and

- (iii) in the item commencing "PSEUDOEPHEDRINE" by deleting paragraph (b) and substituting the following paragraph —

"

- (b) in slow release preparations containing 120 mg or less of pseudoephedrine per recommended dose.

";

- (b) in the Fourth Schedule —

- (i) by deleting the item commencing "GONADOTROPHINS" and substituting the following item —

"

GONADOTROPHINS except when separately specified in this Schedule.

";

- (ii) by deleting the item commencing "HEPARIN" and substituting the following —

"

HEPARIN for internal therapeutic use except when separately specified in this Schedule.

";

- (iii) in the item commencing "SULFONAMIDES" in paragraph (b) by deleting "Sixth" and substituting the following —

"

Fifth or Sixth

";

- (iv) by deleting the item "THIAZOSULPHONE." and substituting the following item —

"

THIAZOSULFONE.

"; and

- (v) by inserting in the appropriate alphabetical positions the items in the following Table —

Table

CARPROFEN.

CARVIDOLOL.

CEFODIZIME SODIUM.

CLARITHROMYCIN.

CLOSTRIDIUM BOTULINUM TOXIN for therapeutic use.

DANAPAROID SODIUM.

FINASTERIDE.

FLURBIPROFEN.

IFOSFAMIDE.

ISOAMYL NITRITE.

ISRADIPINE.

MESNA.

MOXIDECTIN for the treatment of dogs.

NABUMETONE.
NIMODIPINE.
PERGOLIDE.
REMOXIPRIDE.
TERBINAFINE.
TINZAPARIN SODIUM.
ZUCLOPENTHIXOL.

;

(c) in the Fifth Schedule —

(i) by deleting the item commencing "CHLORINATING COMPOUNDS" and substituting the following item —

“

CHLORINATING COMPOUNDS except —

- (a) when separately specified in these Schedules;
- (b) solid preparations containing 4 per cent or less of available chlorine;
- (c) liquid preparations containing not less than 2 per cent but not more than 4 per cent of available chlorine when labelled with the statements:

“WARNING: Ensure adequate ventilation when using. Vapour may be harmful. May give off dangerous gas if mixed with other products.”,

written in letters not less than 2 mm in height; or

- (d) liquid preparations containing less than 2 per cent of available chlorine.

”;

(ii) in the item commencing "QUATERNARY AMMONIUM COMPOUNDS" by deleting paragraph (b) and substituting the following paragraph —

“

- (b) in preparations of quaternary ammonium compounds containing 10 per cent or less of quaternary ammonium compounds, not separately specified in these Schedules.

”;

(iii) by deleting the item commencing "SULPHAMIC ACID" and substituting the following item —

“

SULFAMIC ACID (excluding its salts and derivatives) in preparations containing 10 per cent or less of sulfamic acid ($\text{H}_3\text{NO}_3\text{S}$).

”;

and

- (iv) by inserting in the appropriate alphabetical positions the items in the following Table —

Table

BUTRALIN.

CLORSULON.

CYPHENOTHHRIN in preparations containing 10 per cent or less of cyphenothrin.

DIFENOCONAZOLE.

ESBIOTHHRIN in preparations containing 10 per cent or less of esbiothrin.

FLURAZURON.

SODIUM STANNATE.

TEFLUTHHRIN in preparations containing 2 per cent or less of tefluthrin.

;

- (d) in the Sixth Schedule —

- (i) by deleting the item "CYPHENOTHHRIN" and substituting the following item —

"

CYPHENOTHHRIN except when included in the Fifth Schedule.

";

- (ii) by deleting the item commencing "1,3-DI(METHOXYCARBONYL)-1-PROPEN-2-YL-DIMETHYL PHOSPHATE";

- (iii) by deleting the item commencing "HYDROCHLORIC ACID" and substituting the following item —

"

HYDROCHLORIC ACID (excluding its salts and derivatives) except —

(a) when included in the Fifth Schedule;

(b) in preparations for therapeutic use;

or

(c) in preparations containing 0.5 per cent or less of hydrochloric acid (HCl).

";

- (iv) by deleting the item commencing "ISOCYANATES" and substituting the following item —

"

ISOCYANATES, free organic, except in viscous polyurethane adhesives or sealants containing not more than 0.7 per cent of isocyanates boiling below 300°C.

";

- (v) by deleting the item commencing "NITROPHONOLS" and substituting the following item —

"

NITROPHENOLS, ortho, meta and para, except when separately specified in these Schedules.

";

- (vi) by deleting the item "ZINC p-PHENOLSULPHONATE" and substituting the following item —

"
ZINC para-PHENOLSULFONATE except in preparations containing 5 per cent or less of zinc para-phenolsulfonate."
";

- (vii) by deleting the item commencing "ZINC SULPHATE" and substituting the following item —

"
ZINC SULFATE except —
(a) when included in or expressly excluded from the Fourth Schedule;
or
(b) in other preparations containing 5 per cent or less of zinc sulfate."
";

and

- (viii) by inserting in the appropriate alphabetical positions the items in the following Table —

Table

BROMOCHLORODIMETHYLHYDANTOIN.

DIDECYLDIMETHYLAMMONIUM CHLORIDE.

DIFETHIALONE in rodent baits containing 0.0025 percent or less of difethialone.

ESBIOTHRIN except when included in the Fifth Schedule.

FENPYROXIMATE.

FLUAZINAM.

MOXIDECTIN in preparations containing 1 per cent or less of moxidectin for the treatment of animals except when included in the Fourth Schedule.

PYRACLOFOS.

SULFAMIC ACID (excluding its salts and derivatives) except when included in the Fifth Schedule.

TOLUENEDIAMINE when included in hair dyes.

and

- (e) in the Seventh Schedule —

(i) by deleting the item commencing "1,3-DI(METHOXYCARBONYL)-1-PROPEN-2-YL-DIMETHYL PHOSPHATE";

(ii) in the item commencing "MERCURY" —

(I) by deleting "or" at the end of paragraph (d);

- (II) by deleting the full stop at the end of paragraph (e) and substituting the following —

“ ; or ” ; and

- (III) by inserting after paragraph (e) the following paragraph —

“
(f) in a sealed device, for therapeutic use, which prevents access to the mercury.
”;

and

- (iii) by inserting in the appropriate alphabetical position the items in the following Table —

Table

DIFETHIALONE except when included in the Sixth Schedule.

FLUCOFURON except —

- (a) when included in the Sixth Schedule; or

- (b) in treated carpets.

MOXIDECTIN except when included in the Fourth or Sixth Schedules.

TEFLUTHRIN except when included in the Fifth Schedule.

[* Reprinted as at 18 November 1986.
For amendments to 9 November 1994 see 1993 Index to Legislation of Western Australia, Table 1, pp. 163-4 and Acts Nos. 12 and 32 of 1994 and Gazettes of 4 March and 2 September 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE401

HOSPITALS ACT 1927

HOSPITALS (BOARD NAME AND APPOINTMENT) NOTICE (No. 2) 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. This notice may be cited as the *Hospitals (Board Name and Appointment) Notice (No. 2) 1994*.

Commencement

2. This notice commences on the day on which it is published in the *Government Gazette*.

Name and appointment

3. It is directed that—

- (a) the name “Swan District Health Service” is the name assigned to the board that control and manages the public hospital known as the Swan District Hospital; and
(b) the Swan District Health Service is appointed to manage and control the public hospital known as the Swan District Hospital.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE402**HOSPITALS ACT 1927****HOSPITALS (APPOINTMENT OF MEMBERS) NOTICE (No. 7) 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. This notice may be cited as the *Hospitals (Appointment of Members) Notice (No. 7) 1994*.

Appointments

2. The persons appointed under section 15 to the members of the Board for Swan District Health Service are—

Sheila Lungley
Heather J. Watson
John M. Moody
Dorham Mann
Roy Weston
Cedric Jacobs
Celestino M. Gregorini
Alexander C. Frewing
Cheryle-ann Irvin
Flora Franzinelli
Anthony H. Abbott

Term of Appointment

3. A person appointed under clause 2 is to hold office for a period of three years commencing on and from the day on which this instrument is published in the *Government Gazette*.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

INDUSTRIAL RELATIONS**IR301****WORKPLACE AGREEMENTS ACT 1993****WORKPLACE AGREEMENTS AMENDMENT REGULATIONS
(NO. 2) 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Workplace Agreements Amendment Regulations (No. 2) 1994*.

Regulation 3 amended

2. Regulation 3 (1) of the *Workplace Agreements Regulations 1993** is amended by deleting paragraph (a) and substituting the following paragraph —

“

- (a) by presenting a signed copy of it at the Commissioner's registry office between the hours of 8.30 a.m. and 5.00 p.m. from Monday to Friday, except on a day that is a public holiday or a public service holiday;

”

[* Published in *Gazette of 30 November 1993* at pp. 6443-48; amended in *Gazette of 22 February 1994* at p. 723.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

LAND ADMINISTRATION

LA401

File No. MRWA 42-4-E
Ex. Co No. 1602

PUBLIC WORKS ACT 1902

LAND RESUMPTION

ROAD WIDENING—ALBANY HIGHWAY (293.28-297.65 SLK)

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Tambellup and Cranbrook Districts have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 25th day of October 1994, been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Albany Highway—Shires of Tambellup and Cranbrook.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent, East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
94-66	Nicholas Burgess	Arthur Commissioner of Main Roads <i>vide</i> Caveat F612094	Portion of Kojonup Locations 5502 and 5503 and being part of Lot 2 on Diagram 21639 now contained in Plan 19809 and being part of the land com- prised in Certificate of Title Volume 1296 Folio 541.	3.899 8ha
94-67	William Ernest Ver- non Waldron (one un- divided fourth share), Joan Elizabeth Wal- dron (one undivided fourth share) and David John Waldron (two undivided fourth shares)	Commissioner of Main Roads <i>vide</i> Caveat F625204	Portion of Kojonup Locations 2737 and 8090 and being part of Lot 2 on Diagram 63386 now contained in Plan 19809 and being part of the land com- prised in Certificate of Title Volume 1646 Folio 766.	6 166m ²
94-68	Gwenda Stone	Commissioner of Main Roads	Portion of Kojonup Location 6630 now contained in Plan 19809 and being part of the land comprised in Certificate of Title Volume 1099 Folio 15.	8 694m ²
94-69	William Ernest Ver- non Waldron (one un- divided fourth share), Joan Elizabeth Wal- dron (one undivided fourth share) and David John Waldron (two undivided fourth shares)	Commissioner of Main Roads <i>vide</i> Caveat F625204	Portion of Kojonup Location 2724 now contained in Plan 19810 and being part of the land comprised in Certificate of Title Volume 1583 Folio 940.	9 007m ²
94-70	William Ernest Ver- non Waldron (one un- divided fourth share), Joan Elizabeth Wal- dron (one undivided fourth share) and David John Waldron (two undivided fourth shares)	Commissioner of Main Roads <i>vide</i> Caveat F625204	Portion of Kojonup Location 2711 now contained in Plan 19810 and being part of the land comprised in Certificate of Title Volume 1646 Folio 767.	1.521 4ha

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
94-71	Kenneth Albert Hearn and Lesley Hearn	Commissioner of Main Roads	Portion of Kojonup Location 2964 now contained in Plan 19810 and being part of the land comprised in Certificate of Title Volume 1969 Folio 968.	5 264m ²
94-72	Christian Charles Emile Valton and Pamela Dawn Valton	Commissioner of Main Roads <i>vide</i> Caveat F572162	Portion of Kojonup Location 5253 now contained in Plan 19810 and being part of the land comprised in Certificate of Title Volume 1902 Folio 88.	1.694 8ha

Certified correct this 18th day of October 1994.

ERIC CHARLTON, Minister for Transport.

Dated this 25th day of October 1994.

MICHAEL JEFFERY, Governor in Executive Council.

File No. MRWA 42-52-GV2
Ex. Co No. 1600

PUBLIC WORKS ACT 1902

LAND RESUMPTION

ROAD WIDENING—BUSSELL HIGHWAY (Bunbury-Augusta Road)—(17.03-22.07 SLK)

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Capel District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 25th day of October 1994, been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Bussell Highway (Bunbury-Augusta Road)—Shire of Capel.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent, East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in HER MAJESTY for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-17	Westralian Sands Ltd	Commissioner of Main Roads <i>vide</i> Caveat F131275	Portion of Wellington Location 2628 being part of Lot 6 on Plan 14174 now contained in Plan 18620 and being part of the land comprised in Certificate of Title Volume 1779 Folio 964.	5 391 m ²
93-18	Western Mineral Sands Proprietary Limited	Commissioner of Main Roads <i>vide</i> Caveat F131274	Portion of Wellington Location 3719 now contained in Plan 18620 and being part of the land comprised in Certificate of Title Volume 1057 Folio 527.	2.333 7ha
93-19	Domenico Rocco Guzzomi and Sarina Guzzomi	Commissioner of Main Roads <i>vide</i> Caveat E808065	Portion of Wellington Location 187 being part of Lot 1 on Diagram 48187 now contained in Plan 18620 and being part of the land comprised in Certificate of Title Volume 1404 Folio 460.	1.399 7ha

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-19	Westralian Limited	Sands Commissioner of Main Roads <i>vide</i> Caveat F131275	Portion of Wellington Location 1832 now contained in Plan 18620 and being part of the land comprised in Certificate of Title Volume 1188 Folio 958.	5 022m ²
93-19	Westralian Limited	Sands Commissioner of Main Roads <i>vide</i> Caveat F131275	Portion of Wellington Location 187 being part of Lot 2 on Diagram 48187 now contained in Plan 18620 and being part of the land comprised in Certificate of Title Volume 1404 Folio 461.	1.594 5ha
93-20	Ian Robert Newman and Paul Duncan Newman	Commissioner of Main Roads <i>vide</i> Caveat F20723	Portion of Wellington Location 47 being part of Lot 7 on Plan 4432 (Sheet 3) now contained in Plan 18619 and being part of the land comprised in Certificate of Title Volume 1477 Folio 324.	622m ²
93-20	Jan Robert Skoda and Tracy Veronica Skoda	Commissioner of Main Roads <i>vide</i> Caveat F479541	Portion of Wellington Location 47 being part of Lot 1 on Plan 16177 now contained in Plan 18619 and being part of the land comprised in Certificate of Title Volume 1792 Folio 778.	4 190m ²
93-21	Donald Carlton Batt and Janice Margaret Batt	Commissioner of Main Roads <i>vide</i> Caveat F50026	Portion of Wellington Location 47 being part of Lot 6 on Plan 4432 now contained in Plan 18619 and being part of the land comprised in Certificate of Title Volume 1231 Folio 775.	6 514m ²
93-21	Grant Forrest Roberts	Commissioner of Main Roads <i>vide</i> Caveat E865222	Portion of Wellington Location 47 being part of Lot 20 on Plan 4432 now contained in Plan 18619 and being part of the land comprised in Certificate of Title Volume 878 Folio 86.	1 617m ²
94-23	Western Mineral Sands Proprietary Limited	Commissioner of Main Roads <i>vide</i> Caveat F131274	Portion of Wellington Location 47 being part of Lot 14 on Plan 4432 now contained in Plan 18618 and being part of the land comprised in Certificate of Title Volume 1105 Folio 342.	3.494 3ha
94-25	Magenta Vale Pty Ltd	Commissioner of Main Roads <i>vide</i> Caveat F637646	Portion of Wellington Location 47 being part of Lot 3 on Plan 16177 now contained in Plan 18618 and being part of the land comprised in Certificate of Title Volume 1792 Folio 780.	7 024m ²
94-26	Rino Simioni and Gina Simioni	Commissioner of Main Roads <i>vide</i> Caveat E885498	Portion of Wellington Location 47 being part of Lot 2 on Plan 16177 now contained in Plan 18618 and being part of the land comprised in Certificate of Title Volume 1792 Folio 779.	4 518m ²

Certified correct this 18th day of October 1994.

ERIC CHARLTON, Minister for Transport.

Dated this 25th day of October 1994.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

It is hereby notified that the Minister for Lands has approved, pursuant to Section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands,

Dated this 23rd day of December, 1994.

A. A. SKINNER, Chief Executive.

LB501**LAND ACT 1933****NAMING OF ROADS**

It is hereby notified for general information that His Excellency the Governor has been pleased to approve under Section 10 of the Land Act 1933 of the naming of the following:

City of Wanneroo

DOLA File No. 1036/971 V3

Chancellor Rise as coloured green at page 449.

Shire of Busselton

DOLA File No. 2271/983 V2

Wildberry Road as coloured pink at page 248.

Gunyulgup Valley Drive as coloured orange at page 253.

Koorabin Drive as coloured black at page 253.

Marrinup Drive as coloured pink at page 253.

Shire of Kalamunda

DOLA File No. 2423/970 V2

Trott Road as coloured yellow at page 544.

A. A. SKINNER, Chief Executive,
Department of Land Administration.

LOCAL GOVERNMENT**LG301****LOCAL GOVERNMENT ACT 1960***The Municipality of the Shire of Busselton***By-law Relating to Extractive Industries**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 27th day of April 1994 to repeal the following By-law—

By-law Relating to Extractive Industries published in the *Government Gazette* on the 4th June 1970.

Dated the 8th day of November 1994.

The Common Seal of the Municipality of the Shire of Busselton was hereto affixed in the presence of—

M. SULLY, President.
I. W. STUBBS, Chief Executive Officer.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG302

LOCAL GOVERNMENT ACT 1960*The Municipality of the Shire of Esperance***By-law Relating to the Parking of Commercial Vehicles on Street Verges**

(No. 24)

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality, hereby records having resolved on 22 March 1994 to submit for confirmation by the Governor the Repeal of the following by-law—

	<i>Government Gazette</i>	<i>Page No.</i>
Parking of Commercial Vehicles on Street Verges	No. 82 21/9/71	3509

and to make and submit for confirmation by the Governor the following By-law—

1. In this by-law unless the context Otherwise requires—

“Authorised Officer” means an Officer of the Council who is authorised by the Council to serve notices under sections 669C and 669D of the Act;

“Commercial vehicle” means a “motor wagon” as defined in the first Schedule of the Road Traffic Act, 1974;

“Modified penalty”, in respect of an offence to which an infringement notice relates, means the amount of money specified in the notice as being the modified penalty for that offence;

“Park” means to permit a vehicle, whether attended or not, to remain stationary and “parking” has a correlative meaning;

“Street verge” means that portion of a street which lies between the portion of a street that is improved, paved, designed, or ordinarily used for vehicular traffic and the nearest street boundary.

2. No person shall—

- (a) park a commercial vehicle on a street verge for more than four hours consecutively.
- (b) park a commercial vehicle on a street verge within seven metres of where that street meets or intersects any other street; or
- (c) on a street verge repair, service or clean a commercial vehicle.

3. Any person who contravenes or fails to comply with any provisions of this by-law commits an offence and is liable on conviction to a penalty not exceeding eighty dollars (\$80) with a daily penalty during the breach of fifty dollars (\$50) per day.

- 4. (a) A notice served under subsection (2) of section 669C of the Act in respect of an offence against this by-law shall be in or to the effect of Form 1 of the first schedule of this by-law.
- (b) Subject to subclause (c) of this clause an infringement notice served under section 669D (1) of the Act in respect of an offence alleged to have been committed against Clause 3 of this by-law shall be in or to the effect of Form 2 of the First Schedule of this by-law.
- (c) An infringement notice served under section 669D (2) of the Act in the effect of Form 3 of the First Schedule of this by-law.
- (d) A notice sent under section 669D (5) of the Act withdrawing an infringement notice served under that section in respect of an offence against Clause 3 of this by-law shall be in or to the effect of Form 4 of the First Schedule of this by-law.
- (e) No person other than the driver of the vehicle shall remove from the vehicle any notice thereto or left therein or thereon by an authorised officer.
- (f) The Council shall cause adequate records to be kept of all infringement notices served and modified penalties received under section 669D of the Act.

5. The modified penalty for an offence against Clause 2 of this by-law if dealt with under section 669D of the Act, is \$40.

First Schedule

Form 1

Shire of Esperance

By-law Relating to Parking of Commercial Vehicles on Street Verges

Municipal Offices

Notice Requiring Owner of Vehicle to Identify Driver

To Serial No.

 Date
 the owner of vehicle make Type
 Plate No.

You are hereby notified that it is alleged that on the day of
 19..... at aboutthe driver or person
 in charge of the above vehicle did

.....
 in contravention of the provisions of Clause 2 (a)/Clause 2 (b)/Clause 2 (c) of the Shire
 of Esperance By-laws Relating to Parking of Commercial Vehicles on Street Verges.

You are hereby required to identify the person who was the driver or person in charge
 of the above vehicle at the time when the offence is alleged to have been committed.

Unless within twenty-one days after the date of the service of this notice you—

- (a) inform the Shire Clerk of the Shire of Esperance or

.....
 (designation(s) of authorised officer(s))

as to the identity and address of the person who was the driver or person in
 charge of the above vehicle at the time of the above offence; or

- (b) satisfy the Shire Clerk of the Shire of Esperance that the above vehicle had been
 stolen or unlawfully taken, or was being unlawfully used, at the time of the
 above offence,

you will, in the absence of proof to the contrary, be deemed to have committed the above
 offence and Court proceedings may be instituted against you.

Signature of Authorised Officer

Designation

Form 2

Shire of Esperance

By-law Relating to Parking of Commercial Vehicles on Street Verges

Municipal Offices

Infringement Notice

To Serial No.

 Date

You are hereby notified that it is alleged that on the day of
 19 at about you did

.....
 in contravention of the provision of Clause 2 (a)/Clause 2 (b)/Clause 2 (c), of the Shire
 of Esperance By-laws Relating to Parking of Commercial Vehicles on Street Verges.

The modified penalty prescribed for this offence is \$.....

If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one days after the date of the service of this notice.

Unless payment is made within twenty-one days of the date of the service of this notice Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$..... mentioned above, to the Shire Clerk, Esperance Council, or by delivering this form and paying that amount at the Municipal Offices during working hours.

Signature of Authorised Officer

Designation

Form 3

Shire of Esperance

By-law Relating to Parking of Commercial Vehicles on Street Verges
Municipal Offices

Infringement Notice

To Serial No.
(not to be completed where notice is attached or left in or on vehicle)

..... Date
the owner of the vehicle make Type
Plate No.

You are hereby notified that it is alleged that on the day of
..... 19 ... at about you did
.....

in contravention of the provisions of Clause 2 (a)/Clause 2 (b)/Clause 2 (c) of the Shire of Esperance By-laws Relating to Parking of Commercial Vehicles on Street Verges.

The modified penalty prescribed for this offence is \$..... If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one days after the date of the service of this notice.

Unless within twenty-one days after the service of this notice—

(a) the modified penalty is paid; or

(b) you—

(i) inform the Shire Clerk of the Shire of Esperance or

.....
(designation(s) of Authorised officer(s)).

as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time of the above offence; or

(ii) satisfy the Shire Clerk of the Shire of Esperance that the above vehicle had been stolen or was being unlawfully used at the time of the above offence,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and Court proceedings may be instituted against you.

Payment may be made by posting this form together with the amount of \$ mentioned above to the Shire Clerk, of the Shire of Esperance, or by delivering this form and paying the amount at the Municipal Offices during working hours.

Signature of Authorised Officer

Designation

Name

Address Post Code

If your name and address do not appear in this notice, please complete above to enable a receipt to be forwarded.

Form 4

Shire of Esperance

By-law Relating to Parking of Commercial Vehicles on Street Verges
Withdrawal of Infringement Notice

To Date

.....

Infringement Notice No. Date

for the alleged offence of

.....

Modified Penalty is hereby withdrawn

Signature of Authorised Officer

Designation

The Common Seal of the Shire of Esperance was hereto affixed in the presence of:

I. S. MICKEL, President.
R. T. SCOBLE, Shire Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG304

DOG ACT 1976

The Municipality of the Shire of Toodyay

By-laws Relating to the Control of Dog

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on September 23, 1993, to make and submit for confirmation by the Governor the following by-laws.

Any existing Shire of Toodyay By-laws Relating to Dog Control are revoked.

1. In these By-laws the term "Council" means the Council of the Shire of Toodyay.

Part I—Impounding of Dogs.

2. The Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act, 1976 as amended.
3. Where a dog has been seized or placed in a pound the keeper of the pound or other employee authorised by the Council shall if the owner or person usually in charge of the dog is known forthwith notify such person that the dog has been impounded.
4. The pound keeper or other employee authorised by the Council shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the pound keeper or other employee authorised by the Council.
5. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog then the dog shall be released to such person upon payment of the fees specified in the First Schedule hereto together with any veterinary fees which may have been incurred by Council in relation to treatment of the dog.
6. Any person applying for the release of a dog seized or impounded shall prove to the satisfaction of the pound keeper or other employee authorised by the Council the ownership of the dog and authority to take delivery of it. No person shall have any right of action against the pound keeper or other authorised employee or the Council in respect of the delivery of the dog if made in good faith.

7. If a dog shall not be claimed and the said fees paid within 72 hours of its being impounded, or if a dog having a collar around its neck with a registration tag affixed thereto shall not be claimed and the said fees paid within 72 hours of the service of a notice upon the owner the pound keeper or other employee authorised by the Council may sell destroy or otherwise dispose of the dog.
8. Upon the sale of a dog the proceeds of sale shall be the property of the Council and may be disposed of in such manner as the Council thinks fit. The owner of a dog sold pursuant to these By-laws shall have no claim against the Council in respect of the proceeds thereof.
9. Notwithstanding anything herein contained but subject to the provisions of sub-section (12) of section 29 of the said Dog Act, 1976 as amended, any dog seized or impounded may at any time be destroyed upon the written authority of a registered veterinary surgeon, medical practitioner, or environmental health officer.
10. If the Council shall destroy or cause the destruction of a dog whether at the request of its owner or not and whether such dog shall have been seized or detained or not the owner shall pay, when so required, to the Council the fees specified in the First Schedule hereto.
11. No person shall—
 - (a) unless a pound keeper or other employee of the Council duly authorised in that regard release or attempt to release a dog from a pound;
 - (b) destroy, break into, damage or in any way interfere with or render not dog-proof any pound;
 - (c) destroy, break into, damage or in any way interfere with or render not dog proof any dog cart, vehicle or container used for the purpose of catching holding or conveying dogs which have been seized.
12. No person shall obstruct or hinder an employee of the Council or member of the Police Force in the performance of anything authorised by the provisions of the Dog Act, 1976 as amended or by the regulations made in pursuance of those provisions or by these By-laws.
13. The payment of fees in respect of the seizure, care, detention or destruction of a dog shall not relieve the owner of liability to a penalty under any of the provisions of the Dog Act, 1976, Dog Act regulations 1976 or these By-laws.

Part II—Keeping of Dogs

14. The owner or occupier of premises within the Municipal District shall not, unless the premises are licensed as an approved kennel establishment or have been granted exemption in accordance with Section 26(3) of the Act, keep or permit to be kept upon those premises more than two dogs over the age of three (3) months and the young of those dogs under that age.
15. A person wishing to keep more than two dogs but not greater than six dogs on any premises, shall apply for an exemption in the form of the Eighth Schedule for an exemption for those premises under the provisions of section 26 (3) of the Dog Act, 1976. The Council, after determining those properties which in its opinion are most likely to be affected by the proposal to keep more than 2 dogs, will in the form of the Sixth Schedule seek and consider submissions from the owners of such properties. Notification of approval or rejection shall be given to the applicant in the form of the Ninth Schedule.
16. The occupier of premises on which a dog is kept shall—
 - (a) Cause the premises or portion thereof on which the dog is kept to be fenced in a manner capable of confining the dog.
 - (b) Ensure the fence used to confine a dog and every gate or door in the fence is of a type, height and construction which have regard to the breed, age, size and physical condition of the dog, shall be capable of preventing the dog at all times from passing over, under or through it.
 - (c) Ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it.
 - (d) Maintain the fence and all gates and doors in good order and condition.
 - (e) Where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises for effectively confining the dog within the building on the premises.
17. Where the owner or occupier of any premises wishes to keep more than two dogs on the premises at any one time and has not been granted an exemption pursuant to section 26 (3) of the Dog Act, that person may apply to the Council in the form of the Second Schedule for a licence to establish an approved kennel establishment on such premises.

Part III—Regulations of Dog Kennels.

18. (1) A licence to keep an approved kennel establishment may not be granted by the Council until—
 - (a) 14 days notice of intention to establish a kennel on the premises has been given by the applicant in a newspaper circulating in the district.
 - (b) The Council has considered any written submissions and objections to the establishment or maintenance of a kennel on the premises.
 - (c) The Council has sought and considered submissions in the form of the Sixth Schedule from the owners of properties, which in its opinion, are most likely to be affected by the proposal to establish approved kennel establishment.
- (2) Notification of approval or rejection of an application shall be given to the applicant in the form of the Ninth Schedule.
19. The advertisement required in by-law 18 shall specify that any submissions to Council regarding the application for the establishment of a kennel are to be lodged with the Shire Clerk within 14 days from the date of advertisement.
20. The Council may grant or refuse a licence for an approved kennel establishment and if a licence be granted the Council may impose such conditions as it thinks fit. The licence shall be in the form of the Third Schedule.
21. The registration of a kennel establishment shall remain valid until the 31st October next following the issue thereof, unless it shall be previously revoked, and shall be subject to annual review before renewal.
22. All applications for the renewal of the registration of dog kennels shall be made in the form of the Fifth Schedule to the Council during the month of October in each year.
23. A person who commits a breach of any of the terms or conditions of a licence for an approved kennel establishment commits an offence.
24. Any person who has been granted a kennel licence or has made application for such a licence shall ensure that the kennel establishment complies with the following conditions—
 - (a) Each kennel shall have a yard attached thereto.
 - (b) Each kennel and each yard and every part thereof shall not be erected closer to the boundary of a lot than the following distance—
 - from frontage to roads 50 metres;
 - from all other boundaries 20 metres
 - (c) Each kennel and each yard and every part thereof shall be at a distance not less than 10 metres from any dwelling.
 - (d) Each kennel and each yard and every part thereof shall be a distance not less than 50 metres from any church, school room, hall, factory, dairy or premises whatsoever wherein food is manufactured, prepared, packed or stored for human consumption.
 - (e) Notwithstanding the provisions of this by-law paragraphs (b), (c), and (d), the Council may permit reduction of a kennel set-back if it is shown to the satisfaction of Council that for reasons of topography or lot configuration the prescribed set-back cannot be adhered to or would be unnecessarily disadvantageous.
 - (f) Each yard shall be securely fenced and kept securely fenced with a fence of a height not less than four times the average height of the breed of dog to which the fence is applicable. Where the yard is to facilitate more than one breed of dog the fence shall be constructed at four times the average height of the larger breed, except that where the average height of the breed of dog exceeds 500 millimetres the fence shall be constructed at a minimum height of two metres. In every case the top of the fence shall have at least a one hundred and thirty five degree inward angle not less than 300 millimetres in length. For the purposes of this By-law the height of a dog shall be determined by measuring from the floor to the uppermost tip of the shoulder of an adult dog while in a stationary upright position.
 - (g) Each yard for any kennel shall be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by Council.
 - (h) External gates and doors for each yard or kennel shall be fitted with efficient self-closing and latching mechanisms.
 - (i) The minimum floor area for each kennel shall be calculated at 2.5 times the length of the breed of dog, squared, times the number of dogs to be housed therein. For the purpose of this By-law, the length of a dog shall be determined by measuring from the base of the tail to the front of the shoulder of an adult dog.

- (j) The floor area of the yard attached to any kennel or group of kennels shall not be less than twice the floor area of the kennel or group of kennels to which it is attached.
 - (k) The upper surface of the kennel floor shall be at least 100 millimetres above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn shall lead to a 100mm diameter sewerage pipe which shall be properly laid, ventilated and trapped in accordance with the health requirements of the Council. All floor washings shall pass through this drain and shall be piped to approved apparatus for the bacteriolytic treatment of sewage in accordance with the health requirements of the Council. The floor shall have a concrete upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls shall be so constructed as to have a minimum clearance of 50 millimetres from the underside of the bottom plate to the floor.
 - (l) Where a yard is to be floored, the floor shall be constructed in the same manner as the floor of any kennel.
 - (m) The lowest internal height of any kennel shall be two (2) metres from the floor.
 - (n) The walls of each kennel shall be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting.
 - (o) All external surfaces of each kennel shall be kept in good condition and shall if directed by an Officer of the Council be painted or re-painted with good quality paint.
 - (p) The roof of each kennel shall be constructed of approved impervious material.
 - (q) All kennels and yards and drinking vessels shall be maintained in a clean condition and shall be cleaned and disinfected when so ordered by an Officer of the Council.
 - (r) The holder of a licence to keep an approved kennel establishment shall dispose of or cause the disposal of all refuse, faeces and food waste daily into the approved apparatus for the bacteriolytic treatment of sewage.
 - (s) Noise, odours, fleas, flies and vermin must be effectively controlled.
 - (t) Water must be available at the kennel via a properly supported standpipe and tap.
25. No kennel shall be erected unless and until plans and specifications together with a location plan showing the proposed site for such kennel and yard attached thereto have been approved by the Council.
26. A kennel licence shall not be granted by Council before ensuring that a person in charge of the dogs either resides on the premises where the kennel is established, or within reasonably close proximity so as to enable that person to have effective control over the dogs.
27. The approved kennel establishment is solely registered and licensed to the owner or occupier of the land as specified in the approved application for the kennel establishment licence and is deemed null and void in the event of a change in the owner or occupier of the land on which the kennel establishment is located.
28. No kennel establishment shall be permitted on land zoned urban as designated under the provision of the Shire of Toodyay Town Planning Scheme No. 1.

Part IV—Miscellaneous.

29. The owner of a dog shall prevent that dog from entering or being in any of the following places—
- (a) A public building.
 - (b) A theatre or picture garden.
 - (c) A house of worship.
 - (d) A food shop or other public business premises.

This by-law shall not apply to dogs used by the blind or partially blind, deaf or partially deaf people and trainers who are bona fide engaged in the training of guide and hearing dogs.

30. Any person who contravenes or fails to comply with any provision of these By-laws commits an offence and shall upon conviction be liable to a penalty not exceeding \$200.

31. The land specified in the Fourth Schedule to these By-laws is designated as a dog exercise area for the purpose of the Dog Act 1976.
The exercising of dogs in dog exercise areas shall be subject to the provisions of the Dog Act.
32. Any person liable for the control of a dog who permits that dog to excrete on any street or other public place or public reserve or on any other land within the district without the consent of the owner or occupier commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the owner or occupier or in such other manner as the Council approves.
33. The offences prescribed in the Seventh Schedule are prescribed pursuant to section 45A(2) of the Act as offences in relation to which a modified penalty applies and the amount appearing directly opposite each such offence is the prescribed modified penalty payable in respect of that offence.
34. (1) Where an authorised person has reason to believe that a person who has committed an offence against these By-laws as prescribed in By-law 33 he may serve on that person an infringement notice and the infringement notices issued under these By-laws shall be in the form depicted in Form 7 of the First Schedule of the Regulations.
- (2) An infringement notice may be served on an alleged offender personally or by posting to his address as ascertained from him, at the time of or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by Council pursuant to the Act.
- (3) Where a person who received an infringement notice fails to pay the prescribed penalty within the time specified in the notice, or within such time as may be in any particular case be allowed, he is deemed to have declined to have the allegation dealt with by way of a modified penalty.
- (4) An alleged offender on whom an infringement notice has been served may, within the time specified in that notice or such further time as may in any particular case be allowed, send or deliver to the Council the amount of the prescribed penalty, with or without a reply as to the circumstances giving rise to the allegation, and the Council may thereupon—
(a) appropriate that amount in satisfaction of the penalty and issues an acknowledgment; or
(b) withdraw the infringement notice and refund the amount so paid.
- (5) An infringement notice may, whether or not the prescribed penalty has been paid, be withdrawn by the Council by sending a notice in the prescribed form to the alleged offender at the address specified in the notice or his last known place of residence or business.
- (6) The prescribed form of Withdrawal of Infringement Notice issued under these By-laws shall be in the form depicted in Form 8 of the First Schedule of the Regulations.

First Schedule

Fees

	\$
For the seizure or impounding of a dog	40.00
For the sustenance and maintenance of a dog a pound per day or part thereof .	8.00
For the destruction of a dog	15.00
Kennel Licence Fee per year or part thereof	50.00
Application Fee for registration of a Kennel Establishment	50.00

Second Schedule

Shire of Tbodyay

Application for the registration of a kennel establishment.

I/we (full name)
 of (postal address)
 hereby apply for the registration of a kennel establishment at (property address)

 for (breed & number of dogs)
 Attached hereto is a plan of the premises showing the location of the kennels and yards
 and all other buildings and structures and fences.

Also attached hereto are plans and specifications of the kennels.

I tender herewith the Fee of \$50.00.

Dated this day of 19.....

.....
 Signature

Third Schedule

Shire of Toodyay

Kennel Establishment Licence

Dog kennels situated on the premises at:
are hereby registered with the Shire of Toodyay.

Name of Occupier:

Number of Dogs:

Breed of Dogs:

A licence is hereby granted to the abovementioned occupier to operate a Kennel Establishment at the said premises for the said breed and number of dogs.

The conditions of this Licence are set out hereunder—

Conditions: This registration and licence shall, unless previously revoked, remain in force until the 31st day of October next. Applications for renewal must be made to the Council during the month of October. Buildings and yards not complying with Council's By-laws relating to Dogs are not covered by this licence.

Dated this day of 19.....

.....
Shire Clerk

Fourth Schedule

Shire of Toodyay

Toodyay Townsite Reserve No. 27015 Toodyay Street
(Situated West of Hockey Field)

Fifth Schedule

Shire of Toodyay

Application for the renewal of registration of a kennel establishment.

I/We (full name)
of (postal address)

hereby apply for the renewal of the registration of a kennel establishment at (property address)

for (breed & number of dogs)

I tender herewith the fee of \$50.00

Dated this day of 19.....

.....
Signature

Sixth Schedule

Shire of Toodyay

Response of Adjoining Owner or Occupier to a proposal to
keep more than two dogs or establish a Dog Kennel

The Shire would like to know your response to an application received to keep more than two dogs/establish a Dog Kennel at (property address)

for (breed and number of dogs)

Please complete the statement below and return to the Shire offices by/...../.....

If this form is not completed and returned by the specified date it will be assumed that you have no objection to the application.

I (full name)

being the owner/occupier of (property address)

hereby certify that I (tick appropriate box)

☐ ☐ have no objection to the keeping of more than two dogs/establishment of a Dog Kennel at the afore-mentioned address.

☐ ☐ do object to the keeping of more than two dogs/establishment of a Dog Kennel at the afore-mentioned address for the following reason(s):

.....
.....
.....

Signed:

Date:/...../.....

Seventh Schedule

Dog Act 1976

Shire of Toodyay

By-Law	Nature of Offence	Modified Penalty
29	Permitting a dog to enter or be in or on a prohibited place	\$40.00
34	Permitting a dog to excrete on a street or other public place or public reserve or on other land and failing to remove and dispose of such excreta in an approved manner on private land with the consent of the occupier of the land	\$40.00
16	Failing to provide means for effectively confining the dog	\$40.00
24 (q)	Failing to maintain a kennel establishment in a clean, sanitary and tidy condition	\$40.00
24 (r)	Failing to dispose of all refuse, faeces, and food waste from a kennel establishment daily in an approved manner	\$40.00
24 (s)	Failing to take all practical measures for the destruction of fleas, flies and vermin	\$40.00
7.11 (a)	Attempting to or causing the unauthorised release of a dog from a pound	\$40.00
8.11 (b)	Interfering with any pound or any vehicle used for the purpose of catching, holding or conveying dogs	\$40.00

Eighth Schedule

Shire of Toodyay

Application to keep more than two dogs

I (full name)
of (postal address)
hereby apply to keep more than two dogs in accordance with Section 26 (3) of the Dog Act 1976.

at (property address)

for (give details of all dogs proposed to be kept on the afore-mentioned premises):—

Breed	Sex	Colour	Name	Age
1.
2.
3.
4.
5.
6.

It is necessary for me to keep more than two dogs because

Signed:

Date:/...../.....

Ninth Schedule

Shire of Toodyay

Reply to application to keep more than two dogs/establish a kennel

To (name of applicant)

of (postal address of applicant)

Your application to (strike out that which is not applicable)

keep more than two dogs
establish a kennel

at (property address of applicant)

has been (strike out that which is not applicable)

approved
rejected

Conditions/Comments:

Should you be aggrieved by this decision, you are advised of your right of appeal to:

- (a) the Local Court,
in the case of an application to establish a kennel (sect.27(7), reg.7).
- (b) the Minister for Local Government,
in the case of an application to keep more than two dogs (sect.26(5)).
- (strike out that which is not applicable)

Signature of

Authorised Officer:.....

Date:/...../.....

Dated this 11th day of February 1994.

The Common Seal of the Shire of Toodyay was hereunto affixed by authority of a resolution of Council in the presence of—

R. SOMERS, President.
R. J. MILLAR, Shire Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG305

LOCAL GOVERNMENT ACT 1960*The Municipality of the Town of Cottesloe***By-laws No. 39 Relating to Parking Facilities**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 28th September 1994 to make and submit for confirmation by the Governor the following amendment to its Parking Facilities By-laws as published in the *Government Gazette* on 29th April 1983.

The By-laws are amended as follows:

That the Third Schedule be deleted and the following Schedule be inserted in lieu thereof—

“

THIRD SCHEDULE

Item No.	By-Law	Nature of Offence	Modified Penalty Proposed
			\$
1.	36(2)(a)	Stand/Park in a No Standing Zone	40.00
2.	39(1)(g)	Park Obstructing Footway	40.00
3.	36(1)(c)	Park a Vehicle and Exceed the Time Limit .	40.00
4.	39(1)(k)	Park on a Verge Without Consent	40.00
5.	39(6)	Park in Bus Zone	40.00
6.	43	Park a Vehicle on Private Property	40.00
7.	36(3)	Park a Vehicle in Loading Zone	40.00
		All other offences not specified in which the use, driving, parking, standing or leaving of a vehicle is an element	25.00

”

Dated this twenty-third day of November 1994.

The Common Seal of the Town of Cottesloe was hereunto affixed by Authority of a resolution of Council in the presence of—

JULIAN DONALDSON, Mayor.
JAN GRIMOLDBY, Chief Executive Officer.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960*The Municipality of the City of Bunbury***Amendment to By-laws Relating to Outdoor Eating Areas**

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 4th day of October 1994, to make and submit for confirmation by the Governor an amendment to its By-laws relating to Outdoor Eating Areas, as published in the *Government Gazette* on the 31st March 1994.

The Third Schedule of the By-laws is amended by—

- (a) Deleting "\$100" in item 1 and substituting " \$75 ".
- (b) Deleting item 2.

Dated this 30th day of November 1994.

The Common Seal of the City of Bunbury was hereunder affixed by authority of a resolution of the Council in the presence of—

E. C. MANEA, Mayor.
GARY P. BRENNAN, City Manager/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG307

LOCAL GOVERNMENT ACT 1960*Municipality of the City of Geraldton***By-law Relating to Parking Facilities**

In pursuance of the powers conferred on it by the abovementioned Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 22nd June 1994 to make and submit for confirmation by His Excellency the Governor, the following amendment to the abovementioned By-law as published in the *Government Gazette* on the 14th day of December 1973 and amended from time to time.

The By-law is amended as follows—

- 1. By adding the words " , coloured paving bricks " in the definitions of the following expression in Clause 2—
 - (a) "Parking Stall"
immediately following the words "metallic studs".

Dated this 30th day of November 1994.

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

PHILLIP G. COOPER, Mayor.
GRAEME K. SIMPSON, Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG308

LOCAL GOVERNMENT ACT 1960*The Municipality of the City of Mandurah***By-laws Relating to Lakes Memorial Park Public Cemetery**

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 15th November 1994, to make and submit for confirmation by the Governor the following By-laws.

The By-laws of the City of Mandurah published in the *Government Gazette* on 19th November 1982 are hereby amended in the following manner—

- Delete "1897-1990" where it appears and substitute with " 1986 "
- Amend Title—Line 2—Delete "Shire"
Substitute " City
- Amend By-law (16)—Line 2—Delete "five working hours"
Substitute " 24 ordinary week hours "
- Amend By-law (17)—Line 1—Delete "Saturday funerals"
Substitute " Saturday, Sunday and Public Holiday funerals "
- Amend By-law (17)—Line 2—Delete "2.30 p.m. on the day before"
Substitute " 24 ordinary week hours prior to "
- Amend By-law (2)—Line 5—Delete "4.p.m."
Substitute " 3.30 p.m. "
- Amend By-law (20)—Line 6—Delete "Saturdays"
Substitute " Saturdays, Sundays and Public Holidays "

Dated this 22nd day of November 1994.

The Common Seal of the City of Mandurah was hereunder affixed by authority of a resolution of Council in the presence of—

B. P. CRESSWELL, Mayor.
S. K. GOODE, Chief Executive Officer.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG309

DOG ACT 1976*The Municipality of the City of Melville***By-law Relating to Dogs**

In pursuance of the powers conferred upon it by the Dog Act 1976 and of all other powers enabling it, the Council of the above municipality hereby records having resolved on 20 September 1994 to make and submit for confirmation by the Governor, the following amendment.

1. In this By-law, the By-law Relating to Dogs gazetted on 26 October 1990 as amended is the principle By-law.

2. The Third Schedule—Areas on Which Dogs are Prohibited Totally—is amended as follows—

(a) Insert—

“6 The footway of timber boards or boardwalk which extends into the Booragoon Lake on the Booragoon Lake Reserve No. 25318, Aldridge Road, Booragoon.”

Dated the 8th day of November 1994.

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

JUNE BARTON, Mayor.
JOHN McNALLY, Chief Executive Officer/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG310

LOCAL GOVERNMENT ACT 1960

Municipality of the City of Nedlands

By-law Relating to Street Lawns and Gardens and Laying of Pipes Under Carriageways
In pursuance of the powers conferred upon it by the Local Government Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 29th September 1994, to make and submit for confirmation by the Governor the following amendment to the By-law Relating to Street Lawns and Gardens and the Laying of Pipes under Carriageways, which was published in the *Government Gazette* on 26 February 1982.

The By-law is amended as follows:

Clause 5 is deleted and substituted with

“5 (1) The owner or occupier of land abutting a portion of street in which a lawn or garden is planted shall ensure that:

- (a) any water pipe laid in that part of the street other than the carriageway, is laid at a depth of not more than 30 cm nor less than 15 cm;
- (b) subject to Clause (c), any sprinkler or fitting connected to a pipe does not project above the lawn or garden other than when it is operating;
- (c) where a clearly defined, cultivated garden area is planted on the verge area fixed sprinklers may be fitted provided the combined height of the riser and sprinkler is not greater than 15 cm or such height as may be approved by the Town Clerk;
- (d) any sprinkler used is set so that it sprays away from roadways and paved areas;
- (e) any water pipe laid that is connected to a public water supply has been approved by the public Water Authority;
- (f) any pipe passing under a carriageway, pavement, footpath or crossing is of galvanised iron, copper or class 12 polythene pipe;
- (g) the system has valves, located within the property, connected to the water supply so as to give complete control of the flow of water from that supply.

- (2) The Town Clerk is delegated authority to immediately remove any sprinkler or fitting that may cause danger to pedestrians or cause a traffic hazard but must cause written notification of the action taken to be served on the abutting owner or occupier as soon as practical thereafter.

- (3) Where a person, in the course of laying pipes pursuant to the By-law, causes damage to any carriageway, pavement, footpath or crossing or to any water, gas or sewerage pipes, to any power or telephone cable or to a fire hydrant, that damage may be made good, by the authority having control of the thing damaged, at the expense of that person or of the person on whose behalf the pipes were paid, and the amount of that expense may be recovered in any court of competent jurisdiction."

The Common Seal of the City of Nedlands was hereunto affixed by the Authority of the Council in the presence of:

C. E. BARNS, Mayor.
J. R. BUCKLEY, Acting Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG313

LOCAL GOVERNMENT ACT 1960

**CITY OF COCKBURN AND CITY OF CANNING (DISTRICT AND WARD
BOUNDARIES) ORDER No. 2, 1994**

Made by His Excellency the Governor under the provisions of section 12 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *City of Cockburn and City of Canning (District and Ward Boundaries) Order No. 2, 1994*.

Revocation of Previous Order

2. The *City of Cockburn and City of Canning (District and Ward Boundaries) Order No. 1, 1994* published in the *Government Gazette* of 8 July 1994 on pages 3336-7 is hereby revoked.

Commencement

3. This Order shall take effect on and from the day it is published in the *Government Gazette*.

Alteration of District Boundaries

4. The boundaries of the districts of the City of Cockburn and the City of Canning are hereby altered by—

- (i) severing from the district of the City of Cockburn the land described in Schedule A to the Order and annexing that land to the City of Canning; and
- (ii) severing from the district of the City of Canning the land described in Schedule B to the Order and annexing that land to the City of Cockburn.

Alteration of Ward Boundaries

5. The boundaries of the East Ward of the City of Cockburn and the Bannister Ward of the City of Canning are hereby altered by—

- (i) severing the land described in Schedule A to the Order from the East Ward of the City of Cockburn and annexing that land to the Bannister Ward of the City of Canning; and
- (ii) severing the land described in Schedule B to the Order from the Bannister Ward of the City of Canning and annexing that land to the East Ward of the City of Cockburn.

Dated 20 December 1994.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

Schedule A

All that portion of land bounded by lines starting from the intersection of the prolongation easterly of the northern side of Leeming Road with the centreline of Johnston Road, a point on a present northern boundary of the City of Cockburn, and extending generally southerly along that centreline to the prolongation northwesterly of the centreline of Acourt Road; thence southeasterly to and generally southeasterly along that centreline and southeasterly along the centreline of Acourt Road as shown on Department of Land Administration Diagram 91349, to the prolongation southeasterly of the southwestern boundary of Jandakot Agricultural Area Lot 150, a point on a present northeastern boundary of the City of Cockburn, and thence generally northwesterly and generally northerly along boundaries of that City to the starting point.

Area: about 4.6000 ha.

Department of Land Administration Public Plans: BG34 (2) 15.08, 15.09, 15.10, 16.07 & 16.08.

Schedule B

All that portion of land bounded by lines starting from the intersection of the centreline of Nicholson Road with the prolongation easterly of the centreline of Acourt Road, as shown on Department of Land Administration Diagram 91349, a point on a present eastern boundary of the City of Canning, and extending westerly to and generally westerly along the lastmentioned centreline to the prolongation southeasterly of the southwestern boundary of Jandakot Agricultural Area Lot 150, a point on a present southwestern boundary of the City of Canning, and thence southeasterly and northerly along boundaries of that City to the starting point.

Area: about 4 000 square metres.

Department of Land Administration Public Plan: BG34 (2) 16.07.

LG311

LOCAL GOVERNMENT ACT 1960*The Municipality of the City of Stirling***By-laws Relating to Parking**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 6th day of April, 1994 to make and submit for confirmation by the Governor, the following amendment—

1. The By-laws of the City of Stirling published in the *Government Gazette* of 12th May, 1971, as amended from time to time, are referred to as the "Principal By-laws".
2. By-law 428 of the Principal By-laws is amended by inserting—
 "and which is described in the following table to this definition,"
 between "without charge", and "but does not include" in the second and third lines of the definition of "parking station".

3. By-law 428 is amended by the addition of the following table, after the definition of a parking station—

“ PARKING STATIONS

Parking Station	Name	Location
No. 1	East Beaufort	East side Beaufort/North Walcott Street, Mt. Lawley
No. 2	West Beaufort	West side Beaufort Street/North Walcott Street, Mt. Lawley
No. 3	Scarborough Beach	The Esplanade, Scarborough
No. 4	Tuart Hill	Wanneroo Road/Cape Street, Tuart Hill
No. 5	Nollamara	Hillsborough Drive/Nollamara Avenue, Nollamara
No. 6	Crystal	Main/Hutton Streets, Osborne Park
No. 7	Dianella	Coode Street/Walter Road, Dianella
No. 8	Morris	Morris Place, Innaloo
No. 9	Doubleview	Sackville Terrace, Doubleview
No. 10	Civic Place	Civic Place, Stirling ”

Dated the 19th day of September, 1994.

The Common Seal of the City of Stirling was hereunto affixed by authority of a resolution of the Council in the presence of—

ADAM A. SPAGNOLO, Mayor.
R. A. CONSTANTINE, Acting Town Clerk/City Manager.

Recommended—

PAUL OMODEI, Minister for Local Government.

Dated 14 December 1994.

Approved by His Excellency the Governor in Executive Council on the 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG312

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Wanneroo

Amendment to By-laws Relating to Fencing and Private Tennis Court Floodlighting
In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of October 1994, to make and submit for confirmation by the Governor the following amendment to its By-laws Relating to Fencing and Private Tennis Court Floodlighting, as published in the *Government Gazette* on 31 October 1986, including subsequent amendments.

1. (a) By-law 4.1 (c) is amended by deleting “by-law 4.2” and substituting the following—“by-law 5.2”;
- (b) By-law 4.1 (d) is amended by deleting “by-law 9” and substituting the following—“by-law 10”;
- (c) By-law 4.2 is amended by deleting “by-law 4.1” and substituting the following—“by-law 5.1”;
- (d) By-law 5 (a) is amended by deleting “by-law 4.1 (d)” and substituting the following—“by-law 5.1 (d)”;
- (e) By-law 7 is amended by deleting “by-law 4.1 (d)” and substituting the following—“by-law 5.1 (d)”;
- (f) By-law 8 (b) is amended by deleting “by-law 9” and substituting the following—“by-law 10”;

- (g) By-law 12.3 is amended by deleting "by-law 12.2" and substituting the following—"by-law 13.2"; and
- (h) Item E (h) of Schedule 1 to the by-laws is amended by deleting "by-law 5 (c)" and substituting the following—"by-law 6 (c)";
2. By-laws 3 to 15 are renumbered 4 to 16; and
3. After By-law 2, the following new by-law is inserted:—
- "3 Where a fence, the subject of an application for approval to erect or construct the fence, would not comply with the requirements of the schedules to these by-laws, the Council may, by a simple majority resolution, and notwithstanding that non compliance, approve the application with or without conditions."

Dated this 13th day of November 1994.

The Common Seal of the City of Wanneroo was hereunto affixed by authority of a resolution of the Council in the presence of:—

H. M. WATERS, Mayor.
R. F. COFFEY, Town Clerk.

Recommended:—

PAUL OMODEI, Minister for Local Government.

Dated 14 December 1994.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG401

DOG ACT 1976

Shire of Kellerberrin

It is hereby notified for public information that the following persons have been appointed as Authorised Control Officers under the provisions of the Dog Act 1976.

Noel Lesley Mason
Samuel Smith

All other appointments are hereby cancelled.

N. L. MASON, Shire Clerk.

LG402

LOCAL GOVERNMENT ACT 1960

Shire of Kellerberrin

ROAD CLOSURE

Portion of Wilson Street, Kellerberrin

At a meeting of the Council on Tuesday 13th December 1994 it was resolved to submit to the Minister for Local Government as per section 28A of the Local Government Act, a proposal to close portion of Wilson Street, Kellerberrin. The illustration of the closure is shown coloured blue on Plan 18586 and can be inspected at the Council Office during normal office hours.

Council will accept objections to the closure up until 4.00 p.m. on Friday 27th January 1995.

N. L. MASON, Shire Clerk.

LG403**SHIRE OF KENT****Appointment of Shire Clerk**

It is hereby notified for public information that Mr Ian Fitzgerald has been appointed Shire Clerk for the Shire of Kent as from October 17, 1994.

B. J. MORRELL, President.

LG404**DOG ACT 1976***City of Rockingham***Appointment of Registration Officers**

It is hereby notified for public information that the following additional person has been appointed under the provisions of the Dog Act 1976, for the City of Rockingham.

Registration Officer—

Trent Richard Steer

G. G. HOLLAND, Chief Executive Officer/Town Clerk.

LG405**CITY OF SOUTH PERTH**

It is hereby notified for public information that the Ms Kylie Jane Davis has been appointed as Authorised Officer under the following Acts and By-laws for the City of South Perth—

- (i) Bush Fires Act and Regulations;
- (ii) Dog Act and Regulations;
- (iii) Litter Act and Regulations;
- (iv) Control of Vehicles (Off-Road Area) Act and Regulations;
- (v) Parking Facilities By-law;
- (vi) Public Reserves By-law;
- (vii) Collier Park Golf Course By-law;
- (viii) Street Lawns and Gardens By-law; and
- (ix) Authorised Officer under section 669 A, 669 C, 669 D and 669 F (6) of the Local Government Act 1960.

The appointment of Mr Antony Heppener under the above Acts and Regulations is hereby cancelled.

L. L. METCALF, Chief Executive.

LG406**SHIRE OF TRAYNING****Acting Shire Clerk**

It is hereby notified for public information, that Graham Robert Lee has been appointed Acting Shire Clerk for the period 4 January 1995 to 27 January 1995 inclusive.

LG407**BUSH FIRES ACT 1954***Shire of Coolgardie***Bushfire Control Officers**

The following have been appointed as Bushfire Control Officers for the Shire of Coolgardie in accordance with the Bush Fires Act 1954. These appointments are additional to those already gazetted.

Bergin, J.
Oram, D.
Field, J.
Zanetti, P.

P. J. HUGHSON, Shire Clerk.

LG408

LOCAL GOVERNMENT ACT 1960

Shire of Irwin
Rating Exemption

Department of Local Government,
Perth, 20 December 1994.

LG: I 4-6.

It is hereby notified for public information that His Excellency the Governor, acting pursuant to section 532 (10) of the Local Government Act 1960, had declared exempt from Municipal Rates squatter shacks erected on Reserve 43078 (Victoria Location 11982).

JOHN LYNCH, Executive Director,
Department of Local Government.

LG409

LOCAL GOVERNMENT ACT 1960

TOWN OF NORTHAM (TEMPORARY CLOSURE OF PUBLIC STREET) ORDER No. 2, 1994
Made by His Excellency the Governor under the provisions of section 334 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Town of Northam (Temporary Closure of Public Street) Order No. 2, 1994*.

Commencement

2. This Order shall take effect on and from the date of publication in the *Government Gazette*.

Authorisation

3. All that portion of Broomhall Road, Northam as described in the Schedule to this Order is hereby closed for a period not exceeding 5 years.

Power to Lease

4. The Town of Northam is hereby authorised to lease the temporarily closed portion of the street described in the Schedule to Hannaford Seedmaster Services for a period not exceeding five years.

Dated 20 December 1994.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

Schedule

All that portion of Broomhall Road, widening at its terminus, starting from the prolongation southwesterly of the southeastern boundary of Northam Lot 400 and extending northwesterly and northeasterly along boundaries of that lot to the prolongation southwesterly of its northernmost northwestern boundary.

Department of Land Administration Public Plan: B H 35(2) 22.18.

LG410

LOCAL GOVERNMENT ACT 1960**CITY OF WANNEROO (GATE ACROSS STREET) ORDER No. 2, 1994**

Made by His Excellency the Governor under the provisions of section 333 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *City of Wanneroo (Gate Across Street) Order No. 2, 1994*.

Authorisation

2. The City of Wanneroo is hereby authorised to issue a licence to Whitfords Beach Pty Ltd for the erection of a gate across Glenfern Place, Hillarys for a period up to and not exceeding 31 October, 1996.

Dated 6 December 1994.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

LG411

LOCAL GOVERNMENT ACT 1960*Shire of Mingenew*

Closure of Private Street

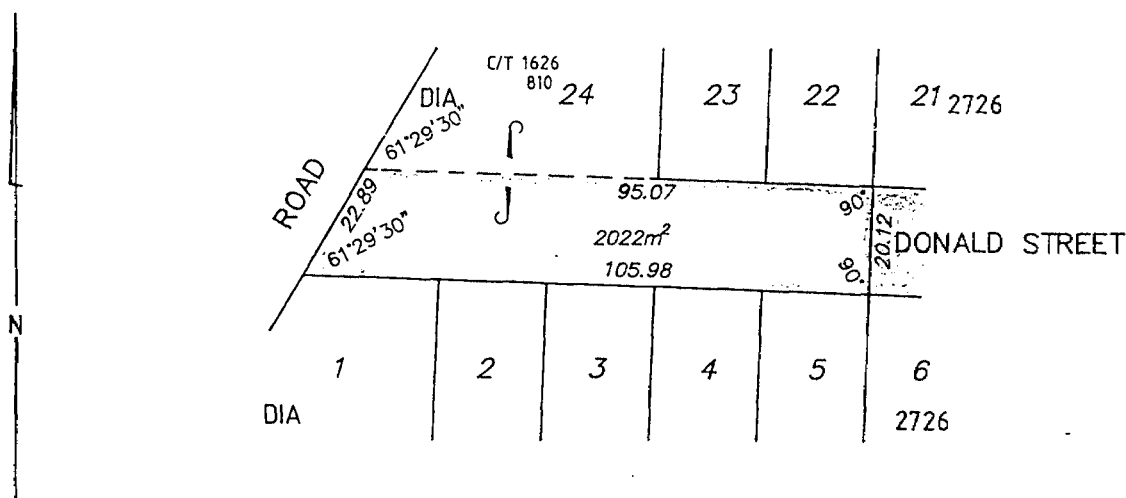
Department of Local Government,
Perth, 14 December 1994.

LG: MI 4-12.

It is hereby notified for public information that the Lieutenant-Governor and deputy of the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the Shire of Mingenew that the private street which is described as being portion of Victoria Location 1904, being portion of the land coloured brown and marked "DONALD ST" on Diagram 2726 and being portion of the land contained in Certificate of Title Vol. 412 Fol. 186 be closed, and the land contained therein be amalgamated with adjoining Lot 24 Ernest Street, Mingenew, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule
Diagram No. 87067



LG413

SHIRE OF DONNYBROOK/BALINGUP

It is hereby notified for public information that:

1. Mr Robert George Jeffreys is appointed as Ranger for the Shire of Donnybrook/Balingup from 15th December 1994, as an Authorised Officer for the following—

- a. Local Government Act
- b. Dog Act
- c. Litter Act
- d. Bush Fires Act
- e. Control of Off-Road Vehicle (Off-Road Areas) Act
- f. All Council By-laws

2. As an Instrument of Delegation under the Bush Fires Act that as from the 15th December 1994, Mr Robert George Jeffreys be delegated authority under section 59.3 (of the Bush Fire Act 1954) to consider allegations of offences alleged to have been committed against the Bush Fires Act in the Shire of Donnybrook/Balingup.

3. That as from the 15th December 1994, Mr Robert George Jeffreys be appointed as a Fire Control Officer to carry out prosecution and investigation work on behalf of the Shire of Donnybrook/Balingup.

The appointment of Steven Donald Gray is hereby cancelled.

J. R. ATTWOOD, Shire Clerk.

Department of Local Government,
Perth, 14 December 1994.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the Town of Bassendean that the private street which is described as being portion of Swan Location S, being portion of the land coloured brown on Plan 3188 (4) and being portion of the land contained in Certificate of Title Vol. 1002 Fol. 31 be closed, and the land contained therein be amalgamated with adjoining Lot 1 Kenny Street and Pt Lot 507 and Lot 4647 Chapman Street, Bassendean, as shown in the Schedule hereunder.

**JOHN LYNCH, Executive Director,
Department of Local Government.**

KENNY STREET

DIA 45462
STRATA PLAN 5523

90° 0' 30"
22.81
142 m²
26.32
(18.7)

PLAN 5963(3)

LOC 4647
C.S. DIA 88608
C.T. 1841/248

PT 507
PLAN 3188(4)
C.T. 1366/623

CHAPMAN STREET

158° 59'
3.77
16.22
104° 2'

125 m²
125 m²
147.7
47.47
47.48
104° 2'

It is hereby notified for public information that the Council of the City of Gosnells resolved on 22nd November 1994, to adopt the following fees and charges for City of Gosnells Leisure World, in accordance with the provisions of section 194 of the Local Government Act 1960.

Effective as from 1st January 1995

- | | |
|--|--------|
| 1. Child Swim 6-16 years | \$2.00 |
| 2. Locker hire (non-Members) (per token) | \$0.30 |

G. WHITELEY, Town Clerk.

LG415

SHIRE OF MUNDARING

It is hereby notified for public information that the Council of the Shire of Mundaring has made the following appointments—

Michael Christopher Beynon and Ian Peter Robinson:

- (a) as Authorised Officer, Registration Officer and Pound Keeper for the purposes of the Dog Act.
- (b) as Pound Keeper and Ranger for the purposes of the Local Government Act.
- (c) as Authorised Officer for the purposes of the following Acts and By-laws—
 - (i) The Local Government Act 1960 (As Amended)
 - (ii) The Bush Fires Act 1954 (As Amended)
 - (iii) The Control of Vehicles (Off-Road Areas) Act 1978 (As Amended)
 - (iv) The Litter Act 1979 (As Amended)
 - (v) Local Government Model By-Laws (Caravan Parks and Camping Grounds)
 - (vi) By-Laws relating to Depositing and Removal of Refuse, Rubbish, Litter and Disused Materials
 - (vii) By-Laws relating to Dogs
 - (viii) By-Laws relating to Control of Reserve No. 23165—Lake Leschenaultia, Chidlow
 - (ix) By-Laws relating to the Management and Use of the Mundaring and Wooroloo Cemeteries
 - (x) By-Laws relating to the Management and Use of the Mundaring Hall
 - (xi) By-Laws relating to Vehicles on Reserves
 - (xii) By-Laws relating to Removal and Disposal of Obstructing Animals or Vehicles
 - (xiii) Local Government Model By-Laws (Street Lawns and Gardens)
 - (xiv) By-Laws relating to the Parking of Vehicles on Street Verges
 - (xv) By-Laws relating to Illegal Removal of Firewood, Timber and Stone from Council Property.

M. N. WILLIAMS, Shire Clerk/General Manager.

LG901

LOCAL GOVERNMENT ACT 1960

Shire of Dandaragan

NOTICE OF INTENTION TO BORROW

Proposed Loan (No. 109) of \$81 873.30

Pursuant to section 610 of the Local Government Act, the Dandaragan Shire Council hereby gives notice that it proposes to borrow money by sale of debentures on the following terms and conditions—

\$81 873.30 for a term of three (3) years repayable at the office of the lender by six (6) half yearly instalments of principal and interest.

Purpose: Refinancing of existing Loan Number 99—Community's contribution toward construction of Jurien Community Recreation Centre.

Specifications, 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.

Note: The annual loan repayments of principal and interest of the original loan (No. 99) have been met in full by an annual specified area rate levied on all Gross Rental valued properties within the prescribed area of the Jurien Townsite. Council proposes this method of recovery of costs to continue in order to meet the loan repayments for the balance of the proposed loan.

GARY SNOOK, President.
BARRY GOLDING, Shire Clerk.

LG902

LOCAL GOVERNMENT ACT 1960
NOTICE OF INTENTION TO BORROW
Proposed Loan (No. 203) of \$70 000

Pursuant to section 610 of the Local Government Act 1960, Geraldton City Council hereby gives notice of its intention to borrow money by the sale of its debenture on the following terms and for the following purpose—

\$70 000 repayable at the offices of Council, Cathedral Avenue, Geraldton over a period of ten (10) years, with a review after five (5) years, in equal half-yearly instalments of principal and interest.

Purpose—Part fund the construction of an Administration building for the Geraldton Netball Association on portion of Reserve 21146 Eighth Street, Geraldton.

Plans, specifications and estimates as required by section 609 of the Act are open for inspection at the Civic Centre during normal office hours for a period of 35 days following publication of this notice.

Note—Repayments of interest and principal will be made by the Geraldton Netball Association Incorporated.

Dated 19 December 1994.

PHILLIP G. COOPER, Mayor.
G. K. SIMPSON, City Manager.

LG903

LOCAL GOVERNMENT ACT 1960
Shire of Sandstone
NOTICE OF INTENTION TO BORROW
Proposed Loan No. 22

Pursuant to section 610 of the Local Government Act 1960, the Shire of Sandstone hereby gives notice that it intends to borrow \$150 000 by sale of debenture for a period of 5/10 years at the ruling rate of interest, repayable at the office of the Council by 20 equal half year instalments of principal and interest.

The purpose of the loan is for Office and Depot extensions.

Schedules and estimates of the cost thereof and statements required by section 609 of the Local Government Act 1960 are open for inspection at the office of the Council for thirty-five days from the date of publication of this notice.

V. M. ATKINSON, President.
G. M. RIPEPI, Shire Clerk.

LG904

LOCAL GOVERNMENT ACT 1960
Shire of Sandstone
NOTICE OF INTENTION TO BORROW
Proposed Loan No. 23

Pursuant to section 610 of the Local Government Act 1960, the Shire of Sandstone hereby gives notice that it intends to borrow \$100 000 by sale of debenture for a period of 5/10 years at the ruling rate of interest, repayable at the office of the Council by 20 equal half year instalments of principal and interest.

The purpose of the loan is for Housing.

Schedules and estimates of the cost thereof and statements required by section 609 of the Local Government Act 1960 are open for inspection at the office of the Council for thirty-five days from the date of publication of this notice.

V. M. ATKINSON, President.
G. M. RIPEPI, Shire Clerk.

MAIN ROADS**MA401****PUBLIC WORKS ACT 1902
SALE OF LAND**

MRWA 10-253.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902 the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Kununurra Lot 116 and being the whole of the land comprised in Crown Grant Volume 2010 Folio 808.

Dated this 21st day of December 1994.

D. R. WARNER, Director Corporate Services.

MA402**PUBLIC WORKS ACT 1902
SALE OF LAND**

MRWA 41-144-119.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902 the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Canning Location 411 and being part of Lot 14 on Diagram 26883 and being the whole of the land comprised in Certificate of Title Volume 1974 Folio 836.

Dated this 21st day of December 1994.

D. R. WARNER, Director Corporate Services.

MA403

MRWA 42-233-A

**MAIN ROADS ACT 1930
PUBLIC WORKS ACT 1902****Notice of Intention to Take or Resume Land**

The Minister for Works hereby gives notice, in accordance with the provisions of Section 17(2) of the Public Works Act, 1902, that it is intended to take or resume under Section 17(1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in Kent District, for the purpose of the following public works namely, widening of the Kojonup-Pingrup Road (SLK 93.08-94.82) and that the said pieces or parcels of land are marked off on MRWA Drawing 9401-17-1 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Jayzone Holdings Pty Ltd	Jayzone Holdings Pty Ltd	Portion of Kojonup Location 6144 and being part of the land contained in Certificate of Title Volume 1829 Folio 714	2.8058 ha

Dated this 21 day of December 1994.

D. R. WARNER, Director Corporate Services.

MA404

MRWA 42-258-E

**MAIN ROADS ACT 1930
PUBLIC WORKS ACT 1902**

Notice of Intention to Take or Resume Land

The Minister for Works hereby gives notice, in accordance with the provisions of section 17(2) of the Public Works Act, 1902, that it is intended to take or resume under section 17(1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in Gnowangerup District, for the purpose of the following public works namely, for future road development and revegetation and that the said pieces or parcels of land are marked off on MRWA Drawing 9201-5-1 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
1.	Yarrawee Holding Pty Ltd	Commissioner of Main Roads	Portion of Plantagenet Location 2111 and being the subject land on Diagram 86884 and being part of the land comprised in Certificate of Title Volume 1968 Folio 544.	1116 m ²

Dated 16 December 1994.

D. R. WARNER, Director Corporate Services.

MA405

MRWA 42-59-D

**MAIN ROADS ACT 1930
PUBLIC WORKS ACT 1902**

Notice of Intention to Take or Resume Land

The Minister for Works hereby gives notice, in accordance with the provisions of Section 17(2) of the Public Works Act, 1902 as amended, that it is intended to take or resume under Section 17(1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in Kojonup District, for the purpose of the following public works namely, for the reconstruction of the Donnybrook-Kojonup Road and that the said pieces or parcels of land are marked off on MRWA Drawing 9401-54 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Violet Josephine Matthews	V. J. Matthews	Portion of Kojonup Lo- cation 3 and being Lot 101 and being part of the land comprised in Certificate of Title Vol- ume 1718 Folio 706	167 m ²
2.	Ampol Limited	Ampol Limited	Portion of Kojonup Lo- cation 3 and being Lot 15 and being part of the land comprised in Cer- tificate of Title Volume 674 Folio 172	68 m ²

Dated 21 December 1994.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY**MN301****MINING ACT 1978****MINING AMENDMENT REGULATIONS (No. 4) 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Mining Amendment Regulations (No. 4) 1994*.

Commencement

2. These regulations come into operation on 1 January 1995.

Regulation 86F amended

3. Regulation 86F of the *Mining Regulations 1981** is amended by repealing subregulations (1) and (2).

[*Reprinted as at 11 August 1988. For amendments to 7 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 185-7, and Gazettes of 10 and 24 June and 9 September 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

MN401**PETROLEUM PIPELINES ACT 1969****NOTICE OF APPLICATION FOR A PIPELINE LICENCE**

I, Ian Fraser, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia, give notice pursuant to section 8 (4) of the Petroleum Pipelines Act 1969 that an application has been received from Westminco Oil Pty Ltd, Normandy Pipelines Pty Ltd and BHP Minerals Pty Ltd for a licence to construct and operate the Goldfields Gas Pipeline for the conveyance of gas from Karratha to Kalgoorlie.

A map showing the proposed area of the pipeline may be examined during public office hours until 13 January 1995 at the Petroleum Operations Division, Department of Minerals and Energy, 3rd Floor, Mineral House, 100 Plain Street, East Perth and at the Mining Registrars offices in Kalgoorlie, Meekatharra and at the Department of Minerals and Energy in Karratha.

Dated this 19th day of December 1994.

IAN FRASER, Director Petroleum Operations Division.

MN402**PETROLEUM PIPELINES ACT 1969****NOTICE OF APPLICATIONS FOR PIPELINE LICENCES**

I, Ian Fraser, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia, give notice pursuant to section 8 (4) of the Petroleum Pipelines Act 1969 that an application has been received from Western Mining Corporation Limited for a licence to construct and operate a pipeline for the conveyance of gas as a lateral to the Goldfields Gas Pipeline to service the Leinster Mine Site.

A map showing the proposed area of the pipeline may be examined during public office hours until 13 January 1995 at the Petroleum Operations Division, Department of Minerals and Energy, 3rd Floor, Mineral House, 100 Plain Street, East Perth and at the office of the Mining Registrar at Meekatharra.

I, Ian Fraser, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia, give notice pursuant to section 8 (4) of the Petroleum Pipelines Act 1969 that an application has been received from Western Mining Corporation Limited for a licence to construct and operate a pipeline for the conveyance of gas as a lateral to the Goldfields Gas Pipeline to service the Kalgoorlie Nickel Smelter at Kambalda.

A map showing the proposed area of the pipeline may be examined during public office hours until 13 January 1995 at the Petroleum Operations Division, Department of Minerals and Energy, 3rd Floor, Mineral House, 100 Plain Street, East Perth and at the office of the Mining Registrar at Kalgoorlie.

I, Ian Fraser, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia, give notice pursuant to section 8 (4) of the Petroleum Pipelines Act 1969 that an application has been received from Western Mining Corporation Limited for a licence to construct and operate a pipeline for the conveyance of gas as a lateral to the Goldfields Gas Pipeline to service Mt Keith Mine Site.

A map showing the proposed area of the pipeline may be examined during public office hours until 13 January 1995 at the Petroleum Operations Division, Department of Minerals and Energy, 3rd Floor, Mineral House, 100 Plain Street, East Perth and at the office of the Mining Registrar at Meekatharra.

I, Ian Fraser, Director of the Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia, give notice pursuant to section 8 (4) of the Petroleum Pipelines Act 1969 that an application has been received from Normandy Pipelines Pty Ltd for a licence to construct and operate a pipeline for the conveyance of gas as a lateral to the Goldfields Gas Pipeline to service the Mt Ferrum Power Station.

A map showing the proposed area of the pipeline may be examined during public office hours until 13 January 1995 at the Petroleum Operations Division, Department of Minerals and Energy, 3rd Floor, Mineral House, 100 Plain Street, East Perth and at the office of the Mining Registrar at Kalgoorlie.

Dated this 16th day of December 1994.

IAN FRASER, Director Petroleum Operations Division.

MN403

MINING ACT 1978

INSTRUMENT OF EXEMPTION OF CROWN LAND

The Minister for Mines pursuant to the powers conferred on him by section 19 of the Mining Act 1978, hereby exempts all the land described hereunder from Divisions 1-5 of part IV of the Mining Act 1978:

All that portion of Crown Land not subject to mining tenements or applications therefore within the following geographical co-ordinates and starting at—

latitude 22° 17'30", longitude 118° 18'30";
thence latitude 22° 17'30", longitude 118° 20'30";
thence latitude 22° 20'00", longitude 118° 20'30";
thence latitude 22° 20'00", longitude 118° 18'30";
and thence back to the starting point.

Area 15.8 km²

Department of Minerals and Energy Public Plan: Joffre NW 1:25 000

Dated at Perth this 8th day of December 1994.

GEORGE CASH, Minister for Mines.

MN404

MINING ACT 1978

Department of Minerals and Energy,
Perth.

I hereby declare in accordance with the provisions of section 99 (1) (a) of the Mining Act 1978, that the undermentioned lease is forfeited for breach of covenant, viz. non compliance with expenditure conditions, with prior right of application being granted to the Plaintiff under section 100.

GEORGE CASH, Minister for Mines.

MURCHISON MINERAL FIELD

Mining Lease 51/333—Openpit Mining Limited.

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

It is hereby notified for public information that His Excellency the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Second Session of the Thirty-Fourth Parliament.

Short Title of Bill	Date of Assent	Act No.
Electricity Corporation Bill 1994	15 December 1994	86 of 1994
Gas Corporation Bill 1994	15 December 1994	87 of 1994
Energy Corporations (Transitional and Consequential Provisions) Bill 1994	15 December 1994	89 of 1994

L. B. MARQUET, Clerk of the Parliaments.

PARLIAMENTARY COMMISSIONER

PC101

PRINTERS CORRECTION

PARLIAMENTARY COMMISSIONER ACT 1971

PARLIAMENTARY COMMISSIONER RULES 1994

An error occurred in the notice published under the above heading on page 6748 of *Government Gazette* No. 175 dated 13 December 1994 and is corrected as follows.

In subsection (a) under the heading "Delegation to Deputy Commissioner" delete "(which relates the investigation" and insert " (which relates to the investigation ".

PLANNING AND URBAN DEVELOPMENT

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928 SCHEME AMENDMENTS AVAILABLE FOR INSPECTION *City of Belmont*

Town Planning Scheme No. 11—Amendment Nos. 66 and 67

Ref: 853/2/15/10, Pts. 66 and 67.

Notice is hereby given that the City of Belmont has prepared the abovementioned scheme amendments for the purpose of:

Amendment No. 66:

deleting from the Parks and Recreation Reserve Portion of Swan Location 34 being Lot Part 57 bounded by Menzies, Crown and Lyons Streets, Rivervale and zoning the land Residential A R20/R40.

Amendment No. 67:

deleting from the Parks and Recreation Reserve Crown Reserves 27050 and 27737 Robinson Avenue, Cloverdale and zoning the lots Residential A R20/R40.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the State Planning Commission/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 3 February 1995.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before 3 February 1995.

These amendments are 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. R. GENONI, Town Clerk.

PD401

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959*Shire of Swan***METROPOLITAN REGION SCHEME**

Notice of Resolution—Clause 27

Lots Located in the Ellenbrook Area

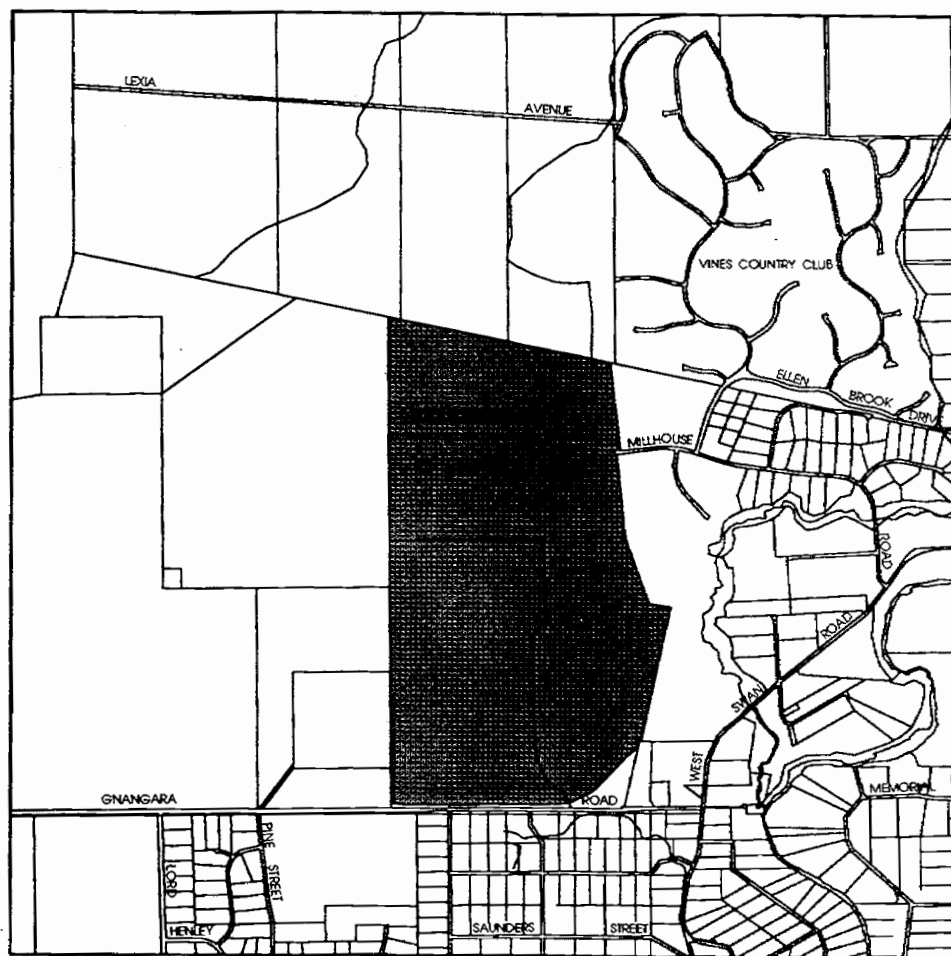
File No. 812-2-21-10.

Amendment No. 964/27.

Notice is hereby given that in accordance with Clause 27 of the Metropolitan Region Scheme, the State Planning Commission resolved on 13 December 1994, to transfer from the Urban Deferred Zone to the Urban Zone the area stippled on the schedule below.

The zoning is effective as of the date published in this *Gazette*.

IAN WIGHT-PICKIN, A/Secretary,
State Planning Commission.



PART OF METROPOLITAN
REGION SCHEME MAP No. 12

APPENDIX A
REPORT No. MPC/1262

URBAN ZONE

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 424

Ref: 853/2/25/1 Pt. 424

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on 18 December 1994 for the purpose of rezoning portion of Lot 127 and 128 Seaforth Avenue and portion of Lot 8 Eileen Street, Gosnells from "Residential A" to "Residential B (R30)".

O. SEARLE, Mayor.
G. N. WHITELEY, Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of South Perth

Town Planning Scheme No. 5—Amendment No. 72

Ref: 853/2/11/7 Pt. 72

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of South Perth Town Planning Scheme Amendment on 7 August, 1994 for the purpose of—

1. Schedule C is amended by adding immediately after Item No. 91 a new Item No. 92 and by inserting in the respective columns specified below, immediately opposite that item the following words and figures—

1	2	3	4	5	6	7
Item No.	Particulars of Land			Added Use Class Permitted	Development Requirements	
	Street Name	Street No.	Lot No.	Location	Maximum Plot Ratio	Requirements other than Plot Ratio
92	Lockhart Street	96	221	Canning 37	Car Parking incidental to the Car Sales and Servicing Use on Lot 220 (No. 464) Canning Highway, Como.	Not Applicable Extent of Use: The added use is applicable only to the portion of the lot extending 20.0 metres westwards from the eastern (rear) boundary of the site. Other requirements: Refer to Clause 50.

2. Amending the Scheme Map accordingly.

P. CAMPBELL, Mayor.
L. L. METCALF, Chief Executive.

PD405

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

District Planning Scheme No. 2—Amendment No. 198

Ref: 853/2/20/34, Pt. 198.

Notice is hereby given that the City of Stirling has prepared the abovementioned scheme amendment for the purpose of—

1. rezoning portion of Lot 5 Boya Way, portion of Lot 503 Bryan Place and Lot 11 Erindale Road from "Low Density Residential R20" to "Special Use—Showrooms".
2. rezoning portion of Lot 503 Bryan Place, Lot 6 Bryan Place, Lot 6 and Lot 500 Odin Drive and portion of Lot 5 Boya Way from "Low Density Residential R20" to "Medium Density Residential R40".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling, and at the State Planning Commission/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 February 3, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before February 3, 1995.

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. S. BRAY, Town Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Stirling

Town Planning Scheme No. 2—Amendment No. 209

Ref: 853/2/20/34, Pt. 209.

It is hereby notified for public information that the period in which to lodge submissions on the above Amendment No. 209, published at page 5668 of the *Government Gazette* No. 157 dated November 8, 1994 has been extended up to and including January 10, 1995.

R. A. CONSTANTINE, Acting Town Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 684

Ref: 853/2/30/1, Pt. 684.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on December 16, 1994 for the purpose of recoding Lots 313 and 314 Outlook Drive, Edgewater from "R20" to "R40".

H. M. WATERS, Mayor.
R. F. COFFEY, Town Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Broome

Town Planning Scheme No. 2—Amendment No. 111

Ref: 853/7/2/3, Pt. 111.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Broome Town Planning Scheme Amendment on December 15, 1994 for the purpose of—

1. rezoning Lot 2618 Palmer Road from "Rural" to "Place of Public Assembly—Worship".
2. amending the Scheme Maps accordingly.

R. J. JOHNSTON, President.
G. S. POWELL, Shire Clerk.

PD409

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

District Planning Scheme No. 2—Amendment No. 153

Ref: 853/2/24/16, Pt. 153.

Notice is hereby given that the Shire of Kalamunda has prepared the abovementioned scheme amendment for the purpose of rezoning and recoding Lot 296, Dixon Road, Kalamunda from "Important Regional Road Reserve", "Local Road Reserve" and "Residential R5" to "Residential R20" and "Local Reserve/Public Open Space".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda, and at the State Planning Commission/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 February 3, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before February 3, 1995.

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.

D. E. VAUGHAN, Shire Clerk.

PD410

**TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Manjimup*

Town Planning Scheme No. 2—Amendment No. 56

Ref: 853/6/14/20, Pt. 56.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Manjimup Town Planning Scheme Amendment on December 16, 1994 for the purpose of—

- (a) Rezoning Nelson Location 9529 and 6777, Manjimup from Rural to Special Rural as depicted on the amending plan adopted by Council on the 16th day of December 1993.
- (b) Incorporating the land within the "Schedules relating to additional requirements and modifications to the provisions of the Scheme Text for Specific Rural Zones" at Appendix 1 of the Scheme as follows—

Area No. 18—Muir's Highway, Manjimup.

SPECIAL PROVISIONS**Special Provisions:**

1. Subdivision of Special Rural Zone No. 18 shall be generally in accordance with "Plan of subdivision" as endorsed by the Shire Clerk.
 - (a) The following uses are permitted
 - Dwelling
 - (b) The following uses are "AA" being not permitted unless approval is granted by Council
 - Duplex
 - Home Occupation
 - Cottage Industry
 - Public Recreation
 - (c) All other uses not mentioned in (a) and (b) are not permitted "X".
2. A 30 metre fuel reduction zone be created on the southern boundary of Loc 9529 and those boundaries on Loc 6777 not fronting the Muir's Highway. Within this zone substantial vegetation will be reduced or planting of trees kept to a level satisfactory to Council, the Bush Fires Board and CALM.
3. No building should be constructed within the fuel reduction zone.

W. E. THOMPSON, President.
M. D. RIGOLL, Shire Clerk.

PD411

**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENTS AVAILABLE FOR INSPECTION***Shire of Murray*

Town Planning Scheme No. 4—Amendment Nos 62 & 66

Ref: 853/2/16/7, Pts. 62 and 66.

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendments for the purpose of—

Amendment No. 62—

introducing a new zone "Farmlet Zone" into the Scheme and rezoning Lots 500, 501, 502 and 503 St Blaise Grove, North Dandalup from Rural Zone to Farmlet Zone.

Amendment No. 66—

rezoning Pt Lot 233 Paterson Road, Ravenswood from Rural Zone to Farmlet Zone and including special provisions within Schedule 8—Farmlet Zones.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the State Planning Commission/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 February 3, 1995.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before February 3, 1995.

These amendments are available for inspection in order to provide an opportunity for Public Comment and it should not be construed that final approval will be granted.

D. A. McCLEMENTS, Shire Clerk.

PD412

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Plantagenet

Town Planning Scheme No. 3—Amendment No. 10

Ref: 853/5/14/4, Pt. 10.

Notice is hereby given that the Shire of Plantagenet has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 4 of Location 5215 and Location 5216 Settlement Road, Narrikup from the Rural zone to a Special Site (Abattoir and Associated Uses), and introducing special provisions into Schedule 3 of the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Lowood Road, Mount Barker and at the State Planning Commission/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 February 3, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before February 3, 1995.

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.

C. E. NICHOLLS, Shire Clerk.

PD413

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Serpentine-Jarrahdale

Town Planning Scheme No. 2—Amendment No. 42

Ref: 853/2/29/3 Pt 42

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on December 18, 1994 for the purpose of rezoning Lot 15 Beenyp Road from "Residential R12.5" to "Commercial" as per the rezoning plan.

D. J. HADDOW, President.
N. D. FIMMANO, Shire Clerk.

PORT AUTHORITIES

PH401

ALBANY PORT AUTHORITY ACT 1926

NOTICE

Application to Lease

In accordance with the provision of section 25 of the Albany Port Authority Act 1926, it is hereby advertised that an application has been received from the AustSand Mining for the lease of Lot 44 of Port land vested in the Albany Port Authority for a period exceeding three years for the purpose of storage of silica and mineral sands.

Dated this 23rd day of November 1994.

C. R. BERRY, Finance Manager.

PREMIER AND CABINET

PR301

PUBLIC SECTOR MANAGEMENT ACT 1994
PUBLIC SECTOR MANAGEMENT (SES ORGANIZATIONS)
REGULATIONS (NO. 2) 1994

Made by His Excellency the Governor in Executive Council under section 108 (1) (a).

Citation

1. These regulations may be cited as the *Public Sector Management (SES Organizations) Regulations (No. 2) 1994*.

Schedule 2 amended

2. Schedule 2 to the *Public Sector Management Act 1994** is amended by deleting item 59.

[* Act No. 31 of 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

PUBLIC TRUST

PT401

PUBLIC TRUSTEE ACT 1941
(SECTION 40: SUBSECTION 4)

Public Trust Office,
Perth, 19 December 1994.

Notice is hereby given that the rate of interest payable to the respective estates and trusts, the moneys of which are held in the Common Fund, have, as from 1 January 1995, been fixed as follows, calculated on the daily balance—

Court Trusts, Minor Trusts, Agency Trusts, Deceased and Uncared-for-Property (in the state of trusteeship or where considered necessary by the Public Trustee) and not otherwise prescribed, Incapable Patients' and Infirm Persons' Estates and Represented Persons' Estates; at the rate of 6.75% per annum.

Deceased and Uncared-for-Property (in course of administration or whilst under investigation); at the rate of 6.00% per annum.

Investment Agencies at the rate of 6.25% per annum.

K. E. BRADLEY, Public Trustee.

Approved—

CHERYL EDWARDES, Attorney General.

RACING AND GAMING**RA301**

**TOTALISATOR AGENCY BOARD (BETTING) ACT 1960
TOTALISATOR AGENCY BOARD (BETTING) AMENDMENT
REGULATIONS (No. 3) 1994**

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

Citation

1. These regulations may be cited as the *Totalisator Agency Board (Betting) Amendment Regulations (No. 3) 1994*.

Part 6, Division 5 inserted

2. After Part 6, Division 4 of the *Totalisator Agency Board (Betting) Regulations 1988** the following division is inserted —

“

Division 5 — Rugby

Rugby prescribed

55. A rugby match or a series of rugby matches, selected by the TAB and conducted as a part of the National Rugby League competition, is prescribed as a sporting event for the purposes of section 19A (1) (c) of the Act.

Bets included in combined totalisator pool scheme

56. For the purposes of regulation 6 (1), bets under this Division form a part of a combined totalisator pool scheme, with the Totalisator Agency Board of New South Wales as the organization controlling that totalisator pool.

Rules

57. (1) Subject to subregulation (2), the rules applicable to betting under this Division are the rules cited as the *Sporting Contests (General) Totalisator Rule 1983* of New South Wales, as at 8 November 1994.

(2) The rules set out in subregulation (1) are modified for the purposes of betting in this State in the following manner —

- (a) the rules do not apply to this Division to the extent that they relate to soccer;
- (b) the rules are to be described as “RugbyBet” rules in this State (to avoid confusion) and references in the rules to “FootyTAB” are to be read as “RugbyBet” for the purposes of betting under this Division;
- (c) provisions in the rules relating to the accepting of an investment by post do not apply in relation to bets under this Division;
- (d) generally, the rules apply with such other modifications as are necessary for those rules to take effect in relation to betting under this Division.

”

[* Reprinted as at 24 November 1992.
For amendments to 18 November 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 275.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RESOURCE AND DEVELOPMENT

RH301

ELECTRICITY ACT 1945

ELECTRICITY (AMENDMENT) REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Electricity (Amendment) Regulations 1995*.

Principal regulations

2. In these regulations the *Electricity Act Regulations 1947** are referred to as the principal regulations.

[* Reprinted as at 14 June 1967.
For amendments to 31 December 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 65.]

Commencement

3. These regulations come into operation on the day on which Part 4 of the *Energy Corporations (Transitional and Consequential Provisions) Act 1994* comes into operation.

Regulation 3 amended

4. Regulation 3 of the principal regulations is amended —
 - (a) by inserting, before “Electricity Act” in both places where it occurs, the following —

“ *Energy Coordination Act 1994*, ”;
 - (b) by deleting “State Electricity Commission”, in both places where it occurs, and substituting the following —

“ *Energy Corporations (Powers)* ”; and
 - (c) by deleting “, No. 19 of” and “, No. 60 of”.

Regulation 237 inserted

5. Part VIII of the principal regulations is amended by inserting, immediately after the Part heading, the following regulation —

“

Exemption applicable to the Electricity Corporation

237. The Electricity Corporation, and the operation of the supply system of the Electricity Corporation, is exempt from the requirement to comply with the provisions of this Part other than regulations 242, 244, 249, 250, 252, 253, 254, 255, 257, 265, 271, 272, and 274.

”

Various references to "Commission" changed to "Director"

6. The principal regulations are amended by deleting "Commission", where it occurs in the regulations referred to in the Table to this regulation, and substituting the following —

" Director "

Table

238	279	322	328	332	336	341.
276	280	326	329	333	337	
277	316	327	330	334	338	

Regulation 242 repealed and a new regulation substituted

7. Regulation 242 of the principal regulations is repealed, and the regulation following is substituted —

"

Connection of supply

242. A supply authority shall not supply electricity to any place, building or premises unless —

- (a) the supply authority has ensured that all service apparatus which will be used for supplying electricity to the place or building or on the premises is installed and maintained in a safe condition for use and in accordance with the Act; and
- (b) there has been produced to the supply authority a notice of completion, in a form approved by the Director and duly completed as required under the Act, from a person licensed under the Act as an electrical contractor, or who is the holder of an in-house electrical work licence under the Act, certifying that the electric installations and electric fittings on the premises to be supplied have been installed and fitted properly and as required by the Act.

"

Regulation 245 amended

8. Regulation 245 of the principal regulations is amended, in paragraph (c) (v), by —

- (a) deleting "to be supplied by the Commission";
- (b) deleting "approved by the Commission" and substituting the following —

" acceptable to the Supply Authority "; and
- (c) deleting "Minister" and "Minister's" and substituting, respectively, the following —

" Director " and " Director's ".

Regulation 249 amended

9. Regulation 249 of the principal regulations is amended by inserting, after "employee of", the following —

" , or a person authorised by, "

Regulation 253 repealed and a new regulation substituted

10. Regulation 253 of the principal regulations is repealed, and the regulation following is substituted —

“

Systems of inspection

253. (1) For the purpose of ensuring the safety of consumers' electric installations and consumers' apparatus which forms part of the consumers' electric installation to which the supply relates, and of monitoring the work of electrical contractors and other persons licensed under the Act, each supply authority shall establish and maintain an effective system of inspection.

(2) The system of inspection to be established and maintained by a supply authority under subregulation (1) shall —

- (a) relate to work on all types of consumers' electric installations, whether new or by way of alteration or addition;
- (b) provide for —
 - (i) safety from fire and electrical shock; and
 - (ii) the investigation of incidents of fire or shock, including incidents related to apparatus connected (whether or not permanently) to the consumers' electric installation, which may have been associated with electricity supplied by the supply authority to a consumer;
- (c) subject to subregulation (6), give effect —
 - (i) to such guidelines as are, for the purposes of the system of inspection referred to in subregulation (1), issued by the Director from time to time setting out the technical, investigative, reporting, administrative and other requirements with which the system is to comply;
 - (ii) to a system plan, and a policy statement, complying with such guidelines and submitted by the supply authority to the Director for use during such period, which shall normally be one year and not exceed 2 years, as the Director may, at the time of giving that approval, specify; and
 - (iii) to any condition, relevant to the compliance by the supply authority with its obligation under subregulation (1) to establish and maintain an effective system of inspection, to which the approval of the Director is made subject.

(3) Whether or not any inspection to which this regulation applies is to be carried out, and if it is carried out the nature and extent of it, is a matter within the discretion of the inspector authorized in accordance with that system to make the relevant inspection, subject to subregulation (4), unless —

- (a) a written law, or a term of an agreement, otherwise specifically requires; or
- (b) the Director or a responsible officer of the supply authority otherwise directs, if the relevant approved system so provides.

(4) If an inspection to which this regulation applies is proposed to be carried out —

- (a) after the installation or apparatus to which it relates has been energized; or
- (b) by way of the examination only of a sample of the work,

an inspection practice of that kind may be used if the relevant approved system so provides but otherwise only subject to the prior approval of the Director being obtained and to any condition, restriction, or limitation imposed.

(5) If —

- (a) in good faith, the authorized inspector decides not to carry out an inspection;
- (b) the supply authority, or the system of inspection established by the supply authority, does not require that an inspection be carried out; or
- (c) the approval of the Director has been given to an inspection not being carried out,

in any particular case or in relation to any class of case, the inspector, the supply authority and the Director shall not be liable, in civil or criminal proceedings, for any injury or damage occasioned by reason that the inspection was not carried out.

(6) Where a supply authority submits to the Director a system plan and a policy statement under subregulation (2) (c), or following a requirement made under subregulation (7) (b) (ii), the Director shall respond within 20 days and may —

- (a) require that further particulars be supplied in relation to any matter, or that other matters specified by the Director be addressed, in a further submission;
- (b) grant approval, or grant approval subject to any condition imposed relevant to the compliance by the supply authority with its obligation to establish and maintain an effective system of inspection under subregulation (1); or
- (c) reject the submission, wholly or in part, and require a further submission,

and a supply authority aggrieved by the response of the Director under this regulation in relation to any matter may, in writing, seek the approval of the Minister to that matter and effect shall be given to any such matter which the Minister may approve as though the approval had been given by the Director.

(7) The Director may audit the inspection practices of a supply authority against the system plan and policy statement approved under this section for that supply authority by the Director, and may by order in writing —

- (a) require the modification of any inspection practice of that supply authority if it is found by the Director not to conform with the approved system plan and policy statement; or
- (b) require the supply authority —
 - (i) to review those practices, or such of those practices as are specified in the order; and

- (ii) if in any respect the approved system of inspection is found to be inadequate to discharge the obligation of the supply authority under subregulation (1) to establish and maintain an effective system of inspection, to submit a revised system plan and policy statement,

within such time as is specified in the order,

and the supply authority shall forthwith give effect to such order.

(8) Although the Director may exercise the powers conferred by subregulation (7) at any time in so far as that may be necessary in relation to any particular accident, or to any incident or other matter related to safety, no full audit of the practices of the supply authority shall, unless the Minister otherwise authorizes, be commenced within 9 months of the completion of the last preceding full audit, and the Director shall, on request by a supply authority, specify when such an audit was last completed.

(9) A supply authority that —

- (a) supplies electricity in contravention of subregulation (1); or
- (b) otherwise fails to comply with a requirement of —
 - (i) this section; or
 - (ii) the system plan and policy statement, including any condition which may have been imposed in respect of the obligations of the supply authority under subregulation (1), relating to any system of inspection approved by the Director under this section,

commits an offence.

”.

Regulation 268 amended

11. Regulation 268 of the principal regulations is amended by deleting “Commission” and substituting the following —

“ the Co-ordinator ”.

Regulations 269 and 270 repealed

12. Regulations 269 and 270 of the principal regulations are, respectively, repealed.

Regulation 320 repealed

13. Regulation 320 of the principal regulations is repealed.

Regulation 321 amended

14. Regulation 321 of the principal regulations is amended —

- (a) in the definition of “Act”, by deleting “ — 1953”;
- (b) throughout, by deleting “Commission”, wherever it occurs, and substituting the following —

“ Director ”;

- (c) by deleting the definition of "Approved" and substituting the following —

"

"Approved" in relation to an electrical appliance means approved —

- (a) by the State Energy Commission, prior to the coming into operation of section 6 of the *Energy Corporations (Transitional and Consequential Provisions) Act 1994*; or

- (b) thereafter, by the Director,

for the purposes of the Act;

”;

- (d) by deleting the definition of "Duly constituted authority in another State of the Commonwealth" and substituting the following —

"

"Duly constituted authority in another State of the Commonwealth" means —

- (a) the Queensland Electricity Commission;
- (b) the Office of Energy, N.S.W.;
- (c) the Office of the Chief Electrical Inspector, Victoria;
- (d) the Electricity Trust of South Australia;
- (e) the Hydro Electric Commission of Tasmania; or
- (f) A.C.T. Electricity and Water.

”;

and

- (e) by deleting the definition of "Approvals Engineer" and of "Prescribed fee or fees".

Regulation 322 amended

15. Regulation 322 of the principal regulations is amended —

- (a) in subregulation (1), by deleting "and paying the relevant prescribed fee or fees";
- (b) in subregulation (3) (e), by deleting "appliance." and substituting the following —

"

appliance,

and shall also deliver with that appliance the original of a test report, from a test laboratory or facility recognised by the Director for the purpose of these regulations, containing references as to the compliance of that appliance with all relevant provisions of a specification published in respect to the appliance and acceptable to the Director.

”;

and

- (c) by adding the subregulation following —

“

(4) There shall be payable in respect of any application for an approval under this regulation —

- (a) a fee of such amount as is determined by the Director having regard to the cost and nature of the type of investigation, examination and other action necessary prior to the issue, or refusal, of approval; and
- (b) such other expenses related to that application as the Director may certify to have been incurred,

by the applicant to the Director, within 30 days of demand by the Director.

”

Regulations 323, 324 and 325 repealed

16. Regulations 323, 324 and 325 of the principal regulations are, respectively, repealed.

New regulation 323 inserted

17. The principal regulations are amended by inserting, immediately after regulation 322, the following regulation —

“

Further testing of electrical appliances approved

323. (1) The Director, at any time, may —

- (a) direct the holder of an approval certificate to make available for examination or testing, or both, electrical appliances of the class or type to which that approval relates; and
- (b) arrange for another or further examination or testing, or both, of those appliances,

for the purpose of determining the electrical safety of that class or type of appliance or its compliance with an applicable specification or Australian Standard.

(2) The holder of the certificate shall be responsible —

- (a) for submitting the appliance to any examination, or testing, or both, required for the purpose of ascertaining compliance with relevant provisions of the specification applicable in respect of the appliance;
- (b) for the arrangements required by the Director, at a test laboratory or facility recognised by the Director, in respect of that examination or testing;
- (c) for ascertaining what, if any, specification in respect to the appliance is acceptable to the Director and applicable for the purpose of these regulations; and
- (d) for the submission of evidence, additional to, or in verification of, the test report, if so required by the Director, as to the performance and suitability of the appliance.

(3) A direction under subregulation (1) shall be given in writing and specify —

- (a) the period, being not less than 1 month, within which the appliances are to be made available; and
- (b) the place to which the appliances are to be delivered.

(4) If an electrical appliance is found not to be in accordance with the approval previously given there shall be payable in respect of testing under this regulation —

- (a) a fee of such amount as is determined by the Director having regard to the cost and nature of the testing; and
- (b) such other expenses related to that testing as the Director may certify to have been incurred,

by the holder of the approval certificate to the Director, within 30 days of demand by the Director.

”

Regulation 326 amended

18. Regulation 326 of the principal regulations is amended by adding the subregulations following —

“

(7) A certificate of approval, at all times, shall —

- (a) remain the property of the Director; and
- (b) be made available, upon request, for inspection by an inspector.

(8) A certificate of approval —

- (a) has effect for such period, not exceeding 5 years, as is determined by the Director and endorsed on the certificate of approval; and
- (b) may be renewed, within that period, on application to the Director and, if required by the Director, subject to re-examination or re-testing of the appliance.

”

Regulation 328 (1) amended

19. Regulation 328 (1) of the principal regulations is amended —

- (a) by deleting “or testing by the Commission to its satisfaction”; and
- (b) by deleting “or testing carried out under this regulation, but the fees shall not exceed the prescribed fee or fees for examination and testing of an electrical appliance of that type or class” and substituting the following —

“

under this regulation and, where the Director determines that any testing may be required as a result of any alteration in design, materials or construction, the cost of that testing shall also be paid for by the applicant

”

Regulations 328 (2), 329 (2) and 330 amended

20. Regulations 328 (2), 329 (2) and 330 of the principal regulations are respectively amended by deleting “it” and substituting the following —

“ the Director ”.

Regulation 331 repealed and a new regulation substituted

21. Regulation 331 of the principal regulations is repealed, and the regulation following is substituted —

“

Delegation by the Director

331. (1) The Director may, either generally or as otherwise provided by the instrument of delegation, by writing signed by the Director, delegate to a person authorised by the Director the power of making any assessment, examination or test for the purposes of this Part, or of granting or refusing to grant any approval under this Part.

(2) A person on whom power is conferred under subregulation (1) may exercise a discretion whether or not to treat as acceptable any non-compliance with the detail of a technical standard or specification, subject to —

- (a) compliance with all requirements where safety is an issue; and
- (b) the approval of the Director having first been obtained to the exercise of that discretion in a matter of that kind.

(3) Subject to subregulation (2), a person on whom power is conferred under subsection (1) may exercise discretion to grant dispensation, for a period specified in writing with the prior approval of the Director, to an applicant with regard to any requirement of, or under, these regulations, and any such dispensation may be made subject to such conditions, qualifications, limitations or exceptions as are specified in the instrument of dispensation.

”

Regulation 334 amended

22. Regulation 334 of the principal regulations is amended by deleting “its”.

Regulation 335 amended

23. Regulation 335 of the principal regulations is amended —

- (a) by deleting “Commission”, wherever it occurs except in the passage “an officer of the Commission duly authorised in that behalf”, and substituting the following —

“ Director ”; and

- (b) by deleting “an officer of the Commission duly authorised in that behalf” and substituting the following —

“

a person who is an employee within the meaning of the *Public Sector Management Act 1994* and who is authorised to make the request on behalf of the Director

”

Regulation 336 amended

24. Regulation 336 (2) of the principal regulations is amended by deleting “or to the Approvals Engineer or to any other duly authorised officer of the Commission” and substituting the following —

“

, or to any other person who is authorised by the Director to perform any function under these regulations,

”

Regulation 339 repealed

25. Regulation 339 of the principal regulations is repealed.

Regulation 340 repealed and a new Part heading and regulation substituted

26. Regulation 340 of the principal regulations is repealed, and the heading and regulation following is substituted —

“

PART XI — PENALTIES AND PROCEEDINGS**Penalties**

340. A person who contravenes, either by act or omission, these regulations commits an offence.

Penalty: In the case of an individual, \$5 000; and
In the case of a body corporate, \$20 000.

”

Repeal of the Schedule

27. The Schedule to the principal regulations, referring to General Fees and Testing Fees, is repealed.

Repeal of the Appendix

28. The Appendix to the principal regulations, containing prescribed forms, is repealed.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RH302

ELECTRICITY ACT 1945**ELECTRICITY (LICENSING) (AMENDMENT) REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Electricity (Licensing) (Amendment) Regulations 1995*.

Principal regulations

2. In these regulations the *Electricity (Licensing) Regulations 1991** are referred to as the principal regulations.

[* *Published in Gazette of 14 October 1991 at pp. 5249-99.*
For corrigendum and amendments to 31 December 1994 see 1993
Index to Legislation of Western Australia, Table 4, p. 64.]

Commencement

3. These regulations come into operation on the day on which Part 4 of the *Energy Corporations (Transitional and Consequential Provisions) Act 1994* comes into operation.

Regulation 3 amended**4. Regulation 3 of the principal regulations is amended —**

- (a) in the definition of "private generating plant", by deleting "the Commission or"; and
- (b) by deleting the definition of "SECWA Electrical Requirements", and substituting the definition following —

"
 "W A Electrical Requirements" means the Code
 known by that name as issued by the Director.
 "

Various references to "Commission" changed to "Director"**5. The principal regulations are amended by deleting "Commission", where it occurs in the provisions referred to in the Table to this regulation, and substituting the following —**

" **Director** ".

Table

13 (2) (b) and (g)	19 (2) (k)	24 (4)	62
13 (3)	19 (3)	39 (1) and (3)	63 (1) and (2)
14 (1), (2) and (3)	22 (5)	52	64
17 (1) (f)	23 (1)	53 (1)	

Regulation 5 amended**6. Regulation 5 (1) of the principal regulations is amended —**

- (a) in paragraph (f), by deleting "*Public Service Act 1978*" and substituting the following —

" *Public Sector Management Act 1994* "; and

- (b) by deleting paragraph (g) and substituting the paragraph following —

"
 (g) one shall be a person who is a public service officer, within the meaning of the *Public Sector Management Act 1994*, subordinate to the Director nominated for appointment by the person holding or acting in the office of Director.
 "

Regulation 12 amended**7. Regulation 12 of the principal regulations is amended by deleting "Public Service Commission" and substituting the following —**

"
 Minister to whom the administration of the *Public Sector Management Act 1994* is committed
 "

Regulation 15 amended

8. Regulation 15 (3) of the principal regulations is amended, in paragraph (c) (i), by deleting "an officer employed by the Commission and" and substituting the following —

"
a person who is a public service officer within the meaning of the
Public Sector Management Act 1994, and is
".

Various references to the *State Energy Commission Act 1979* changed

9. (1) The principal regulations are amended by deleting "*State Energy Commission Act 1979*", where it occurs in regulation 30 (1) (e) and regulation 46 (1) (e), and substituting the following —

"
Energy Corporations (Powers) Act 1979 or the *Energy*
Coordination Act 1994.
".

(2) The principal regulations are amended by deleting "*State Energy Commission Act 1979*", where it occurs in regulations 36 (1) (b), 36 (2) (b) and 36 (3) (b), and substituting the following —

" *Energy Coordination Act 1994* ".

(3) The principal regulations are amended by deleting "and the *State Energy Commission Act 1979* and the", where it occurs in regulation 37 (1) (a) (iii), and substituting the following —

"
the *Energy Corporations (Powers) Act 1979*, the *Energy*
Coordination Act 1994 and the respective
".

Regulation 19 amended

10. Regulation 19 (2) of the principal regulations is amended, in paragraph (e), by deleting "Commission or" and "the Commission or".

Regulation 48 amended

11. Regulation 48 of the principal regulations is amended by deleting the definition of "the relevant supply authority" and substituting the definition following —

"
"the relevant supply authority" means —
(a) the supply authority supplying electricity in the area
within which the installation concerned is situated
and to the distribution works of which the
installation is or is to be connected; or
(b) where there is no such supply authority, the Director;
".

Regulation 49 amended

12. Regulation 49 (1) of the principal regulations is amended, in paragraph (b), by deleting "SECWA Electrical Requirements issued by the Commission" and substituting the following —

" W A Electrical Requirements ".

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RH903

GAS STANDARDS ACT 1972

GAS STANDARDS (AMENDMENT) REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Gas Standards (Amendment) Regulations 1995*.

Principal regulations

2. In these regulations the *Gas Standards Regulations 1983** are referred to as the principal regulations.

[* Reprinted as at 26 September 1986.

For amendments to 31 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 102.]

Commencement

3. These regulations come into operation on the day on which Part 5 of the *Energy Corporations (Transitional and Consequential Provisions) Act 1994* comes into operation.

Various references to "Commission" changed to "Director"

4. The principal regulations are amended by deleting "Commission", where it occurs in the provisions referred to in the Table to this regulation, and substituting the following —

" Director "

Table

8	Schedule 5 items —
12	401 (1) (b) (vi)
13 (1)	402 (b) (ix)
15	402 (c) (iv)
17	404 (b) (v) 413 (3)
19 (3)	418 (3)
28 (4)	501 (1) (b) and (3)
32A (1) and (2)	516 (c)
35A	517 (1)
Schedule 1	

Regulation 3 amended

5. Regulation 3 (1) of the principal regulations is amended —

- (a) by deleting the definition of "approved" and substituting the following —

"

"approved" means approved by —

- (a) the Director; or
(b) a person recognized by the Director as a competent authority for that purpose;

”;

- (b) by deleting the definition of "gas";

and

- (c) in the definition of "service apparatus", by deleting " , whether or not the property of the Commission".

Regulation 7 amended

6. Regulation 7 of the principal regulations is amended by deleting "the passage from and including "is any person for the time being — " to the end of the regulation and substituting the following —

" shall be a person who holds or acts in the office of Director. "

Regulation 16 amended

7. Regulation 16 of the principal regulations is amended, in paragraph (b), by deleting "at the head office of the Commission in Perth, or at any other office of the Commission" and substituting the following —

" to the Director, at an office "

Regulation 20 amended

8. Regulation 20 of the principal regulations is amended by deleting "Commission at East Perth" and substituting the following —

" gas supplier "

Regulation 21 amended

9. Regulation 21 (1) of the principal regulations is amended by deleting paragraphs (a) and (b) and substituting the following —

- "
- (a) the gas supplier;
 - (b) where the installation is mobile, or where the gas supplier is not identifiable, the Director in metropolitan Perth; and
- "

Regulation 35A amended

10. Regulation 35A of the principal regulations is amended by deleting "whom the authority" and substituting the following —

" which the Director "

Schedule 4 amended

11. Schedule 4 to the principal regulations is amended —

- (a) in Form 1 and Form 4 —
 - (i) by deleting "THE STATE ENERGY COMMISSION OF WESTERN AUSTRALIA";
 - (ii) by deleting "The State Energy Commission of Western Australia", in each place where it appears, and substituting the following —

" the Director of Energy Safety ";
- (b) in Form 4, by deleting "SECRETARY" and substituting the following —

" Director of Energy Safety "; and

- (c) in Form 5 —
- (i) by deleting “MINERALS AND”; and
- (ii) in footnote (2), by deleting “Commission” and substituting the following —
- “ Director of Energy Safety ”.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RH304

LIQUID PETROLEUM GAS ACT 1956

LIQUID PETROLEUM GAS (AMENDMENT) REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Liquid Petroleum Gas (Amendment) Regulations 1995*.

Principal regulations

2. In these regulations the *Liquid Petroleum Gas Regulations 1957** are referred to as the principal regulations.

[* *Published in Gazette of 25 October 1957 and amended by notice so published on 28 June 1973.*
For amendments to 31 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, p.121.]

Commencement

3. These regulations come into operation on the day on which Part 7 of the *Energy Corporations (Transitional and Consequential Provisions) Act 1994* comes into operation.

Various references to “Commission” changed to “Director”

4. The principal regulations are amended by deleting “Commission”, where it occurs in the provisions referred to in the Table to this regulation, and substituting the following —

“ Director ”.

Table

2, 3, 5 (c), 10 (1), 10 (2), 11.

Regulation 4 amended

5. Regulation 4 of the principal regulations is amended —

- (a) by deleting “Secretary of the Commission shall issue” and substituting the following —

“ Director of Energy Safety shall cause to be issued ”;

and

- (b) by deleting “secretary” and substituting the following —

“ Director ”.

Regulation 11

6. Regulation 11 of the principal regulations is amended by deleting the passage from and including "Commission —" to the end of the regulation and substituting the following —

"

Director a fee, to be determined by the Director having regard to the cost and nature of the testing, and such other expenses related to the testing as the Director may certify to have been incurred.

".

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RH305**STATE ENERGY COMMISSION ACT 1979****STATE ENERGY COMMISSION (APPOINTMENT OF INSPECTORS)
(REPEAL) REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *State Energy Commission (Appointment of Inspectors) (Repeal) Regulations 1995*.

Commencement

2. These regulations come into operation on the day on which the *Energy Coordination Act 1994* comes into operation.

Principal regulations

3. In these regulations the *State Energy Commission (Appointment of Inspectors) Regulations 1985** are referred to as the principal regulations.

[* Published in Gazette of 24 January 1986 at pp. 297-8.]

Repeal of the principal regulations

4. The principal regulations are repealed.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RH306**ENERGY COORDINATION ACT 1994****ENERGY COORDINATION (DESIGNATION OF INSPECTORS)
REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Energy Coordination (Designation of Inspectors) Regulations 1995*.

Commencement

2. These regulations come into operation on the day on which the *Energy Coordination Act 1994* comes into operation.

Definitions

3. In these regulations, unless the contrary intention appears —

“the Act” means the *Energy Coordination Act 1994*;

“issuing authority” means —

- (a) if the inspector was designated under section 12 of the Act by the Director, the Director; or
- (b) if the inspector was designated under section 12 of the Act by the Coordinator, the Coordinator.

Certificate of designation

4. The form of certificate in the Schedule to these regulations is the form of certificate of designation prescribed for the purposes of section 13 of the Act.

Classification of Inspectors

5. Inspectors designated pursuant to section 12 of the Act shall be classified as follows —

- (a) Inspector (Gas); or
- (b) Inspector (Electricity).

Qualification of Inspectors

6. A person shall not be designated as an inspector unless the issuing authority is satisfied that —

- (a) the person has such qualifications and experience as will enable that person to carry out in a proper and efficient manner the duties of an inspector of the classification specified in the instrument of designation of that person; or
- (b) in the case of a person to be classified as —
 - (i) an Inspector (Gas), the person holds a Gas fitter's certificate of competency issued under the *Gas Standards Act 1972*;
 - (ii) an Inspector (Electricity), the person holds an Electrical worker's licence issued under the *Electricity Act 1945*, endorsed for electrical fitting and electrical installing.

Power of inspectors

7. The powers conferred on an inspector having the classification specified in Column 1 of the Table to this regulation may only be exercised —

- (a) for the purpose of an Act specified in Column 2 of that Table opposite, and corresponding to, that classification; and

- (b) subject to any limitation, and any restriction, specified in the certificate of designation held by that person.

TABLE

Column 1	Column 2
Classification of Inspector	Acts
Inspector (Gas)	<i>Gas Standards Act 1972, Energy Coordination Act 1994</i>
Inspector (Electricity)	<i>Electricity Act 1945, Energy Coordination Act 1994</i>

Variation or cancellation of certificate

8. (1) Any certificate of designation furnished to an inspector pursuant to section 13 of the Act may be varied or cancelled by the issuing authority.

(2) Where a certificate of designation is varied or cancelled under subregulation (1), the person in respect of whom the certificate was issued shall return the certificate to the issuing authority.

(3) A person who fails to comply with subregulation (2) commits an offence.

Penalty: \$200.

SCHEDULE 1
ENERGY COORDINATION ACT 1994**ENERGY COORDINATION (DESIGNATION OF INSPECTORS)
REGULATIONS 1995**

[Regulation 4]

CERTIFICATE OF DESIGNATION

This is to certify that
is designated an *Inspector (Gas)/*Inspector (Electricity) for the purposes of
the following Acts:

.....
.....

Powers of inspection that may be exercised:

.....
.....
.....

Limitations/Restrictions applicable:

This designation has effect until (date)

*DIRECTOR OF ENERGY SAFETY
 *COORDINATOR OF ENERGY

*Delete as inapplicable.

Dated 19 Certificate No.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

STATE SUPPLY

SD401

STATE SUPPLY COMMISSION ACT 1991

It is hereby notified for general information that, pursuant to section 28 (3) of the State Supply Commission Act 1991, the State Supply Commission has issued the following supply policy, which is applicable to all public authorities—

Supply Policies—Management
 General Conditions of Contract

Dated 23 December 1994.

IAN STEELE, A/Chairman,
 State Supply Commission of Western Australia.

STATE TAXATION

SX401

PAY-ROLL TAX ASSESSMENT ACT 1971

NOTICE OF EXEMPTION OF CHARITABLE BODY

Notice is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act, that Bobieding Aboriginal Corporation is declared exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

G. M. EVANS, Minister for Finance.

SX402

PAY-ROLL TAX ASSESSMENT ACT 1971

NOTICE OF EXEMPTION OF CHARITABLE BODY

Notice is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act, that Burriguk Aboriginal Corporation is declared exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

G. M. EVANS, Minister for Finance.

TRANSPORT

TR401

NAVIGABLE WATERS REGULATIONS

Water Ski Areas

Department of Transport,
Fremantle WA, 23 December 1994.

Acting pursuant to the powers conferred by regulation 48A of the Navigable Waters Regulations, the Department of Transport, by this notice revokes paragraph (b) (7) of the notice published in the *Government Gazette* of 25 October 1991 relating to the water ski area in the Shire of Collie at the Stockton Open Cut.

TONY MIDDLETON, A/Director General of Transport.

WATER AUTHORITY

WA401

IMPROVEMENTS TO METROPOLITAN WATER SUPPLY

Shire of Murray

Cockburn Sound—Murray District

Notice of Intention to Construct the Lower South Dandalup Redevelopment Project

Works at Existing Lower South Dandalup Dam

To improve the water supply to Pinjarra and to augment the water supply to the Mandurah and Perth metropolitan systems the Water Authority proposes to redevelop the existing infrastructure of the Lower South Dandalup scheme by constructing—

(a) At the existing Lower South Dandalup dam site—

- a new pump station to pump water back to South Dandalup Reservoir.
- new water treatment facilities.
- associated pipework, including a pipeline connecting the dam via the pump station to the existing South Dandalup trunk main.
- associated works including upgraded and extended existing powerlines, access road works, refurbishment of the existing dam and catchment rehabilitation.

(b) At the existing South Dandalup dam site—

- additional pipework to allow the transfer of pumpback water from the existing trunk main just downstream of the dam over one of the abutments of the dam and into the reservoir.

The locations of the proposed works are shown on the plan. Further information and inspection of the plan (referred to as CR96-6-1) is available at the Water Authority's Customer Enquiries counter, John Tonkin Water Centre, 629 Newcastle Street, Leederville and at the Water Authority's office 109 Park Road, Mandurah during office hours.

The plan may also be inspected at the Shire of Murray offices, Pinjarra.

WA402

File No. A25920

**PUBLIC WORKS ACT 1902
WATER AUTHORITY ACT 1984**

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Dandalup Conjurunup Creek—Pipehead Dam Outlet Pipeline

The Minister for Water Resources hereby gives notice in accordance with the provisions of Water Authority Act 1984 and under section 17 (2) of the Public Works Act 1902 that it is intended to take or resume under section 17 (1) of that Act, the parcels of land described in the Schedule hereto, and being all in the North Dandalup District, for the purpose of the following public work, namely, Dandalup Conjurunup Creek—Pipehead Dam Outlet Pipeline and that the said parcels of land are marked off on Water Authority Plan A2887 which may be inspected at the office of the Water Authority of Western Australia of 629 Newcastle Street, Leederville. The additional information contained in the Schedule after the land descriptions to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

WA Plan No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
A2887	Geoffrey Christopher Boobbyer and Cheryl Rae Boobbyer	Geoffrey Christopher Boobbyer and Cheryl Rae Boobbyer	Portion of each of Cockburn Sound Location 16 and Murray Location 970 and being Lot 101 on Plan 18212 and being part of the land comprised in Certificate of Title Volume 1913 Folio 660.	3.2839 ha

Dated this 19th day of December 1994.

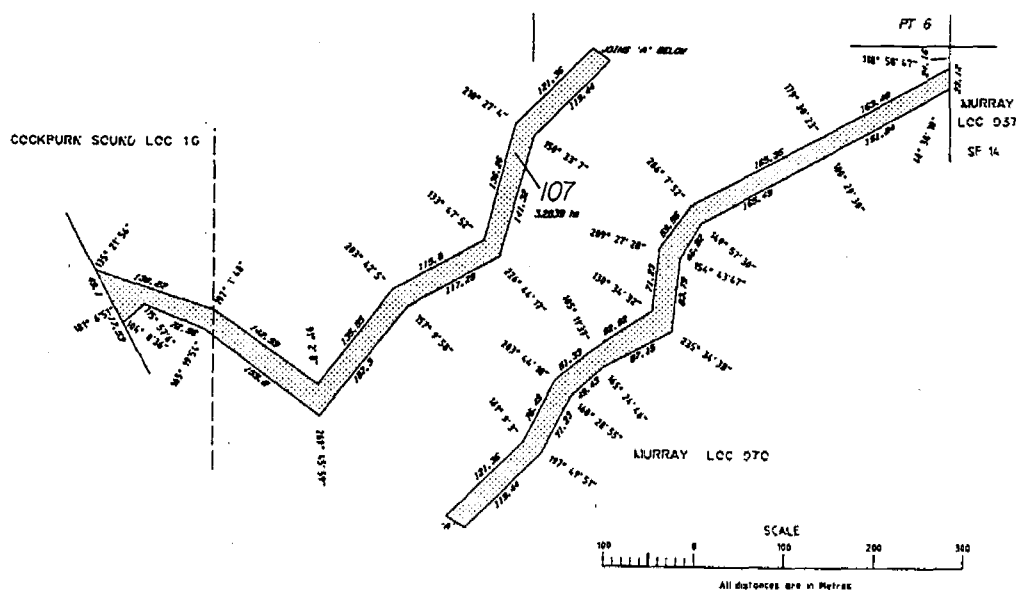
PAUL D. OMODEI, Minister for Water Resources.

Schedule

**PUBLIC WORKS ACT 1902
WATER AUTHORITY ACT 1984**

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Land Referred to Portion of Murray Loc 970 and Cockburn Sound Loc 16 and being Lot 101 (Proposed Lot 107) on Plan 18212 the Subject of C/T Vol 1913 Fol 660



The land proposed to be taken or resumed for purposes of Dandalup-Conjurunup Creek Pipehead Dam Outlet Pipeline is the land on this plan shown stippled, the same being more particularly described in the Notice of Intention relating thereto and bearing date herewith.

Dated this 19th day of December 1994.

PAUL D. OMODEI, Minister for Water Resources.

TENDERS**ZT201****MAIN ROADS***Tenders*

Tenders are invited for the following projects.

Tender documents are available from the Contracts Officer, Supply Services Branch, Ground Floor, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
CMB 05/94	Repainting and anti graffiti coating of Traffic Signal Equipment.	January 11, 1995
142/94	Maintenance works and construction of dual use paths on Bridge 910 over Swan River on Guildford Road, Bassendean.	January 31, 1995
139/94	Fencing, Kalgoorlie-Meekatharra Road, Leinster-Lake Miranda Section, Kalgoorlie Division.	January 13, 1995
158/94	Propagation and supply of plants for Kwinana Freeway, Forrest Road to Thomas Road.	December 30, 1994
157/94	Propagation and supply of plants Roe Highway, Tonkin Highway to Welshpool Road.	December 30, 1994
201/94	Non slip surfacing of Bridge 9009, Dean Street footbridge.	January 4, 1995
163/94	Landscape works, Reid Highway Stage 2, Mirrabooka Avenue to Wanneroo Road.	January 11, 1995
187/94	Landscape works Reid Highway Stage 1, Mirrabooka Avenue-Benara/Beechboro Roads.	January 11, 1995
179/94	Sealing and resealing, various roads, Albany Division.	January 10, 1995

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
129/94	Cleaning of Main Roads offices and depot buildings, Bunbury.	Bunbury Cleaning Service	10 636.61
146/94	Graffiti protection of the Hamilton Interchange—Mitchell Freeway.	Protecta Systems	30 222.06
110/94	Cold planing, rubberised bituminous sealing and asphalt surfacing, Albany Highway and Kwinana Freeway.	Boral Asphalt	899 151.60
79/94	Supply and delivery of crushed aggregate, Northam Division.	BGC Quarries, Pioneer Concrete (WA) Pty Ltd and Western Quarries	699 999.00
49/94	Supply and delivery of traffic signal controllers.	Phillips Traffic & Engineering Systems	705 180.00
150/94	Supply and delivery of crushed aggregate Geraldton Division.	Pioneer Concrete (WA) Pty Ltd, Rapid Screens Crushing & Screening and The Readymix Group	299 527.39
125/94	Cleaning all windows and glazing at the Don Aitken centre East Perth.	Golden West Commercial & Retail Cleaning	2 700.00
101/94	Mowing and slashing of road reserves, various roads, in the metropolitan area.	Bob's Lawn & Garden Service	345 544.00

D. R. WARNER, Director, Corporate Services.

PUBLIC NOTICES**ZZ101****PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to section 14 of the Public Trustee Act 1941 the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Name of Deceased; Address; Date of Death; Date Election Filed.

Cseplo, George; Lockridge; 12 April 1994; 13 December 1994.
Bramwell, John Douglas George; Geraldton; 6 August 1994; 13 December 1994.
Bushby, Clara Mabel; Armadale; 20 December 1993; 13 December 1994.
Fettes, Dorothy May; Harvey; 26 October 1994; 13 December 1994.
Godden, Stanley William; Nedlands; 24 August 1994; 13 December 1994.
Pizzino, Salvatore; Rivervale; 24 September 1994; 13 December 1994.
Ploumakis, Ioannis; Perth; 3 May 1994; 13 December 1994.

Dated at Perth the 14 day of December 1994.

K. E. BRADLEY, Public Trustee,
565 Hay Street, Perth 6000.

ZZ102**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 23rd January 1995, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Attwell, Caroline Rachel, late of 21 Koorda Street, Mount Lawley, died 22/11/94. (DEC 277786 DA3)
Barker, George Patrick, late of 152 Birkett Street Dianella, died 25/11/94. (DEC 278303 DA2)
Barnes, Lorna McMaster, formerly of 11 Kershaw Street, Subiaco, late of Unit 1/112 Stirling Highway, Nedlands, died 24/11/94. (DEC 277865 DG2)
Bird, Donald Leonard, late of 79 Collins Street, Kalgoorlie, died 1/9/94. (DEC 275100 DL3)
Bowers, Baldy, late of Numbala Nunga Nursing Home, Sutherland Street, Derby, died 29/8/94. (DEC 276280 DD3)
Brooks, George Edward, late of Lakeside Nursing Home, 68 Lyle Street, Redcliffe, died 28/5/94. (DEC 271228 DS4)
Campbell, Ivy Eileen, late of 14 Towerhill Road, Alexander Heights, died 22/11/94. (DEC 277756 DG2)
Chalmers, Eileen Margaret, late of 36 Barcombe Way, Leeming, died 28/11/94. (DEC 278340 DA2)
Chapman, Reginald Arthur, late of 21 Tennyson Avenue, Halls Head, died 6/11/94. (DEC 277456 DA4)
Clifton, Eleanor Victoria, late of Catherine McAuley Family Centre, 18 Barrett Street, Wembley, died 6/10/94. (DEC 276045 DG3)
De Bruyn Vera Irene Galbraith, late of Concorde Nursing Home, Anstey Street, South Perth, died 21/11/94. (DEC 278116 DC4)
Eggeling, Bessie Crescent, late of 4/37-39 Sholl Street, Mandurah, died 22/11/94. (DEC 277868 DA2)
Ekert, Nancy Beryl, late of 127 Herbert Street, Shenton Park, died 11/11/94. (DEC 277887 DG4)
Hayes, Marjorie Bertha, late of Wearne House, Leslie Street, Mandurah, died 19/10/94. (DEC 277098 DL3)
Jongejeugd, Jan, also known as Jongejeugd, John, late of 13 Hughenden Drive, Thornlie, died 10/7/94. (DEC 273259 DS3)
Koning, Cornelius Franciscus, late of 1 Hydra Close, Rockingham, died 3/9/94. (DEC 275302 DS3)
Leonard, John James, late of Hamilton Hill Nursing Home, 27 Ivermeyer Road, Hamilton Hill, died 12/9/94. (DEC 275174 DE3)
Lopes, Tony, late of 4 Rankin Way, Booragoon, died 19/1/87. (DEC 270830 TA4)
McKim, Joyce Ethel, late of Unit 9/115 Peninsula Road, Maylands, died 26/11/94. (DEC 278085 DC2)
Manucci, Angela, late of 3/269 Cambridge Street, Wembley, died 23/11/94. (DEC 777671 DP3)
Mellowship, George Thomas, late of 10 Bridson Street, Bassendean, died 4/12/94. (DEC 277964 DA3)

Miller, Norma Amy, late of Lathlain Nursing Home, 63 Archer Street, Carlisle, died 8/10/94. (DEC 276186 DD2)

Nicholl, William Cozins, late of 159 Barker Road, Subiaco, died 22/11/94. (DEC 277780 DA1)

Norriss, Kevin Ernest, late of 31 Knight Street, Wembley Downs, died 20/11/94. (DEC 277758 DA2)

Parker, John, formerly of 7 North Street, Mount Lawley, late of Mount Henry Hospital, Cloister Avenue, Manning, died 16/9/94. (DEC 275418 DA4)

Smith, Irene Beatrice, late of 155 Herbert Street, Doubleview, died 22/11/94. (DEC 277888 DL4)

Smith, Phillip Arthur, late of 19 Jeffery Street, Hilton, died 27/11/94. (DEC 277866 DS3)

Wheildon, Gladys May, late of 39 Lena Street, Tuart Hill, died 30/11/94. (DEC 277802 DL3)

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth 6000.
Telephone: 222 6777.

ZZ103**PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to section 14 of the Public Trustee Act 1941 the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Name of Deceased; Address; Date of Death; Date Election Filed.

Ryder, Allin Brian; Perth; 14 August 1994; 19 December 1994.

Scott, George Young; Victoria Park; 28 May 1990; 19 December 1994.

Dated at Perth the 20th day of December 1994.

K. E. BRADLEY, Public Trustee,
565 Hay Street, Perth 6000.

ZZ201**TRUSTEES ACT 1962****NATIONAL MUTUAL TRUSTEES LIMITED****Notice to Creditors and Claimants**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the undermentioned deceased persons, are required by the executor National Mutual Trustees Limited of 111 St George's Terrace, Perth (Box B76 GPO Perth 6001) to send particulars of their claims to them by 23 January 1995, after which date the Company may convey or distribute the assets of the Estate having regard only to the claims of which it then has notice.

1. Figliomeni, Victor (a.k.a. Vittorio Figliomeni), late of 1 Ash Avenue, Harvey, died on 6 October 1994; and
2. Burrows, James, late of 51 Beach Road, Marmion, died on 3 December 1994.

ZZ202**TRUSTEES ACT 1962**

Leonardine Frances Angell, late of Hardey Lodge Monmouth Street, Mount Lawley in the State of Western Australia deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on the 5th June 1994 are required by the Executor Howard John Ginbey to send particulars of their claims to him care of Ginbey & Co., Solicitors, 12 Douro Place, West Perth by the 31st January 1995 after which date the Executor may convey or distribute the assets having regard to the claims of which he then has notice.

GINBEY & CO., as solicitors for the Executor.

ZZ401

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership subsisting between Beatrice Boyer and Eric Gene Young carrying on business as a trucking and transportation firm under the style or firm of Iowna Transport has been dissolved as from 24th November 1994 so far as concerns the said Beatrice Boyer who retires from the said firm. All debts due and owing by the said firm will be received and paid respectively by Eric Gene Young who will continue to carry on business under the style or firm of Iowna Transport.

As witness may hand this 7 day of December 1994.

BEATRICE BOYER.

ZZ402

WINDING-UP OF COMPANY

Town Farm Enterprises Pty Ltd ACN: 008 920 465

In the matter of the Australian Corporations and Securities Legislation and in the matter of Town Farm Enterprises Pty Ltd ACN: 008 920 465, notice is hereby given that at an Extraordinary General Meeting of the abovementioned Company, duly convened and held at 10.00 a.m. on the 15th day of December 1994 the following Special Resolution was duly passed—

“That the Company be wound up voluntarily.”

Mr Joseph Catenacci of Suite 6, 16 Main Street, Osborne Park was appointed Liquidator of the Company.

Dated this 16th December 1994.

J. CATENACCI, Liquidator.

Reprinted under the Reprints Act 1984 as at 30 January 1992

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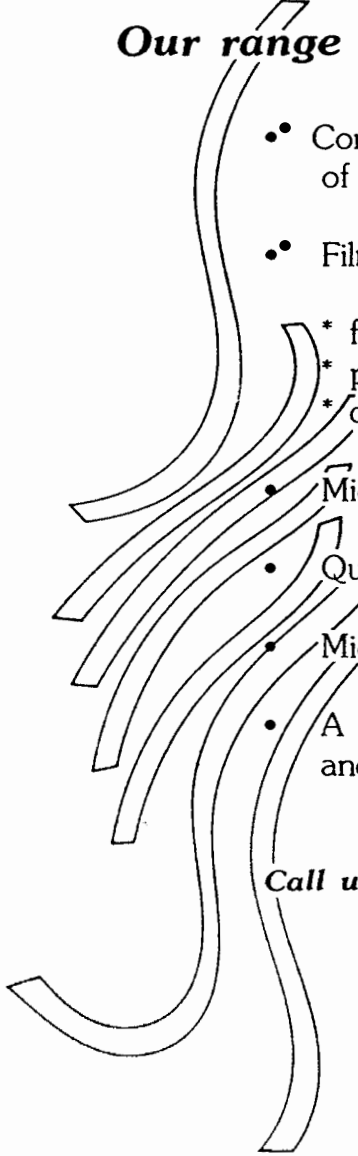
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