



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

5439



PERTH, TUESDAY, 15 OCTOBER 1996 No. 152

PUBLISHED BY AUTHORITY JOHN A. STRIJK, ACTING GOVERNMENT PRINTER AT 3.30 PM

Publishing Details

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

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

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- Material submitted to the Executive Council and which requires gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
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State Law Publisher
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JOHN A. STRIJK,
Acting Government Printer.

PROCLAMATIONS

AA101*

TRANSFER OF LAND ACT 1893 TRANSFER OF LAND (REVESTMENT) PROCLAMATION

WESTERNAUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Companion of the Order of Australia, Officer of the Order of Australia (Military Division), Military Cross, Governor of the State of Western Australia.
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DOLA File 5735/950V23.

UNDER Section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described in the Schedules to this Proclamation.

Schedule I			
DOLA File	Description of Land	Certificate of Title Volume	Folio
3201/989	Lot 208 the subject of Diagram 78464.(now Sussex Location 5070)	1890	646
1639/995	Lot 111 on Plan 18226. (now Cockburn Sound Location 4186)	1918	182
888/996	Lot 119 on Plan 21063 (now Jarrahdale Lot 118)	2059	198
1638/995	Lot 358 on Plan 15145.(now portion Murray Location 2000)	1702	607
1638/995	Lot 359 on Plan 15146.(now portion Murray Location 2000)	1702	546
1638/995	Lot 360 on Plan 15147.(now portion Murray Location 2000)	1702	637
1206/996	Portion of Swan Location 1315 coloured brown and marked Pedestrian Accessway on Plan 16507	1811	0507
1206/996	Portion of Swan Location 1315 coloured brown and marked Pedestrian Accessway on Plan 16768	1828	397
1572/994	Salmon Gums Lot 33	968	51
63/932V2	Kulja Lot 39. (now Lot 76)	1029	545

Schedule II			
DOLA File	Description of Land		
2727/995	Portion of Cockburn Sound Location 550 being the land coloured brown and marked Pedestrian Accessway on Diagram 39682 and being part of the land comprised in Certifi- cate of Title Volume 357 Folio 51A.(now Cockburn Sound Location 4269)		
2031/995	Portion of Swan Location 1315 being the land coloured brown and marked Pedestrian Accessway abutting Lots 504 and 505 on Plan 10031 and being part of the land com- prised in Certificate of Title Volume 543 Folio 59A		
793/996	Portion of Perthshire Location Au and being the land coloured brown and marked Pedes- trian Accessway on Plan 9039 and being part of the land comprised in Certificate of Title Volume 977 Folio 109.		
2758/994	Portion of Canning Location 31 and being the land marked Right of Way on Diagram 54724 and being the balance of the land in Certificate of Title Volume 1430 Folio 090.		
1313/996	Portion of Swan Location 1322 being the land coloured brown and marked Pedestrian Accessway abutting Lots 6 and 18 and comprising 243 square metres on Plan 8113 (1) and being part of the land comprised in Certificate of Title Volume 1292 Folio 943.		
1200/996	Portion of Swan Location M1 being the land coloured brown and marked Pedestrian Accessway abutting Lots 74 and 86 on Plan 13997 and being part of the land comprised in Certificate of Title Volume 1292 Folio 943.		
921/996	Portion of Perthshire Location Au being the land coloured brown and marked Pedestrian Accessway abutting Lots 350 and 351 on Plan 8317 and being part of the land comprised in Certificate of Title Volume 5 Folio 46A.		

Given under my hand and the Seal of the State on 8 October 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

AA102*

TRANSFER OF LAND ACT 1893 TRANSFER OF LAND (REVESTMENT) PROCLAMATION

WESTERNAUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Companion of the Order of Australia, Officer of the Order of Australia (Military Division), Military Cross, Governor of the State of Western Australia.
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DOLA File 5735/950V10.

UNDER Section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described in the Schedule to this Proclamation.

DOLA File	Schedule Description of Land	Certificate of Title	
		Volume	Folio
1457/967	Lot 15 on Plan 13813 (Sheet 2). (now portion Cockburn Sound Location 4232)	1660	164
1457/967	Lot 51 on Plan 14232.(now portion Cockburn Sound Location 4232)	253	152A
415/995	Lot 254 on Plan 14542 (now Swan Location 12130)	1668	354
726/979	Lot 32 on Diagram 64261.(now Bridgetown Lot 919)	1645	808
3579/977	Lot 391 on Plan 20997.(now Margaret River Lot 257)	2056	350
834/995	Lot 83 on Plan 20777.(now Swan Location 12605)	2048	148
881/996	An estate in Swan Location 5297 below a depth of 12.19 metres and certain mineral and other reservations to a depth of 12.19 metres only.	1808	702
1628/981	Lot 273 on Diagram 54547.(now Swan Location 12582)	2039	590

Given under my hand and the Seal of the State on 8 October 1996.

By His Excellency's Command,

G. D. KIERATH, Minister for Lands.

GOD SAVE THE QUEEN !

AGRICULTURE

AG301

BULK HANDLING ACT 1967

BULK HANDLING (RECEIPT HANDLING STORAGE AND DELIVERY CHARGES) AMENDMENT ORDER 1996

Made by His Excellency the Governor in Executive Council.

Citation

1. This order may be cited as the *Bulk Handling (Receipt Handling Storage and Delivery Charges) Amendment Order 1996*.

Principal order

2. In this order the *Bulk Handling (Receipt Handling Storage and Delivery Charges) Order 1995** is referred to as the principal order.

[* *Published in Gazette 24 November 1995, p. 5391.*
For amendments to 1 October 1996, see 1995 Index to Legislation of Western Australia, Table 4, p. 28.]

Clause 3 amended

3. Clause 3 of the principal order is amended by deleting "or seed".

Clause 4 repealed and clause 4 substituted

4. Clause 4 of the principal order is repealed and the following clause is substituted —

"

Handling charges fixed

4. (1) There is fixed under section 34 of the Act as the FOR charge to be paid for handling in relation to all grain received which is —

- (a) barley the amount of \$9.50; or
- (b) wheat the amount of \$8.50.

(2) There is fixed under section 34 of the Act as the FOB charge to be paid for handling in relation to all grain outloaded ex shiploaders which is —

- (a) barley the amount of \$5.90; or
- (b) wheat the amount of \$5.90.

Clause 5 repealed and clause 5 substituted

5. Clause 5 of the principal order is repealed and the following clause is substituted —

“

Storage charges fixed

5. There is fixed under section 34 of the Act as the charge to be paid for storage of all grain —

- (a) in relation to all grain in storage during the period commencing 1 April and ending 31 May each year, the amount of \$0.60 per tonne per month;
- (b) in relation to all grain in storage during the period commencing 1 June and ending 31 August each year, the amount of \$0.90 per tonne per month; and
- (c) in relation to all grain in storage during the period commencing 1 September until out-turned, the amount of \$1.00 per tonne per month.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

AG401

PERTH MARKET ACT 1926

Department of Agriculture
South Perth WA 6151.

I, Monty House, Minister for Primary Industry, acting under the provisions of Section 3 (1a) of the Perth Market Act 1926 hereby appoint—

David Lawrence Thomas
Jacques Maurice Rousset
Neil Delroy
Harvey Giblett
John Mercer

as members of the Perth Market Authority for a term of office expiring on 5 September 1999.

MONTY HOUSE, MLA, Minister for Primary Industry; Fisheries.

FAIR TRADING

FT401

HIRE PURCHASE ACT 1959
ORDER UNDER SECTION 2A

Made by His Excellency the Governor in Executive Council.

Citation

1. This order may be cited as Hire Purchase Order No. 2—*Government Railways*.

Commencement

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

Exemption

3. The provisions of the Hire-Purchase Act 1959 ("Act") do not have effect in relation to any transaction or class of transactions included in which or which is the subject of, or which is evidenced by one or more hire-purchase agreements (as that term is defined in the Act) (whether or not The Western Australian Government Railways Commission is a party thereto) or any one or more hire-purchase agreements made in relation to any such hire-purchase agreement which is or are, or is or are expressed to be, entered into by way of substitution for, in replacement of, by way of novation for, variation of, or in addition to, any such hire-purchase agreement, being a transaction or class of transactions under which goods of any description including but not limited to locomotives, railcars, rolling stock of any other kind or description and road vehicles including trucks and passenger coaches (whether directly or via any number of interposed head or sub hire-purchase agreements or leases) are hired, leased or otherwise made available or provided to The Western Australian Government Railways Commission for the purpose of performing its functions under the Government Railways Act 1904 or any other Act administered by the Commission.

4. This order shall remain in force throughout the currency of any transaction to which it applies.

By His Excellency's command,

J. PRITCHARD, Clerk of the Council.

FT402**WEIGHTS AND MEASURES ACT 1915**

Ministry of Fair Trading,
Perth, 24 September 1996.

It is hereby notified that His Excellency the Governor in Council has appointed Mr Stuart Liddy as an Inspector to the Trade Measurement Unit in accordance with section 6 of the Weights and Measures Act 1915.

A. TENGER, A/Executive Director.

HEALTH**HE301****HEALTH ACT 1911****HEALTH (PESTICIDES) AMENDMENT REGULATIONS (No. 2) 1996**

Made by His Excellency the Governor in Executive Council on the advice of the Pesticides Advisory Committee.

Citation

1. These regulations may be cited as the *Health (Pesticides) Amendment Regulations (No. 2) 1996*.

Principal regulations

2. In these regulations the *Health (Pesticides) Regulations 1956** are referred to as the principal regulations.

[* Reprinted as at 3 April 1989.
For amendments to 26 September 1996 see 1995 Index to
Legislation of Western Australia, Table 4, pp. 137-40 and Gazette
28 June 1996.]

Regulation 29 amended

3. (1) Regulation 29 (2) of the principal regulations is amended by deleting "that Board" and substituting the following —

" the chief executive officer of that department ".

(2) Regulation 29 (4) of the principal regulations is amended by deleting all the words from "The Agriculture" to "trained —" and substituting the following —

"
The chief executive officer of Agriculture Western Australia may in writing authorize an officer of that department to manufacture or distribute registered pesticides containing sodium fluoroacetate on behalf of the department if the chief executive officer is satisfied that the officer has been trained —
".

(3) Regulation 29 (7) of the principal regulations is amended by deleting "the Board" and substituting the following —

" the chief executive officer of Agriculture Western Australia ".

(4) Regulation 29 (8) of the principal regulations is amended by deleting "Agriculture Protection Board" in the second place where it occurs and substituting the following —

" chief executive officer of Agriculture Western Australia ".

Regulation 29A amended

4. Regulation 29A (3) of the principal regulations is repealed and the following subregulation is substituted —

"
(3) Officers of the Water Corporation or a local government or environmental health officers, who are trained to the satisfaction of the chief executive officer of Agriculture Western Australia in accordance with the provisions of regulation 29 (4), may assist officers of Agriculture Western Australia to bait for rats.
".

Regulation 30 repealed and a regulation substituted

5. Regulation 30 of the principal regulations is repealed and the following regulation is substituted —

"
Records to be kept
30. (1) The chief executive officer of Agriculture Western Australia must keep up to date records of the name and address of each person to whom a registered pesticide containing sodium fluoroacetate is distributed or supplied by that department.
(2) The records are to be kept for at least 2 years and are to be available for inspection by environmental health officers, other officers appointed under the Act and persons declared under section 52A of the *Poisons Act 1964* to be authorized officers for the purposes of that Act.
".

Regulation 31 amended

6. (1) Regulation 31 (1) of the principal regulations is amended by deleting "the Board" and substituting the following —

" the chief executive officer of Agriculture Western Australia ".

(2) Regulation 31 (2) of the principal regulations is amended by deleting ", by the Agriculture Protection Board" and substituting the following —

" containing sodium fluoroacetate ".

(3) Regulation 31 (3) of the principal regulations is repealed and the following subregulation is substituted —

"
(3) A person who is supplied with pesticide baits containing sodium fluoroacetate must keep them in the container in which they

were supplied and keep that container in a locked compartment or locked room except when the baits are required for immediate use. ”

(4) Regulation 31 (4) of the principal regulations is amended by deleting “Agriculture Protection Board” and substituting the following —

“ chief executive officer of Agriculture Western Australia ”.

(5) Regulation 31 (8) (b) of the principal regulations is amended by deleting “the Board” and substituting the following —

“ that department ”.

Regulation 37A amended

7. Regulation 37A (2) of the principal regulations is amended by deleting “regulations —” and substituting the following —

“ regulation — ”.

Regulations 55 and 56 amended

8. Regulations 55 (1) (b) (ii) and (2) and 56 (3) (a) of the principal regulations are amended by deleting “local authority” and substituting the following —

“ local government ”.

Regulation 70 amended

9. Regulation 70 (1) (e) and (2) (e) are amended by deleting “the Department of Agriculture of Western Australia nominated for the purposes of this paragraph by the Director General of Agriculture;” and substituting the following —

“ Agriculture Western Australia nominated for that purpose by the chief executive officer of that department; ”.

Various references to the Agriculture Protection Board amended

10. In each subregulation listed in the Table to this regulation “the Agriculture Protection Board” is deleted and the following is substituted —

“ Agriculture Western Australia ”.

TABLE

reg. 29 (1), (2), (5), (6), (7),
(8) in the first place, (9)
reg. 29A (1), (2)
reg. 31 (1), (5), (6a), (8)

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE302

HOSPITALS AND HEALTH SERVICES ACT 1927

HOSPITALS (SERVICES CHARGES) AMENDMENT REGULATIONS (No. 4) 1996

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Hospitals (Services Charges) Amendment Regulations (No. 4) 1996*.

Commencement

2. These regulations come into operation on 17 October 1996.

Schedule amended

3. Part 1 of the Schedule to the *Hospitals (Services Charges) Regulations 1984** is amended —

- (a) in item 1 (c), by deleting “\$26.05” and substituting the following —
“ \$26.30 ”;
- (b) in item 1 (d) (i), by deleting “\$87.80” and substituting the following —
“ \$89.70 ”;
- (c) in item 1 (d) (ii), by deleting “\$81.80” and substituting the following —
“ \$83.70 ”;
- (d) in item 3, by deleting “\$26.05” in both places where it occurs and substituting in each place the following —
“ \$26.30 ”; and
- (e) in item 4, by deleting “\$23.80” and substituting the following —
“ \$24.05 ”.

[* Reprinted as at 14 February 1995.
For amendments to 25 September 1996 see 1995 Index to
Legislation of Western Australia, Table 4, p. 148, and Gazette
2 April, 17 May, and 28 June 1996.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE303

MENTAL HEALTH ACT 1962

MENTAL HEALTH (TREATMENT FEES) AMENDMENT
REGULATIONS (No. 2) 1996

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Mental Health (Treatment Fees) Amendment Regulations (No. 2) 1996*.

Commencement

2. These regulations come into operation on 17 October 1996.

Schedule 2 amended

3. Schedule 2 to the *Mental Health (Treatment Fees) Regulations 1992** is amended —

- (a) by deleting “26.05” and substituting the following —
“ 26.30 ”; and

- (b) by deleting "22.30" in both places where it occurs and substituting in each place the following —

" 22.55 "

[* *Published in Gazette 28 August 1992, pp. 4215-9.*
For amendments to 26 September 1996 see 1995 Index to Legislation of Western Australia, Table 4, p. 190, and Gazette 2 April 1996.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE304

RADIATION SAFETY ACT 1975

RADIATION SAFETY (GENERAL) AMENDMENT REGULATIONS
 (No. 5) 1996

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Radiation Safety (General) Amendment Regulations (No. 5) 1996*.

Principal regulations

2. In these regulations the *Radiation Safety (General) Regulations 1983** are referred to as the principal regulations.

[* *Reprinted as at 4 April 1995.*
For amendments to 19 July 1996 see 1995 Index to Legislation of Western Australia, Table 4, p. 232 and Gazette 28 June 1996.]

Regulation 3 amended

3. Regulation 3 (1) of the principal regulations is amended —
- (a) by deleting the definition of "class 1 laser"; and
- (b) by inserting in the appropriate alphabetical positions the following definitions —
- "
- "class 1 laser" means class 1 laser product as defined by Section 3.10 of the laser safety standard;
- "class 2 laser" means class 2 laser product as defined by Section 3.11 of the laser safety standard;
- "class 3A laser" means class 3A laser product as defined by Section 3.12 of the laser safety standard;
- "class 3B laser" means class 3B laser product as defined by Section 3.12 of the laser safety standard;
- "class 3B(R) laser" means class 3B (Restricted) laser product as defined by Section 3.73 of the laser safety standard;

“class 4 laser” means class 4 laser product as defined by Section 3.13 of the laser safety standard;

“laser safety standard” means the publication entitled “Laser Safety”, being AS 2211/1991, issued by the Standards Association of Australia in September 1991;

Regulation 52 amended

4. Regulation 52 (1) of the principal regulations is amended —

(a) by inserting, in the appropriate alphabetical positions, the following definitions —

“

“average output power” means the total energy imparted during exposure divided by the duration of the exposure;

“regulated class 3B laser” means —

- (a) a class 3B laser with average output power greater than 5 milliwatts; or
- (b) a single pulsed class 3B laser.

and

(b) by deleting the definitions of “class 1 laser”, “class 2 laser”, “class 3A laser”, “class 3B laser”, “class 4 laser” and “the Australian Standard”.

Regulation 53 repealed

5. Regulation 53 of the principal regulations is repealed.

Regulations 54, 55 and 56 repealed and regulations substituted

6. Regulations 54, 55 and 56 of the principal regulations are repealed and the following regulations are substituted —

“

Regulated class 3B lasers

54. (1) The registrant of any premises in which a regulated class 3B laser is operated or used shall —

- (a) require persons on those premises to follow such approved procedures; and
- (b) give such directions,

as are necessary or desirable for preventing interbeam and intrabeam exposure to radiation of persons on those premises.

(2) A person —

- (a) who is required to follow an approved procedure; or
- (b) to whom a direction is given,

under subregulation (1) shall comply with that requirement or direction, as the case requires.

(3) The registrant of any premises in which a regulated class 3B laser is operated or used shall —

- (a) affix to that laser or to the protective housing of its laser system labels in accordance with the requirements of the laser safety standard; and

- (b) display —
 - (i) while the laser is being operated or used, warning signs in conspicuous locations inside and outside the area in which that operation or use is taking place and on doors giving access to that area; and
 - (ii) a warning sign in a prominent position near the laser,

in accordance with the requirements of the laser safety standard.

(4) The registrant of any premises in which a regulated class 3B laser is operated or used shall ensure that the requirements of Schedule XIII are complied with in relation to that laser.

Class 4 lasers

55. The registrant of any premises in which a class 4 laser is operated or used shall —

- (a) comply with regulation 54 (1), (2) and (3) as if the class 4 laser were a regulated class 3B laser; and
- (b) ensure that the requirements of Schedule XIV are complied with in relation to that laser.

Requirements for enclosed lasers

56. (1) The registrant of any premises in which the totally enclosed laser system of a regulated class 3B laser or a class 4 laser is operated or used shall ensure that —

- (a) the protective housing of that laser system limits the maximum accessible radiation to the maximum permissible exposure level specified in Tables VI, VII and VIII of the laser safety standard;
- (b) control measures applicable to the class of laser concerned are applied when its laser system is in normal operation;
- (c) persons who require access to that laser system for the purpose of servicing or maintaining it comply with the control measures and procedural requirements applicable to the class of laser concerned; and
- (d) the laser or its laser system is provided with safety interlocks complying with Section 4.3 of the laser safety standard for any part of the protective housing the removal or displacement of which allows human access to radiation in excess of the maximum permissible exposure level specified in Tables VI, VII and VIII of the laser safety standard.

(2) The registrant of any premises in which a regulated class 3B laser or a class 4 laser, which is itself enclosed, or the beam path of which is enclosed, by any covers, is operated or used shall, when the laser or its laser system is being operated or used with those covers removed for the purpose of servicing, maintenance, repair, testing or any other like procedure, ensure that —

- (a) the laser is operated or used only within a temporary controlled area —
 - (i) defined by approved non-reflective screens or other means; and

- (ii) provided with all safety measures required for persons working inside and outside it;
- and
- (b) the illuminance level at all working sites is not less than 350 lux.

”.

Schedule VII amended

7. Schedule VII to the principal regulations is amended by inserting after item 2 the following items —

“

- 3. Class 2 lasers.
- 4. Class 3A lasers.
- 5. Class 3B(R) lasers.
- 6. Class 3B lasers, other than single pulsed lasers, with average output power of 5 milliwatts or less.

”.

Schedule XIII amended

8. Schedule XIII to the principal regulations is amended —

- (a) in the heading by inserting after “**IN WHICH**” the following —

“ **REGULATED** ”;

- (b) in item 5 by deleting “keyed master switch which, when the key” and substituting the following —

“

master switch which, when a key, magnetic card,
cipher combination or other similar device

”;

- (c) in item 6 by deleting “Australian Standard” and substituting the following —

“ laser safety standard ”;

- (d) in item 9 by deleting “3.5.2 of the Australian Standard” and substituting the following —

“ 10.8 of the laser safety standard ”;

- (e) in item 15 by deleting “3.4 of the Australian Standard” and substituting the following —

“ 10.5 of the laser safety standard ”;

- (f) by deleting item 16 and substituting the following item —

“

16. Persons operating or using the laser system are to undergo eye examinations in accordance with Appendix E to the laser safety standard.

”;

and

- (g) by deleting “class 3B” in each place where it occurs (other than in the heading).

Schedule XIV amended

9. Schedule XIV to the principal regulations is amended —

- (a) in item 1 by deleting “4.3.2 of the Australian Standard” and substituting the following —

“ 4.3 of the laser safety standard ”;

- (b) by deleting item 2 and substituting the following item —

“
2. The laser or its laser system shall be provided with a master switch which, when a key, magnetic card, cipher combination or other similar device is removed makes it impossible to operate the laser or its laser system.
”;

- (c) in item 5 by deleting “Safety” and substituting the following —

“ Except in medical laser installations, safety ”;

- (d) in item 8 by deleting “The” and substituting the following —

“ In industrial laser installations, the ”;

- (e) by deleting items 12, 13 and 19;

- (f) by deleting item 21 and substituting the following item —

“
21. An alarm system, consisting of lights visible through protective eyewear, shall be used to give warning of the operation or use of the laser.
”;

- (g) in item 22 by deleting “3.4 of the Australian Standard” and substituting the following —

“ 10.5 of the laser safety standard ”;

- (h) by deleting item 24 and substituting the following item —

“
24. Persons operating or using the laser system are to undergo eye examinations in accordance with Appendix E to the laser safety standard.
”;

and

- (i) by deleting “class 4” in each place where it occurs (other than in the heading).

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE305

NURSES ACT 1992

NURSES AMENDMENT RULES 1996

Made by the Nurses Board of Western Australia with the approval of the Governor in Executive Council.

Citation

1. These rules may be cited as the *Nurses Amendment Rules 1996*.

Schedule 2 amended

2. Schedule 2 to the *Nurses Rules 1993** is amended by deleting item 3 and substituting the following item —

“

3. **Renewal of registration —**

Section 22 (1) or (3)	\$52
Section 24	\$130
Section 25	\$52

”

[*Published in Gazette 29 October 1993, p. 5843-77.]

Made by the Board by resolution dated the 7th day of August 1996.

Common Seal

P. TIBBETT, Presiding Member.
M. J. KROEBER, Member.

Approved by the Governor in Executive Council,

J. PRITCHARD, Clerk of the Council.

HE306

NURSES ACT 1992

NURSES AMENDMENT RULES (No. 2) 1996

Made by the Nurses Board of Western Australia with the approval of the Governor in Executive Council.

Citation

1. These rules may be cited as the *Nurses Amendment Rules (No. 2) 1996*.

Commencement

2. These rules come into operation on 1 January 1997.

Schedule 2 repealed and a Schedule substituted

3. Schedule 2 to the *Nurses Rules 1993** is repealed and the following Schedule is substituted —

“

SCHEDULE 2

[Rules 7, 9, 14, 16, 17, 19, 21, 38 and 40]

FEEES

	Item	Fee
1.	Application for registration under —	
	Section 22 (1) or (3)	\$70
	Section 24	\$210
	Section 25	\$70

	Item	Fee
2.	Registration under —	
	Section 22 (1) or (3)	\$70
	Section 24	\$210
	Section 25	\$70
	Section 26	\$70
	Section 27	\$70
3.	Renewal of registration —	
	Section 22 (1) or (3)	\$52
	Section 24	\$130
	Section 25	\$52
4.	Application for restoration of name to the register	
	Section 42 (2) — Natural person	\$70
	— Body corporate	\$210
5.	Application for restoration of name to the register	
	Section 43 (2) — Natural person	\$70
	— Body corporate	\$210
6.	Inspection of register	\$10
7.	Application for certificate verifying registration	\$15
8.	Examination fees	
	Division 1 —	\$80
	Division 2 —	\$60
9.	Miscellaneous fees	
	(a) Duplicate certificate	\$10
	(b) Duplicate badge	\$10

[*Published in Gazette 29 October 1993, p. 5843-77 and amended by the Nurses Amendment Rules 1996.]

Made by the Board by resolution dated the 7th day of August 1996.

Common Seal

P. TIBBETT, Presiding Member.
M. J. KROEBER, Member.

Approved by the Governor in Executive Council,

J. PRITCHARD, Clerk of the Council.

HE307

POISONS ACT 1964

POISONS (SECTION 24) VARIATION NOTICE (No. 2) 1996

Made by the Commissioner of Health under section 24 (5) of the Act.

Citation

1. This notice may be cited as the *Poisons (Section 24) Variation Notice (No. 2) 1996*.

Table to notice amended

2. The Table to the *Poisons (Section 24) Notice 1992** is amended in the items commencing —

FLUOROACETAMIDE;
FLUOROACETIC ACID;
STRYCHNINE;
SULFOTEP; and
TEPP,

by deleting “the Agriculture Protection Board” and substituting the following —

“ Agriculture Western Australia ”.

[* *Published in Gazette 26 June 1992, pp. 2678-90.*
For amendments to 26 September 1996 see 1995 Index to Legislation of Western Australia, Table 4, p. 220, and Gazette 19 March 1996.]

A. BANSEMER, Commissioner of Health.

HE308**HEALTH ACT 1911**

Shire of Greenough

MODEL BY-LAWS SERIES “A” AMENDMENT BY-LAWS 1994

Pursuant to the provisions of the Health Act 1911, the Shire of Greenough, having adopted the Model By-laws Series “A” in the *Government Gazette* of 23 June 1964 made under the Health Act 1911, and as amended from time to time, has resolved and determined that the adopted By-laws shall be amended as follows—

1. Part V—Lodging Houses is revoked.
2. Substitute Part V—Lodging Houses as published in the Model By-laws Series “A” Amendment By-laws, in the *Government Gazette* of 25 November 1994.
3. The substituted Part V—Lodging Houses is modified—
 - 3.1 in by-laws 2(d)(ii) and 6 and in Schedules 1, 3 and 5 by inserting the word “Shire” before “Clerk” in the indicated places.
 - 3.2 in Schedules 1 to 8 by deleting “City/Town/Shire of ...” wherever it appears and substituting “Shire of Greenough”.
 - 3.3 in Schedules 1 and 8 by inserting the number “40” after the “\$” sign.

Passed by resolution at a meeting of the Greenough Shire Council held on the 25th day of June 1996.

Dated this 16th day of August 1996.

J. P. D. EDWARDS, President.
W. T. PERRY, Shire Clerk.

Confirmed—

F. QUADROS, delegate of Executive Director,
Public Health.

Approved by His Excellency the Governor in Executive Council on this 8th day of October 1996.

J. PRITCHARD, Clerk of the Council.

HE309

HEALTH ACT 1911*Town of Victoria Park***TOWN OF VICTORIA PARK HEALTH BY-LAWS 1995**

Under the powers conferred upon it by the Health Act 1911, the Council of the Town of Victoria Park resolved on 10 October 1995 to make and submit for confirmation by the Executive Director of Public Health and approval by His Excellency the Governor, the following By-law.

Citation

1. This By-law may be cited as the "Town of Victoria Park Health By-laws 1995".

Incorporation by Reference

2. (1) In this clause, the "City of Perth Health By-law 1993";

(a) means the City of Perth Health By-law 1993 published in the *Government Gazette* on 15 October 1993; and

(b) does not include any amendments that might be made to that By-law.

(2) Subject to the modifications set out in the Schedule, the City of Perth Health By-law 1993 is incorporated with and forms part of this By-law.

SCHEDULE**CLAUSE 2****MODIFICATIONS TO THE CITY OF PERTH
HEALTH BY-LAW 1993**

ITEM	CLAUSES AFFECTED	DESCRIPTION
1.	Title, 1, 2, 3(1), 65(1) (a), Schedules 1-19	Delete all references to the "City of Perth" wherever it appears and substitute "Town of Victoria Park".
2.	3(1), 7(3), 9(b), 20(a), 25(4), 39, 41(b)(ii), 43(b), 45(1), 45(2)(a), 45(2)(d), 46(1)(c), 46(3)(a), 46(3)(b), 50(1)(a), 50(2), 50(3), 53(1)(iv), 62(c)(ii), 64(2), 69(2)(e)(iii), 69(3)(c), 75(1)(a), 75(1)(b), 75(2), 77(1), 77(2), 80(2), 82(2), 92(1), 92(2), 94(b)(i), 111(2), 115(1), 120(2), 121(1), 124(1)(b), 134(3), 136(2), 138(2), 139, 141(4)(a), 145(3), 152(2)(d), 155(2), 157(1), 157(2), 160(a)(i), 163(1)(k), 171(3), 176(1)(f), 176(1)(i), 178(1), 193(d), 195(2)(c)(ii), 196(1), 213, 224, Schedules 2, 5, 7, 9, 15 and 18	Delete all references to the "Controller of Health Services" wherever it appears and substitute "Manager of Environmental Health Services".
3.	2	Delete Clause 2
4.	3(1)	Re-locate "Manager of Environmental Health Services" to correct alphabetical position
5.	18(3)(a), 19(m)	Delete "State Energy Commission of Western Australia" and substitute "Office of Energy"
6.	19	Insert "dwelling" before "house" in the title and within the Clause
7.	34	Delete "Health (Licensing of Liquid Waste) Regulations 1987" and substitute "Health (Liquid Waste) Regulations 1993"
8.	47(1)	Delete "subject to Subclause (3),"
9.	47(3)	Delete Subclause 47(3)
10.	65(1)(a)	Delete "City" substitute "Town"
11.	69(2)(e)(ii)	Delete "finish" and substitute "materials"
12.	71(a)	Delete "brick faced inside and outside with cement, steel trowelled to a smooth surface," and substitute "a smooth, impervious, durable and easily cleanable material,"
13.	72	Delete the definition of "the Prohibited Area"
14.	73(1)	Delete Clause
15.	73(2)	Delete "Outside the Prohibited Area an" and substitute "An"

ITEM	CLAUSES AFFECTED	DESCRIPTION
16.	73(2)(a)	Insert "(including a maximum of two ducks or geese)" after "poultry"
17.	73(2)(b)	Insert "(including a maximum of two ducks or geese)" after "poultry"
18.	74	Insert "(e) no poultry enclosure shall be nearer than one metre from the side and rear boundaries of the lot"
19.	74(b)	Insert ", provided with a smooth concrete floor at least 50mm thick;" after "enclosure"
20.	74(c)	Delete "and"
21.	74(d)	Delete "." and substitute "; and"
22.	94(b)(i)	Delete subclause and substitute "apply an approved larvicide according to the directions on the container into the septic tank system at the direction of the Environmental Health Officer and;"
23.	111(2)	Delete "under subclause (3)"
24.	129	Delete " "Schedule" means a Schedule to this Part;"
25.	Part 8—Division 2	Delete Definition "itinerant food vendor"
26.	133	Delete "or Itinerant Vendors"
27.	134(3)	Delete "1985" and substitute "1994"
28.	135(b)	Delete "the Town Clerk or"
29.	141	Delete "an" substitute "and"
30.	164(8)(c)	Delete Clause
31.	179	Delete "of Australia"
32.	179(b)	Delete sections (e), (f) and (g)
33.	202, 204(1), 204(2), 207 and 208	Delete Subclause 179(b) and substitute "fish processing, fish curing, fish canning, shellfish and crustacean processing premises;"
34.	202	Delete "marketing" substitute "processing" throughout Division 4 of Part 10
35.	202	Delete "Shops" and substitute "Premises" in the title
36.	203	Delete the definitions of a "fish shop", "fish transport vehicle" and "portable box"
37.	204(1)	Delete Clause
38.	204(2)	Delete Sub Clause and substitute "The occupier of a fish processing premises or fish curing premises shall provide a fish preparation room that complies with the requirements of the Health (Food Hygiene) Regulations 1993."
39.	205	Delete 'an "A Class" fish shop,' substitute "a"
40.	206	Delete Clause
41.	207	Delete Clause
42.	208	Delete "fish shop,"
43.	209	Delete "fish shop,"
44.	210	Delete Clause
45.	211	Delete Clause
46.	212	Delete Clause
47.	213	Delete Clause
48.	214	Delete Clause
49.	215	Delete Clause
50.	216	Delete Clause
51.	225(1)(a)	Delete "provided" substitute "provide"
52.	232-234	Delete "Division 7—Marine Stores"

ITEM	CLAUSES AFFECTED	DESCRIPTION
53.	235-239	Delete "Division 8—Premises Where Second Hand Rags are Stored or Processed"
54.	240-241	Delete "Division 9—Second Hand Jute Stores"
55.	Schedule 6	Delete Schedule 6
56.	Schedule 7	Delete Schedule 7
57.	Schedule 16	Delete "Date" and Substitute "Details" Insert "(Date of Advertisement)" after "on..."
58.	Schedule 19	Delete "Registration of a Morgue" substitute "Licence of a Morgue"
59.	Schedule 19	Delete "Licence as Itinerant Food Vendor" including the relevant Schedule and Prescribed Fee

Passed by resolution at a meeting of the Town of Victoria Park Council held on the 10th day of October 1995.

Dated this 29th day of February 1996.

J. A. E. (MICK) LEE, Mayor.
E. H. (JIM) KELLY, Chief Executive/Town Clerk.

Confirmed—

F. QUADROS, delegate of Executive Director,
Public Health.

Approved by His Excellency the Governor in Executive Council on this 8th day of October 1996.

J. PRITCHARD, Clerk of the Council.

HE401

HEALTH ACT 1991

Maternal Mortality Committee

92-1537

I, Kevin Prince being the Minister administering the Health Act 1911, appoint the persons, listed below, to the Maternal Mortality Committee—

Section	Name	Position
340B(3)(c)	Dr Tim Jeffery	Member
340B(3)(c)	Dr Louise Farrell	Deputy to Dr Jeffery
340B(4)(c)	Mrs Julie Watson	Member
340B(4)(c)	Mrs Carey Burgess	Deputy to Mrs Watson
340B(4)(c)	Ms Laura Colvin	Member
340B(4)(c)	Mr Terry Jongen	Deputy to Ms Colvin

for a period of three years commencing on 17 January 1996.

KEVIN PRINCE, Minister for Health.

HE402

HOSPITALS AND HEALTH SERVICES ACT 1927

HOSPITALS AND HEALTH SERVICES (APPOINTMENT OF MEMBERS) NOTICE (No. 9) 1996

Made by His Excellency the Governor in Executive Council under Section 15.

Citation

1. This notice may be cited as the Hospitals and Health Services (Appointment of Members) Notice (No. 9) 1996.

Commencement

2. This notice shall take effect on the day that the Hospital Boards (Swan and Woorloo) Re-organisation Notice 1996 takes effect.

Interpretation

3. In this notice unless the contrary intention appears—

“board” means the Swan Health Service formed under the Hospital Boards (Swan and Woorloo) Re-organisation Notice 1996.

Appointment

4. The board of the public hospitals specified in Column 1 of the Schedule is to include the persons whose names are specified in Column 2 of the Schedule each of whom is appointed to hold office as member of the board for the period ending at the close of business on 22 December 1997.

SCHEDULE

Column 1	Column 2
Names of Hospitals	Member
Swan District Hospital	Sheila Lungley
Woorloo District Hospital	Heather J. Watson
	John M. Moody
	Dorham Mann
	Roy Weston
	Cedric Jacobs
	Celestino M. Gregorini
	Alexander C. Frewing
	Cheryle-Ann Irwin
	Flora Franzinelli
	Anthony H. Abbott

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE403

HOSPITALS AND HEALTH SERVICES ACT 1927
HOSPITAL BOARDS (SWAN AND WOORLOO)
RE-ORGANISATION NOTICE 1996

Given by His Excellency the Governor in Executive Council under section 16 of the Hospitals and Health Services Act 1927.

Citation

1. This notice may be cited as the Hospital Boards (Swan and Woorloo) Re-organisation Notice 1996.

Commencement

2. This notice is to take effect on 1 October 1996.

Amalgamation of boards

3. The board of the Swan District Hospital, and the board of Woorloo District Hospital are re-organised by amalgamating the boards to form a new board.

Assignment of corporate name

4. (1) The corporate name assigned to the new board formed under clause 3 is “Swan Health Service”.

(2) The “Swan Health Service” is constituted as the board in relation to the following public hospitals—

Swan District Hospital
Woorloo District Hospital

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE404

HOSPITALS AND HEALTH SERVICES ACT 1927
HOSPITAL BOARDS (SWAN AND WOORLOO)
RE-ORGANISATION DIRECTIONS 1996

Given by His Excellency the Governor in Executive Council under section 16 of the Hospitals and Health Services Act 1927.

Citation

1. These directions may be cited as the Hospital Boards (Swan and Woorloo) Re-organisation Directions 1996.

Commencement

2. These directions shall take effect on the day that the Hospital Boards (Swan and Wooroloo) Re-organisation Notice 1996 takes effect.

Interpretation

3. In these directions unless the contrary intention appears—

“Swan Health Service” means the Swan Health Service formed under the relevant notice;

“commencement day” means the day the Swan Health Service formed under the relevant notice;

“former boards” means the boards of the Swan District Hospital as constituted by the former Swan Health Service, formed under the Hospitals and Health Services (Board and Name and Appointment) Notice (No. 4) 1996*, or the Wooroloo District Hospital as constituted by the Minister;

[*Published in the Gazette 19 April 1996, p. 1738]

“the relevant notice” means the Hospital Boards (Swan and Wooroloo) Re-organisation Notice 1996.

Objects

4. The object of these directions is to effect a proper transfer of the assets, rights and liabilities used in relation to or arising out of the control and management of the Swan District Hospital and the Wooroloo District Hospital to the Swan Health Service.

Transfer of funds

5. The entitlement of a former board to any funds appropriated to the Hospital Fund or the Department for the purposes of a former board as at 30 September 1996 is to be taken to be entitlement of the Swan Health Service and the necessary arrangements are to be made for that purpose in any account at the Treasury of the Department.

Fixed assets and consumables

6. (1) All the right, title and interest of a former board in any fixed assets vest in the Swan Health Service.

(2) All the right, title and interest of a former board in stock trade and other consumables situated on premises used for the purposes of the Swan District Hospital or the Wooroloo District Hospital vest in the Swan Health Service.

Liabilities

7. (1) To the extent that they have not been fulfilled as at the commencement day the subsisting and future obligations and liabilities of a former board in respect of—

(a) any lease or occupation of any premises;

(b) any contract;

(c) any computer and software and related contracts; and

(d) transactions entered into in the ordinary course of business for goods or services provided for the purposes of the Swan District Hospital or the Wooroloo District Hospital,

are to be the liabilities and obligations of Swan Health Service.

(2) Where—

(a) the transfer of any obligation or liability requires the consent of a third party, a former board will use its reasonable endeavours to obtain that consent; and

(b) if the consent to the transfer of the obligation or liability cannot be obtained, the obligation or liability is by force of this direction transferred to Swan Health Service, and to the extent that the rights of third parties are affected a former board is by force of this direction indemnified against any cost, loss or liability by Swan Health Service as though the obligation or liability were a continuing obligation or liability of Swan Health Service.

Accountable authority

8. Despite section 45 of the Financial Administration and Audit Act 1985, the Swan Health Service is to be the accountable authority for the purposes of the report required by section 66 of the Act with respect to the period from 1 July 1996 to the day which immediately precedes the day on which the Hospital Boards (Swan and Wooroloo) Re-organisation Notice 1996 takes effect.

Contracts

9. All the right, title and interest in and all the obligations and liabilities of a former board under any contract not otherwise referred in these directions by force of this direction vests in the Swan Health Service.

Staff

10. (1) All persons who were employed or engaged by a former board immediately before the commencement day are to be taken to be employed or engaged by Swan Health Service on the same terms and conditions, including the salary payable, as those on which they were employed or engaged immediately before the commencement day.

(2) A person to whom subclause (1) applies retains all his or her existing and accruing rights (including rights under the Superannuation and Family Benefits Act 1938 or the Government Employees Superannuation Act 1987, as the case may be,) as if his or her employment or engagement by Swan Health Service were a continuation of his or her employment or engagement immediately before the commencement day.

(3) Nothing in this clause prevents the exercise by Swan Health Service after the commencement day of its powers under section 19 of the Act.

References to former boards

11. A reference to a former board in any instrument, contract or legal proceedings made or commenced before the commencement day is to be read and construed as a reference to the Swan Health Service. By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE405

HOSPITALS AND HEALTH SERVICES ACT 1927

HOSPITALS AND HEALTH SERVICES (APPOINTMENT OF MEMBERS 1996) NOTICE 2

Made by His Excellency the Governor in Executive Council under Section 15.

1. This notice may be cited as the Hospitals and Health Services (Appointment of Members) Notice No. 2 1996.

2. The board of a public hospital the name of which is specified in column 1 of the Schedule is to include the persons whose names are specified opposite and corresponding to the name of the hospital in column 2 of the Schedule each of whom is appointed to hold office as member for the period ending at the close of business on the date specified opposite and corresponding to his or her name in column 3 of the Schedule.

SCHEDULE

Column 1 Name of Hospital	Column 2 Member	Column 3 Expiry Date
Albany Health Service	Barrie Bickford	30 Sept 1999
	Margaret Frost	30 Sept 1999
	John Simpson	30 Sept 1999
Brookton Health Service	Rita John Hobbs	30 Sept 1999
	Lynton James Messenger	30 Sept 1999
	Stephen Thomas Murray	30 Sept 1999
	Murray William Hall	30 Sept 1997
Dongara Health Service Board	Wendy Lymon	30 Sept 1999
	Graeme Turnock	30 Sept 1999
	George Bass	30 Sept 1999
Gascoyne Health Service	Dorothy Lyn Preest	30 Sept 1997
	Josey Nikkula	30 Sept 1998
	Phillip J. Willis	30 Sept 1999
	Brian Hayes	30 Sept 1999
	Leonard A. Welch	30 Sept 1999
Geraldton Health Service	Ian Blatchford	30 Sept 1999
	Barbara Shields	30 Sept 1999
	Peter Chandler	30 Sept 1999
	Glenys McDonald	30 Sept 1997
Gnowangerup District Hospital	Lillian Ruth Mann	30 Sept 1999
Jerramungup Hospital Board	Michele Williams	30 Sept 1998
	Joyce Cox	30 Sept 1999
	Elizabeth Crook	30 Sept 1999
	Beverley Lullfitz	30 Sept 1999
	Susan Rebello	30 Sept 1999
Kalamunda Health Service	David Ernest Vaughan	30 Sept 1999
	Harold Campbell McKenzie	30 Sept 1999
	Ronald George Liddle	30 Sept 1999
Kalgoorlie-Boulder Health Service	Leslie Patricia Smith	30 Sept 1997
	Kathy Finlayson	30 Sept 1997
	Christine Bolvig	30 Sept 1997
Katanning District Hospital	Alan B. Julian	30 Sept 1999
	Allan J. Bell	30 Sept 1999
	Sandra L. Shackley	30 Sept 1999
Kojonup District Hospital	Barry Walsh	30 Sept 1999
	John Hewson	30 Sept 1999
	Bruce Warland	30 Sept 1999
Merredin District Hospital	Alma West	30 Sept 1999
	Fay Hampel	30 Sept 1999
	Roy Little	30 Sept 1999

SCHEDULE—*continued*

Column 1 Name of Hospital	Column 2 Member	Column 3 Expiry Date
Mt Barker (Plantagenet) District Hospital Board	Anthony Hugh Moore	30 Sept 1999
	John Raymond Mark	30 Sept 1999
Southern Cross District Hospital Board	Maura McNamara	30 Sept 1999
	John Hall	30 Sept 1999
	Ian Sterry	30 Sept 1999
Tambellup Hospital Board	John Douglas Brown	30 Sept 1997
	Elaine Forward	30 Sept 1999
	Edith White	30 Sept 1999
	Solviega Sprigg	30 Sept 1999
Wongan Hills District Hospital	Pamela Christine Verburg	30 Sept 1999
	Lilian Mary Stevens	30 Sept 1999
	Barbara Maxine Brennan	30 Sept 1999
Yalgoo Nursing Post	Roma Lorraine Heath	30 Sept 1999
	Olive Maria Gibson	30 Sept 1999

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

JUSTICE

JM401

FRIENDLY SOCIETIES ACT 1894

Notice of Appointment

His Excellency the Governor has been pleased to appoint Anne Margaret Helen Sander as a valuer for the purposes of the Friendly Societies Act 1984.

PETER RICHARDS, Acting Registrar of Friendly Societies.

LAND ADMINISTRATION

LA101*

CORRECTION

DOLA File 527/918 Dup.

In the notice at page 2498 of the *Government Gazette* dated 11 June 1996 in respect Reserve 21304, amend 7060 square metres to read 7079 square metres.

A. A. SKINNER, Chief Executive.

LA102*

CORRECTION

DOLA File 2808/983V2.

In the notice at page 1633 of the *Government Gazette* dated 4 April 1996 in respect to Reserve No. 42428 the reference to 121.8800 hectares is amended to read 121.4198 hectares

A. A. SKINNER, Chief Executive.

LA201*

LAND ACT 1933 ORDERS IN COUNCIL (Revocations of Vestings)

By the direction of His Excellency the Governor under Section 34B(1), the following Orders in Council and associated Vestings Orders are revoked.

DOLA File 3723/912

Order in Council gazetted on 10 December 1976 vesting Reserve No. 14178 (Sandstone Lot 500) in the Shire of Sandstone for the designated purpose of "Caravan Park."

DOLA File 928/917

Order in Council gazetted on 18 October 1918 vesting Reserve No. 16704 (Jitarning Lot 3) in Lennard Rigoll, Frank Poole and Arthur for the designated purpose of "Agricultural Hall Site."

Local Authority—Shire of Kulin.

DOLA File 2725/961

Order in Council gazetted on 2 November 1962 vesting Reserve No. 26519 (Swan Location 7506) in the Shire of Perth for the designated purpose of "Drainage Purposes"

Local Authority—City of Stirling.

DOLA File 1457/967

Order in Council gazetted on 28 August 1970 vesting Reserve No. 30342 (Cockburn Sound Location 2169) in the Shire of Murray for the designated purpose of "Recreation"

DOLA File 3579/977

Order in Council gazetted on 9 November 1990 vesting Reserve No. 35489 (Margaret River Lot 170) in the Shire of Augusta-Margaret River for the designated purpose of "Public Recreation".

DOLA File 726/979.

Order in Council gazetted on 15 March 1991 vesting Reserve No. 36240 (Bridgetown Lots 883 and 884) in the Shire of Bridgetown - Greenbushes for the designated purpose of "Public Recreation"

DOLA File 1628/981

Order in Council gazetted on 4 September 1981 vesting Reserve No. 37319 (Swan Location 10202) in the Shire of Mundaring for the designated purpose of "Public Recreation"

Local Authority—Shire of Mundaring.

DOLA File 3997/980

Order in Council gazetted on 8 January 1982 vesting Reserve No. 37363 in the Shire of Denmark for the designated purpose of "Drain".

DOLA File 2636/979

Order in Council gazetted on 7 July 1995 vesting Reserve No. 38646 (Cockburn Sound Locations 2769 and 4119) in the City of Rockingham for the designated purpose of "Public Recreation"

Local Authority—City of Rockingham.

DOLA File 834/995

Order in Council gazetted on 12 December 1995 vesting Reserve No. 43995 (Swan Location 12356) in the Shire of Swan for the designated purpose of "Public Recreation"

Local Authority—Shire of Swan.

DOLA File 415/995

Order in Council gazetted on 4 April 1996 vesting Reserve No. 44177 (Swan Locations 12128 and 12129) in the City of Wanneroo for the designated purpose of "Public Recreation"

Local Authority—City of Wanneroo.

DOLA File 1615/977

Order in Council gazetted on 2 June 1978 vesting Reserve No. 35287 (Swan Location 9776) in the Metropolitan Water Supply, Sewerage and Drainage Board for the designated purpose of "Drain".

DOLA File 1615/977

Order in Council gazetted on 2 June 1978 vesting Reserve No. 35288 (Swan Location 9795) in the Metropolitan Water Supply, Sewerage and Drainage Board for the designated purpose of "Drain".

DOLA File 1217/969

Order in Council gazetted on 2 October 1970 vesting Reserve No. 30537 (Swan Location 8528) in the Water Authority of Western Australia for the designated purpose of "Drain".

DOLA File 865/987

Order in Council gazetted on 9 October 1987 vesting Reserve No. 39989 (Swan Location 10955) in the Water Authority of Western Australia for the designated purpose of "Water Supply".

DOLA File 7196/912

Order in Council gazetted on 28 March 1913 vesting Reserve No. 14710 (Avon Location 20393) in the Minister for Water Supply, Sewerage and Drainage for the designated purpose of "Water Supply".

DOLA File 3114/965

Order in Council gazetted on 22 April 1966 vesting Reserve No. 28067 (Swan Location 8000) in the Water Authority of Western Australia for the designated purpose of "Drainage".

DOLA File 2576/965

Order in Council gazetted on 15 July 1966 vesting Reserve No. 28181 (Swan Location 8010) in the Water Authority of Western Australia for the designated purpose of "Drainage".

DOLA File 4128/965

Order in Council gazetted on 16 February 1990 vesting Reserve No. 28731 (Swan Location 8234 and 11152) in the Water Authority of Western Australia for the designated purpose of "Drainage".

J. PRITCHARD, Clerk of the Council.

LA202***LAND ACT 1933**
ORDERS IN COUNCIL
(Vesting of Reserves)

DOLA File 3723/912

Reserve No. 14178 (Sandstone Lot 500) vested in the Shire of Sandstone for the designated purpose of "Caravan Park" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 928/917

Reserve No. 16704 (Jitarning Lot 3) vested in the Jitarning Hall Preservation Committee Incorporated for the designated purpose of "Agricultural Hall Site."

Local Authority—Shire of Kulin.

DOLA File 5073/946

Reserve No. 22617 (Yilgarn Location 1354) vested in the Shire of Westonia for the designated purpose of "Landscape".

DOLA File 1358/957

Reserve No. 25556 (Torbay Agricultural Area Lot 231) vested in the Water Corporation for the designated purpose of "Drain".

Local Authority—Shire of Albany.

DOLA File 663/966.

Reserve No. 28834 (Yilgarn Location 1469) vested in the Shire of Yilgarn for the designated purpose of "Gravel".

DOLA File 1457/967.

Reserve No. 30342 (Cockburn Sound Locations 2169 and 4232) vested in the Shire of Murray for the designated purpose of "Public Recreation".

DOLA File 3579/977.

Reserve No. 35489 (Margaret River Lots 170 and 257) vested in the Shire of Augusta-Margaret River for the designated purpose of "Public Recreation"

DOLA File 726/979.

Reserve No. 36240 (Bridgetown lots 883, 884 and 919) vested in the shire of Bridgetown - Greenbushes for the designated purpose of "Public Recreation"

DOLA File 1628/981

Reserve No. 37319 (Swan Locations 10202 and 12582) vested in the Shire of Mundaring for the designated purpose of "Public Recreation"

Local Authority—Shire of Mundaring.

DOLA File 2636/979

Reserve No. 38646 (Cockburn Sound Locations 2769, 4119 and 4239) vested in the City of Rockingham for the designated purpose of "Public Recreation"

Local Authority—City of Rockingham.

DOLA File 834/995

Reserve No. 43995 (Swan Locations 12356 and 12605) vested in the Shire of Swan for the designated purpose of "Public Recreation"

Local Authority—Shire of Swan.

DOLA File 415/995

Reserve No. 44177 (Swan Locations 12128, 12129 and 12130) vested in the City of Wanneroo for the designated purpose of "Public Recreation"

DOLA File 3201/989.

Reserve No. 44408 (Sussex Location 5070). vested in Shire of Busselton for the designated purpose of "Public Recreation".

DOLA File 1714/991.

Reserve No. 44490 (Lancelin Lot 323) vested in the Shire of Gingin for the designated purpose of "Recreation and Civic Buildings."

DOLA File 2727/995

Reserve No. 44507 (Cockburn Sound Location 4269) vested in the City of Cockburn for the designated purpose of "Buffer Strip"

DOLA File 888/996.

Reserve No. 44541 (Jarrahdale Lot 118) vested in the Shire of Serpentine-Jarrahdale for the designated purpose of "Public Recreation"

DOLA File 491/944

Reserve No. 44576 (Fremantle Lot 1755) vested in the Western Australian Planning Commission for the designated purpose of "Government Requirements"

Local Authority—City of Cockburn.

J. PRITCHARD, Clerk of the Council.

LA203*

LAND ACT 1933
ORDERS IN COUNCIL
(VESTING OF RESERVES)

By the direction of His Excellency the Governor under Section 33(2), the following reserves have been vested in the Water Corporation.

DOLA File 1615/977

Reserve No. 35287 (Swan Location 9776) for the designated purpose of "Drain".

DOLA File 1615/977

Reserve No. 35288 (Swan Location 9795) for the designated purpose of "Drain".

DOLA File 1217/969

Reserve No. 30537 (Swan Location 8528) for the designated purpose of "Drain".

DOLA File 865/987

Reserve No. 39989 (Swan Location 10955) for the designated purpose of "Water Supply".

DOLA File 7196/912

Reserve No. 14710 (Avon Location 20393) for the designated purpose of "Water Supply".

DOLA File 3114/965

Reserve No. 28067 (Swan Location 8000) for the designated purpose of "Drainage".

DOLA File 2576/965

Reserve No. 28181 (Swan Location 8010) for the designated purpose of "Drainage".

DOLA File 4128/965

Reserve No. 28731 (Swan Location 8234 and 11152) for the designated purpose of "Drainage".

J. PRITCHARD, Clerk of the Council.

LA204*

LAND ACT 1933
LAND (REVOCATION OF CONTROL) ORDER

DOLA File 5073/946

Made by His Excellency the Governor under Section 34B(2).

The Order in Council made under Section 34 gazetted on 19 February 1947 directing that Reserve No. 22617 (Yilgarn Location 1354) be placed under the control of the Westonia Road Board as a Board of Management for the purpose of "Sheep Dip" is revoked.

J. PRITCHARD, Clerk of the Council.

LA401*

LAND ACT 1933
SUBURBAN LAND

DOLA File 2725/961

His Excellency the Governor in Executive Council has been pleased to approve, under Section 10 of the Land Act 1933 of Swan Location 7506 being set apart as Suburban Land.

PUBLIC PLAN: BG34 (2) 12.34. Maltarra Street.

A. A. SKINNER, Chief Executive.

LA701*

LAND ACT 1933
RESERVATION NOTICES

Made by His Excellency the Governor under Section 29

The Crown Lands described below have been set apart as public reserves.

DOLA File 1639/995.

Reserve No. 43867 comprising Cockburn Sound Location 4186 (formerly Lot 111 on Plan 18226) with an area of 2086 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG33 (2) -7.-2. Fremantle and Reporter Roads

Local Authority—City of Mandurah.

DOLA File 3201/989.

Reserve No. 44408 comprising Sussex Location 5070 (formerly Lot 208 on Diagram 78464) with an area of 3856 square metres. for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BF29 (2) 26.37. Grebe Ct.

Local Authority—Shire of Busselton.

DOLA File 3028/966.

Reserve No. 44413 comprising Gascoyne Junction Lot 17 with an area of 1518 square metres on Original Plan 9642 for the designated purpose of "Use and Requirements of the Shire of Upper Gascoyne."

Public Plan: BF53 (2) 07.28. Gregory and Scott Streets.

DOLA File 639/995.

Reserve No. 44482 comprising Victoria Location 11998 with an area of 400 square metres on Land Administration Diagram 92090 for the designated purpose of "Parkland, Recreation and the Letting of Cottages."

Public Plan: Dongara SE (25).

Local Authority—Shire of Irwin.

DOLA File 1714/991.

Reserve No. 44490 comprising Lancelin Lot 323 with an area of 8600 square metres on Original Plan 10259 for the designated purpose of "Recreation and Civic Buildings."

Public Plan: BF37 (2) 21.07. Atkinson and Rock Ways.

Local Authority—Shire of Gingin.

DOLA File 2727/995

Reserve No. 44507 comprising Cockburn Sound Location 4269 (formerly the land coloured brown and marked Pedestrian Accessway on Diagram 39682) with an area of 382 square metres for the designated purpose of "Buffer Strip".

Public Plan: BG34 (2) 08.09 and 08.10. Paulik Way/Rockingham Road.

Local Authority—City of Cockburn.

DOLA File 888/996.

Reserve No. 44541 comprising Jarrahdale Lot 118 (formerly Lot 119 on Plan 21063) with an area of 2144 square metres for the designated purpose of "Public Recreation"

Section 20A.

Public Plan: BG33 (2) 26.22. McNeil Grove.

Local Authority—Shire of Serpentine-Jarrahdale.

DOLA File 491/944

Reserve No. 44576 comprising Fremantle Lot 1755 with an area of 6076 square metres on Land Administration Diagram 59981 for the designated purpose of "Government Requirements"

Public Plan: BG 34 (2) 07.08. McTaggart Road.

Local Authority—City of Cockburn.

DOLA File 492/992v2.

Reserve No. 44544 comprising Cockburn Sound Location 4253 with an area of 5.8124 hectares on Land Administration Plan 19341 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plans: BG34 (2) 12.11,13.11. Farrington Road.

Local Authority—City of Melville.

DOLA File No. 557/995.

Reserve No. 44390 comprising Nelson Location 13475 with an area of 5685 square metres on Land Administration Diagram 92311 for the designated purpose of "Telecommunications Site"

Public Plan: Quindalup NW (25). Bokerup Road.

Local Authority—Shire of Cranbrook.

A. A. SKINNER, Chief Executive.

LA801*

LAND ACT 1933
AMENDMENT OF RESERVES

Made by His Excellency the Governor under Section 37.

The following reserves have been amended.

DOLA File 5153/948V8.

Reserve No. 24496 (Victoria Locations 3940, 9947, 10200, 11295 and 11928) "Protection of Flora" to exclude that portion of Location 9947 shown bordered red on Land Administration Diagram 92090 and of its area being reduced to about 68063.3765 hectares accordingly.

Public Plan: Dongara SE (25).

Local Authority—Shire of Irwin.

DOLA File No. 1227/962V2

Reserve No. 26664 (Williams District) "Conservation of Flora and Fauna" to comprise Location 15797 as delineated and shown bordered red on Land Administration Reserve Plan 427 and of its area being increased to about 4094 hectares accordingly.

Public Plan: BJ30(2) 30.28, Dumbleyung SE, NE, & NW (25), Nippering Townsite.

Local Authorities—Shires of Dumbleyung and Wagin.

Reserve 26664 is automatically vested in the National Parks and Nature Conservation Authority pursuant to Section 7 of the CALM Act 1984.

DOLA File 1457/967.

Reserve No. 30342 (Cockburn Sound Location 2169) "Recreation" to include Location 4232 (formerly Lots 15 and 51 on Plans 13613 and 14232 respectively) and of its area being increased to 10.8776 hectares accordingly.

Public Plans: BG32 (10) 3.7 and (2) 12.34. near Rodareda Crescent.

Local Authority—Shire of Murray.

DOLA File 3579/977.

Reserve No. 35489 (Margaret River Lot 170) "Public Recreation" to include Lot 257 (formerly Lot 391 on Plan 20997) and of its area being increased to 6349 square metres accordingly.

Public Plan: BF29 (2)10.01. Larch Loop and Oak Glen.

Local Authority—Shire of Augusta-Margaret River.

DOLA File 726/979.

Reserve No. 36240 (Bridgetown Lots 883 and 884) "Public Recreation" to include Lot 919 (formerly Lot 32 on diagram 64261) and of its area being increased to 5358 square metres accordingly.

Public Plan: BG29 (2) 31.03. Orchard Close.

Local Authority—Shire of Bridgetown-Greenbushes.

DOLA File 1628/981

Reserve No. 37319 (Swan Location 10202) "Public Recreation" to include Swan Location 12582 (formerly Lot 273 on Diagram 54547) and of its area being recalculated (increased) to 2.8437 hectares accordingly.

Section 20A

Public Plan: BG34 (2) 23.30. Elder Street.

Local Authority—Shire of Mundaring.

DOLA File 2636/979

Reserve No. 38646 (Cockburn Sound Locations 2769 and 4119) to include Cockburn Sound Location 4239 (formerly Lot 296 on Plan 20759) and of its area being increased to 6.3219 hectares accordingly.

Public Plan: BG33 (2) 05.27. Dargin Way.

Local Authority—City of Rockingham.

DOLA File 834/995

Reserve No. 43995 (Swan Location 12356) "Public Recreation" to include Swan Location 12605 (formerly Lot 83 on Plan 20777) and of its area being increased to 6.0760 hectares accordingly.

Public Plan: BG34 (2) 24.34. Tatlock Way.

Local Authority—Shire of Swan.

DOLA File 415/995

Reserve No. 44177 (Swan Locations 12128 and 12129) to include Swan Location 12130 (formerly Lot 254 on Plan 14542) and of its area being increased to 2.9875 hectares accordingly.

Section 20A

Public Plan: BG34 (2) 12.36. Roding Court.

Local Authority—City of Wanneroo.

A.A. SKINNER, Chief Executive.

LA901*

LAND ACT 1933

Change of Purpose of Reserves

Made by His Excellency the Governor under Section 37.

The purpose of the following reserves have been changed.

DOLA File 5073/946

Reserve No. 22617 (Yilgarn Location 1354) being changed from "Sheep Dip" to "Landscape Protection".

Public Plan: WARRALAKIN (50). Stoneman Road.

Local Authority—Shire of Westonia.

DOLA File 1457/967.

Reserve No. 30342 (Cockburn Sound Locations 2169 and 4232) being changed from "Recreation" to "Public Recreation".

Public Plans BG32 (10) 3.7 and (2) 12.34. near Rodareda Crescent.

Local Authority—Shire of Murray.

A. A. SKINNER, Chief Executive.

LB201*

LAND ACT 1933

CANCELLATION OF RESERVES

Made by His Excellency the Governor under Section 37.

The following reserves have been cancelled.

DOLA File 1009/920.

Reserve No. 17445 (Warramboe Location 7) "Rabbit Department (Camping)."

Public Plan: Yalgoo (100).

Local Authority—Shire of Yalgoo.

DOLA File 2417/921.

Reserve No. 17801 (Wongan Hills Lots 732 to 738 and 741 and 742 inclusive) "Use and Requirements of the Minister for Works."

Public Plan: BH37 (2) 23.23 and 24.23. Ganzer, Patterson and Stickland Streets.

Local Authority—Shire of Wongan-Ballidu.

DOLA File 63/32V2.

Reserve No. 20792 (Kulja Lot 39) "University Endowment."

Public Plan: Kulja Townsite. Cunningham Street.

Local Authority—Shire of Koorda.

DOLA File 2725/961

Reserve No. 26519 (Swan Location 7506) "Drainage Purposes"

Public Plan: BG34 (2) 12.34.

Local Authority—City of Stirling.

DOLA File 2749/990.

Reserve No. 29942 (Derby Lots 694, 695, 696 and 697) "Use and requirements of the Government Employees Housing Authority".

Public Plan: CK75 (2) 03.06. Heytesbury and Alfonsas Streets.

Local Authority—Shire of Derby-West Kimberley.

DOLA File 1942/990.

Reserve No. 31225 (Wagin Lot 1803) "Housing (State Housing Commission)".

Public Plan: BJ30 (2) 20.34. Upland and Lloyd Streets.

Local Authority—Shire of Wagin.

DOLA File 3997/980.

Reserve No. 37363 (Plantagenet Location 7489) "Drain"

Public Plan: BJ26 (2) 20.08. Little River Road.

Local Authority—Shire of Denmark.

A. A. SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

EXTRACTIVE INDUSTRIES LOCAL LAW

Under the powers conferred upon it by the Local Government Act 1995, the Council of the Shire of Dardanup resolved on the twenty-sixth day of July 1996, to make the following Local Law—

Repeal of Previous By-Laws

1. The By-laws of the Shire of Dardanup relating to Extractive Industries published in the Government Gazette on 8th November 1962 as amended, are repealed.

Citation

2. This Local Law may be cited as the "Shire of Dardanup Extractive Industries Local Law".

Definitions

3. In this Local Law, unless the context otherwise requires—

“Act” means the Local Government Act 1995 as amended;

“carry on an extractive industry” means quarrying and excavating for stone, gravel, sand and other material.

“Council” means the Council of the Shire;

“district” means the municipal district of the Shire;

“excavation” includes quarry;

“licence” means a licence issued under this Local Law;

“licensee” means the person named in the licence as the licensee;

“secured sum” means the sum required to be paid or the amount of a bond, guarantee or other security under clause 13;

“Shire” means the municipality of the Shire of Dardanup;

“Chief Executive Officer” means the Chief Executive Officer of the Shire and includes an Acting Chief Executive Officer; and

“site” means the land specified by the Council in a licence.

Application

4. This Local Law—

(a) subject to paragraphs (b) and (c)—

(i) applies and has force and effect throughout the whole of the district; and

(ii) applies to every excavation whether commenced prior to or following the coming into operation of this Local Law;

(b) does not apply to the extraction of minerals (as defined in the Mining Act 1978):

(i) pursuant to the Mining Act 1978; or

(ii) from land alienated in fee simple from the Crown before 1st January, 1899; and

(c) does not apply to the carrying on of an extractive industry on Crown land.

Extractive Industries Prohibited Without Licence

5. A person shall not carry on an extractive industry—

(a) unless the person is the holder of a valid and current licence; and

(b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

Applicant to Advertise Proposal

6. (1) Unless the Council approves otherwise, a person seeking the issue of a licence shall, before applying to the Council for a licence—

(a) forward by certified mail a notice in the form set out in Schedule 1 to—

(i) the owners and occupiers of all land adjoining the land upon which it is proposed to excavate, or within an area determined by the Council as likely to be affected by the granting of a licence, advising of the application and specifying that they may, within twenty-one days from the date of service of the letter, object to or make representations in writing in respect of the issue of a licence by the Council.

(ii) every authority or person having control or jurisdiction over any of the things referred to in clause 7(1)(a)(vii) and (viii) within 500 metres from the boundaries of the land or within an area determined by the Council as likely to be affected by the granting of a licence; and

(b) as soon as practicable after complying with the requirements of paragraph (a)—

(i) forward a copy of the notice to the Chief Executive Officer; and

(ii) publish the notice in a newspaper circulating in the area in which the proposed excavation is located.

(2) The Council may, within 14 days after receiving a copy of a notice referred to in sub-clause (1), cause to be displayed, or require the proposed applicant to display, in a prominent position on the land one or more notices—

(a) in the form set out in Schedule 2;

(b) the content, size and construction of which have been approved by the Chief Executive Officer;

(c) specifying particulars of the proposed excavation; and

(d) inviting objections or comments within 21 days from the placement of the notice.

Application for Licence

7. (1) A person seeking the issue of a licence in respect of any land shall apply in the form set out in Schedule 3 and shall forward the application duly completed and signed by both the applicant and the owner of the land to the Chief Executive Officer together with—

(a) 3 copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing -

(i) the existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals;

- (ii) the land on which the excavation site is to be located;
 - (iii) the external surface dimensions of the land;
 - (iv) the location and depth of the existing and proposed excavation of the land;
 - (v) the location of existing and proposed roads or other means of vehicle access to and egress from the land and to public roads in the vicinity of the land;
 - (vi) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
 - (vii) the location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;
 - (viii) the location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
 - (ix) the location and description of existing and proposed fences, gates and warning signs around the land; and
 - (x) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere;
- (b) 3 copies of a works and excavation programme containing—
- (i) the nature and estimated duration of the proposed excavation for which the licence is applied;
 - (ii) the stages and the timing of the stages in which it is proposed to carry out the excavation;
 - (iii) details of the methods to be employed in the proposed excavation, and a description of any on-site processing works;
 - (iv) details of the depth and extent of the existing and proposed excavation of the site;
 - (v) an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
 - (vi) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
 - (vii) a description of the means of access to the excavation site and the types of roads to be constructed;
 - (viii) details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;
 - (ix) a description of any proposed buildings, treatment plant, tanks and other improvements;
 - (x) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
 - (xi) a description of the measures to be taken to minimise noise and dust nuisance, erosion, watercourse siltation and dangers to the general public;
 - (xii) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
 - (xiii) details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation; and
 - (xiv) a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby roads or other areas;
- (c) 3 copies of a rehabilitation and decommissioning programme indicating—
- (i) the objectives of the programme, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
 - (ii) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
 - (iii) the method by which topsoil is to be replaced and revegetated;
 - (iv) the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
 - (v) how rehabilitated areas are to be maintained and irrigated; and
 - (vi) the programme for the removal of buildings, plant, waste and final site clean up;
- (d) evidence that a datum peg has been established on the land related to a point approved by the Council on the surface of a constructed public road or such other land in the vicinity;
- (e) a certificate from a licensed surveyor certifying the correctness of—
- (i) the plan referred to in paragraph (a); and
 - (ii) the datum peg and the related point referred to in paragraph (d);
- (f) evidence that the requirements of clause 6(1) and (2) have been carried out;
- (g) copies of all land use planning approvals required under any planning legislation;
- (h) the consent in writing to the application from the owner of the excavation site;
- (i) any other information that the Council may require; and
- (j) the licence application fee specified in Schedule 5.

(2) All survey data supplied by an applicant for the purposes of sub-clause (1) must comply with Australian Height Datum and Australian Map Grid standards.

Determination of Application

8. (1) The Council may refuse to consider an application for a licence that does not comply with the requirements of clause 7.

(2) The Council may, in respect of an application for a licence—

- (a) refuse the application; or
- (b) approve the application—
 - (i) over the whole or part of the land in respect of which the application is made; and
 - (ii) on such terms and conditions, if any, as it sees fit.

(3) Where the Council approves an application for a licence, it shall—

- (a) determine the licence period, not exceeding 21 years from the date of issue; and
- (b) approve the issue of a licence in the form set out in Schedule 4.

(4) Where the Council approves the issue of a licence, the Chief Executive Officer upon receipt by the Shire of—

- (a) payment of the annual licence fee, or the relevant proportion of the annual licence fee to 31st December next, calculated in accordance with Schedule 5; and
- (b) payment of the secured sum, if any, imposed under clause 13; and
- (c) the documents, if any, executed to the satisfaction of the Chief Executive Officer, under clause 13,

shall issue the licence to the applicant.

(5) Without limiting subclause (2), the Council may impose conditions in respect of the following matters—

- (a) the orientation of the excavation to reduce visibility from other land;
- (b) the appropriate siting of access roads, buildings and plant;
- (c) the stockpiling of material;
- (d) the hours during which excavation work may be carried out;
- (e) the hours during which any processing plant associated with, or located on, the site may be operated;
- (f) the depths below which a person shall not excavate;
- (g) distances from adjoining land or streets within which a person shall not excavate;
- (h) the safety of persons employed at or visiting the excavation site;
- (i) the control of dust and wind-blown material;
- (j) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
- (k) the prevention of the spread of dieback disease;
- (l) the drainage of the excavation site and the disposal of water;
- (m) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
- (n) the provision of retaining walls to prevent subsidence of any portion of the excavation or of land abutting the excavation;
- (o) requiring the licensee to furnish to the Council a surveyor's certificate each year, prior to the renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation programme;
- (p) requiring the licensee to enter into an agreement with the Council in respect of any condition or conditions imposed under this Local Law; and
- (q) any other matter for properly regulating the carrying on of an extractive industry.

Payment of Annual Licence Fee

9. On or before 31st December in each year, a licensee shall pay to the Shire the annual licence fee calculated in accordance with Schedule 5.

Transfer of Licence

10. (1) An application for the transfer of a licence shall—

- (a) be made in writing;
- (b) be signed by the licensee and the proposed transferee of the licence;
- (c) be accompanied by the current licence;
- (d) contain the consent in writing from the owner of the excavation site;
- (e) include any information that the Council may reasonably require; and
- (f) be forwarded to the Chief Executive Officer together with the fee set out in Schedule 5.

(2) Upon receipt of any application for the transfer of a licence, the Council may—

- (a) refuse the application; or
- (b) approve the application on such terms and conditions, if any, as it sees fit.

(3) Where the Council approves an application for transfer of a licence, the Council shall transfer the licence by an endorsement on the licence to that effect signed by the Chief Executive Officer.

(4) Where the Council approves the transfer of a licence it shall not be required to refund any part of the fees paid by the former licensee in respect of the transferred licence.

Cancellation of Licence

11. (1) The Council may cancel a licence where the licensee has—

- (a) been convicted of an offence against—
 - (i) this Local Law; or
 - (ii) any other law relating to carrying on an extractive industry; or
- (b) transferred or assigned or attempted to transfer or assign the licence without the consent of the Council;
- (c) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this Local Law; or
- (d) failed to pay the annual licence fee under clause 9.

(2) Where the Council cancels a licence under this clause—

- (a) the Council shall advise the licensee in writing of the cancellation;
- (b) the cancellation takes effect on and from the day on which the licensee is served with the cancellation advice; and
- (c) the Council shall not be required to refund any part of the fees paid by the licensee in respect of the cancelled licence.

Renewal of Licence

12. (1) A licensee who wishes to renew a licence shall apply in writing to the Council at least 45 days before the date of expiry of the licence and shall submit with the application for renewal—

- (a) the fee prescribed in Schedule 5;
- (b) a copy of the current licence;
- (c) a plan showing the contours of the excavation carried out to the date of that application;
- (d) details of the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clauses 7(1)(b) and (c); and
- (e) any other things referred to in clauses 7 and 8.

(2) The Council may waive any of the requirements specified in clause 12(1)(d) or (e).

(3) If—

- (a) an application to renew a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
- (b) the methods to be employed in the proposed land excavation are identical to those being employed at the date of the application,

then the applicant shall not be obliged, unless otherwise required by Council to submit details of any of the things referred to in clauses 7 and 8.

(4) Upon receipt of an application for the renewal of a licence, the Council may—

- (a) refuse the application; or
- (b) approve the application on such terms and conditions, if any, as it sees fit.

Security for Restoration and Reinstatement

13. (1) For the purpose of ensuring that an excavation site is properly restored or reinstated, the Council may require that—

- (a) as a condition of a licence; or
- (b) before the issue of a licence,

the licensee shall give to the Shire a bond, bank guarantee or other security, of a kind and in a form acceptable to the Council, in or for a sum determined by the Council in accordance with Schedule 5.

(2) A bond required under subclause (1) is to be paid into a fund established by the Shire for the purposes of this clause.

Use by the Council of Secured Sum

14. (1) If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions either—

- (a) within the time specified in those conditions; or
- (b) where no such time has been specified, within 60 days of the completion of the excavation or portion of the excavation specified in the licence conditions,

then—

- (c) the Shire may carry out the required restoration and reinstatement work or so much of that work as remains undone; and
- (d) the licensee shall pay to the Shire on demand all costs incurred by the Shire or which the Shire may be required to pay under this clause.

(2) The Shire may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 13 towards its costs under this clause.

(3) The liability of a licensee to pay the Shire's costs under this clause is not limited to the amount, if any, secured under clause 13.

Limits on Excavation Near Boundary

15. Subject to any licence conditions imposed by the Council, a person shall not, without the written approval of the Council, excavate within—

- (a) 20 metres of the boundary of any land on which the excavation site is located;
- (b) 20 metres of any land affected by a registered grant of easement;
- (c) 40 metres of any road; or
- (d) 40 metres of any watercourse.

Prohibitions

16. A licensee shall—

- (a) not remove any trees or shrubs within 40 metres (or such lesser distance as may be allowed, in writing, by the Council) of the boundary of any road reserve on land in respect of which a licence has been granted, except for the purpose of constructing access roads, erecting buildings or installing plant for use in connection with the excavation and then only with the express approval of the Council and subject to any conditions which the Council may impose in accordance with clause 8;
- (b) where the Council so requires, securely fence the excavation to a standard determined by Council and keep the gateways locked when not actually in use in order to prevent unauthorised entry;
- (c) erect and maintain warning signs along each of the boundaries of the site to which the licence applies so that each sign—
 - (i) is not more than 200 metres apart;
 - (ii) is not less than 1.8 metres high and not less than 1 metre wide; and
 - (iii) bears the words 'DANGER EXCAVATIONS KEEP OUT';
- (d) except where the Council approves otherwise, drain and keep drained to the Council's satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;
- (e) not store, or permit to be stored, any explosives or explosive device on the site to which the licence applies;
- (f) not fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the Council;
- (g) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the Council;
- (h) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and
 - (i) otherwise comply with the conditions imposed by the Council in accordance with clause 8.

Blasting

17. (1) A person shall not carry out or permit to be carried out any blasting in the course of excavating unless—

- (a) the Council has otherwise given approval in respect of blasting generally or in the case of each blast;
- (b) subject to sub-clause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the Council, on Mondays to Fridays inclusive;
- (c) the blasting is carried out in strict accordance with the AS2187 SAA Explosives Code, the Mines Regulation Act 1946 and all relevant Local Laws of the Council; and
- (d) in compliance with any other conditions imposed by the Council concerning—
 - (i) the time and duration of blasting;
 - (ii) the purposes for which the blasting may be used;
 - (iii) the methods of detonation and blasting;
 - (iv) the types of explosives to be used; and
 - (v) such other matters as the Council may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

(2) A person shall not carry out or permit to be carried out any blasting on a Saturday, Sunday or Public Holiday except with the prior approval of the Council.

Public Liability

18. A licensee shall have at all times a current public liability insurance policy taken out in the joint names of the licensee and the Shire indemnifying the licensee and the Shire for a sum of not less than \$5,000,000 in respect of any one claim relating to any of the excavation operations.

Mines Regulation Act

19. (1) In any case where the Mines Regulation Act 1946 applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site shall—

- (a) comply with all applicable provisions of that Act; and

- (b) provide to the Council within 14 days full particulars, of any inspection or report made under that Act.

(2) In this clause, the Mines Regulation Act 1946 includes all subsidiary legislation made under that Act.

Notice of Cessation of Operations

20. (1) Where a licensee intends to cease carrying on an extractive industry—

- (a) temporarily for a period in excess of 12 months; or
- (b) permanently,

the licensee shall, as well as complying with clause 21, give the Council written notice of the cessation not later than 1 week after those operations have ceased.

(2) Where a licensee has given written notice to the Council of the intention to permanently cease carrying on an extractive industry on the site to which the licence applies the licence is deemed to have expired on the date such cessation is so notified.

(3) The temporary or permanent cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of a licence does not entitle the licensee to any refund of any licence fee.

Works to be Carried out on Cessation of Operations

21. Where the carrying on of an extractive industry on the site permanently ceases or on the expiration or cancellation of the licence applicable to the site, whichever first occurs, the licensee shall, as well as complying with the provisions of clause 20—

- (a) restore and reinstate the excavated site in accordance with the proposals approved by the Council or in such other manner as the Council may subsequently agree in writing with the licensee;
- (b) ensure that any face permitted to remain upon the excavation site is left safe with all loose materials removed and where the excavation site is—
 - (i) sand, the sides are sloped to a batter of not more than 1:3 (vertical : horizontal); and
 - (ii) limestone or material other than sand, the sides are sloped to a batter which, in the opinion of the Council, would enable the site to be left in a stable condition;
- (c) ensure that the agreed floor level of the excavation site is graded to an even surface or is otherwise in accordance with the rehabilitation and decommissioning programme approved by the Council;
- (d) ensure that all stockpiles or dumps of stone, sand or other material are left so that no portion of that material can escape onto land not owned or occupied by the licensee nor into any stream, watercourse or drain that is not wholly situated within the land owned or occupied by the licensee;
- (e) erect retaining walls where necessary to prevent subsidence of land in the vicinity of any excavation;
- (f) remove from the site all buildings, plant and equipment erected, installed or used for or in relation to the carrying on of an extractive industry on the site and fill all holes remaining after such removal to the level of the surrounding ground and compact such filled holes sufficiently to prevent settling; and
- (g) break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment were erected or installed and all areas which were used for stockpiling unless otherwise specified under this Local Law.

Appeal to Minister

22. Where a person applies to the Council for a licence and the Council does not grant the licence within 28 days of service of the application, the person may appeal to the Minister in accordance with Part A of the Act.

Penalties

23. A person who contravenes or fails to comply with any of the provisions of this Local Law commits an offence and upon conviction is liable to—

- (a) a penalty not exceeding \$500; and
- (b) a daily penalty not exceeding \$50 for every day or part of a day during which the offence continues.

SCHEDULE 1

(Form of Newspaper Notice)

Clause 6(1)(a)

NOTICE OF APPLICATION FOR AN EXTRACTIVE INDUSTRY LICENCE

Take notice that ⁽¹⁾.....

 intends to apply to the Shire of Dardanup for an extractive industry licence to excavate ⁽²⁾.....

on land situated at ⁽³⁾
.....
.....
being ⁽⁴⁾

Any person who wishes to object or otherwise comment upon this proposal, should do so in writing to the Chief Executive Officer, Shire of Dardanup, Little Street, Dardanup 6236, not later than ⁽⁵⁾

- (1) Insert the name of applicant
- (2) Insert the material(s) proposed to be excavated
- (3) Insert the postal address of the land subject of the application
- (4) Insert the title description of the land subject of the application
- (5) Insert the date which should not be less than 3 weeks after the date when the advertisement first appears in the newspaper.

SCHEDULE 2
(Form of Site Notice)

Clause 6(2)

NOTICE OF APPLICATION FOR AN EXTRACTIVE INDUSTRY LICENCE

Take notice that ⁽¹⁾
.....
intends to apply to the Shire of Dardanup for an extractive industry licence to excavate ⁽²⁾
.....
on land situated at ⁽³⁾
.....
being ⁽⁴⁾

Any person who wishes to object or otherwise comment upon this proposal, should do so in writing to the Chief Executive Officer, Shire of Dardanup, Little Street, Dardanup 6236, not later than ⁽⁵⁾

- (1) Insert the name of applicant
- (2) Insert the material(s) to be excavated
- (3) Insert the postal address of the land subject of the application
- (4) Insert the title description of the land subject of the application
- (5) Insert the date which is to be 21 days after the date on which the notice is placed on the land.

SCHEDULE 3
SHIRE OF DARDANUP
APPLICATION FOR AN EXTRACTIVE INDUSTRY LICENCE

Clause 7

- 1. Name (the "applicant")
- 2. Address
- 3. Telephone Fax:
- 4. Address and locality of proposed excavation site
- 5. Lot No
- 6. Location No
- 7. Plan or Diagram No
- 8. Certificate of Title Volume: Folio:
- 9. Owner of the land
- 10. Address of owner of the land
- 11. Material to be excavated

12. If the application covers land that is the subject of an existing licence:
 Date of issue of that licence
 Date of expiration of that licence.....
 Conditions applicable to that licence

13. Term of licence sought

14. Submitted with this application are:

- (a) 3 copies of excavation site plans (cl.7(1)(a))
- (b) 3 copies of works and excavation programme (cl.7(1)(b))
- (c) 3 copies of rehabilitation and decommissioning programme (cl.7(1)(c))
- (d) datum peg evidence (cl.7(1)(d))
- (e) licensed surveyor's certificate (cl.7(1)(e))
- (f) evidence of compliance with cl.6(1) and (2) (cl.7(1)(f))
- (g) copies of all land use planning approvals (cl.7(1)(g))
- (h) written consent of the owner of the excavation site (cl.7(1)(h))
- (i) any other information that the Council has required (cl.7(1)(i))
- (j) licence application fee of \$250 (cl.7(1)(j)).

The applicant applies for a licence in respect of the proposed excavation site in accordance with and subject to the Shire of Dardanup Extractive Industries Local Law.

Dated this..... day of 19

.....
 Signature of Applicant

.....
 Signature of Owner of the land

.....
 Signature of existing licensee
 (if applicable)

SCHEDULE 4
SHIRE OF DARDANUP

Clause 8(3)(b)

EXTRACTIVE INDUSTRY LICENCE

Licensee

Address

Land Description

Material to be Excavated.....

Term of Licence

Date of Expiry

This licence is issued in accordance with the Shire of Dardanup Extractive Industries Local Law subject to the following conditions:

Dated this day of 19.....

.....
 Chief Executive Officer

TRANSFER ENDORSEMENT

Clause 9(3)

This licence is transferred to.....
of
.....
.....
from the date of the endorsement until
subject to each of the above conditions and the following additional conditions—
Dated this day of 19.....
.....
Chief Executive Officer
Shire of Dardanup

SCHEDULE 5
SHIRE OF DARDANUP

Clause 7(j), 9, 10(1)(f), 12, 13

1. **Licence Application Fees**
The initial licence fee shall be: \$250
2. **Annual Licence & Renewal Fees**
Where the overall area of excavation is less than 1 hectare, payable annually: \$125
Where the overall area of excavation is greater than 1 hectare but less than 5 hectares, payable annually: \$250
Where the overall area of excavation is 5 hectares or greater, payable annually: \$375
3. **Secured Sum** (clause 13)
Calculation of amount of guarantee (or other form of acceptable security)—
(a) Where it is proposed to excavate clay, sand or similar fine grained material—
The rehabilitation bond shall be calculated at a rate up to but not exceeding \$5,000 per hectare or part thereof of the excavation site to be rehabilitated.
(b) Where it is proposed to excavate stone, gravel or other aggregate—
The rehabilitation bond shall be calculated at a rate up to but not exceeding \$17,500 per hectare or part thereof of the excavation site to be rehabilitated.
4. **Licence Transfer Fee** \$50

The Common Seal of the Shire of Dardanup was affixed this 5th day of October, 1996.
in the presence of—

M. T. BENNETT, Shire President.
C. J. SPRAGG, Chief Executive Officer.

LG401

DOG ACT 1976

It is hereby notified for public information that the following persons have been appointed pursuant to the Dog Act 1976, for the Municipality of the Shire of Broome.

- Registration Officers
Tania Elizabeth Galloway
Tamara Lousie Thompson

It is hereby notified for public information that the following appointments have been been revoked.
Christine Anne Farley

G. S. POWELL, Chief Executive Officer.

LG402**BUSH FIRES ACT 1954***Shire of Derby / West Kimberley*

It is hereby notified for public information that all previous appointments to the positions of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Fire Control Officers are revoked from 25th September, 1996.

The following persons have been appointed Bush Fire Control Officers throughout the Shire of Derby/ West Kimberley.

Chief Bush Fire Control Officer—

Mr Jim Motter of Bulka Station

Deputy Bush Fire Control Officer—

Vacant

Fire Control Officers—

Mr Pete DeLong of Dampier Downs

Mr Steven Robb of Beverley Springs

Mr Brian Fielder of Brooking Springs

Mr Keith Anderson of Jubilee Downs

Mr Craig Wing of Shire of Derby/West Kimberley

Mr Paul Buist of Shire of Derby/West Kimberley

Mr Bruce Grey, Camballin Farms

Derby Townsite Only

Mr Barry Baughen

Fitzroy Crossing Townsite Only

Mr Kerry Leamy

The above appointments are effective from 26th September, 1996 until further notice.

Dated this 10th day of October, 1996.

P. D. ANDREW, Chief Executive Officer.

LG403**LOCAL GOVERNMENT ACT 1995***City of Gosnells*

It is hereby notified for public information that Miss Michaela Dietrich, in accordance with Section 9.10 of the *Local Government Act 1995* has been appointed as an Honorary Parking Inspector to administer the provisions of the City of Gosnells Local Laws relating to Parking Facilities and the Local Government (Parking for Disabled Persons) Regulations within the boundaries of the Metro Maddington Shopping Centre.

This appointment is effective as of the 1st October 1996.

G. WHITELEY, Chief Executive Officer.

LG404**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***City of Bunbury***CLOSURE OF PRIVATE STREET**

Department of Local Government,
Perth, 15 October 1996.

LG: BY 4-14

It is hereby notified for public information that His Excellency the Governor has approved under section 297A of the *Local Government (Miscellaneous Provisions) Act 1960*, the resolution passed by the City of Bunbury that the private street which is described as being portion of Leschenault Location 26, being portion of the land coloured brown and marked "R.O.W." on Diagram 12129 and being part of the land contained in Certificate of Title Volume 1964 Folio 933 be closed, and the land contained therein be amalgamated with adjoining Lot 14 Clarke Street, Bunbury as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

LG406

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

City of South Perth

CLOSURE OF PRIVATE STREET

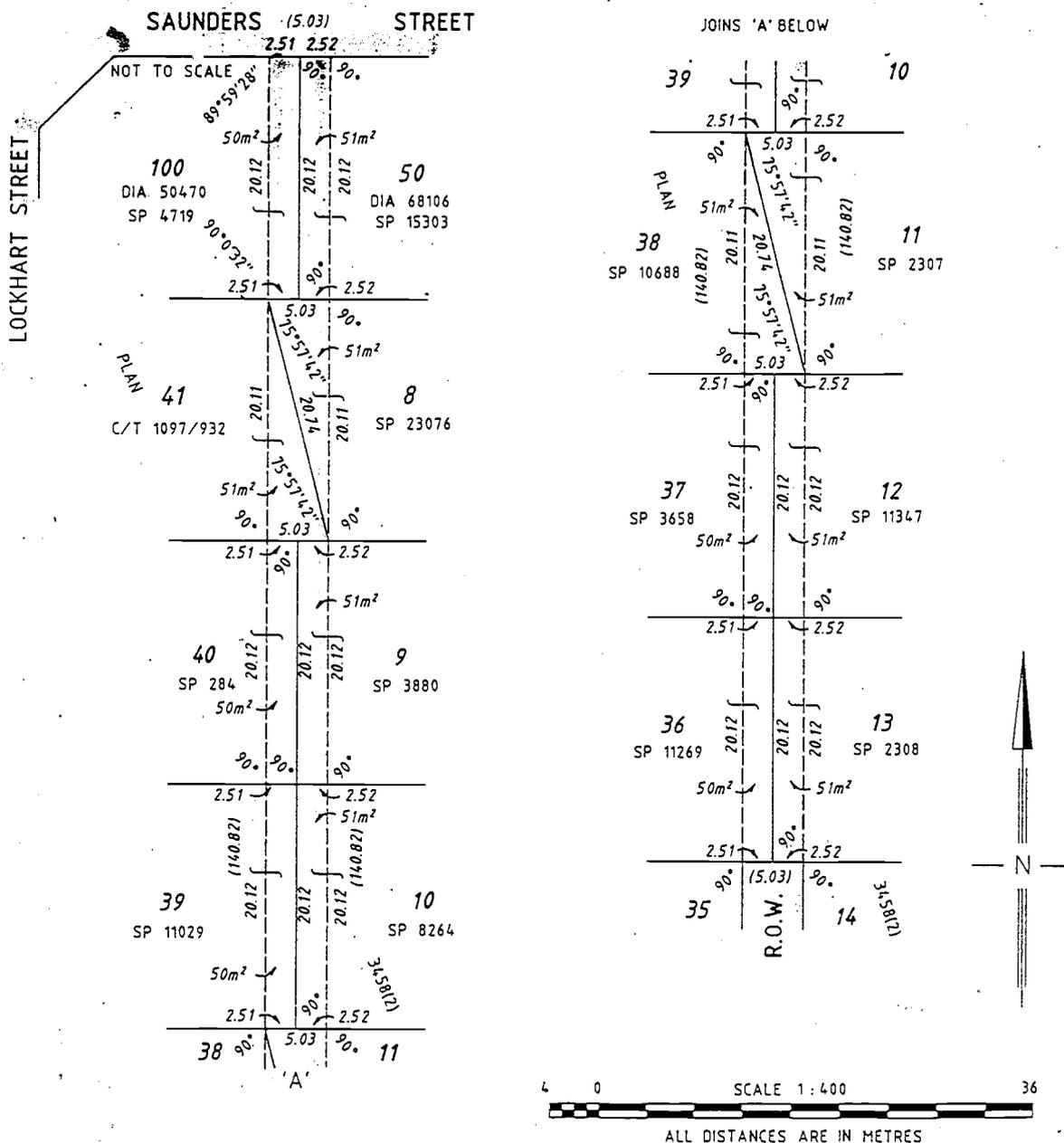
Department of Local Government,
Perth, 15 October 1996.

LG: SP4-12c1

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 (Miscellaneous Provisions) Act 1960*, the resolution passed by the City of South Perth that the private street which is described as being portion of Swan Location 42, being portion of the land coloured brown and marked "R.O.W." on plan 3458(2) and being portion of land contained in Certificate of Title Vol 16 Fol 163 be closed, and the land contained therein be amalgamated with the adjoining Lots 36-41 and Lot 100 Lockhart Street and Lots 8-14 and Lot 50 Labouchere Road, Como, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule
Diagram No. 91540.



LG407

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

City of South Perth

CLOSURE OF PRIVATE STREET

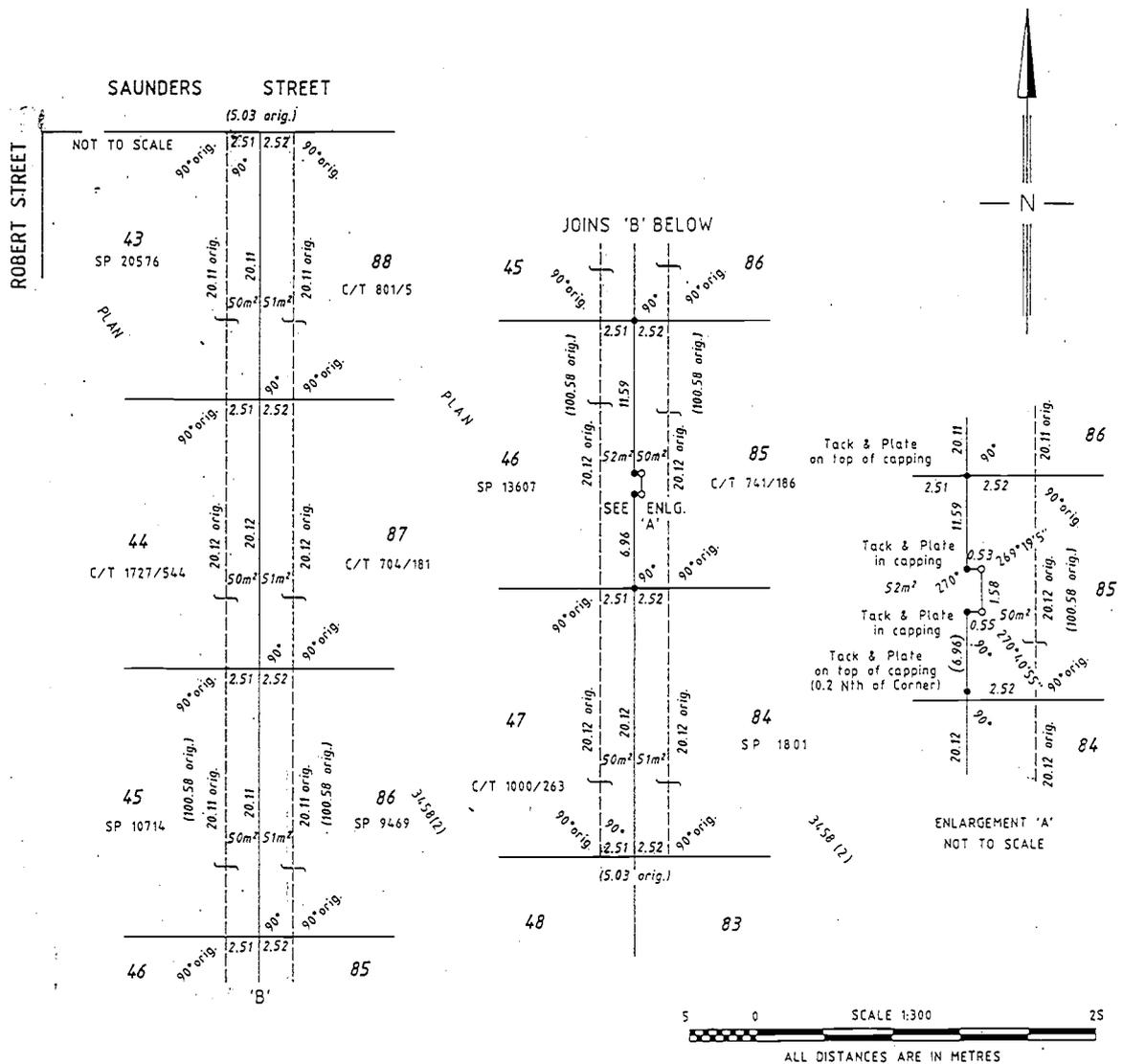
Department of Local Government,
Perth, 15 October 1996.

LG: SP4-12d1

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 (Miscellaneous Provisions) Act 1960*, the resolution passed by the City of South Perth that the private street which is described as being portion of Swan Location 42, being portion of the land coloured brown on plan 3458(2) and being portion of land contained in Certificate of Title Vol 16 Fol 163 be closed, and the land contained therein be amalgamated with the adjoining Lots 43-47 Robert Street and Lots 85-88 Lockhart Street, Como, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule
Diagram No. 91539.



LG408

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

City of South Perth

CLOSURE OF PRIVATE STREET

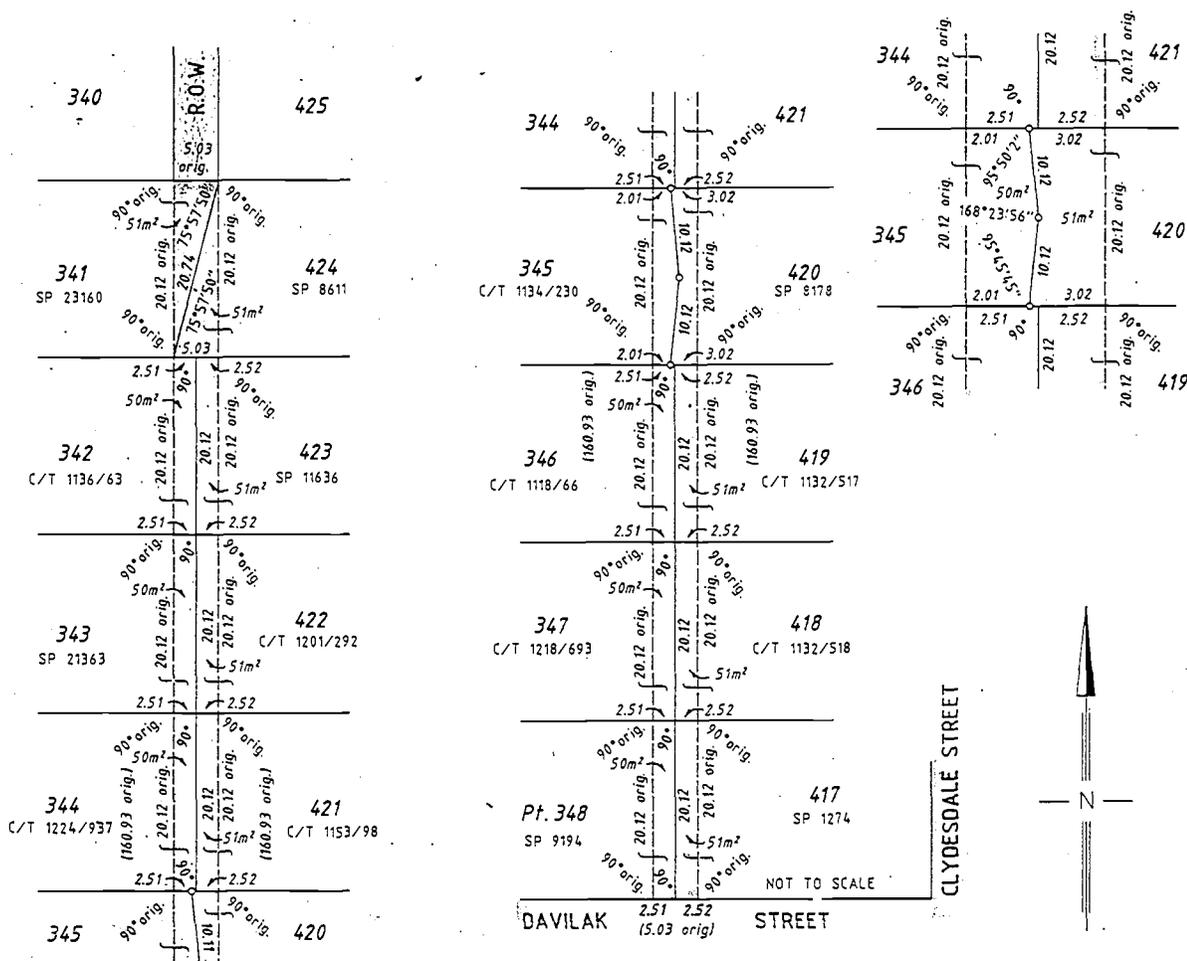
Department of Local Government, Perth, 15 October 1996.

LG: SP4-12f1

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 (Miscellaneous Provisions) Act 1960, the resolution passed by the City of South Perth that the private street which is described as being portion of Canning Location 37, being portion of land coloured brown and marked "R.O.W." on plan 3486(2) and being portion of land contained in Certificate of Title Vol 1418 Fol 856 be closed, and the land contained therein be amalgamated with the adjoining Lots 417-424 Clydesdale Street and Lots 341-348 Edgcumbe Street, Como, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director, Department of Local Government.

Schedule Diagram No. 91542.



10 0 SCALE 1:500 40
ALL DISTANCES ARE IN METRES

LG409

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Town of East Fremantle

CLOSURE OF PRIVATE STREET

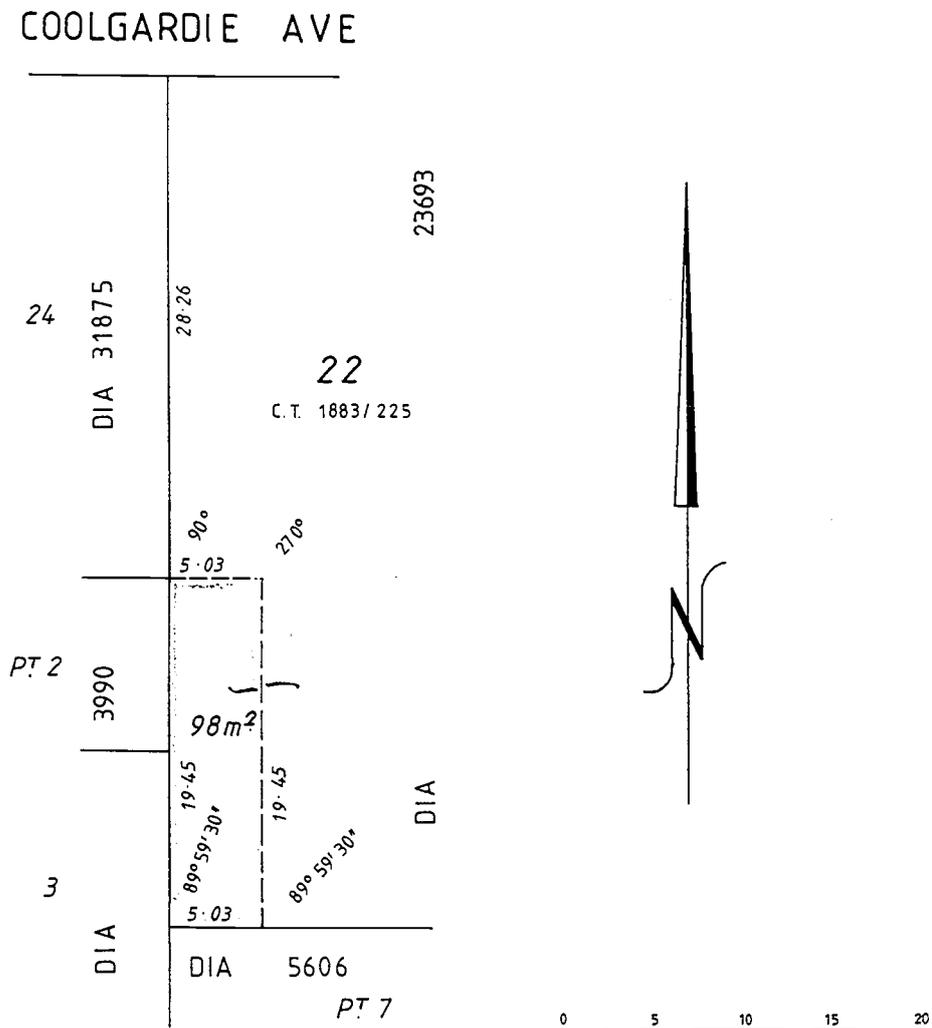
Department of Local Government,
Perth, 15 October 1996.

LG: EF4-12

It is hereby notified for public information that the Lieutenant-Governor and deputy of the Governor has approved under section 297A of the *Local Government (Miscellaneous Provisions) Act 1960*, the resolution passed by the Town of East Fremantle that portion of the private street which is described as being portion of Swan Location 306, being portion of the land coloured brown on Diagram 5606 and being part of the land comprised in Certificate of Title Volume 783 Folio 4 be closed, and the land contained therein be amalgamated with adjoining Lot 22 Coolgardie Avenue, East Fremantle, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule
Diagram No. 91223.



LG501

LOCAL GOVERNMENT ACT 1995
HEALTH ACT 1911
Shire of Mukinbudin
MEMORANDUM OF IMPOSING RATES

To whom it may concern.

At a meeting of the Shire of Mukinbudin held on 25th July 1996 it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the district of the Municipality in accordance with the provisions of the Local Government Act 1995 and the Health Act 1911.

Dated this 10th day of October 1996.

E. R. VENTRIS, President.
 J. M. LYON, Acting Chief Executive Officer.

Schedule of Rates and Charges Levied

General Rates—

Unimproved Values 4.7833 cents in the dollar.

Gross Rental Values 9.7723 cents in the dollar.

Minimum Rates—

Residential \$100 per assessment.

Rural \$150 per assessment.

Mining \$800 per assessment.

Discount—A discount of 10% will be allowed on current rates paid within 14 days of date of service assessment.

Rubbish Collection Charge—\$80.00 per annum weekly removal of 240 litre bin.

Television Levy—\$26.00 per annum for townsite properties.

LG601

BUSH FIRES ACT 1954
Shire of Leonora

Notice to all owners and/or Occupiers of Land in the Shire of Leonora

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required to, on or before the 31st day of October, 1996 to clear fire breaks and remove flammable material from the land owned or occupied by you as specified hereunder.

This work must be carried out by 31st day of October, 1996 and kept maintained throughout the summer months up to and including 31st day of March 1997.

1.0 Land Outside Townsites

1.1 Buildings on land which are located outside townsites shall be surrounded by a fire break not less than two metres wide and that land inside the fire break shall be cleared of flammable materials.

2.0 Land in Townsites

2.1 Where the area of land is 2 000 sqm or less, all flammable material shall be removed from the land.

2.2 Where the area of land is 2 000 sqm or more fire breaks of at least 2.5 metres wide shall be cleared of all flammable material inside and along the boundaries of that land.

3.0 Fuel Dumps/Tanks/Depot

Where there are flammable liquid or gas containers on the land, all such land shall be cleared and kept clear of all flammable materials and in general comply with the requirements of the Explosive and Dangerous Goods Act 1961.

4.0 General Provisions

The term 'Flammable Materials' for the purpose of this notice includes bush (as defined in the Bush Fires Act 1954) timber, boxes, cartons, paper and like materials, but does not include buildings, green standing trees and bushes or growing bushes or plants in gardens or lawns.

If it is considered impracticable for any reason to clear the land of flammable material, you may apply to the Council for permission to prepare fire breaks in an alternative position. If such permission is not granted, you shall comply with the requirements of this notice.

If the requirements of this notice are carried out by burning, such burning shall comply with the provisions of the Bush Fires Act 1954.

The penalty for failing to comply with this notice is a fine of \$1000 and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed by this notice, if it is not carried out by the owner or occupier by the required date.

By Order of the Council,

J. G. EPIS, Chief Executive Officer.

Pursuant to Section 38 (2) of the Bushfire Act. Set out hereunder are the names of Fire Control Officers for the 1996/97 Fire Control Season.

Chief Fire Control Officer—

J. G. Epis Ph Work: (090) 37 6044
 Fax Work: (090) 37 6295
 Ph Home: (090) 37 6195

Deputy Chief Fire Control Officer—

J. F. Rowe Ph Work: (090) 37 6044
 Fax Work: (090) 37 6295
 Ph Home: (090) 37 6672

Assistant Deputy Chief—

R. M. Mirams Ph Work: (090) 37 6154
 Ph Home: (090) 37 6263

FIRE CONTROL OFFICERS

C. Day	Banjawarn Station	Ph Home: (090) 37 5977
J. P. Hadfield	Braemore Station	Ph Home: (090) 37 6182
V. R. Taylor	Clover Downs Station	Ph Home: (090) 37 6002
R. Lockyer	Glenorn Station	Ph Home: (090) 37 6097
D. Hall	Melita Station	Ph Home: (090) 37 6053
D. Broad	Melrose Station	Ph Home: (090) 37 5995
M. G. Thomas	Minara Station	Ph Home: (090) 37 5966
D. R. Fitzgerald	Nambi Station	Ph Home: (090) 37 5906
P. McPherson	Pinnacles Station	Ph Home: (090) 37 5923
J. Hurst	Sturt Meadows Station	Ph Home: (090) 37 5910
R. G. Hodder	Tarmoola Station	Ph Home: (090) 37 5912
R. G. Hodder	Weebo Station	Ph Home: (090) 37 5913
L. Boladeras	Barwidgee Station	Ph Home: (090) 37 5941
D. Brownlie	Yeelirrie Station	Ph Home: (090) 37 5955
B. A. Money	Yundamindra Station	Ph Home: (090) 31 3012
B. Nielson	Leinster Nickel	Ph Home: (090) 37 9005
P. Craig	Leinster Downs Station	Ph Home: (090) 37 9005
M. Adams	Darlot Gold Mine	Ph Work: (090) 37 9009
G. Jones	Lawlers Gold Mine	Ph Work: (090) 37 9008
D. Beeson	Mt. McClure Gold Mine	Ph Work: (090) 37 9112
D. Foale	Mt. McClure Gold Mine	Ph Work: (090) 37 9112
P. Walker	Bronzewing Gold Mine	Ph Work: (090) 37 8000

J. G. EPIS, Chief Executive Officer.

LG602

BUSH FIRES ACT 1954

Notice to all Owners or Occupiers of Land in the District of the City of Wanneroo
 Regarding Firebreaks

City of Wanneroo hereby gives notice pursuant to Section 33 of the Bush Fires Act 1954, to all owners or occupiers of land in its district that they are required on or before the 30th day of November 1996 or within 14 days of becoming the owner or occupier of the land if that occurs after the 30th day of November 1996 to plough, cultivate, scarify, burn or otherwise clear firebreaks as specified in this Notice and thereafter up to and including the 30th day of April 1997 to maintain the firebreaks clear of inflammable matter.

(1) Land having an area of 2000m² or more

A firebreak not less than 3 metres wide immediately inside and around all external boundaries of the land must be cleared.

(2) Land having an area of less than 2000m²

A firebreak not less than 2 metres wide immediately inside and around all external boundaries of the land must be cleared.

(3) Building

A firebreak not less than 3 metres wide immediately around all external walls of every building must be cleared.

Whenever a firebreak is cleared by burning the provisions of the Act and Regulations made thereunder must be observed.

If pursuant to Item (2) of this Notice, mowing or slashing is carried out the height of vegetation thereafter must not exceed, as far as is reasonably practicable, 20mm over the entire area of the firebreak. The use of chemicals is subject to all restrictions imposed by the Department of Agriculture.

Attention is drawn to the Flammable Liquids Regulations made under the Explosives and Dangerous Goods Act 1961, which requires a site on which inflammable liquid is stored to be totally cleared of all inflammable material for a minimum distance of 5 metres surrounding the site.

If it is considered to be impracticable for any reason to comply with the provisions of this Notice, application may be made not later than the 15th day of November 1996 to the Council or its authorised officer for permission to provide alternative fire protection measures. If permission is not granted the requirements of this Notice must be complied with.

PENALTY

An owner or occupier of land who fails or neglects in any respect to comply with the requirements of this Notice is liable to a maximum fine of \$1,000.

LINDSAY DELAHAUNTY, Chief Executive Officer.

MINERALS AND ENERGY**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 being the Officer for the time being holding certain powers and functions of the Minister in respect of the area specified in the State of Western Australia by virtue of an instrument of delegation dated 2 March 1993 and published in the Government Gazette of Western Australia on 12 March 1993, give notice pursuant to Section (8) 4 of the Petroleum Pipelines Act, 1969 that an application has been received from:

AGL Pipelines (WA) Pty Ltd of 35 Ventnor Avenue, West Perth WA 6005

for a licence to construct and operate a pipeline to supply natural gas from the AlintaGas Dampier to Bunbury Pipeline, in the vicinity of Main Line Valve No 93 located adjacent to Mount Adams Road south of Dongara to Westlime (WA) Limited's plant site situated on the Brand Highway south of Dongara.

A map showing the proposed route of the pipeline maybe examined during public office hours until 28 October 1996 at the Petroleum Operations Division, Department of Minerals and Energy, 11th Floor, Mineral House, 100 Plain Street, East Perth.

Dated this 11th day of October 1996.

IAN FRASER, Director Petroleum Operations Division.

PLANNING**PD401****TOWN PLANNING AND DEVELOPMENT ACT 1928****SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

City of Cockburn

District Zoning Scheme No. 2—Amendment No. 137

Ref: 853/2/23/19, Pt. 137.

Notice is hereby given that the City of Cockburn has prepared the abovementioned scheme amendment for the purpose of reflecting recent amendments to the Metropolitan Region Scheme, and to zone previously unzoned land due to land reclamation and changes to the municipal boundary.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including November 26, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 26, 1996.

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

R. W. BROWN, Chief Executive Officer.

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

Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 35

Ref: 853/2/26/3, Pt. 35.

Notice is hereby given that the Town of Kwinana has prepared the abovementioned scheme amendment for the purpose of rezoning Peel Estate Lot 147 Jolley Road, Wellard from "RURAL" to "SPECIAL RURAL".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, cnr Gilmore Avenue/Sulphyr Road, Kwinana and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including November 26, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 26, 1996.

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

R. K. SMILLIE, Chief Executive Officer.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 44

Ref: 853/2/26/3, Pt. 44.

Notice is hereby given that the Town of Kwinana has prepared the abovementioned scheme amendment for the purpose of the purpose of—

1. Rezoning Lot 55, Woolcott Road, Wellard from Rural Zone to Special Rural Zone No. 15.
2. Modifying the 2nd Schedule of the Scheme Text by inserting into Special Rural Zone No. 15 under the column headed "Lot Description"—"Lot 55, Woolcott Road, Wellard".
3. Inserting into Development Condition No. 1 of Special Rural Zone No. 15 "Lot 55, Woolcott Road, Wellard; Subdivision Guide Map 12".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, cnr Gilmore Avenue/Sulphyr Road, Kwinana and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including November 26, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 26, 1996.

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

R. K. SMILLIE, Chief Executive Officer.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 48

Ref: 853/2/26/3, Pt. 48.

Notice is hereby given that the Town of Kwinana has prepared the abovementioned scheme amendment for the purpose of the purpose of—

1. Rezoning various lots from Special Use Zone to Commercial, Town Centre, Service Commercial and Residential Zones.
2. Recoding Lot 380 Pengilly Road from R20 to R40.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, cnr Gilmore Avenue/Sulphyr Road, Kwinana and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including November 26, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 26, 1996.

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

R. K. SMILLIE, Chief Executive Officer.

PD405

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

District Planning Scheme No. 8—Amendment No. 48

Ref: 853/3/8/10, Pt. 48.

Notice is hereby given that the Shire of Gingin has prepared the abovementioned scheme amendment for the purpose of the purpose of recoding Lot 65 Prince Street, Ledge Point from "Residential (R15)" to "Residential (R35)" as depicted on the Scheme (Amendment) Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 7 Brockman Street, Gingin and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including November 26, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 26, 1996.

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.

A. W. HORTIN, Chief Executive Officer.

PORT AUTHORITIES

PH101

PRINTERS CORRECTION

DAMPIER PORT AUTHORITY ACT 1985

DAMPIER PORT AUTHORITY AMENDMENT REGULATIONS 1996

The *Dampier Port Authority Amendment Regulations 1996*, published in *Government Gazette* No. 144, 4 October 1996, pp. 5249-50, are corrected as follows:

In regulation 2, delete "1985*", substitute "1989*".

WATER

WA401

RIGHTS IN WATER AND IRRIGATION ACT 1914

NOTICE UNDER SECTION 13

[Regulation 14(1)]

The Water and Rivers Commission has received an application to take and use surface water for irrigation purposes on the property listed below.

Any owner or occupier of land within 4.8 km of the source and contiguous to the water course on which the source is located may lodge an objection to that application. Any objections will be considered by the Water and Rivers Commission in determining whether a licence is issued.

Objections must be sent to the Swan Region of the Water and Rivers Commission at 207 Star Street, Welshpool 6106 prior to October 31, 1996 by certified mail.

Any queries regarding this application should be referred to Mr Brett Hall on telephone 362 0507.

Manager, Management Planning Branch, Water and Rivers Commission.

Applicant: Cohuna Koala Park

Property: Lot 22 Connell Avenue, Gosnells

Watercourse: Canning River

WA402

RIGHTS IN WATER AND IRRIGATION ACT 1914

NOTICE UNDER SECTION 13 OF THE ACT

[Regulation 14(1)]

The applications in the following schedule have been received for a licence to divert, take and use water from the Warren Donnelly River Systems.

Any owner or occupier of land within 4.8 kilometres of the applicants land and contiguous to the watercourse may object to that application.

Objections should be sent to reach me at the—Water and Rivers Commission, PO Box 261, Bunbury WA 6230 prior to November 1, 1996 by certified mail.

W. F. TINGEY, Regional Manager,
South West Region.

Schedule

Occupier	Postal Address	Description of Land
J. N. & W. F. Speed	28 Newborough St Karrinyup WA 6018	Nelson Loc 5669 Yanmah Road
S. Muir	RMB 109. Manjimup WA 6258	Nelson Loc 1698 Muir Highway

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

NOTICE TO CREDITORS—WESTERN AUSTRALIA

In the Supreme Court of Western Australia

Probate Jurisdiction

In the matter of the will of John Leslie Yeoman of 12 Tellen Street, Mullaloo, Sales Representative, deceased.

Notice is hereby given that all persons having claims or demands against the estate of the abovenamed John Leslie Yeoman, deceased are requested to send particulars thereof in writing to the executor, Valentine Gilroy Martin of Unit 1, 33 Savona Grove, Mindarie Keys, Property Surveyor, on or before the 10th day of November 1996 after which date the executor will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which he shall then have notice.

Dated the 9th day of October 1996.

SUMMERS PARTNERS,
Level 3, 190 St George's Tce, Perth WA 6000.

ZZ202

TRUSTEES ACT 1962

NOTICE TO CREDITORS AND CLAIMANTS

Raymond Walter Bourne late of Lot 11 Fishermans Road, Stratham Park, Stratham in the State of Western Australia, Farmer, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 of WA relates) in respect of the estate of the deceased, who died on the 15th day of February 1996 at Lot 11 Fishermans Road, Stratham Park, Stratham in the said State are required by the trustee to send particulars of their claims to the trustee Maxine Bourne c/- Peter J. Griffin & Co., Solicitors of 10 Edward Street, Bunbury (P.O. Box 677, Bunbury WA 6231) by the 30th November 1996, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice and the trustee shall not be liable to any person of whose claim she has no notice at the time of administration or distribution.

Dated this 4th day of October 1996.

PETER J. GRIFFIN.

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