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JOHN A. STRIJK,
Government Printer.

PROCLAMATIONS

AA101

ELECTRICITY CORPORATION ACT 1994

(No. 86 of 1994)

PROCLAMATION

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Phillip 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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I, the Governor, acting under section 2 (2) of the Electricity Corporation Act 1994, and with the advice and consent of the Executive Council, fix 1 July 1997 as the day on which section 91 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 27 June 1997.

By Command of the Governor,

C. J. BARNETT, Minister for Energy.

GOD SAVE THE QUEEN !

AA201

SHIPPING AND PILOTAGE ACT 1967

PROCLAMATION

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Phillip 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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I, the Governor, acting under section 10 (2) (a) of the Shipping and Pilotage Act 1967 and with the advice and consent of the Executive Council, declare each of the places described in the Schedule to this Proclamation to be mooring control areas for the purposes of that Act.

Schedule

Princess Royal Boat Harbour Mooring Control Area

All that portion of the territorial waters below the high tide mark comprised in Plantagenet Location 7601 on Department of Land Administration Plan 16463 and comprising an area of about 58 hectares.

Bremer Bay-Fishery Beach Mooring Control Area

All that portion of the territorial waters below the high tide mark, within the boundary and coloured blue on Transport Plan 794-02-01 and comprising an area of about 7.85 hectares.

Emu Point Boat Harbour Mooring Control Area

All that portion of the territorial waters below the high tide mark, within the boundary and coloured green on Transport Plan 578-06-01 and comprising an area of about 5.52 hectares.

Bandy Creek Boat Harbour Mooring Control Area

All that portion of the territorial waters below the high tide mark, within the boundary and coloured blue on Transport Plan 594-04-01 and comprising an area of about 16.5 hectares.

Exmouth Boat Harbour Mooring Control Area

All that portion of the territorial waters below the high tide mark, within the boundary and coloured blue on Transport Plan 794-04-01 and comprising an area of about 12 hectares.

Onslow-Beadon Creek Mooring Control Area

All that portion of the territorial waters below the high tide mark, within the boundary and coloured blue on Transport Plan 794-03-01 and comprising an area of about 15 hectares.

Point Sampson Boat Harbour Mooring Control Area

All that portion of the territorial waters below the high tide mark comprised in Department of Land Administration Plan 1611 and comprising an area of about 14 hectares.

Given under my hand and the Public Seal of the State on 27 June 1997.

By Command of the Governor,

ERIC CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

AA301

MEDICAL AMENDMENT ACT 1996

(No. 38 of 1996)

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.

I, the Governor, acting under section 2 of the Medical Amendment Act 1996, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which section 3 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 27 June 1997.

By Command of the Governor,

KEVIN PRINCE, Minister for Health.

GOD SAVE THE QUEEN !

AGRICULTURE

AG401

MARKETING OF MEAT ACT 1971

Agriculture, Western Australia,
South Perth WA 6151.

Agric. 860114 V4.

I, Monty House, Minister for Primary Industry, acting in accordance with the provisions of section 7 of the Marketing of Meat Act 1971, hereby appoint John Bryan Newman as an elected Lamb Producer Member of the Western Australian Meat Marketing Corporation for a three year term of office expiring on 30 June 2000.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

ELECTRICITY

EG301*

ELECTRICITY CORPORATION ACT 1994**ELECTRICITY DISTRIBUTION ACCESS ORDER 1997**

Made by the Minister under section 93 (1) (b) of the *Electricity Corporation Act 1994*.

Citation

1. This order may be cited as the *Electricity Distribution Access Order 1997*.

Access to electricity distribution capacity

2. (1) Under clause 2 (1) of Schedule 6 to the Act, the corporation is to make available access to an existing or prospective user seeking access for the transport of electricity if —

- (a) the electricity to be transported is to be consumed by a single person at a single premises; and
- (b) the amount of electricity to be so consumed —
 - (i) is at least 87 600 megawatt hours in any period of 12 consecutive months commencing on or after 1 July 1997;
 - (ii) is at least 43 800 megawatt hours in any period of 12 consecutive months commencing on or after 1 July 1998, where the electricity is to be transported by —
 - (I) that part of the electricity distribution system described by the corporation on 1 July 1997 as the Pilbara Interconnected System;
 - (II) that part of the electricity distribution system described by the corporation on 1 July 1997 as the Goldfields Branch of the South West Interconnected System; or

(III) any of those parts of the electricity distribution system that on 1 July 1997 are described by the corporation as Regional Power Isolated Systems;

or

(iii) is at least 43 800 megawatt hours in any period of 12 consecutive months commencing on or after 1 July 1999.

(2) The access to be made available is to be only in respect of the electricity to be consumed by the single person at the single premises referred to in subclause (1).

Dated 25 June 1997.

COLIN BARNETT, Minister for Energy.

EG302*

ELECTRICITY CORPORATION ACT 1994

ELECTRICITY TRANSMISSION AMENDMENT REGULATIONS 1997

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Electricity Transmission Amendment Regulations 1997*.

Commencement

2. These regulations come into operation on 1 July 1997.

Principal regulations

3. In these regulations the *Electricity Transmission Regulations 1996** are referred to as the principal regulations.

[*Published in Gazette 31 December 1996, pp. 7257-320.]

Regulation 12 repealed and a regulation substituted

4. Regulation 12 of the principal regulations is repealed and the following regulation is substituted —

“

Capital contributions

12. (1) For the purposes of this regulation, an augmentation is commercially viable if, in Western Power's reasonable opinion —

- (a) Western Power will recover within a reasonable time the costs, the capital investment and a reasonable rate of return on the capital investment in respect of the augmentation as contemplated by clause 5 of Schedule 5, and not increase the charges payable by existing users; and
- (b) the division of Western Power responsible for operating the electricity transmission network has sufficient allocated capital funds to undertake the augmentation, having regard to sections 82 and 83 of the Act.

(2) The reasonable rate of return on the capital investment associated with a proposed augmentation contemplated by subregulation (4) (c) or subregulation (5) (b) is to be determined by Western Power taking into account —

- (a) Western Power's cost of capital and its components;
- (b) the potential future use of the augmentation by existing and potential users;
- (c) the financial viability of the applicant and the applicant's business;
- (d) the impact of the capital investment upon the performance targets and other measures of Western Power's performance as set out in any applicable statement of corporate intent under the Act.

(3) The reasonable time within which the costs, the capital investment and the reasonable rate of return in respect of a proposed augmentation contemplated by subregulation (4) (c) or subregulation (5) (b) must be recovered is to be determined by Western Power taking into account —

- (a) the anticipated commercial life of the augmentation; and
- (b) the purpose for which the applicant requires the electricity transmission capacity the subject of the relevant access offer,

but in any event cannot exceed 15 years.

(4) If —

- (a) Western Power and a user enter into an access agreement;
- (b) the services to be provided under the access agreement include connection services using a connection that is not an exempt connection;

- (c) Western Power is not able to reliably provide those connection services without augmenting that connection; and
- (d) the augmentation concerned is not commercially viable without any capital contribution,

then the user must make a capital contribution towards the augmentation in accordance with this regulation.

(5) If —

- (a) Western Power and a user enter into an access agreement;
- (b) Western Power is not able to reliably provide the access services which are the subject of the access agreement without augmenting the electricity transmission network to either transport electricity on the network or to link the network to an exempt connection; and
- (c) the augmentation concerned is not commercially viable without any capital contribution,

then the user must make a capital contribution towards the augmentation in accordance with this regulation.

(6) If subregulation (4) or subregulation (5) requires a user make a capital contribution, then —

- (a) the amount of the capital contribution is equal to the amount that would be required to make the augmentation commercially viable; and
- (b) the capital contribution must be paid to Western Power in the manner and at the time set out in the access agreement.

(7) A proposed augmentation satisfies paragraph (a) of the commercial viability test set out in subregulation (1) if —

- (a) the discounted present value of the future cash flows anticipated in respect of the augmentation over the reasonable time in respect of the augmentation is determined in accordance with subregulation (3), using a real discount rate equal to the reasonable rate of return in respect of the augmentation determined in accordance with subregulation (2); and
- (b) that discounted present value is positive.

(8) If —

- (a) Western Power and a user enter into an access agreement;
- (b) the services to be provided under the access agreement include access services in respect of a connection that is not an exempt connection; and
- (c) Western Power is obliged under an existing agreement to repay an amount of money to a person if it provides those services,

then the user must pay Western Power an amount equal to the amount referred to in paragraph (c).

(9) If —

- (a) Western Power makes an access offer; and
- (b) the access offer contemplates the provision of connection services or ancillary services using an exempt connection,

then Western Power may include in the access offer a condition that the user makes a capital contribution in respect of the capital investment associated with designing, constructing, installing and commissioning the connection equipment or with providing those ancillary services (as the case requires) and a rate of return on that investment and, if so, the capital contribution must be taken into account in the determination of fees for providing the connection services or the ancillary services (as the case requires) set out in the access offer.

”.

Regulation 25 amended

5. Regulation 25 (2) (b) of the principal regulations is amended by inserting after “network” in both places where it is used the following —

“

or the electricity distribution network as defined in the *Electricity Distribution Regulations 1997*

”.

Regulation 16A inserted

6. After regulation 16 of the principal regulations the following regulation is inserted —

“

Suspension of time periods

16A. The periods of time referred to in regulations 8 (5), 9 (4) (b), 10 (1), 11 (1) and 11 (7) may cease to run in accordance with regulation 8 (1) of the *Electricity Referee and Dispute Resolution Regulations 1997*.

”.

By Command of the Governor,

J. PRITCHARD, Clerk of the Executive Council.

FISHERIES

FI401

PEARLING ACT 1990
RESTRICTION OF PEARLING ACTIVITIES (PEARL OYSTER
HOLDING SITES) NOTICE 1997

FD 351/91.

Made by the Minister under section 19.

Citation

1. This notice may be cited as the Restriction of Pearling Activities (Pearl Oyster Holding Sites) Notice 1997.

Commencement

2. This Notice shall commence operation on 1 July 1997.

Restriction of pearling activities

3. Until 30 June 1998, pearling activities shall not be undertaken in that area of water described in Schedule 1 by any person other than the person named in Schedule 2.

Schedule 1

That area of Zone 1 contained within the area bounded by a line commencing at the intersection of 20° 32.1' south latitude and 116° 34.1' east longitude; thence to the intersection of 20° 34' south latitude and 116° 35.2' east longitude; thence to the intersection of 20° 34' south latitude and 116° 34.3' east longitude; thence to the intersection of 20° 33' south latitude and 116° 31.9' east longitude; thence to the intersection of 20° 32.75' south latitude and 116° 32.05' east longitude; thence to the intersection of 20° 32.7' south latitude and 116° 33.05' east longitude; thence to the intersection of 20° 32.1' south latitude and 116° 33.5' east longitude; thence in a straight line to the commencement point.

Schedule 2

Dampier Pearling Company Pty Ltd

Dated this 25th day of June 1997.

MONTY HOUSE, Minister for Fisheries.

HEALTH

HE301

OPTOMETRISTS ACT 1940
OPTOMETRISTS REGISTRATION BOARD AMENDMENT
RULES 1997

Made by The Optometrists Registration Board with the approval of His Excellency the Governor in Executive Council.

Citation

1. These rules may be cited as the *Optometrists Registration Board Amendment Rules 1997*.

Part VIII A repealed and a Part substituted

2. Part VIII A of the *Optometrists Registration Board Rules 1941** is repealed and the following Part is substituted —

“

PART VIII A — ADVERTISING**Optometrist may advertise services**

43A. Subject to this Part, an optometrist may advertise his or her services in respect of the practice of optometry in any manner that the optometrist considers appropriate.

Optometrist not to engage in false or misleading advertising, etc.

43B. An optometrist shall not advertise his or her services in respect of the practice of optometry in any way that —

- (a) is false in a material particular;
- (b) is misleading or deceptive or likely to mislead or deceive;
- (c) is likely to affect adversely the reputation of any optometrist, or the standing of optometry in general, in the State;
- (d) claims or implies that the optometrist is superior to any other optometrist or to all other optometrists;
- (e) contains a testimonial or endorsement in respect of the optometrist;
- (f) unless approved by the Board, claims or implies that the optometrist is a specialist, expert or leader in optometry, or an established or experienced optometrist or optician;
- (g) refers to any qualification of the optometrist other than a qualification recorded in the register as held by the optometrist;
- (h) uses a title or any other information relating to the optometrist other than —
 - (i) a qualification recorded in the register as held by the optometrist; or
 - (ii) a title or other information approved by the Board;or
- (i) offers to discount the price of a consultation provided by the optometrist.

Board may give directions to optometrists regarding certain matters

43C. The Board may, by notice in writing, direct an optometrist to vary or discontinue the use of any advertisement of his or her services in respect of the practice of optometry if the Board considers the advertisement to be in breach of rule 43B.

Failure to comply with Board's direction may lead to suspension

43D. For the purposes of section 26 (1) (f) of the Act, the failure by an optometrist to comply immediately with a direction given to the optometrist under rule 43C is a cause or reason upon which or for which suspension may be ordered by the Board.

[* *Reprinted as at 15 July 1966.*

For amendments to 10 January 1997 see 1995 Index to Legislation of Western Australia, Table 4, p. 204.]

Passed by a resolution of the Optometrists Registration Board at a meeting of the Board held on 11 June 1997.

The Common Seal of The Optometrists Registration Board was at the time of the abovementioned resolution affixed in the presence of—

S. WILSON, Chairman.
C. EMMOTT, Registrar.

Approved by His Excellency the Governor in Executive Council,

J. PRITCHARD, Clerk of the Executive Council.

HE302

HEALTH ACT 1911

**TREATMENT OF SEWERAGE AND DISPOSAL OF EFFLUENT AND
LIQUID WASTE AMENDMENT REGULATIONS 1997**

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Amendment Regulations 1997*.

Commencement

2. These regulations come into operation on the same day as the *Health (Temporary Sanitary Conveniences) Regulations 1997* come into operation.

Regulation 44 amended

3. Regulation 44 of the *Treatment of Sewerage and Disposal of Effluent and Liquid Waste Regulations** is amended by repealing subregulations (1) and (2).

[* *Reprinted as at 6 February 1985.*
For amendments to 11 June 1997 see 1996 Index to Legislation of Western Australia, Table 4, pp. 143-4.]

By Command of the Governor,

J. PRITCHARD, Clerk of the Executive Council.

HE303

MEDICAL ACT 1894

MEDICAL AMENDMENT RULES 1997

Made by the Medical Board and approved by the Governor in Executive Council.

Citation

1. These rules may be cited as the *Medical Amendment Rules 1997*.

Commencement

2. These rules come into operation on the day on which section 3 of the *Medical Amendment Act 1996* comes into operation.

Principal rules

3. In these rules the *Medical Rules 1987** are referred to as the principal rules.

[* *Published in Gazette 31 December 1987, pp. 4572-79.*
For amendments to 8 May 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 186.]

Rule 11 amended

4. Rule 11 (2) (b) of the principal rules is deleted and the following paragraph is substituted —

“
 (b) the appropriate annual fee prescribed in item 2, 2a or 2b of Schedule 1.
 ”.

Rule 14 repealed and a rule substituted

5. Rule 14 of the principal rules is repealed and the following rule is substituted —

“
Annual fees
 14. The annual fee prescribed for the purposes of section 16A (1) of the Act is, if the Board is satisfied that the person —
 (a) intends to practise on a regular basis in the State, the fee prescribed in item 2 of Schedule 1;
 (b) is retired from regular practice and intends to practise only on an occasional basis, the fee prescribed in item 2a of Schedule 1; or
 (c) does not intend to practise in the State, the fee prescribed in item 2b of Schedule 1.
 ”.

Rule 35 amended

6. Rule 35 of the principal rules is amended by deleting “item 1” and substituting the following —

“ item 1, 2, 2a or 2b ”.

Schedule 1 amended

7. Schedule 1 to the principal rules is amended by deleting item 2 and substituting the following items —

“
 2. Annual fee — practising 180.00
 2a. Annual fee — occasional practice 50.00
 2b. Annual fee — not practising 40.00
 ”.

Dr. C. MICHAEL, President of the Medical Board.

Approved by the Governor in Executive Council,

J. PRITCHARD, Clerk of the Executive Council.

HE401

HEALTH ACT 1911**HEALTH ACT (DUMBLEYUNG TOWNSITE SEWERAGE SCHEME EXTENSION) ORDER 1997**

Made by the Governor in Executive Council under section 60.

Citation

1. This order may be cited as the Health Act (Dumbleyung Townsite Sewerage Scheme Extension) Order 1997.

Commencement

2. The order comes into operation on the day on which it is published in the *Gazette*.

Dumbleyung Townsite Sewerage Scheme Extension

3. The Shire of Dumbleyung is empowered to undertake the construction of an extension to the existing sewerage scheme to further service the Dumbleyung Townsite.

By Command of the Governor,

J. PRITCHARD, Clerk of the Executive Council.

HE402**HOSPITALS AND HEALTH SERVICES ACT 1927**

Harvey District Hospital Board
HOSPITALS AND HEALTH SERVICE
(APPOINTMENT OF MEMBERS) NOTICE (No. 19) 1997

Made by the Governor under section 15 of the Act.

Citation

1. This instrument may be cited as the *Harvey District Hospital Board Hospitals and Health Service (Appointment of Members) (No. 19) Notice 1997*.

Appointment of Member

2. Appoint Mr Gerrit van Burgel to the Harvey District Hospital Board for the period ending 30 September 1997.

Dated this 5th day of June 1997.

KEVIN PRINCE, Minister for Health.

HE403**HOSPITALS AND HEALTH SERVICES ACT 1927**

Southern Cross District Hospital Board
HOSPITALS AND HEALTH SERVICE
(APPOINTMENT OF MEMBERS) NOTICE (No. 22) 1997

Made by the Governor under section 15 of the Act.

Citation

1. This instrument may be cited as the *Southern Cross District Hospital Board Hospitals and Health Service (Appointment of Members) (No. 20) Notice 1997*.

Appointment of Members

2. Appoint Mr Richard Dixon for the period ending 30 September 1997.

Dated this 9th day of June 1997.

KEVIN PRINCE, Minister for Health.

HE404**HOSPITALS AND HEALTH SERVICES ACT 1927**

Geraldton Health Service Board
HOSPITALS AND HEALTH SERVICE
(APPOINTMENT OF MEMBERS) NOTICE (No. 23) 1997

Made by His Excellency the Governor under section 15 of the Act.

Citation

1. This instrument may be cited as the *Geraldton Health Service Board Hospitals and Health Service (Appointment of Members) (No. 23) Notice 1997*.

Appointment of Members

2. Appoint Mrs Berit Young for the period ending 30 September 1999.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Executive Council.

JUSTICE

JM301

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES (No. 2) 1997

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 2) 1997*.

Commencement

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

Principal rules

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

[* *Reprinted as at 21 November 1994.*
For amendments to 14 May 1997 see 1996 Index to Legislation of Western Australia, Table 4, pp. 260-61.]

Second Schedule amended

4. The Second Schedule to the principal rules is amended by deleting forms 13, 14, 16 and 44.

Fifth Schedule amended

5. (1) Part I of the Fifth Schedule to the principal rules is amended in item 1 —

(a) in paragraph (a) —

(i) by deleting “, including filing a draft notice of appeal,”; and

(ii) by inserting the following after “1A” —

“ , 1B ”;

and

(b) by deleting paragraph (b) and the corresponding fee of “265.00” and substituting the following —

“

(b) Filing a counterclaim; or

(c) Issuing a third party notice or a notice under O.19, R.8 500.00

”.

(2) Part I of the Fifth Schedule to the principal rules is amended by deleting item 1A and substituting the following items —

“

1A (a) An application to extend a period of time fixed by law including an application to extend time before proceedings are commenced;

	(b)	An application to limit a period of time within which proceedings may be taken;	
	(c)	An application for leave to serve a writ or notice of a writ out of jurisdiction;	
	(d)	An application to swear to the death of a person;	
	(e)	An application to remove a local court appeal into the Full Court; or	
	(f)	An application for inclusion in the Expedited list	200.00
1B	(a)	Application for leave to appeal	200.00
	(b)	Application for leave to appeal made to the Full Court after an application of the kind referred to in item 1B (a) has been made	200.00
	(c)	Filing a draft notice of appeal in accordance with O.63A, R.3 (1) (b)	300.00
	(d)	Commencing an appeal —	
		(i) where a draft notice of appeal in respect of which a fee has been paid under item 1B (c) stands as the notice of appeal	Nil
		(ii) in any other case	500.00
	(e)	Filing a cross-appeal	500.00

”.

(3) Part I of the Fifth Schedule to the principal rules is amended in item 3A by deleting “200.00” and substituting the following —

“ 500.00 ”.

(4) Part I of the Fifth Schedule to the principal rules is amended in item 4 by deleting “70.00” and substituting the following —

“ 100.00 ”.

(5) Part I of the Fifth Schedule to the principal rules is amended in item 5 —

(a) in paragraph (a) by deleting “20.00” and substituting the following —

“ 50.00 ”;

(b) in paragraph (b) (ii) by deleting “2.5%” and substituting the following —

“ 7.5% ”; and

(c) in the NOTE to the item by deleting “2.5%” and substituting the following —

“ 7.5% ”.

(6) Part I of the Fifth Schedule to the principal rules is amended in item 6 by deleting “10.00” and substituting the following —

“ 20.00 ”.

(7) Part I of the Fifth Schedule to the principal rules is amended in item 8 —

(a) in paragraph (b) by deleting “70.00” and substituting the following —

“ 200.00 ”; and

(b) in paragraph (c) by deleting “20.00” and substituting the following —

“ 50.00 ”.

(8) Part I of the Fifth Schedule to the principal rules is amended in item 9 by deleting “50.00” and substituting the following —

“ 150.00 ”.

(9) Part I of the Fifth Schedule to the principal rules is amended in item 10 —

(a) by deleting paragraph (a) and the corresponding fee of “5.00”; and

(b) in paragraph (h) by deleting “20.00” and substituting the following —

“ 50.00 ”.

Dated 22 May 1997.

DAVID K. MALCOLM, Chief Justice's signature.

G. A. KENNEDY,
W. P. PIDGEON,
D. A. IPP,
M. J. MURRAY,
R. J. M. ANDERSON,
N. J. OWEN,
K. WHITE,
GRAEME SCOTT,
C. D. STEYTLER,
K. H. PARKER,
D. C. HEENAN,
A. J. TEMPLEMAN,
C. WHEELER,
Judges' signatures.

LAND ADMINISTRATION

LB701*

Schedule No. A30/1997
Exco No. 0588
DOLA 3054/1995

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

NOTICE OF RESUMPTION OF LAND

For the purposes of the public work described in the Schedule, the land described in the Schedule (“the resumed land”) has been set apart, taken or resumed. A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

The resumed land shall, by force of the Land Acquisition and Public Works Act 1902 and Local Government (Miscellaneous Provisions) Act 1960, be vested in Her Majesty for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interests, right-of-way, or other easements whatsoever.

SCHEDULE

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Laverton (Shire)	1. Weld Location 26 being reserve 6884 set aside for the purpose of "Common". 2. Weld Location 42 being Pastoral Lease 3114-1270 (Crown Lease 683-1992) issued to Mount Weld Pastoral CO. PTY. LTD. 3. Reserve 4771 set aside for the purpose of "Water".	1. Crown-Shire of Laverton as vestee. 2. Crown—Mount Weld Pastoral CO. PTY. LTD. as lessee. 3. Crown 4. TUCKER Quinton Paul (WC95/32) 5. SULLIVAN Dimple A. (WC95/57) 6. CANNING Sadie Miriam (WC96/4) 7. MEREDITH Fred and SCOTT Bobby (WC96/11)	Dedication of road.	Plan 19085	940836 2376/1994
Serpentine / Jarrahdale (Shire)	Portion of Reserve 16634 set aside for the purpose of "Catchment Area" being part of State Forest Number 22 (50.3538 hectares)	1. Crown—Lands and Forest Commission 2. BROPHO Robert Charles (WC95/81) 3. CORNWALL Terry, STAMMERS Barbara, CORBETT Donald John, HILL Leonard, HILL Donna, HILL Jacqueline, HILL Tania on behalf of the NYUNGAH people (WC95/85) 4. BODNEY Christopher Robert (WC95/86)	Extensions and widening of Kingsbury Drive (Road Numbers 2782 and 14873)	Diagram 92293 and Plans 18864-18869 inclusive	917343 1794/1994

Dated 17 June 1997.

DOUG SHAVE MLA, Minister for Lands.

Dated 17 June 1997.

MICHAEL JEFFREY, Governor in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands

Dated this 1st day of July 1997.

A. A. SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

SHIRE OF SERPENTINE-JARRAHDAL LOCAL LAW—FENCES

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Shire of Serpentine-Jarrahdale hereby records having resolved on the 28 April 1997 to make the following Local Law.

1. This Local Law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

2. INTERPRETATION

In this Local Law unless the context otherwise requires—

“Act” means the *Local Government Act 1995*;

“Australian Standard” means a current Australian Standard published by the Standards Association of Australia;

“Authorised Officer” means an officer of the local government authorised by the Council to exercise powers and functions in this Local Law;

“Building Line” means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act;

“Building Setback” means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected;

“Cattle” has the meaning given to it in the *Local Government (Miscellaneous Provisions) Act 1960*;

“Council” means the Council of the Shire of Serpentine-Jarrahdale;

“Dangerous” in relation to a fence includes—

- (a) an electrified fence;
- (b) a fence constructed in whole or in part of barbed wire, other than a fence erected and maintained in accordance with this Local Law;
- (c) a fence containing exposed broken glass, asbestos fibre or any other harmful or hazardous projection or material, and
- (d) a fence which has become dangerous through lack of maintenance or repair.

“District” means the district of the local government of the Shire of Serpentine-Jarrahdale pursuant to the *Local Government Act 1995*;

“Dividing Fence” means a fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary;

“Fence” includes any structure, including a retaining wall, which is used or functions as a boundary fence;

“Frontage” means the boundary line between a lot and the thoroughfare upon which that lot abuts;

“Height” in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are the same, the higher ground level, immediately below that point;
- (c) where there is any dispute as to the ground level for the purposes of calculating “Height” a determination of the Principal Building Surveyor of the Shire shall be conclusive.

“Industrial Zone” means any portion of the district classified within the Industry-General, Industry-Hazardous, Industry-Light, Industry-Noxious, Industry-Service, and Industry-Rural Zones in a town planning scheme;

“Licence” has the meaning given to it in Part XV of the *Local Government (Miscellaneous Provisions) Act 1960*;

“Lot” has the meaning given to it in the *Town Planning and Development Act 1928*;

“Miscellaneous Provisions Act” means the *Local Government (Miscellaneous Provisions) Act 1960*;

“Principal Building Surveyor” means the Principal Building Surveyor of the Shire of Serpentine-Jarrahdale;

“Residential Zone” means any portion of the district classified within the Residential Zone and Special Residential Zone in a Town Planning Scheme;

“Retaining Wall” means any structure which prevents the movement of soil in order to allow ground levels of differing elevations to exist adjacent to one another;

“Rural Zone” includes all land zoned Rural, Farmlot, Conservation and Agricultural Protection;

“Setback” means the horizontal distance between a wall at any point and the adjacent lot boundary measured at right angles (90°) to the wall;

“Shire” means the local government of the Shire of Serpentine-Jarrahdale;

“Special Rural Zone” means land classified within the Rural Living A, Rural Living B, and Special Rural zones under a Town Planning Scheme;

“Town Planning Scheme” means a scheme in force within the district of the Shire of Serpentine-Jarrahdale pursuant to the *Town Planning and Development Act 1928*.

Any other expression used in this Local Law and not defined herein shall have the meaning given to it in the *Local Government Act 1995* or the *Local Government (Miscellaneous Provisions) Act 1960* unless the context requires otherwise.

3. FENCES IN A RESIDENTIAL ZONE

3.1 No person shall, unless they have first sought and obtained a licence from the Council, erect or commence to erect in a Residential Zone—

- (a) a dividing fence higher than 1.8 metres on or near a boundary behind the front setback; or
- (b) higher than 1.0 metres within the fence setback.

3.2 Notwithstanding any other provision in this Local Law a fence may not be constructed of corrugated fibro reinforced compressed cement sheeting in the front setback.

3.3 Notwithstanding clause 3.1 Council may grant a licence to erect a fence exceeding 1.0 metres but not exceeding 1.8 metres within the front setback subject to the following—

- (a) the fence shall be constructed of brick or masonry or some other material approved by Council; and

- (b) where a fence abuts a driveway or cross-over into a lot the fence across the front boundary shall be angled into that lot for a distance of not less than 1.5 metres along the frontage to a distance of not less than 1.5 metres from the frontage, in accordance with the diagram set out in the Fourth Schedule.

4. FENCES IN A SPECIAL RURAL ZONE

No person shall—

- (a) erect or commence to erect a fence in a Special Rural Zone without first having obtained a licence from Council; unless the fence is erected and maintained in accordance with the Third Schedule; and
- (b) otherwise than in accordance with the requirements in a town planning scheme.

5. FENCES IN AN INDUSTRIAL ZONE

No person shall, without first having obtained a licence, erect or commence to erect a fence in an Industrial Zone.

6. SUFFICIENT FENCE

The following shall, if constructed in accordance with this Local Law be a “sufficient fence” for the purposes of the *Dividing Fences Act 1961*—

- (a) In a Residential Zone a dividing fence constructed and maintained in accordance with the specification and requirements set out in the First Schedule.
- (b) In an Industrial Zone a dividing fence constructed and maintained in accordance with the specification and requirements set out in the Second Schedule.
- (c) In a Special Rural Zone a dividing fence constructed and maintained in accordance with the specification and requirements set out in the Third Schedule.
- (d) In a Rural Zone a dividing fence constructed and maintained in accordance with the specification and requirements set out in the Fifth Schedule.

7. APPLICATION FOR APPROVAL

7.1 No person shall erect or commence to erect a fence including a retaining wall on or near a lot boundary without having first submitted to Council an application for a licence pursuant to the provisions of the Building Regulations 1989 accompanied by a plan and specifications and payment of the application fee specified by those Regulations.

7.2 Council may grant an application for a licence with or without conditions which may include—

- (a) where a retaining wall is approved, the construction of that retaining wall shall be completed prior to any other development commencing on the land;
- (b) if an applicant seeks approval for the use of barbed wire, that barbed wire shall not be installed in any fence below a height of 1.8 metres.

8. FENCES SHALL NOT IMPEDE WATER MOVEMENT

No person shall erect or commence to erect a fence of impervious material in any location where it may or is likely to act as a barrier to or restrict in any way whatsoever the normal flow of stormwater, floodwater or a water course in on or over any land.

9. MAINTENANCE OF FENCES

9.1 An owner or occupier of land on which a dividing fence is erected shall maintain the fence in good condition and in accordance with the relevant Schedule and so as to prevent it from falling into disrepair.

9.2 Where in the opinion of an authorised officer a fence is in a state of disrepair or is otherwise in breach of a provision of this Local Law the Principal Building Surveyor may give notice in writing to the owner or occupier of the land upon which the fence is erected requiring the owner or occupier to modify, repair, paint or maintain the fence within the time specified in the Notice.

9.3 An owner or occupier who fails to comply with the notice issued under subsection (2) commits an offence.

10. GENERAL DISCRETION OF THE COUNCIL

10.1 The Council may consent to the erection or retention of a fence which does not comply with one or more of the requirements of this Local Law.

10.2 In determining whether to grant its consent for the erection or retention of a fence Council may consider, in addition to any other matter that it is authorised to consider, whether the erection or retention of the fence might have an adverse effect on—

- (a) the safety, convenience or use of any land;
- (b) the safety or convenience of any person;
- (c) the orderly and proper planning of the locality; and
- (d) the amenity of the locality.

11. ELECTRIFIED FENCES

11.1 No person shall erect or maintain an electrified fence within a Residential Zone.

11.2 No person shall erect or operate an electrified fence unless the fence first complies with AS 3129-1989.

11.3 If Council forms the opinion that the presence or operation of an electrified fence is prejudicial to the safety or amenity of a locality Council may by notice in writing request the removal of an electrified fence. Any person who receives a notification shall remove the fence within the time specified in the notice. A person failing to remove a fence within the time specified commits an offence.

12. OBJECTIONS AND APPEALS

A person aggrieved by a decision of the Council or an authorised officer, made pursuant to this Local Law, may lodge an appeal or file an objection pursuant to the provisions in Part 9 of the Act.

13. OFFENCES

A person who contravenes a provision of this Local Law commits an offence and upon conviction is liable to—

- (a) a penalty of \$2,500; and
- (b) a maximum daily penalty of \$250 for each day during which the offence continues.

Section 6(a)

First Schedule

SUFFICIENT FENCES IN A RESIDENTIAL ZONE

1. SUFFICIENT FENCE

A. The following is a “sufficient fence” in a Residential Zone (excluding land within the Special Residential Zone and land coded R5).

A fence constructed of corrugated fibre reinforced pressed cement sheeting which satisfies the following specifications—

- (1) A minimum in-ground depth of 25% of the total length of the total depth of the sheet.
- (2) The total height and depth of the fence to consist of a single continuous fibre reinforced cement sheet.
- (3) All sheets to be lapped and capped with extruded “snap-fit” type capping.

B. The following is a “sufficient fence” in the Special Residential Zone and on land coded R5.

Fencing on a lot boundary shall be constructed of post and rail or post and wire unless otherwise approved by the Council or as otherwise and shall notwithstanding the previous provision be in accordance with Council’s Town Planning Scheme.

2. OTHER PROVISIONS

The erection or maintaining of barbed wire on fencing within a Residential Zone is prohibited.

Council may permit within a Residential Zone fences constructed of brick, masonry, stone, timber, metal sheeting, wrought iron, link mesh, post and rail, concrete subject to an application being made to Council for a Licence. Any such application shall be accompanied by specifications as determined by the Principal Building Surveyor. Such specifications should demonstrate that the fence will be of an acceptable quality and appearance and be capable of being properly maintained.

Section 6(b)

Second Schedule

SPECIFICATIONS FOR A SUFFICIENT FENCE IN AN INDUSTRIAL ZONE

The following is a “sufficient fence” in an Industrial Zone—

1. A fence constructed of 50mm steel mesh.
2. The mesh is to be a height of 1800mm on top of which are to be three strands of barbed wire carrying the fence to a height of 2100mm.
3. The fence is to be supported by steel galvanised pipe posts—
 - (a) 2700mm in length;
 - (b) having a nominal bore of 40mm and an outside diameter of 48mm;
 - (c) spaced at 4000mm centres;
 - (d) sunk 600mm into the ground and encased in concrete having a diameter of 150mm; and
 - (e) terminal posts are to be braced in the line of the fence with diagonal pipe braces having nominal bore of 50mm and an outside diameter of 60mm.
4. There should be a centre and bottom high tensile galvanised steel wire 3.15 in diameter and double twisted.

Section 6(c)

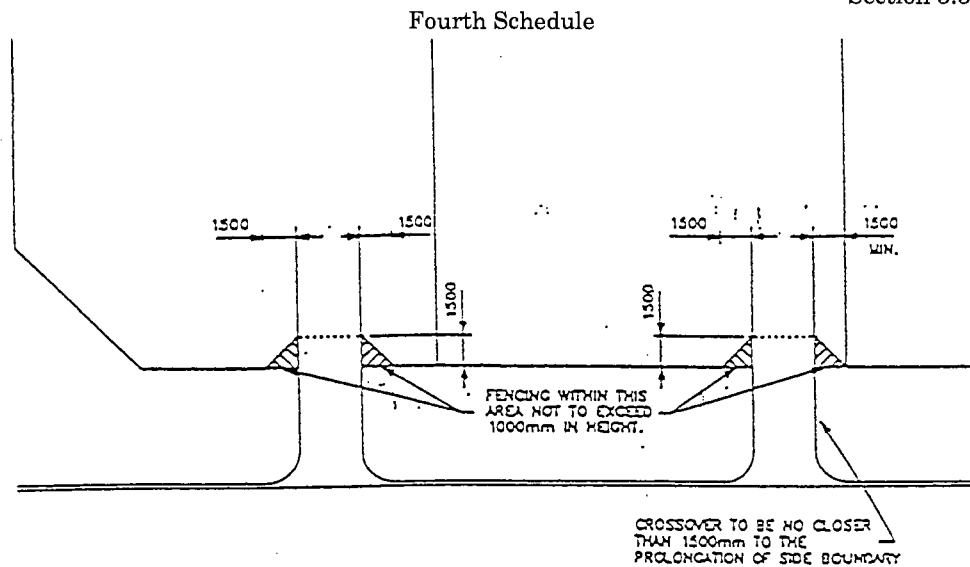
Third Schedule

SPECIFICATIONS FOR A SUFFICIENT FENCE IN A "SPECIAL RURAL ZONE"

The following is a "sufficient fence" in a Special Rural Zone—

1. A lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by the Council or as otherwise stated in Council's Town Planning Scheme.
2. A fence shall be erected and maintained so as to securely confine all cattle within the boundaries of the property.
3. Barbed wire is permitted on fencing within this Zone.

Section 3.3(b)



Section 6(d)

Fifth Schedule

SPECIFICATIONS FOR A SUFFICIENT FENCE IN A "RURAL ZONE"

1. A fence shall be erected from standard iron star pickets, concrete posts or from sawn, split or round wooden posts, or from tubular steel—
 - (i) set not less than 450mm into the ground and not less than 1.2 metres out of the ground;
 - (ii) spacing to manufacturers guidelines;
 - (iii) each fencing post shall carry not less than five plain galvanised wires.
2. Subject to approval of the Shire, fences of timber, brick, stone, concrete, link mesh or other material may be erected.
3. A fence shall be erected and maintained so as to securely confine all cattle within the boundaries of the property.

The Common Seal of the Shire of Serpentine-Jarrahdale was hereunto affixed on the 23rd day of June 1997 in the presence of—

C. H. RANKIN, President.
N. FIMMANO, Chief Executive Officer.

LG302

LOCAL GOVERNMENT ACT 1995

City of Armadale

LOCAL LAW FOR THE REPEAL OF LOCAL LAWS

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the City of Armadale hereby records having resolved on 16 June 1997 to make a Local Law repealing the following Local Laws—

- General Local Law Re Straying Stock, published in the *Government Gazette* on 1 May 1925.
- General Local Law 127—Keeping of Bees, published in the *Government Gazette* on 23 May 1919.

- General Local Law 62 (f), published in the *Government Gazette* on 20 February 1953.
- General Local Laws 62 (a) to (e), 63, 67 (d) (e) (i) (j) (k) (l), 71, 73, 74, 75, 76, 79, 80, 81, 83 and 103 to 109 published in the *Government Gazette* on 23 May 1919.
- General Local Laws 77, 78 published in the *Government Gazette* on 23 May 1919.
- Local Laws Establishing Building Lines, published in the *Government Gazette* on 15 May 1959, 17 August 1951, 21 July 1960, 12 September 1956, 12 December 1962 and 7 August 1963.
- Local Laws Relating to Petrol Pumps published in the *Government Gazette* on 19 June 1963 and amendments.

Dated this 25th day of June 1997.

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

R. C. STUBBS, Mayor.
J. W. FLATOW, Chief Executive Officer.

LG303

BUSH FIRES ACT 1954

The City of Melville

LOCAL LAW RELATING TO FIREBREAKS

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the City of Melville resolved to make on 27 May 1997 the following Local Law.

1. Definitions

In this Local Law—

“Act” means the *Bush Fires Act 1954*;

“Authorised Officer” means a person appointed by the Council to administer the Local Law;

“Council” means the Council of the Municipality of the City of Melville;

“District” means the Municipal District of the City of Melville established pursuant to the *Local Government Act 1995*;

“Firebreak Period” means from 30 November in any year up to and including 31 March in the following year.

“Inflammable Matter” includes all forms of vegetation both living and dead, and any other flammable materials and combustible matter.

“Scheme” means the Town Planning Scheme or Schemes for the time being in force in respect of land within the district of the City of Melville.

2. All owners or occupiers of land within the district shall, prior to the commencement of the firebreak period, clear inflammable matter from that land in accordance with the following requirements—

- (a) as to land which is fifteen hundred (1,500) square metres or less in area, or which is zoned “Residential” under the scheme, the owner or occupier shall clear, to the satisfaction of Council or its duly authorised officer, all inflammable matter from the whole of the land except living trees, shrubs, and plants under cultivation and lawns; and
- (b) as to all other land within the district, the owner or occupier shall—
 - (i) clear firebreaks of a minimum width of three (3) metres inside all external boundaries of the land; and
 - (ii) clear firebreaks of a minimum width of five (5) metres around all buildings situated on the land; and
 - (iii) where the area of land exceeds ten (10) hectares, clear firebreaks of a minimum width of five (5) metres so as to ensure that no area of land within the firebreaks exceeds ten (10) hectares in area; and
 - (iv) in any event, clear the firebreaks to the satisfaction of Council or its duly authorised officer.

3. All firebreaks must be cleared by the owner or occupier of land on or before 30 November in any year, and thereafter be maintained by the owner or occupier clear of inflammable matter up to and including 31 March in the following year.

4. Variation to fire prevention measures

If for any reason an owner or occupier considers it impractical to clear firebreaks or comply with other fire protection measures in accordance with this local law, the owner or occupier may apply in writing to the council's duly authorised officer no later than 31 October in any year for an exemption or partial exemption from compliance with this local law.

If permission is not granted in writing by the duly authorised officer, the owner or occupier must comply with the requirements of this local law.

An exemption or partial exemption granted by the authorised officer shall only remain in force until 31 March next immediately following the date of grant of the exemption or partial exemption.

5. Offences

A person who fails to comply with any provision of this local law commits an offence and shall, upon conviction, be liable to the penalty prescribed in the Act.

Dated this 23rd day of June 1997.

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

K. MAIR, Mayor.
J. McNALLY, Chief Executive Officer.

MAIN ROADS

MA401

MRWA 42-85-46

MAIN ROADS ACT 1930
LAND ACQUISITION AND PUBLIC WORKS ACT 1902
NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Land Acquisition and Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the piece or parcel of land described in the Schedule hereto and being all in the Esperance District, for the purpose of the following public works namely, widening of the Coolgardie-Esperance Highway (SLK Section 346.13) and that the said piece or parcel of land is marked off on Land Titles Office Diagram 91650 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
1.	Alan Richard Paterson and Glenda Kay Paterson	A R & G K Paterson	Esperance Location 624 now contained on Diagram 91650 and being part of the land comprised in Certificate of Title Volume 1348 Folio 445	299 m ²

Dated this 21st day of June 1997.

D. R. WARNER, Director Corporate Services.

MA402

MRWA 42-33-L

MAIN ROADS ACT 1930
LAND ACQUISITION AND PUBLIC WORKS ACT 1902
NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Land Acquisition and Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the piece or parcel of land described in the Schedule hereto and being all in the Capel District, for the purpose of the following public works namely, widening of the South Western Highway

(SLK Section 160.39-160.41) and that the said piece or parcel of land is marked off on MRWA Drawing 9602-0686-1 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
1.	Hideo Kawamoto and Michiko Kawamoto	H & M Kawamoto	Portion of Leschenault Location 12 and being Lot 44 on Plan 13384 and being part of the land comprised in Certificate of Title Volume 1594 Folio 306	1387 m ²

Dated this 26th day of June 1997.

D. R. WARNER, Director Corporate Services.

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

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

Short Title of Bill	Date of Assent	Act No.
Treasurer's Advance Authorization Bill 1997	25 June 1997	11 of 1997
Revenue Laws Amendment (Taxation) Bill 1997	25 June 1997	12 of 1997
Revenue Laws Amendment (Assessment) Bill 1997	25 June 1997	13 of 1997

Dated 26 June 1997.

L. B. MARQUET, Clerk of the Parliaments.

PLANNING

PD401*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT

METROPOLITAN REGION SCHEME—SECTION 33A AMENDMENT

Notice of Approved Amendment

Fee Increase for Clause 42 Certificates

Amendment No. 983/33A

File: 833-2-1-30

The Hon Minister for Planning has approved the abovementioned amendment to the Metropolitan Region Scheme text.

The amendment deletes the word 'fifteen' in the first line of Clause 42 and substitutes in its place the words 'twenty five'.

The fee payable on application for a Clause 42 Certificate will rise to \$25, effective from the date of publication of this notice in the *Gazette*.

PETER MELBIN, Secretary,
Western Australian Planning Commission.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF BAYSWATER
TOWN PLANNING SCHEME NO 21—AMENDMENT NO 67

Ref: 853/2/14/25 Pt 67

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

1. Rezoning Lot 50 Walter Road West, corner Old Collier Road, Morley from "Hotel" to "Business".
2. Rezoning Portion of Lot 210 Collier Road, Morley from "Service Station" to "Business".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Broun Avenue, Morley 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 August 12, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before August 12, 1997.

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

M. J. CAROSELLA, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ROCKINGHAM
TOWN PLANNING SCHEME NO 1—AMENDMENT NO 243

Ref: 853/2/28/1 Pt 243

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on June 20, 1997 for the purpose of rezoning portion of Lot 7, 9 & 10 Corner of Mandurah Road and Fifty Road, Baldivis from 'Service Station' and 'Residential Special' to 'Business Local' and 'Residential Special' as depicted on the Amendment Map.

F. W. GARDINER, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF STIRLING
DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 198A

Ref: 853/2/20/34 Pt 198A

Notice is hereby given that the local government of the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning portions of Lot Pt 11, Lot Pt 4 (503) and Lot Pt 5 Erindale Road, Balcatta from "Medium Density Residential R40" to "Special Use Zone—Showrooms".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling 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 August 12, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before August 12, 1997.

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

M. WADSWORTH, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENTS AVAILABLE FOR INSPECTION
SHIRE OF ALBANY

TOWN PLANNING SCHEME NO 3—AMENDMENT NOS 132 & 150

Ref: 853/5/4/5 Pt 132 & 150

Notice is hereby given that the local government of the Shire of Albany has prepared the abovementioned scheme amendments for the purpose of:

AMENDMENT NO 132

Rezoning Lot 302 of Plantagenet Location 399 Clydesdale Road, McKail from the Rural Zone to the Residential Zone and the Parks and Recreation reserve (non restricted).

AMENDMENT NO 150

1. Rezoning Lot 1 of Location 2308 Elizabeth Street King River from the Rural Zone to the Special Rural Zone.
2. Rezoning Portion of Lot 2 of Location 566 Elizabeth Street King River from the Rural Zone to the Special Rural Zone.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Mercer Road, Albany 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 August 12, 1997.

Submissions on the scheme amendments may be made in writing on Form No 4 and lodged with the undersigned on or before August 12, 1997.

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

R. GERAGHTY, Chief Executive Officer.

PD406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF KALAMUNDA

DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 184

Ref: 853/2/24/16 Pt 184

Notice is hereby given that the local government of the Shire of Kalamunda has prepared the abovementioned scheme amendment for the purpose of:

1. Rezoning the southern portion of the Special Purpose (Nursery/Special Garden Centre) site to Residential zone with a coding of R15 and R25; and
2. Recoding the balance of the Residential zone (northern portion of Lot 230) from R12.5 to R15, as depicted in the Scheme Amendment Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Railway Road, Kalamunda 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 August 12, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before August 12, 1997.

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

D. E. VAUGHAN, Chief Executive Officer.

PD407*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENTS AVAILABLE FOR INSPECTION
TOWN OF BASSENDEAN

TOWN PLANNING SCHEME NO 3—AMENDMENT NOS 56 & 57

Ref: 853/2/13/3 Pt 56 & 57

Notice is hereby given that the local government of the Town of Bassendean has prepared the abovementioned scheme amendments for the purpose of:

AMENDMENT NO 56

1. Rezoning Lot 108 Iveson Place, Bassendean from "Recreation" to "Single Residential with a density code of R15"

2. Rezoning portion of Lot 271 Hamilton Street, Bassendean from "Recreation" to "Single Residential with a density code of R20"
3. Reducing the density coding of a portion of Lot 271 from "R25" to "R20"

AMENDMENT NO 57

1. Rezoning portion of Lot 663 Hardy Road, Bassendean from "Recreation" to "Group Residential with a density code of R25"
2. Rezoning of Lots 5-11 Hardy Road, Bassendean from "Recreation" to "Group Residential with a density code of R25"
3. Rezoning the road reserve adjoining Lot 663 Hardy Road to "Recreational"

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Old Perth Road, Bassendean 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 August 12, 1997.

Submissions on the scheme amendments may be made in writing on Form No 4 and lodged with the undersigned on or before August 12, 1997.

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

G. G. MacKENZIE, Chief Executive Officer.

PD408*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

TOWN OF BASSENDEAN

TOWN PLANNING SCHEME NO 3—AMENDMENT NO 58

Ref: 853/2/13/3 Pt 58

Notice is hereby given that the local government of the Town of Bassendean has prepared the abovementioned scheme amendment for the purpose of:

1. Rezoning Lots 160-163 Anstey Road, Bassendean from "Group Residential with a density code of R25" and "Recreation" to "Single Residential with a density code of R15"
2. Rezoning that portion of Lot 114 Harcourt Street, Bassendean, zoned "Recreation" to "Single Residential with a density code of R15" and that portion zoned "Group Residential with a density code of R25" to "Single Residential with a density code of R15"
3. Rezoning that portion of Lot 113 Harcourt Street, Bassendean zoned "Recreation" to "Single Residential with a density code of R15" and that portion zoned "Group Residential with a density code of R25" to "Single Residential with a density code of R15"
4. Rezoning that portion of Lot 130 Anstey Road, Bassendean zoned "Recreation" to "Single Residential with a density code of R15" and that portion zoned "Single Residential with a density code of R20" to "Single Residential with a density code of R15"
5. Rezoning portions of Lots 210 and 211 Carnegie Street, Bassendean from "Recreation" to "Group Residential with a density code of R25"
6. Rezoning portions of Lots 202, 203 and 10 Hyland Street from "Group Residential with a density code of R25" to "Recreation"
7. Removing the recreation zoning from the constructed portions of Harcourt Street, Anstey Road, Carnegie Street and Hyland Street
8. Removing the recreation zoning from the portion of Harcourt Street abutting Lots 81, 82 and 87
9. Removing the Grouped Residential zoning from Carnegie Street between Anstey Road and Hyland Street

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Old Perth Road, Bassendean 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 August 12, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before August 12, 1997.

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

G. G. MacKENZIE, Chief Executive Officer.

POLICE

PE701**POLICE AUCTION**

Under the provision of the Police Act 1892, Unclaimed and Stolen property will be sold by public auction at the premises of Snowball Auctions, Frederick Street, Albany at 9.00 am on 4 July 1997.

Auction to be conducted by Ronald Scott—Auctioneer.

R. FALCONER, Commissioner of Police.

PE702**POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed, found and stolen property and bicycles will be sold by Public Auction at the Kalgoorlie Police Station, Brookman Street, Kalgoorlie on Saturday, 5 July 1997 commencing at 9.30 am.

The Auction is to be conducted by Ross's Auctioneers and Valuer's of Maylands.

R. FALCONER, Commissioner of Police.

PE703**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed, found and stolen property and bicycles will be sold by public auction at Ross's Auctioneers, 241 Railway Parade, Maylands on Saturday, 12 July at 9.00 am.

The Auction is to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police,
West Australian Police Service.

TRANSPORT

TR301**ROAD TRAFFIC ACT 1974****ROAD TRAFFIC (LICENSING) AMENDMENT
REGULATIONS (No. 3) 1997**

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Licensing) Amendment Regulations (No. 3) 1997*.

Principal regulations

2. In these regulations the *Road Traffic (Licensing) Regulations 1975** are referred to as the principal regulations.

[* Reprinted as at 5 October 1994.
For amendments to 20 June 1997 see 1996 Index to Legislation of
Western Australia, Table 4, pp. 235-6, and Gazette 31 January
and 26 March 1997.]

Regulation 3 amended

3. Regulation 3 (1) of the principal regulations is amended by deleting the definition of "heavy vehicle" and substituting the following definition —

"

"heavy vehicle" means —

(a) a vehicle with an MRC exceeding 4 500 kilograms that is —

(i) a caravan (motor propelled);

(ii) a motor car;

(iii) a motor wagon;

(iv) an omnibus;

(v) a tow truck; or

(vi) a tractor (prime mover type);

or

(b) a heavy trailer;

".

Regulation 21PB amended

4. Regulation 21PB (1) of the principal regulations is amended by deleting "\$20" in the 2 places where it occurs and substituting in each place the following —

" \$24 ".

Regulation 24 amended

5. Regulation 24 (1), (3), (4a) (a) and (4b) of the principal regulations are amended by inserting after "W.A." the following —

" or "Western Australia" ".

Regulation 25 amended

6. Regulation 25 (1) (c) of the principal regulations is amended by inserting after "W.A." the following —

" , or "Western Australia", ".

Regulation 26C amended

7. Regulation 26C (3) of the principal regulations is amended by inserting after "W.A." the following —

" or "Western Australia" ".

Schedule 2 amended

8. Schedule 2 to the principal regulations is amended —

(a) in item 2, in paragraph (a) in the column headed "Service", by deleting "of or" in the 2 places where it occurs; and

(b) in item 3, in paragraph (a) in the column headed "Service", by deleting "with a manufacturer's gross vehicle mass of less than" and substituting the following —

"

or any other vehicle with a manufacturer's gross vehicle mass not exceeding

".

Schedule 3 amended

9. Schedule 3 to the principal regulations is amended by deleting the heading "Motor wagon or caravan (motor propelled)" and substituting the following heading —

" **Motor wagon, caravan (motor propelled) or tow truck** ".

By Command of the Governor,

J. PRITCHARD, Clerk of the Executive Council.

TR401

**SHIPPING AND PILOTAGE (MOORING CONTROL AREA)
REGULATIONS 1983**

NOTICE OF DETERMINATION OF FEES

Pursuant to the Shipping and Pilotage (Mooring Control Area) Regulations, the Department of Transport hereby gives notice that, in respect of the mooring control areas in the waters of the State detailed in the schedule to this notice, it has been determined that as of 1 July 1997 until further notice, the fee payable for hiring a swing mooring control site shall be the amount calculated in accordance with the schedule.

The Schedule

Location	Annual Fee (for each metre or part thereof on the length, the length of vessel of which registration is affected)
Albany—Princess Royal Fishing Boat Harbour	\$48 per metre
Bremer Bay, Fishery Beach	\$90 per metre
Bunbury—Casuarina Boat Harbour	\$26 per metre
Carnarvon Fishing Boat Harbour (Inner Harbour)	\$53 per metre
Esperance (Bandy Creek) Boat Harbour	\$53 per metre
Emu Point Boat Harbour, Albany	\$48 per metre
Jurien Boat Harbour (Inner Harbour)	\$48 per metre
Kalbarri Boat Harbour (Inner Harbour)	\$50 per metre
Mandurah Ocean Marina	\$25 per metre
Onslow/Beadon Creek Boat Harbour	\$22 per metre
Point Samson (Johns Creek Boat Harbour)	\$22 per metre
Port Denison (Inner Harbour)	\$249 per vessel plus
— Commercial Vessels	\$44 per metre
— Pleasure Vessels	\$44 per metre
Daily Casual Fee (per day or part thereof)	\$10 per vessel

Note—

In respect of the mooring control areas at Bremer Bay, Carnarvon, Jurien, Kalbarri, Onslow/Beadon Creek, Point Samson and Port Denison—

Annual Fee paid monthly	10% of the annual fee per month
Monthly Fee	20% of the annual fee per month
Daily Fee	1% of annual fee per day
(Daily Fee Port Denison)	\$10.00 per vessel (day or part thereof)

Dated this 19th day of June 1997.

Dr. C. WHITAKER, Director General of Transport.

PUBLIC NOTICES

ZZ201**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

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

1. Peter Charles Way, late of 34 Harborne Street, Wembley, died on 15 June 1997; and
2. Isobel O'Donoghue, late of 14 Jakobson Way, Morley, died on 12 June 1997.

ZZ401**WESTERN AUSTRALIA****BUILDING SOCIETIES ACT 1976**

Section 23(3) Form 9

CERTIFICATE OF INCORPORATION ON CHANGE OF NAME OF BUILDING SOCIETY

This is to certify that the South West Co-operative No. 14 Building Society which was, on the 11th day of October 1977, incorporated under the Building Societies Act 1976, did, on the 30th day of May 1997 change its name to the South West Building Society.

Given under my hand and seal at Perth this 20th day of June 1997.

IVOR BYRDE, Deputy Registrar of
Co-operative and Financial Institutions.

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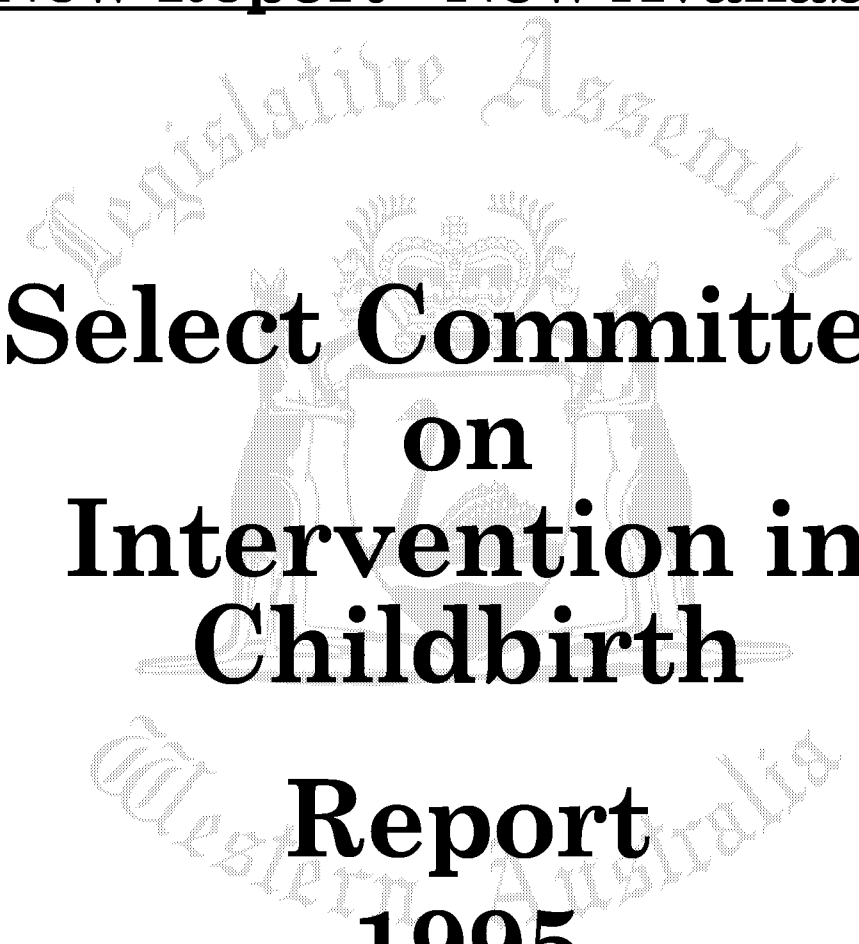
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Select Committee on Intervention in Childbirth Report 1995

In June 1994, the Legislative Assembly set up a Select Committee of Inquiry to investigate the high rate of intervention in childbirth in Western Australia.

This report is now available. The report contains many recommendations based on the Committee's findings and in addition, the Committee hopes that it will be used as a means of raising awareness and discussion about maternity services in the State.

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**Election Statistics:
Legislative Assembly of
Western Australia
1890 - 1996**

David Black

assisted by Valerie Prescott

The Western Australian Parliamentary History Project conducted under the aegis of the Parliamentary History Advisory Committee was established in 1984 to coordinate the collection and dissemination of information about the history and functioning of the Parliament of Western Australia. Its initial objective was to produce a series of publications in time for the centenary of the proclamation of Western Australia as a self-governing colony and the establishment of its bicameral legislature.

This publication is part of the second objective set by the Committee to produce a new series of publications which further research the history of the Parliament of Western Australia.

Cost: \$20.00

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