



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**



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For *Government Gazette* published 3.30 pm Friday 2 January 1998, closing time for copy will be 12 noon Tuesday 30 December 1997.

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**PROCLAMATIONS**


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AA101\*

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

WESTERNAUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	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: 05735-1950-25RO.

Under Section 243 of the *Transfer of Land Act 1933, 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 I Description of Land	Certificate of Title	
		Volume	Folio
3064/972V2	Lots 138, 139, 140 and 141 on Plan 13662.	1615	401
1288/996	Lot 871 on Diagram 83348. (now Swan Location 12604)	1952	438
1672/996	Lot 49 on Plan 21027. (now Sussex Location 5078)	2059	618
965/996	Lot 159 on Plan 20857. (now Sussex Location 5071)	2057	418
2849/996	Lot 195 on Plan 21438. (now Sussex Location 5104)	2083	124
2846/996	Lot 311 on Plan 21447. (now Sussex Location 5103)	2089	132
431/997	Lot 109 on Plan 20504. (now Sussex Location 5105)	2055	454
2170/996	Lot 27 on Diagram 91068. (now Dunsborough Lot 328)	2075	365
1900/996	Lot 23 on Plan 20905. (now Sussex Location 5079)	2058	629
1900/996	Lot 24 on Plan 20906. (now Sussex Location 5080)	2058	612
1902/996	Lot 16 on Plan 21024. (now Sussex Location 5081)	2057	315
1906/996	Lot 50 on Plan 21027. (now Sussex Location 5082)	2059	619

Given under my hand and the Seal of the State on 16 December 1997.

By His Excellency's Command,

D. J. SHAVE, 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.]	}	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: 05735-1950-15RO.

Under Section 243 of the *Transfer of Land Act 1933, 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.

DOLA File	Schedule I Description of Land	Certificate of Title	
		Volume	Folio
1879/997	Lot 47 on Plan 19966 (now Cockburn Sound Location 4338)	2007	416
1094/991	Portion of Perthshire Location 101 coloured brown and marked Pedestrian Accessway on Diagram 75518	1832	365
2199/996	Portion of Canning Location 173 marked Pedestrian Accessway and adjoining Lots 18 and 19 on Plan 16308.	1799	745
459/968	Portion of Parkerville Lot 226 (now Parkerville Lot 421)	2055	865
459/968	Portion of Parkerville Lot 227 (now Parkerville Lot 422)	2039	575

## Schedule II

DOLA File	Description of Land
2242/996	Portion of Swan Location 959 and being the portion coloured brown adjoining Lots 8 and 47 on Plan 6928 and being portion of the land within Certificate of Title Volume 1278 Folio 182.
2199/996	Portion of Canning Location 237 coloured brown adjoining lots 62 and 63 on Diagram 63191 and being the land remaining in Certificate of Title Volume 1566 Folio 971.
929/997	Portion of Swan Location H and being the area coloured brown and marked Pedestrian Accessway adjoining Lots 810 and 871 on Plan 10781 and being portion of the land within Certificate of Title Volume 1388 folio 055.
2509/996	Portion of Swan Location H and being the area marked Pedestrian Accessway adjoining Lots 998 and 999 on Plan 11463 and being portion of the land remaining in Certificate of Title Volume 1429 Folio 399

Given under my hand and the Seal of the State on 16 December 1997.

By His Excellency's Command,

D. J. SHAVE, Minister for Lands.

GOD SAVE THE QUEEN!

## AA201

## ROAD TRAFFIC AMENDMENT ACT 1997

(No. 50 of 1997)

## PROCLAMATION

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	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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I, the Governor, acting under section 2 of the *Road Traffic Amendment Act 1997* and with the advice and consent of the Executive Council, fix 1 January 1998 as the day on which the provisions of that Act come into operation.

Given under my hand and the Public Seal of the State on 16 December 1997.

By His Excellency's Command,

ERIC CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN!

## ENERGY

## EC301

## ENERGY CORPORATIONS (POWERS) ACT 1979

ENERGY CORPORATIONS (LIQUID PETROLEUM GAS  
TRADING) NOTICE 1997

Made by the Minister under section 56 (1) (b) of the *Energy Corporations (Powers) Act 1979*.

## Citation

1. This notice may be cited as the *Energy Corporations (Liquid Petroleum Gas Trading) Notice 1997*.

## Commencement

2. This notice comes into operation on 1 January 1998.

## Revocation

3. The notice published under section 56 (1) (b) of the Act in *Gazette* 3 February 1989 is revoked.

C. J. BARNETT, Minister for Energy.

**EC302****ELECTRICITY CORPORATION ACT 1994****ELECTRICITY DISTRIBUTION ACCESS AMENDMENT 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 Amendment Order 1997*.

**Clause 2 amended**

2. Clause 2 (1) (b) of the *Electricity Distribution Access Order 1997\** is amended by deleting subparagraphs (ii) and (iii) and substituting the following subparagraphs —

“

- (ii) is at least 43 800 megawatt hours in any period of 12 consecutive months commencing on or after 1 July 1998; or
- (iii) is at least 8 760 megawatt hours in any period of 12 consecutive months commencing on or after 1 January 2000.

”

[\* *Published in Gazette 1 July 1997, pp. 3250-1.*]

C. J. BARNETT, Minister for Energy.

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**ENVIRONMENTAL PROTECTION**

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**EP401****ENVIRONMENTAL PROTECTION ACT 1986****ENVIRONMENTAL PROTECTION AUTHORITY (APPOINTMENTS OF MEMBERS TO THE ENVIRONMENTAL PROTECTION AUTHORITY) INSTRUMENT**

Made by His Excellency the Governor in Executive Council

**PART I—PRELIMINARY****Citation**

1. This instrument may be cited as the Environmental Protection Authority (appointments of members to the Environmental Protection Authority) Instrument.

**Definitions**

2. In this Instrument—

“the Act” means the Environmental Protection Act 1986;

“the Authority” means the Environmental Protection Authority.

**PART II—ENVIRONMENTAL PROTECTION AUTHORITY****Appointment of Members to the Authority**

3. The following person is appointed on the nomination of the Minister, to be an ordinary member of the Authority—

\* Under section 7 of the Act—Mr Denis Glennon c/- 2 Minim Close, Mosman Park.

**Terms of Office**

4. The following member of the Authority, appointed under Clause 3 of this instrument, shall hold office for a period as follows—

Mr Denis Glennon for the period ending on and including 31 December 1999.

By Order of His Excellency the Governor,

M. C. WAUCHOPE, Clerk of the Council.

**EP402**

**ENVIRONMENTAL PROTECTION ACT 1986**  
**ENVIRONMENTAL PROTECTION AUTHORITY (APPOINTMENT OF**  
**DEPUTY CHAIRMAN TO THE ENVIRONMENTAL PROTECTION**  
**AUTHORITY) INSTRUMENT**

Made by His Excellency the Governor in Executive Council

PART I—PRELIMINARY

**Citation**

1. This instrument may be cited as the Environmental Protection Authority (appointment of Deputy Chairman to the Environmental Protection Authority) Instrument.

**Definitions**

2. In this Instrument—

“the Act” means the Environmental Protection Act 1986;

“the Authority” means the Environmental Protection Authority.

PART II—ENVIRONMENTAL PROTECTION AUTHORITY

**Appointment of Deputy Chairman to the Authority**

3. The following person is appointed on the nomination of the Minister, to be Deputy Chairman of the Authority—

\* Under section 7 of the Act—Ms Sally Robinson c/- 7 Allness Street, Applecross.

**Terms of Office**

4. The Deputy Chairman of the Authority, appointed under Clause 3 of this instrument, shall hold office for a period as follows—

Ms Sally Robinson for the period from 1 January 1998 ending on and including 31 December 1999.

By Order of His Excellency the Governor,

M. C. WAUCHOPE, Clerk of the Council.

**EP403**

**ENVIRONMENTAL PROTECTION ACT 1986**

**NOTICE OF THE REVISED DRAFT ENVIRONMENTAL PROTECTION (SWAN AND CANNING RIVERS) POLICY 1998**

The Environmental Protection Authority (EPA) has prepared a revised draft environmental protection policy (EPP) to protect the beneficial uses and ecology of the Swan and Canning Rivers.

In accordance with section 28 (c) of the *Environmental Protection Act 1986*, the EPA gives notice that the revised draft policy has been submitted to the Minister for the Environment and is available for public inspection at the following Department of Environmental Protection offices—

Perth Head Office (Library), 8th Floor, Westralia Square, 141 St Georges Terrace, Perth.

Kwinana, 165 Gilmore Avenue, Kwinana.

Bunbury, 10th Floor, Bunbury Tower, 61 Victoria Street, Bunbury

After receiving and considering the revised draft policy the Minister for the Environment will make reasonable endeavours to consult public authorities and persons as appear to her likely to be affected by that policy. Enquiries to Mr Geoff Bott (Department of Environmental Protection) on 9222 7000.

## FAMILY & CHILDREN'S SERVICES

**FA401**

**ADOPTION ACT 1994**

I, Rhonda Parker, Minister for Family and Children's Services issue the following person with a licence to act as a Contact and Mediation Agency under Sections 105 and 106 of the Adoption Act 1994 and subject to the Adoption Regulations and Code of Practice 1995—

Jennifer Anne Newbould  
 38 Queens Crescent  
 Mt Lawley WA 6050  
 Phone: 9370 4914

Dated this 27th day of November 1997.

RHONDA PARKER, Minister for Family and Children's Services.

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**FISHERIES**


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FI401

**PEARLING ACT 1990**

## PEARLING (PEARL OYSTER SHELL SIZE) NOTICE 1997

FD 32/89

Made by the Minister for Fisheries under section 21.

**Citation**

1. This notice may be cited as the *Pearling (Pearl Oyster Shell Size) Notice 1997*.

**Minimum and maximum pearl oyster shell size**

2. (1) For the purposes of section 21 (1) of the Act—
  - (a) the minimum size in respect of the species of pearl oyster *Pinctada maxima* is a shell width of 120 mm; and
  - (b) in all the waters of Exmouth Gulf lying south of a line drawn from North West Cape at the intersection of 21°47'09" south latitude and 114°09'54" east longitude to Tubridgi Point at the intersection of 21°50'48" south latitude and 114°38'36" east longitude the maximum size in respect of the species of pearl oyster *Pinctada maxima* is a shell width of 160 mm.
- (2) For the purposes of this clause "shell width" shall mean the width of the shell when measured in a straight line from the heel to the uppermost continuous edge of the shell excluding the fingers.

**Revocation**

3. The notices cited as the *Pearling (Joint Authority Pearl Oyster Fishery) (Minimum Pearl Oyster Shell Size) Notice 1993* published in the *Gazette* of 13 August 1993 and the *Pearling (Minimum Pearl Oyster Shell Size) Notice 1995* published in the *Gazette* of 3 November 1995, are cancelled.

Dated this 17th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

FI402

**PEARLING ACT 1990**

## PEARLING (ANNUAL FEES) NOTICE 1997

FD 1/91

Made by the Minister for Fisheries under section 27 (1) (a).

**Citation**

1. This notice may be cited as the *Pearling (Annual Fees) Notice 1997*.

**Interpretation**

2. In this notice, unless the contrary intention appears—
 

"hatchery options" means the number of juvenile pearl oysters that a person is authorised under a pearling licence to take or obtain for the purposes of grow out to a size suitable for seeding for the culture of pearl oysters; and

"juvenile pearl oyster" means any pearl oyster less than the legal minimum size as declared by the Minister in a notice made under section 21.

**Commencement**

3. This notice shall commence operation on 1 January 1998.

**Annual fees for farm leases, pearling licences, hatchery licences and permits**

4. For the purposes of section 27 (1) (a) of the Act, the annual fee declared for the year ending 31 December 1998 in respect of —
  - (a) a farm lease is \$155.00 per square nautical mile or part thereof of the area of the relevant pearl oyster farm and, in the case of an initial farm lease, the costs of preparing diagrams for the purposes of that farm lease;
  - (b) a pearling licence is \$3.32 per pearl oyster of the quota of pearl oysters that may be taken under the pearling licence;
  - (c) a pearling licence, in addition to the fee specified in paragraph (b) of this clause, shall be \$0.60 per pearl oyster of hatchery options;
  - (d) a hatchery licence is \$125.00;
  - (e) a pearling permit is \$55.00; or
  - (f) a hatchery permit is \$55.00.

Dated this 17th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI403**

**FISH RESOURCES MANAGEMENT ACT 1994**  
**BROOME PRAWN INTERIM MANAGED FISHERY MANAGEMENT PLAN**  
**AMENDMENT 1997**

FD 649/97[195]

Made by the Minister under section 54.

**Citation**

1. This amendment may be cited as the *Broome Prawn Interim Managed Fishery Management Plan Amendment 1997*.

**Principal Plan**

2. In this amendment the *Broome Prawn Interim Managed Fishery Management Plan 1996\** is referred to as the principal Plan.

**Clause 2 deleted and substituted**

3. Clause 2 of the principal Plan is deleted and the following clause substituted—

“ 2. This Plan ceases to have effect on 31 December 1998. ”.

[\*Published in the Gazette of 4 June 1996.]

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI404**

**FISH RESOURCES MANAGEMENT ACT 1994**  
**SPECIMEN SHELL MANAGEMENT PLAN AMENDMENT 1997**

FD 1282/97 [183]

Made by the Minister under section 54 (2).

**Citation**

1. This amendment may be cited as the *Specimen Shell Management Plan Amendment 1997*.

**Principal Plan**

2. In this amendment the *Specimen Shell Management Plan 1995\** is referred to as the principal Plan.

**Clause 3 amended**

3. Clause 3 of the principal Plan is amended by—

(a) deleting the item commencing “licence” and substituting the following—

“ licence” means a managed fishery licence which authorises a person to fish for specimen shell in the Fishery; ”;

(b) deleting from the item commencing “licensee” the words “issued pursuant to this notice”;

(c) deleting the item commencing “regulations” and substituting the following—

“ regulations” means the *Fish Resources Management Regulations 1995*;” and

(d) deleting the item commencing “specimen shell” and substituting the following—

“ specimen shell” means fish of the scientific classification Phylum Mollusca except for fish of the scientific classifications Order Sepioida, Order Teuthoidea, Order Octopoda, Genus *Pinctada* and *Pteria penguin*;”.

**Clause 5 amended**

4. Clause 5 of the principal Plan is amended by inserting after subclause (2) the following—

“(3) A person must not sell any part of a specimen shell other than the shell.”.

[\*Published in the Gazette of 24 February 1995.

See regulation 183 of the *Fish Resources Management Regulations 1995* concerning the citation of notices made under the Fisheries Act 1905 immediately before the commencement of those regulations.]

Dated this 17th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI405\*****FISHERIES ADJUSTMENT SCHEMES ACT 1987****HARDY INLET ESTUARINE FISHERY VOLUNTARY FISHERIES ADJUSTMENT SCHEME  
NOTICE 1997**

FD 1504/97 [198]

Made by the Minister for Fisheries under section 10B of the Act.

**Citation**

1. This notice may be cited as the *Hardy Inlet Estuarine Fishery Voluntary Fisheries Adjustment Scheme Notice 1997*.

**Interpretation**

2. In this notice—

“authorization” means a fishing boat licence or a commercial fishing licence as described in this notice;

“commercial fishing licence” means a licence granted under the regulations authorizing a person to engage in commercial fishing in the Hardy Inlet Estuarine Fishery;

“committee” means the “Voluntary Resource Reallocation and Buyout Committee” established on 25 June 1997 under s.11 of the Act;

“fishing boat licence” means a licence granted under the regulations authorizing a person to use a boat for commercial fishing in the Hardy Inlet Estuarine Fishery;

“Hardy Inlet Estuarine Fishery” means the fishing for any species of fish in the Hardy Inlet;

“regulations” means the *Fish Resources Management Regulations 1995*;

“scheme” means the Hardy Inlet Estuarine Fishery Voluntary Fisheries Adjustment Scheme established in clause 3;

**Establishment of fisheries adjustment scheme**

3. There is established a fisheries adjustment scheme in respect of the Hardy Inlet Estuarine Fishery to be known as the *Hardy Inlet Estuarine Fishery Voluntary Fisheries Adjustment Scheme*.

**Objective**

4. The objective of the scheme is to reduce—

(a) the number of persons fishing in the Hardy Inlet Estuarine Fishery by reducing the number of commercial fishing licences that authorize the holder to commercially fish in that fishery; and

(b) the number of boats that may be used to commercially fish in the Hardy Inlet Estuarine Fishery by reducing the number of fishing boat licences that permit the holder to use a boat to commercially fish in that fishery.

**The fishery to which this scheme applies**

5. The fishery to which this scheme applies is the Hardy Inlet Estuarine Fishery.

**Who may offer to surrender an authorization or part of an entitlement**

6. Any person who is the holder of an authorization is entitled to offer the surrender of the authorization.

**Manner of operation**

7. The manner of operation of the scheme shall be—

(a) invitations for offers to surrender authorizations shall be made in accordance with section 10C(4) of the Act;

(b) any offer shall be submitted to the committee assisting the Minister in the administration of the scheme in the form approved by that committee;

(c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer;

(d) the Minister shall respond to any offer in accordance with section 10(5) of the Act after considering any advice of the committee.

**Duration of scheme**

8. This scheme shall operate from 12 January 1998 to 12 May 1998.

**Terms of the scheme**

9. The terms of the scheme are that—

(a) provided that the objective specified in clause 4 will be attained, compensation in an amount agreed between the Minister and the holder of an authorization shall be paid for the surrender of an authorization; and

(b) a person who surrenders an authorization as described in (a) shall retain any proprietary rights in the fishing boat and fishing gear to which the authorization relates.

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI406\*****FISHERIES ADJUSTMENT SCHEMES ACT 1987****LESCHENAULT ESTUARINE FISHERY VOLUNTARY FISHERIES ADJUSTMENT SCHEME  
NOTICE 1997**

FD 1163/97 [198]

Made by the Minister for Fisheries under section 10B of the Act.

**Citation**

1. This notice may be cited as the *Leschenault Estuarine Fishery Voluntary Fisheries Adjustment Scheme Notice 1997*.

**Interpretation**

2. In this notice—

“authorization” means a fishing boat licence or a commercial fishing licence as described in this notice;

“commercial fishing licence” means a licence granted under the regulations authorizing a person to engage in commercial fishing in the Leschenault Estuarine Fishery;

“committee” means the “Voluntary Resource Reallocation and Buyout Committee” established on 25 June 1997 under s.11 of the Act;

“fishing boat licence” means a licence granted under the regulations authorizing a person to use a boat for commercial fishing in the Leschenault Estuarine Fishery;

“regulations” means the *Fish Resources Management Regulations 1995*;

Leschenault Estuarine Fishery” means the fishing for any species of fish in the Leschenault Estuary;

“scheme” means the Leschenault Estuarine Fishery Voluntary Fisheries Adjustment Scheme established in clause 3;

**Establishment of fisheries adjustment scheme**

3. There is established a fisheries adjustment scheme in respect of the Leschenault Estuarine Fishery to be known as the *Leschenault Estuarine Fishery Voluntary Fisheries Adjustment Scheme*.

**Objective**

4. The objective of the scheme is to reduce—

(a) the number of persons fishing in the Leschenault Estuarine Fishery by reducing the number of commercial fishing licences that authorize the holder to commercially fish in that fishery; and

(b) the number of boats that may be used to commercially fish in the Leschenault Estuarine Fishery by reducing the number of fishing boat licences that permit the holder of that licence to use a boat to commercially fish in that fishery.

**The fishery to which this scheme applies**

5. The fishery to which this scheme applies is the Leschenault Estuarine Fishery.

**Who may offer to surrender an authorization or part of an entitlement**

6. Any person who is the holder of an authorization is entitled to offer the surrender of the authorization.

**Manner of operation**

7. The manner of operation of the scheme shall be—

(a) invitations for offers to surrender authorizations shall be made in accordance with section 10C(4) of the Act;

(b) any offer shall be submitted to the committee assisting the Minister in the administration of the scheme in the form approved by that committee;

(c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer;

(d) the Minister shall respond to any offer in accordance with section 10(5) of the Act after considering any advice of the committee.

**Duration of scheme**

8. This scheme shall operate from 12 January 1998 to 12 May 1998.

**Terms of the scheme**

9. The terms of the scheme are that—

(a) provided that the objective specified in clause 4 will be attained, compensation in an amount agreed between the Minister and the holder of an authorization shall be paid for the surrender of an authorization; and

(b) a person who surrenders an authorization as described in (a) shall retain any proprietary rights in the fishing boat and fishing gear to which the authorization relates.

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI407\*****FISHERIES ADJUSTMENT SCHEMES ACT 1987****MANDURAH ESTUARINE FISHERY VOLUNTARY FISHERIES ADJUSTMENT SCHEME  
NOTICE 1997**

FD 1164/97 [198]

Made by the Minister for Fisheries under section 10B of the Act.

**Citation**

1. This notice may be cited as the *Mandurah Estuarine Fishery Voluntary Fisheries Adjustment Scheme Notice 1997*.

**Interpretation**

2. In this notice—

“authorization” means a fishing boat licence or a commercial fishing licence as described in this notice;

“commercial fishing licence” means a licence granted under the regulations authorizing a person to engage in commercial fishing in the Mandurah Estuarine Fishery;

“committee” means the “Voluntary Resource Reallocation and Buyout Committee” established on 25 June 1997 under s.11 of the Act;

“fishing boat licence” means a licence granted under the regulations authorizing a person to use a boat for commercial fishing in the Mandurah Estuarine Fishery;

Mandurah Estuarine Fishery” means the fishing for any species of fish in the Mandurah Estuary;

“regulations” means the *Fish Resources Management Regulations 1995*;

“scheme” means the Mandurah Estuarine Fishery Voluntary Fisheries Adjustment Scheme established in clause 3;

**Establishment of fisheries adjustment scheme**

3. There is established a fisheries adjustment scheme in respect of the Mandurah Estuarine Fishery to be known as the *Mandurah Estuarine Fishery Voluntary Fisheries Adjustment Scheme*.

**Objective**

4. The objective of the scheme is to reduce—

(a) the number of persons fishing in the Mandurah Estuarine Fishery by reducing the number of commercial fishing licences that authorize the holder to commercially fish in that fishery; and

(b) the number of boats that may be used to commercially fish in the Mandurah Estuarine Fishery by reducing the number of fishing boat licences that permit the holder of that licence to use a boat to commercially fish in that fishery.

**The fishery to which this scheme applies**

5. The fishery to which this scheme applies is the Mandurah Estuarine Fishery.

**Who may offer to surrender an authorization or part of an entitlement**

6. Any person who is the holder of an authorization is entitled to offer the surrender of the authorization.

**Manner of operation**

7. The manner of operation of the scheme shall be—

(a) invitations for offers to surrender authorizations shall be made in accordance with section 10C(4) of the Act;

(b) any offer shall be submitted to the committee assisting the Minister in the administration of the scheme in the form approved by that committee;

(c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer;

(d) the Minister shall respond to any offer in accordance with section 10(5) of the Act after considering any advice of the committee.

**Duration of scheme**

8. This scheme shall operate from 12 January 1998 to 12 May 1998.

**Terms of the scheme**

9. The terms of the scheme are that—

(a) provided that the objective specified in clause 4 will be attained, compensation in an amount agreed between the Minister and the holder of an authorization shall be paid for the surrender of an authorization; and

(b) a person who surrenders an authorization as described in (a) shall retain any proprietary rights in the fishing boat and fishing gear to which the authorization relates.

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI408\*****FISHERIES ADJUSTMENT SCHEMES ACT 1987****SWAN/CANNING ESTUARINE FISHERY VOLUNTARY FISHERIES ADJUSTMENT SCHEME  
NOTICE 1997**

FD 1505/97 [198]

Made by the Minister for Fisheries under section 10B of the Act.

**Citation**

1. This notice may be cited as the *Swan / Canning Estuarine Fishery Voluntary Fisheries Adjustment Scheme Notice 1997*.

**Interpretation**

2. In this notice—

“authorization” means a fishing boat licence or a commercial fishing licence as described in this notice;

“commercial fishing licence” means a licence granted under the regulations authorizing a person to engage in commercial fishing in the Swan/Canning Estuarine Fishery;

“committee” means the “Voluntary Resource Reallocation and Buyout Committee” established on 25 June 1997 under s.11 of the Act;

“fishing boat licence” means a licence granted under the regulations authorizing a person to use a boat for commercial fishing in the Swan/Canning Estuarine Fishery;

Swan/Canning Estuarine Fishery” means the fishing for any species of fish in the Swan/Canning Estuary;

“regulations” means the *Fish Resources Management Regulations 1995*;

“scheme” means the Swan/Canning Estuarine Fishery Voluntary Fisheries Adjustment Scheme established in clause 3;

**Establishment of fisheries adjustment scheme**

3. There is established a fisheries adjustment scheme in respect of the Swan/Canning Estuarine Fishery to be known as the *Swan / Canning Estuarine Fishery Voluntary Fisheries Adjustment Scheme*.

**Objective**

4. The objective of the scheme is to reduce—

(a) the number of persons fishing in the Swan/Canning Estuarine Fishery by reducing the number of commercial fishing licences that authorize the holder to commercially fish in that fishery; and

(b) the number of boats that may be used to commercially fish in the Swan/Canning Estuarine Fishery by reducing the number of fishing boat licences that permit the holder of that licence to use a boat to commercially fish in that fishery.

**The fishery to which this scheme applies**

5. The fishery to which this scheme applies is the Swan/Canning Estuarine Fishery.

**Who may offer to surrender an authorization or part of an entitlement**

6. Any person who is the holder of an authorization is entitled to offer the surrender of the authorization.

**Manner of operation**

7. The manner of operation of the scheme shall be—

(a) invitations for offers to surrender authorizations shall be made in accordance with section 10C(4) of the Act;

(b) any offer shall be submitted to the committee assisting the Minister in the administration of the scheme in the form approved by that committee;

(c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer;

(d) the Minister shall respond to any offer in accordance with section 10(5) of the Act after considering any advice of the committee.

**Duration of scheme**

8. This scheme shall operate from 12 January 1998 to 12 May 1998.

**Terms of the scheme**

9. The terms of the scheme are that—

(a) provided that the objective specified in clause 4 will be attained, compensation in an amount agreed between the Minister and the holder of an authorization shall be paid for the surrender of an authorization; and

(b) a person who surrenders an authorization as described in (a) shall retain any proprietary rights in the fishing boat and fishing gear to which the authorization relates.

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

FI409\*

**FISHERIES ADJUSTMENT SCHEMES ACT 1987****SOUTH COAST ESTUARINE FISHERY VOLUNTARY FISHERIES ADJUSTMENT SCHEME  
NOTICE 1997**

FD 1161/97 [198]

Made by the Minister for Fisheries under section 10B of the Act.

**Citation**

1. This notice may be cited as the *South Coast Estuarine Fishery Voluntary Fisheries Adjustment Scheme Notice 1997*.

**Interpretation**

2. In this notice—

“authorization” means a fishing boat licence or a commercial fishing licence as described in this notice;

“commercial fishing licence” means a licence granted under the regulations authorizing a person to engage in commercial fishing in an estuary on the south coast of Western Australia between Cape Beaufort and 129° east longitude;

“committee” means the “Voluntary Resource Reallocation and Buyout Committee” established on 25 June 1997 under s.11 of the Act;

“fishing boat licence” means a licence granted under the regulations authorizing a person to use a boat for commercial fishing in an estuary on the south coast of Western Australia between Cape Beaufort and 129° east longitude;

“regulations” means the *Fish Resources Management Regulations 1995*;

“South Coast Estuarine Fishery” means the fishing for any species of fish in an estuary on the south coast of Western Australia between Cape Beaufort and 129°;

“scheme” means the South Coast Estuarine Fishery Voluntary Fisheries Adjustment Scheme established in clause 3;

**Establishment of fisheries adjustment scheme**

3. There is established a fisheries adjustment scheme in respect of the South Coast Estuarine Fishery to be known as the *South Coast Estuarine Fishery Voluntary Fisheries Adjustment Scheme*.

**Objective**

4. The objective of the scheme is to reduce—

(a) the number of persons fishing in the South Coast Estuarine Fishery by reducing the number of commercial fishing licences that authorize the holder to commercially fish in that fishery; and

(b) the number of boats that may be used to commercially fish in the South Coast Estuarine Fishery by reducing the number of fishing boat licences that permit the holder of that licence to use a boat to commercially fish in that fishery.

**The fishery to which this scheme applies**

5. The fishery to which this scheme applies is the South Coast Estuarine Fishery.

**Who may offer to surrender an authorization or part of an entitlement**

6. Any person who is the holder of an authorization is entitled to offer the surrender of the authorization.

**Manner of operation**

7. The manner of operation of the scheme shall be—

(a) invitations for offers to surrender authorizations shall be made in accordance with section 10C(4) of the Act;

(b) any offer shall be submitted to the committee assisting the Minister in the administration of the scheme in the form approved by that committee;

(c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer;

(d) the Minister shall respond to any offer in accordance with section 10(5) of the Act after considering any advice of the committee.

**Duration of scheme**

8. This scheme shall operate from 12 January 1998 to 12 May 1998.

**Terms of the scheme**

9. The terms of the scheme are that—

(a) provided that the objective specified in clause 4 will be attained, compensation in an amount agreed between the Minister and the holder of an authorization shall be paid for the surrender of an authorization; and

(b) a person who surrenders an authorization as described in (a) shall retain any proprietary rights in the fishing boat and fishing gear to which the authorization relates.

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

**FI410\*****FISH RESOURCES MANAGEMENT ACT 1994****PILBARA FISH TRAWL INTERIM MANAGED FISHERY MANAGEMENT PLAN 1997****Arrangement****Clause**

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**FISH RESOURCES MANAGEMENT ACT 1994****PILBARA FISH TRAWL INTERIM MANAGED FISHERY MANAGEMENT PLAN 1997**

FD 1387/97 [194]

Made by the Minister under section 54.

**Citation**

1. This plan may be cited as the *Pilbara Fish Trawl Interim Managed Fishery Management Plan 1997*.

**Commencement**

2. This Plan will commence operation on 1 January 1998.

**Cessation**

3. This Plan will cease to have effect on 31 December 2000.

**Interpretation**

4. In this management plan, unless the contrary intention appears—
  - “approved directions for use” means the directions for use of an ALC—
    - (a) as specified in the regulations; or
    - (b) given by the Executive Director in a notice in writing to the master of an authorised boat or the holder of a permit;
  - “ALC” means an Automatic Location Communicator;
  - “Area” means an area of water as described in Schedule 3;
  - “Area 1” is the waters described in Schedule 3 item 1;
  - “Area 2” is the waters described in Schedule 3 item 2;
  - “Area 3” is the waters described in Schedule 3 item 3;

“Area 4” is the waters described in Schedule 3 item 4;

“Area 5” is the waters described in Schedule 3 item 5;

“Area 6” is the waters described in Schedule 3 item 6;

“authorised boat” means—

(a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified in a permit; or

(b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in (a);

“authorised Nickol Bay Prawn Fishery boat” means a boat which is specified on a NBPMF licence;

“bobbin” means a spherical, cylindrical or wheel like attachment to the groundrope which assists the groundrope to clear rough sections of sea bed;

“bridles” means the cables or chains which attach the trawl net to the sweeps;

“Code” means the Uniform Shipping Laws Code published in the *Commonwealth of Australia Gazette* on 11 May 1981 as amended from time to time and adopted by the Western Australian Department of Transport;

“current fish trawl units” means the number of fish trawl units specified on a permit after taking into account any transfer of fish trawl units made in accordance with clause 24;

“exhausted” means the authority to use a fish trawl net which is conferred by a permit and expressed in terms of fish trawl units has been exercised in full in respect of the entitlement arising from—

(a) the total number of fish trawl units specified on that permit for a specified Zone or Area; or

(b) the total number of fish trawl units specified on that permit for the Fishery,

as the case may be;

“fish trawl hour” means one trawl net used in the fishery for one hour or part thereof;

“Fishery” means the Pilbara Fish Trawl Interim Managed Fishery as identified in clause 6;

“fishing boat licence” has the same meaning as defined in the regulations;

“groundrope” means the rope or cable onto which is attached the lower half of the mouth of the trawl net;

“headrope” means the rope onto which is attached the upper half of the mouth of the trawl net;

“headrope length” means the distance measured along the headrope from where the trawl net attaches to one end of the headrope to where it attaches to the other end of the headrope;

“licensed fishing boat number” has the same meaning as defined in the regulations;

“licensing period” means the period from 1 January in any year to 31 December in the same year;

“measured length” means the measured length of the authorised boat as defined by the Western Australian Department of Transport and stated on the Certificate of Survey for that boat;

“NBPMF licence” means a managed fishery licence which authorises the holder to take prawns in the Nickol Bay Prawn Managed Fishery as identified in the *Nickol Bay Prawn Management Plan 1991*;

“Nickol Bay Prawn Managed Fishery” means the fishery identified in the *Nickol Bay Prawn Management Plan 1991*;

“nomination” is a notification sent to the Fisheries Department via ALC in accordance with the approved directions for use;

“one hour period” means a period of one hour taken from on the hour to the next hour;

“permit” means an interim managed fishery permit which authorises a person to fish in the Fishery;

“port area” means the area within two nautical miles radius of the intersection of the co-ordinates specified in items 1, 2 and 3 of Schedule 6;

“regulations” means the *Fish Resources Management Regulations 1995*;

“scalefish” means all species of fish of the Class Osteichthyes;

“sweeps” means the cables connecting the trailing edge of the otter boards to the bridles;

“unauthorised area of the Fishery” means—

(a) a Zone or Area of the Fishery in relation to which the entitlement on a specific permit which refers to that that particular Zone or Area has been exhausted; or

(b) a part of the Fishery in which a person is not authorised to fish by a permit or this Plan.

#### **Procedure before this Plan may be amended or revoked**

5. For the purposes of section 65 of the Act, the permit holders are to be consulted before this management plan is amended or revoked.

#### **Identification of the Fishery**

6. The Fishery to which this Plan relates is the fishing for scalefish by the use of a trawl net in the waters described in Schedule 1.

#### **Zones of the Fishery**

7. The Fishery is divided into Zones as described in Schedule 2.

**Fishery an interim managed fishery**

8. The Fishery is an interim managed fishery.

**Persons prohibited from fishing in the Fishery**

9. A person must not fish by trawl net in the Fishery other than—

- (a) in accordance with this Plan; and
- (b) under the authority of a permit.

**Prohibition on selling, dealing in or purchasing scalefish**

10. A person must not sell, deal in or purchase any scalefish taken from the Fishery by trawl net unless the fish were taken by a person who holds a commercial fishing licence issued pursuant to the regulations and the fish were taken under the authority of a permit issued in accordance with this Plan and the Act.

**Prohibited means of fishing in the Fishery**

11. (1) A person must not fish in the Fishery by any means other than by a trawl net.

(2) A person must not use a trawl net in the Fishery where—

- (a) the headrope length of the trawl net exceeds 36.58 metres;
- (b) the overall length of the trawl gear including sweeps, bridles and headropes exceeds 274.32 metres;
- (c) the mesh size of the net is less than 100 millimetres; or
- (d) the diameter of any bobbin attached to the ground rope is more than 350 millimetres.

(3) A person must not use a trawl net in the Fishery where—

- (a) more than one trawl net is used; or
- (b) a second boat is used in the trawling operation.

**Use of boats**

12. (1) A person must not use a boat to fish in the Fishery unless the boat is an authorised boat.

(2) The master of a boat when traversing an Area of Zone 2 in relation to which the entitlement conferred by the permit on which that boat is specified has been exhausted must not allow that boat to be in any waters of Zone 2 other than an area of water as described in Schedule 4.

(3) The master of an authorised boat, when traversing a part of the Fishery which is an unauthorised area, must have otter boards, warp wires and trawl nets carried on or attached to that boat, secured to that boat and out of the water at all times.

(4) A person must not, without the written approval of the Executive Director, repower an authorised boat by—

- (a) changing the configuration of the existing engine, gearbox, propeller, propeller shaft or other components; or
- (b) installing a new engine.

(5) The holder of a permit must—

- (a) on the written instruction of the Executive Director, cause the suppliers of an engine for the authorised boat specified on that permit, to install a lead seal on the fuel pump for that engine in a manner which prevents any adjustment or alteration;
- (b) authorise the Executive Director to install or permit installation of any further lead seals as the Executive Director may require.

(6) A person must—

- (a) not remove or allow any interference with any seal fitted in accordance with subclause (5);
- (b) report to the Executive Director any interference to any seal as described in subclause (5) caused by accident, mechanical requirements or any reason whatsoever and as soon as practical thereafter arrange for recertification of the installed engine power by the supplier and the installation of a new seal; and
- (c) permit the inspection of the engine configuration and any seal by a fisheries officer and shall permit on board the boat any person the officer may require for such an inspection.

**Requirement to install an Automatic Location Communicator and Data Terminal**

13. (1) The authority to fish conferred by a permit shall be of no effect unless the authorised boat is fitted with an approved—

(a) ALC that—

- (i) has been installed in accordance with a notice in writing given by the Executive Director to the holder of the permit;
- (ii) is being operated in accordance with the approved directions for use; and

(b) Data Terminal as specified in the regulations.

(2) A reference to a Zone, Area or port area in the approved directions for use referred to in subclause (1) is a reference to a Zone, Area or port area as described in Schedule 2, Schedule 3 or Schedule 5 respectively.

**Permitted and prohibited fishing areas**

14. (1) Where the Executive Director is of the opinion that it is in the better interests of the Fishery to do so, the Executive Director, following consultation with the permit holders, may by notice published in the *Gazette*—

- (a) prohibit fishing in the Fishery or in any part of the Fishery;
- (b) permit fishing in the Fishery or in any part of the Fishery.

(2) A person must not fish in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

(3) The provisions of a notice made in accordance with subclause (1) may be made to apply at all times or at any specified time.

(4) A person must not fish by trawl net in Area 3 or the waters described in Schedule 5.

**Criteria for a permit**

15. (1) An applicant for a permit must satisfy the Executive Director that he or she is the holder of a current fishing boat licence and—

- (a) that licence is endorsed to permit the holder to take fish by means of trawling in the waters defined in that licence as the Pilbara Fish Trawl Fishery and the applicant applies for a permit before 31 December 1997; or
- (b) as at 31 December 1997 that licence was endorsed to permit the holder to take fish by means of trawling in the waters defined in that licence as the Pilbara Fish Trawl Fishery and the applicant applies for a permit before 28 February 1998.

**Duration of permits**

16. A permit expires on 31 December of the year for which it was issued.

**Fees for application and issue of permits**

17. (1) The fee set out in Part 1 of Schedule 8 opposite a particular type of application is the fee to be paid to make that application.

(2) The fee set out in Part 2 of Schedule 8 is the fee to be paid in respect of the grant or renewal of that permit.

**Items that may be specified on a permit**

18. A permit granted or renewed in respect of the Fishery may specify the following—

- (a) name and business address of the holder of the permit;
- (b) name of the licensed fishing boat, licensed fishing boat number and length of any licensed fishing boat which may be used for fishing in the Fishery under the authority of that permit;
- (c) the permit number;
- (d) the date of expiry of the permit;
- (e) the name of the interim managed fishery to which the permit refers;
- (f) the total number of fish trawl units that are allocated to the holder of that permit;
- (g) the total number of current fish trawl units allocated to the holder of that permit;
- (h) the number of fish trawl units that refer to a particular Zone or Area;
- (i) the extent of the entitlement arising from a fish trawl unit;
- (j) the total entitlement arising from the total number of current fish trawl units specified on the permit;
- (k) the entitlement to a Zone or Area of the Fishery arising from the number of current fish trawl units that refer to that particular Zone or Area;
- (h) any conditions imposed on the permit.

**Units**

19. (1) The authority conferred by a permit to fish using a trawl net shall be limited by reference to a specified number of fish trawl hours expressed in terms of fish trawl units.

(2) The maximum number of fish trawl units that may be allocated for use in Zone 1 or any particular Area of Zone 2 of the Fishery is—

- (a) Zone 1—nil
- (b) Area 1—17136;
- (c) Area 2—3360;
- (d) Area 3—nil;
- (e) Area 4—3360;
- (f) Area 5—5712;
- (g) Area 6—is the sum of all the units resulting from allocations made in accordance with clause 22(2)(b) and clause 22(2)(c).

(3) A person who satisfies the criteria specified in clause 15 and—

- (a) the fishing boat licence referred to in that clause is endorsed—
  - (i) to permit the holder to fish in Zone 2 of the Pilbara Fish Trawl fishery as defined in that licence;

- (ii) with condition number 83 or condition number 102 which, prior to 31 October 1997, did not restrict the amount of time the boat may be used to fish in Zone 2 of the fishery in any year,  
may be granted a permit which confers an entitlement of 4224 fish trawl units; or
- (b) the fishing boat licence is endorsed to permit the holder to fish in Zone 2 of the Pilbara Fish Trawl Fishery as defined in that licence for 5 months in any year may be granted a permit which confers an entitlement of 2112 fish trawl units.
- (4) The maximum number of units that may be specified on a permit as described in subclause (3)(a) for use in a particular Zone or Area is, when that permit is first issued,—
- (a) Zone 1—nil;
  - (b) Area 1—2448;
  - (c) Area 2—480;
  - (d) Area 3—nil;
  - (e) Area 4—480;
  - (f) Area 5—816; and
  - (g) Area 6—nil.
- (5) The maximum number of units that may be specified on a permit as described in subclause (3)(b) for use in a particular Zone or Area is, when that permit is first issued,—
- (a) Zone 1—nil;
  - (b) Area 1—1224;
  - (c) Area 2—240;
  - (d) Area 3—nil;
  - (e) Area 4—240;
  - (f) Area 5—408; and
  - (g) Area 6—nil.
- (6) A person must not fish in any Zone or Area of the Fishery unless the person is authorised to fish in the Fishery by a permit which specifies fish trawl units for that Zone or Area.
- (7) A person must not fish under the authority of a permit in any Zone or Area of the Fishery if the entitlement expressed as fish trawl units which are specified on that permit for that Zone or Area have been exhausted.
- (8) Notwithstanding the provisions of subclause (5) the holder of a permit may fish in an Area of the Fishery for which they have exhausted their fish trawl units of entitlement provided that—
- (a) the total entitlement conferred by the permit expressed in terms of fish trawl units for Areas 1 to 5 inclusive is not exceeded; and
  - (b) the total number of fish trawl hours fished by the permit holder in that Area is not more than 72 fish trawl hours in excess of the entitlement conferred by the fish trawl units specified on that permit for that Area.

### **Entitlement**

20. The extent of the entitlement arising from a fish trawl unit shall be 1 fish trawl hour which entitles the holder of a permit to use one fish trawl net for one hour in any Zone or Area of the Fishery to which that fish trawl unit refers.

### **Exercise of entitlement**

21. (1) For the purposes of determining the Zone or Area of the Fishery in which an authorised boat is being used to exercise an entitlement, a reading of the position of an authorised boat received by a fisheries officer from an ALC installed on that boat shall be taken to be the actual position of that boat at that time.

(2) If, during any one hour period, any ALC reading of the position of an authorised boat shows that the boat is a Zone or Area of the Fishery in which it is authorised by a permit to be used for fishing then the boat shall be taken to have been used for fishing in that Zone or Area for that one hour period provided that the boat may only be taken to have been used for fishing in one Zone or one Area during that one hour period.

### **Access to Area 6**

22. (1) Notwithstanding the provisions of clause 19(4) and clause 19(5) the holder of a permit may fish in any part of Area 6 which has not been prohibited to fishing in a notice made in accordance with clause 14 provided that the Executive Director has varied that permit by specifying units of entitlement for Area 6 on that permit.

(2) A variation to a permit to give access to Area 6 of the Fishery shall be—

- (a) for all or part of one licensing period only;
- (b) for a maximum of 1584 fish trawl units if the permit confers on the holder a total of not less than 4224 fish trawl units for Areas 1 to 5 inclusive;
- (c) for a maximum of 792 fish trawl units if the permit confers on the holder a total of less than 4224 fish trawl units for Areas 1 to 5 inclusive.

**Criteria for variation of a permit**

23. (1) The criterion to be satisfied before a permit shall be varied by the endorsement of fish trawl units for Area 6 on that permit is that when the permit holder applies for the variation of the permit, he or she also provides to the Executive Director a letter from the Department's Director— Fisheries Research advising that the permit holder has agreed to participate in a research program conducted in Area 6 of the Fishery during the relevant licensing period.

(2) The criteria to be satisfied before a permit shall be varied to replace an authorised boat specified on a permit with another boat is that the replacement boat must not exceed 375 boat units as calculated in accordance with the formula specified in Schedule 7.

**Temporary transfer of entitlement**

24. (1) Subject to subclause (2) where the holder of a permit applies to transfer entitlement conferred by fish trawl units for a limited period to the holder of another permit and—

- (a) the application is for a whole number of fish trawl units; and
- (b) the specified fish trawl units refer to entitlement to fish in Areas 1, 2, 4 or 5 and at the date the application is received by the Executive Director any entitlement conferred by those units has not been exercised,

the Executive Director may transfer those units for a specified time.

(2) The master of an authorised boat which is specified on a permit that is the subject of an application to transfer fish trawl units as referred to in subclause (1), must not use that boat to fish in the Fishery to the extent that the entitlement conferred by the fish trawl units on that permit would be exceeded if the application to transfer were to proceed.

(3) Fish trawl units for Area 6 of the Fishery may only be transferred if—

- (a) the application is in accordance with paragraph (a) of subclause (1); and
- (b) all the fish trawl units which refer to Area 6 are transferred from the transferor's permit to the transferee's permit.

(4) Notwithstanding that all the fish trawl units that refer to Area 6 are transferred in accordance with paragraph (b) of subclause (3), a person fishing under the authority of a permit to which Area 6 fish trawl units have been transferred may only fish in Area 6 to the extent that the entitlement conferred by those fish trawl units has not been exercised.

**Grounds for refusal to transfer entitlement**

25. The Executive Director may refuse to transfer entitlement from one permit to another permit if the proposed transfer is—

- (a) not for the transfer of a whole number of units; or
- (b) for fish trawl units which refer to Area 6 and the application is not for the transfer of all those units.

**Grounds for refusal to transfer a permit**

26. The Executive Director may refuse to transfer a permit if—

- (a) the transferor is the holder of a NBPMF licence, the transferee is not the holder of a NBPMF licence, and the permit is not to be transferred simultaneously with a NBPMF licence to the same transferee;
- (b) the transferee is the holder of a NBPMF licence but the fishing boat specified on that licence will not, if the transfer were to proceed, be the same boat specified on the permit.

**Grounds to cancel a permit**

27. It shall be grounds for the Executive Director to cancel a permit if—

- (a) other than fish trawl units transferred in accordance with clause 24, all the fish trawl units are transferred from that permit;
- (b) the holder of the permit is also the holder of a NBPMF licence and ceases to hold that licence; or
- (c) the holder of the permit is also the holder of a NBPMF licence and the authorised boat specified on the permit is not an authorised Nickol Bay Prawn Fishery boat.

**Nomination to fish**

28. (1) A person must not allow an authorised boat to be outside a port area and in the waters of the Fishery with a trawl net on board that boat if that trawl net is, according to this Plan, permitted to be used in the Fishery unless a nomination to fish has been given and is in effect in accordance with this clause.

(2) A nomination must be made by the use of an ALC in accordance with any relevant requirement specified in the approved directions for use and—

- (a) must be made before the authorised boat is outside a port area;
- (b) must be made only in relation to the intended fishing activities to be undertaken during that trip.

(3) A nomination to cease fishing must be made by the master the authorised boat prior to returning to a port area.

(4) If, after a notification of intention to cease fishing is made, a further notification of an intention to commence fishing may be made only when the authorised boat is within a port area.

(5) For the purpose of determining the exercise of entitlement following a nomination to fish made in accordance with subclauses (1) and (2), fishing shall be taken to have commenced when the authorised boat has entered any Area of the Fishery in which, according to this Plan, it may be used for fishing and subject to subclause (6), fishing shall be taken to have ceased when the boat leaves that area.

(6) If the master of an authorised boat does not nominate that he or she is ceasing fishing and leaves an Area of the Fishery in which he or she has not exhausted an entitlement to fish and enters an Area which is an unauthorised area or leaves the waters of the Fishery, the boat shall be taken to be still used for fishing in the Area of the Fishery in which the master of the boat last had authorised access.

(7) The provisions of subclause (6) apply—

- (a) unless a nomination to cease fishing is made prior to that boat entering a port area; or
- (b) until such time as the master of the boat enters—
  - (i) an Area of the Fishery in which the entitlement conferred by fish trawl units on the relevant permit have not been exhausted; or
  - (ii) a port area.

### Offences and major provisions

29. A person who contravenes a provision of—

- (a) clause 9, 10, 11, 12, 14(2), 14(4), 19(6), 19(7) 19(8) 24(4), 28(1), 28(2) and 29(3); or
- (b) clause 24(2) or 28(2)(b),

commits an offence and for the purposes of section 75 of the Act, the provisions described in subclause (a) are major provisions.

### Schedule 1

#### Description of the Fishery

All waters of the Indian Ocean and Exmouth Gulf bounded by a line commencing at the intersection of 21° 35' south latitude and 114° 9.6' east longitude and extending north along the meridian to the intersection of 21° 27.1' south latitude and 114° 9.6' east longitude; thence generally north easterly to the intersection of 21° 00' south latitude and 114° 43' east longitude; thence north to the intersection of 20° 53' south latitude and 114° 43' east longitude; thence generally north by east to the intersection of 20° 35' south latitude and 114° 47' east longitude; thence continuing generally north by east to intersection of 20° 15' south latitude and 114° 55' east longitude; thence generally north easterly to the intersection of 20° 03' south latitude and 115° 03' east longitude; thence generally north east by east to the intersection of 19° 55' south latitude and 115° 14' east longitude; thence continuing north easterly to the intersection of 19° 40' south latitude and 115° 25' east longitude; thence generally north east by east to the intersection of 19° 30' south latitude and 115° 50' east longitude; thence generally north easterly to intersection of 19° 17' south latitude and 116° 05' east longitude; thence generally east by north to the intersection of 19° 11' south latitude and 116° 28' east; thence continuing east by north to the intersection of 19° 09' south latitude and 116° 50' east longitude; thence generally north east by east to the intersection of 19° 00' south latitude and 117° 14' east longitude; thence generally north easterly to intersection of 18° 01' south latitude and 119° 00' east longitude, thence continuing generally north easterly to the intersection of 17° 55' south latitude and 119° 11' east longitude, thence east north east to intersection of 17° 41.712' south latitude and 120° 00' east longitude; thence south along the meridian to the high water mark on the coast of North-Western Australia; thence in a south south westerly direction along the high water line to the intersection of 21° 35' south latitude and 115° 19.4' east longitude; thence west along the parallel to the commencement point

### Schedule 2

#### Zones of the Fishery

##### ZONE 1

All the waters bounded by a line commencing from the intersection of 21° 29.786' south latitude and 114° 40' east longitude and extending north to the intersection of 21° 02.44' south latitude and 114° 40' east longitude; thence north easterly to the intersection of 21° 00' south latitude and 114° 43' east longitude; thence north to the intersection of 20° 53' south latitude and 114° 43' east longitude; thence north by east to intersection of 20° 35' south latitude and 114° 47' east longitude, thence continuing north by east to the intersection of 20° 15' south latitude and 114° 55' east longitude, thence generally north easterly to intersection of 20° 03' south latitude and 115° 03' east longitude; thence generally north east by east to the intersection of 19° 57.91' south latitude and 115° 10' east longitude; thence south along the meridian to the intersection of 21° 19.5' south latitude and 115° 10' east longitude; thence generally north westerly to the intersection of 21° 15.9' south latitude and 115° 01.2' east longitude, thence generally south easterly to the commencement point, but excluding the waters within 5 nautical miles radius of the intersection of—

- (a) 21° 15.9' south latitude and 115° 01.2' east longitude (Rosily Island); and
- (b) 21° 12.4' south latitude and 115° 03.8' east longitude (Penguin Bank).

##### ZONE 2

All the waters bounded by a line commencing from the intersection of 20° 10' south latitude and 116° 00' east longitude and extending north to the intersection of 19° 21.3' south latitude and 116° 00' east longitude; thence in a north easterly direction to the intersection of 19° 17' south latitude and 116° 05' east longitude; thence north easterly to intersection of 19° 11' south latitude and 116° 28' east longitude; thence east by northerly to the intersection of 19° 09' south latitude and 116° 50' east longitude;

thence north east by east to the intersection of 19° 00' south latitude and 117° 14' east longitude; thence generally north easterly to the intersection of 18° 01' south latitude and 119° 00' east longitude; thence continuing north easterly to the intersection of 17° 55' south latitude and 119° 11' east longitude; thence continuing east north east to the intersection of 17° 41.712' south latitude and 120° 00' east longitude; thence south to the intersection of 19° 00' south latitude and 120° 00' east longitude; thence in a west by south direction to the intersection of 19° 20' south latitude and 118° 30' east longitude; thence generally south westerly to the intersection of 19° 50' south latitude and 117° 45' east longitude; thence west south westerly to the intersection of 20° 10' south latitude and 116° 30' east longitude; thence west to the commencement point.

### Schedule 3

#### Areas of Zone 2 of the Fishery

##### Item 1— Zone 2— Area 1

All the waters bounded by a line commencing at the intersection of 20° 10' south latitude and 116° 00' east longitude and extending north to the intersection of 19° 46' south latitude and 116° 00' east longitude; thence in a north easterly direction to the intersection of 19° 35' south latitude and 116° 19.5' east longitude; thence north east to intersection of 19° 26.8' south latitude and 116° 38' east longitude; thence generally east by north to the intersection of 19° 26.5' south latitude and 116° 40' east longitude; thence south to the intersection of 20° 07.34' south latitude and 116° 40' east longitude; thence south westerly to the intersection of 20° 10' south latitude and 116° 30' east longitude; thence west to the commencement point.

##### Item 2— Zone 2— Area 2

All the waters bounded by a line commencing from the intersection of 20° 07.34' south latitude and 116° 40' east longitude and extending north to the intersection of 19° 26.5' south latitude and 116° 40' east longitude; thence in a east north easterly direction to the intersection of 19° 16.6' south latitude and 117° 29.5' east longitude; thence generally north east by east to intersection of 19° 12' south latitude and 117° 40' east longitude; thence south to the intersection of 19° 27.78' south latitude and 117° 40' east longitude; thence generally west south westerly to the intersection of 19° 37.3' south latitude and 117° 20' east longitude; thence south to the intersection of 19° 56.671' south latitude and 117° 20' east longitude; thence in a west south westerly direction to the commencement point.

##### Item 3— Zone 2— Area 3

All the waters bounded by a line commencing at the intersection of 19° 56.671' south latitude and 117° 20' east longitude and extending north to the intersection of 19° 37.3' south latitude and 117° 20' east longitude; thence in a north easterly direction to the intersection of 19° 18.25' south latitude and 118° 00' east longitude; thence south to intersection of 19° 40' south latitude and 118° 00' east longitude; thence in a south westerly direction to the intersection of 19° 50' south latitude and 117° 45' east longitude; thence in a west south westerly direction to the commencement point.

##### Item 4— Zone 2— Area 4

All the waters bounded by a line commencing at the intersection of 19° 40' south latitude and 118° 00' east longitude and extending north to the intersection of 19° 18.24' south latitude and 118° 00' east longitude; thence in a south westerly direction to the intersection of 19° 27.78' south latitude and 117° 40' east longitude; thence north to intersection of 19° 12' south latitude and 117° 40' east longitude; thence in a east north easterly direction to the intersection of 19° 02.5' south latitude and 118° 02' east longitude; thence continuing east north easterly to the intersection of 18° 50' south latitude and 118° 40' east longitude; thence south to the intersection of 19° 17.78' south latitude and 118° 40' east longitude; thence in a west by south direction to the intersection of 19° 20' south latitude and 118° 30' east longitude; thence in a south westerly direction to the commencement point.

##### Item 5— Zone 2— Area 5

The whole of the waters bounded by a line commencing from the intersection of 19° 17.78' south latitude and 118° 40' east longitude and extending north to the intersection of 18° 50' south latitude and 118° 40' east longitude; thence in a east north easterly direction to the intersection of 18° 43.8' south latitude and 118° 58.4' east longitude; thence generally east by north to intersection of 18° 31' south latitude and 120° 00' east longitude; thence south to the intersection of 19° 00' south latitude and 120° 00' east longitude; thence in a west south westerly direction to the commencement point.

##### Item 6— Zone 2— Area 6

All the waters bounded by a line commencing from the intersection of 19° 46' south latitude and 116° 00' east longitude and extending north to the intersection of 19° 21.3' south latitude and 116° 00' east longitude; thence in a north easterly direction to the intersection of 19° 17' south latitude and 116° 05' east longitude; thence north easterly to intersection of 19° 11' south latitude and 116° 28' east longitude; thence east by northerly to the intersection of 19° 09' south latitude and 116° 50' east longitude; thence north east by east to the intersection of 19° 00' south latitude and 117° 14' east longitude; thence generally north easterly to the intersection of 18° 01' south latitude and 119° 00' east longitude; thence continuing north easterly to the intersection of 17° 55' south latitude and 119° 11' east longitude; thence continuing east north east to the intersection of 17° 41.712' south latitude and 120° 00' east longitude; thence south to the intersection of 18° 31' south latitude and 120° 00' east longitude; thence in a west by southerly direction to the intersection of 18° 43.8' south latitude and 118° 58.4' east longitude; thence in a west south westerly direction to the intersection of 18° 50' south latitude and 118° 40' east longitude; thence continuing in a west south westerly to the intersection of 19° 02.5' south latitude and 118° 02' east longitude; thence continuing south westerly to the intersection of 19° 12' south latitude and 117° 40' east longitude; thence south westerly to the intersection of 19° 16.6' south

latitude and 117° 29.5' east longitude; thence continuing west by southerly to the intersection of 19° 26.5' south latitude and 116° 40' east longitude; thence south westerly to the intersection of 19° 26.8' south latitude and 116° 38' east longitude; thence continuing south westerly to the intersection of 19° 35' south latitude and 116° 19.5' east longitude; thence south westerly to the commencement point.

#### **Schedule 4** **Corridor areas**

##### **East— West Passage Corridor— Area 2**

All the waters bounded by a line commencing from the intersection of 19° 48' south latitude and 116° 40' east longitude and extending north to the intersection of 19° 45' south latitude and 116° 40' east longitude; thence in a north easterly direction to the intersection of 19° 24.78' south latitude and 117° 40' east longitude; thence south to the intersection of 19° 27.78' south latitude and 117° 40' east longitude; thence in a south westerly direction to the commencement point.

##### **East— West Passage Corridor Area 4**

All the waters bounded by a line commencing from the intersection of 19° 27.78' south latitude and 117° 40' east longitude and extending north to the intersection of 19° 24.78' south latitude and 117° 40' east longitude; thence in a north easterly direction to the intersection of 19° 15.25' south latitude and 118° 00' east longitude; thence north east to intersection of 19° 02.5' south latitude and 118° 40' east longitude; thence south to the intersection of 19° 05.5' south latitude and 118° 40' east longitude; thence in a south westerly direction to the intersection of 19° 18.25' south latitude and 118° 00' east longitude; thence in a south westerly direction to the commencement point.

##### **North— South Passage Corridor Area 2**

All the waters bounded by a line commencing from the intersection of 20° 02.406' south latitude and 116° 58.5' east longitude and extending north to the intersection of 19° 22.804' south latitude and 116° 58.5' east longitude; thence in a north easterly direction to the intersection of 19° 22.206' south latitude and 117° 01.5' east longitude; thence south to the intersection of 20° 01.605' south latitude and 117° 01.5' east longitude; thence in a south westerly direction to the starting point.

##### **North— South Passage Corridor Area 3**

All the waters bounded by a line commencing from the intersection of 19° 51.76' south latitude and 117° 38.5' east longitude and extending north to the intersection of 19° 12.66' south latitude and 117° 38.5' east longitude; thence in a north easterly direction to the intersection of 19° 11.355' south latitude and 117° 41.5' east longitude; thence south to the intersection of 19° 50.954' south latitude and 117° 41.5' east longitude, thence in a south westerly direction to the commencement point.

##### **North— South Passage Corridor Area 5**

All the waters bounded by a line commencing from the intersection of 19° 09.227' south latitude and 119° 18.5' east longitude and extending north to the intersection of 18° 39.626' south latitude and 119° 18.5' east longitude; thence in a north easterly direction to the intersection of 18° 39.002' south latitude and 119° 21.5' east longitude; thence south to the intersection of 19° 08.56' south latitude and 119° 21.5' east longitude; thence in a south westerly direction to the commencement point.

#### **Schedule 5** **Prohibited fishing area**

All waters of the Fishery not included in Zone 1 or in Zone 2.

#### **Schedule 6** **Port areas**

- Item 1—The intersection of 20° 19.00' south latitude and 118° 34.54' east longitude (Port Hedland)
- Item 2—The intersection of 20° 38.28' south latitude and 117° 11.45' east longitude (Port Walcott)
- Item 3—The intersection of 20° 36.90' south latitude and 116° 44.84' east longitude (Port of Dampier)

#### **Schedule 7** **Boat unit formula**

“boat units” means the units of a boat calculated by the formula—

$$\frac{ML \times B \times D}{2.83} + IEP$$

where

ML means “measured length” as defined in the Code measured in accordance with Appendix A to Section 1 of the Code;

B means the breadth as defined in the Code;

D means depth as defined in the Code;

IEP is installed engine power in kilowatts of the boat's engine as certified by the supplier.

**Schedule 8**  
**Fees**

**Part 1.** Application Fees:

- (a) application for a permit—\$210
- (b) for renewal of a permit ..... \$55
- (c) for transfer of a permit ..... \$310
- (d) for variation of a permit ..... \$310

**Part 2.** Fees payable for the grant or renewal of a permit

per fish trawl unit authorising access to Areas 1, 2, 4 or 5.....\$3.50

Dated this 18th day of December 1997.

MONTY HOUSE, Minister for Fisheries.

## HEALTH

**HE301**

**POISONS ACT 1964**

POISONS (AUTHORIZED POSSESSION OF SUBSTANCES) AMENDMENT  
ORDER 1997

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorized Possession of Substances) Amendment Order 1997*.

**Principal order**

2. In this order the *Poisons (Authorized Possession of Substances) Order (No. 6) 1996\** is referred to as the principal order.

[\* *Published in Gazette 31 December 1996, pp. 7441-2*]

**Clause 3 amended**

3. Clause 3 of the principal order is amended by deleting the definitions of “**specified person**” and “**specified place**” and substituting the following definitions—

“ **specified person**” means Douglas John Taylor, police officer, of 210 Adelaide Terrace, Perth;

“**specified place**” means the premises occupied by the Western Australian Police Service’s Alcohol and Drug Co-ordination Unit, at 210 Adelaide Terrace, Perth; ”.

By Command of the Lieutenant-Governor and deputy of the Governor.

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

**HE302**

**POISONS ACT 1964**

POISONS (AUTHORIZATION TO POSSESS CANNABIS) AMENDMENT ORDER 1997

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorization to Possess Cannabis) Amendment Order 1997*.

**Principal order**

2. In this order the *Poisons (Authorization to Possess Cannabis) Order 1996\** is referred to as the principal order.

[\* *Published in Gazette 20 December 1996, pp. 7053-5*]

**Schedule 1 amended**

3. Schedule 1 to the principal order is amended by deleting Item 1 and substituting the following item—

“ **Item 1—Agriculture Western Australia personnel**

Douglas Lea Rowe  
 Manager  
 Agriculture Western Australia  
 Mount Barker Research Support Unit  
 Mount Barker

William Smart  
 Development Officer  
 Agriculture Western Australia  
 North Boyanup Road  
 Bunbury

By Command of the Lieutenant-Governor and deputy of the Governor.

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

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## LAND ADMINISTRATION

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LA201\*

**LAND ACT 1933**  
**ORDERS IN COUNCIL**  
**(REVOCATION OF VESTINGS)**

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

DOLA File: 13013-1901-02RO.

Order in Council gazetted on 5 September 1986 vesting Reserve No. 8042 in the Shire of Kalamunda for the designated purpose of “Community Purposes”.

Local Authority: Shire of Kalamunda.

DOLA File: 01159-1989-02RO.

Order in Council gazetted on 11 July 1995 vesting Reserve No. 19144 in the Shire of Carnarvon for the designated purpose of “Foreshore Management”.

Local Authority: Shire of Carnarvon.

DOLA File: 01810-1926-01RO.

Order in Council gazetted on 21 January 1972 vesting Reserve No. 19264 in the Shire of Denmark for the designated purpose of “Hall Site”.

Local Authority: Shire of Denmark.

DOLA File: 03165-1988-01RO.

Order in Council gazetted on 17 April 1936 vesting Reserve No. 21514 in the Armadale-Kelmscott Road Board for the designated purpose of “Hall Site and Recreation”.

Local Authority: City of Armadale.

DOLA File: 00646-1989-01RO.

Order in Council gazetted on 27 March 1981 vesting Reserve No. 22058 in the Western Australian Wildlife Authority for the designated purpose of “Conservation of Flora and Fauna”.

Local Authority: Town of Albany.

DOLA File: 00002-1947-01RO.

Order in Council gazetted on 24 September 1971 vesting Reserve No. 22640 in the Shire of Halls Creek for the designated purpose of “Recreation”.

Local Authority: Shire of Halls Creek.

DOLA File: 00795-1961-01RO.

Order in Council gazetted on 22 March 1994 vesting Reserve No. 26379 in The State Energy Commission of Western Australia for the designated purpose of “Power Station Site”.

Local Authority: Shire of Wyndham/East Kimberley.

DOLA File: 00555-1966-01RO.

Order in Council gazetted on 26 July 1996 vesting Reserve No. 29298 in the Water Corporation for the designated purpose of “Water Supply Depot Site”.

Local Authority: City of Geraldton.

DOLA File: 03412-1969-01RO.

Order in Council gazetted on 23 June 1996 vesting Reserve No. 30739 in the Water Corporation for the designated purpose of “Drainage and Recreation”.

Local Authority: City of Armadale.

DOLA File: 00459-1968-01RO.

Order in Council gazetted on 8 December 1989 vesting Reserve No. 31777 in the Shire of Mundaring for the designated purpose of "Recreation and Parkland".

Local Authority: Shire of Mundaring.

DOLA File: 04356-1974-01RO.

Order in Council gazetted on 12 March 1976 vesting Reserve No. 33928 in the Shire of Port Hedland for the designated purpose of "Recreation".

Local Authority: Town of Port Hedland.

DOLA File: 03436-1976-01RO.

Order in Council gazetted on 2 December 1983 vesting Reserve No. 34668 in the Shire of Wanneroo for the designated purpose of "Public Recreation".

Local Authority: City of Wanneroo.

DOLA File: 01091-1976-02RO.

Order in Council gazetted on 6 June 1997 vesting Reserve No. 38189 in the Minister for Education for the designated purpose of "Technical School Site".

Local Authority: City of Rockingham.

DOLA File: 02891-1983-01RO.

Order in Council gazetted on 14 December 1984 vesting Reserve No. 38949 in the the Shire of Port Hedland for the designated purpose of "Drainage".

Local Authority: Town of Port Hedland.

DOLA File: 01819-1984-05RO.

Order in Council gazetted on 20 September 1996 vesting Reserve No. 39361 in the Burswood Park Board for the designated purpose of "Parks and Recreation".

Local Authority: Town of Victoria Park.

DOLA File: 03408-1980-09RO.

Order in Council gazetted on 28 May 1996 vesting Reserve No. 40184 in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation and Conservation".

Local Authority: City of Cockburn.

DOLA File: 02395-1982-02RO.

Order in Council gazetted on 6 August 1996 vesting Reserve No. 42518 in the Water Corporation for the designated purpose of "Sewerage Main".

Local Authority: City of Rockingham.

M. C. WAUCHOPE, Clerk of the Council.

**LA202**

**LAND ACT 1933**  
ORDER IN COUNCIL  
(REVOCATION OF VESTING)

By the direction of His Excellency the Governor under Section 34B(1), portion of following Order in Council and associated Vesting Order is revoked.

DOLA File: 00705-1986-01RO

Portion of the Order in Council gazetted on 3 July 1981 vesting Reserve No. 36975 in the Shire of Harvey for the designated purpose of "Public Recreation".

Local Authority—the Shire of Harvey.

Clerk of the Council.

**LA203**

**LAND ACT 1933**  
ORDER IN COUNCIL  
(REVOCATION OF VESTING)

By the direction of His Excellency the Governor under Section 34B(1), the following Order in Council and associated Vesting Order is revoked.

DOLA File: 00885-1981-01RO

Portion of the Order in Council gazetted on 15 November 1996 vesting Reserve No. 38563 (Murray Location 1730) in the Water Corporation for the designated purpose of "Water Supply".

Local Authority—City of Mandurah.

Clerk of the Executive Council.

**LA204\*****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.

DOLA File: 13207-1901-01RO.

Reserve No 15042 (Esperance Locations 246 and 1356) vested in the West Australian Rifle Association (Inc) for the designated purpose of "Rifle Range".

Local Authority: Shire of Esperance.

DOLA File: 01821-1914-01RO.

Reserve No 15465 (Corrigin Lot 97) vested in the Shire of Corrigin for the designated purpose of "Recreation".

Local Authority: Shire of Corrigin.

DOLA File: 01159-1989-02RO.

Reserve No 19144 (Gascoyne Locations 143, 340 and 475) vested in the Shire of Carnarvon for the designated purpose of "Foreshore Management".

Local Authority: Shire of Carnarvon.

DOLA File: 01810-1926-01RO.

Reserve No 19264 (Hay Location 2381) vested in the Shire of Denmark for the designated purpose of "Hall Site and Recreation".

Local Authority: Shire of Denmark.

DOLA File: 02048-1933-01RO.

Reserve No 21184 (Yelbeni Lot 76) vested in the Shire of Trayning for the designated purpose of "Sanitary and Rubbish Depot".

Local Authority: Shire of Trayning.

DOLA File: 00646-1989-01RO.

Reserve No 22058 (Albany Suburban Lots 319, 323 to 330 inclusive and Albany Lots 867 and 868) vested in the Town of Albany for the designated purpose of "Recreation".

Local Authority: Town of Albany.

DOLA File: 01779-1945-01RO.

Reserve No 22786 (Williams Location 13871) vested in the Water Corporation for the designated purpose of "Water".

Local Authority: Shire of Kent.

DOLA File: 01205-1992-01RO.

Reserve No 22906 (Kondinin Lots 162, 163, 164, 168 to 186 inclusive, 320 and 324) vested in the Shire of Kondinin for the designated purpose of "Landscape Protection".

Local Authority: Shire of Kondinin.

DOLA File: 00555-1966-01RO.

Reserve No 29298 (Geraldton Lot 3050) vested in the Water Corporation for the designated purpose of "Water Supply Depot Site".

Local Authority: City of Geraldton.

DOLA File: 00574-1997-01RO.

Reserve No 30723 (Murray Location 1615) vested in the Water Corporation for the designated purpose of "Water Supply".

Local Authority: Shire of Waroona.

DOLA File: 03412-1969-01RO.

Reserve No 30739 (Canning Location 2334) vested in the Water Corporation for the designated purpose of "Drainage and Recreation".

Local Authority: City of Armadale.

DOLA File: 00459-1968-01RO.

Reserve No 31777 (Parkerville Lots 411, 413, 414, 421 and 422) vested in the Shire of Mundaring for the designated purpose of "Recreation and Parkland".

Local Authority: Shire of Mundaring.

DOLA File: 01064-1974-01RO.

Reserve No 33379 (Laverton Lot 184) vested in the Water Corporation for the designated purpose of "Water Supply Depot".

Local Authority: Shire of Laverton.

DOLA File: 03436-1976-01RO.

Reserve No 34668 (Swan Location 12746) vested in the City of Wanneroo for the designated purpose of "Public Recreation".

Local Authority: City of Wanneroo.

DOLA File: 00705-1986-01RO.

Reserve No 36975 (Wellington Location 5328 and Binningup Lot 11) vested in the Shire of Harvey for the designated purpose of "Public Recreation".

Local Authority: Shire of Harvey.

DOLA File: 00885-1981-01RO.

Reserve No 38563 (Murray Location 1730) vested in the Water and Rivers Commission for the designated purpose of "Water Supply".

Local Authority: City of Mandurah.

DOLA File: 02395-1982-02RO.

Reserve No 42518 (Cockburn Sound Locations 2733, 2734, Rockingham Lots 1530 to 1535 inclusive, 1538, 1539, 1598 and 1607) vested in the Water Corporation for the designated purpose of "Sewerage Main".

Local Authority: City of Rockingham.

DOLA File: 02795-1995-01RO.

Reserve No 44271 (Dunsborough Lot 316) vested in the Shire of Busselton for the designated purpose of "Recreation".

Local Authority: Shire of Busselton.

DOLA File: 01285-1997-01RO.

Reserve No 45098 (Kwinana Lot M1049) vested in the Town of Kwinana for the designated purpose of "Public Utility Services" subject to access being available to the service authorities at all times.

Local Authority: Town of Kwinana.

DOLA File: 01879-1997-01RO.

Reserve No 45108 (Cockburn Sound Location 4338) vested in the Shire of Murray for the designated purpose of "Drainage".

Local Authority: Shire of Murray.

DOLA File: 02328-1997-01RO.

Reserve No 45152 (Geraldton Lot 3051) vested in the Water and Rivers Commission for the designated purpose of "Depot Site".

Local Authority: City of Geraldton.

DOLA File: 02419-1997-01RO.

Reserve No 45154 (Bencubbin Lot 201) vested in the Shire of Mount Marshall for the designated purpose of "Caravan Park".

Local Authority: Shire of Mount Marshall.

DOLA File: 02326-1997-01RO.

Reserve No 45156 (Binningup Lot 10) vested in the Water Corporation for the designated purpose of "Sewage Pumping Station Site".

Local Authority: Shire of Harvey.

DOLA File: 01906-1996-01RO.

Reserve No 45164 (Sussex Location 5082) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

Local Authority: Shire of Busselton.

DOLA File: 01902-1996-01RO.

Reserve No 45165 (Sussex Location 5081) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

Local Authority: Shire of Busselton.

DOLA File: 01900-1996-01RO.

Reserve No 45167 (Sussex Locations 5079 and 5080) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

Local Authority: Shire of Busselton.

DOLA File: 02170-1996-01RO.

Reserve No 45168 (Dunsborough Lot 328) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

Local Authority: Shire of Busselton.

DOLA File: 00431-1997-01RO.

Reserve No 45169 (Sussex Location 5105) vested in the Shire of Busselton for the designated purpose of "Public Recreation and Foreshore Management".

Local Authority: Shire of Busselton.

DOLA File: 02846-1996-01RO.

Reserve No 45170 (Sussex Location 5103) vested in the Shire of Busselton for the designated purpose of "Public Recreation and Drainage".

Local Authority: Shire of Busselton.

DOLA File: 02849-1996-01RO.

Reserve No 45171 (Sussex Location 5104) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

Local Authority: Shire of Busselton.

DOLA File: 00965-1996-01RO.

Reserve No 45174 (Sussex Location 5071) vested in the Shire of Busselton for the designated purpose of "Public Recreation and Drainage".

Local Authority: Shire of Busselton.

DOLA File: 01672-1996-01RO.

Reserve No 45175 (Sussex Location 5078) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

Local Authority: Shire of Busselton.

DOLA File: 01777-1995-01RO.

Reserve No 45176 (Weld Location 64) vested in the Shire of Laverton for the designated purpose of "Gravel".

Local Authority: Shire of Laverton.

DOLA File: 02827-1995-01RO.

Reserve No 45177 (Weld Locations 60 and 61) vested in the Shire of Laverton for the designated purpose of "Heritage Trail".

Local Authority: Shire of Laverton.

DOLA File: 00964-1994-01RO.

Reserve No 45181 (Kununoppin Lot 225) vested in the Shire of Trayning for the designated purpose of "Park and Memorial".

Local Authority: Shire of Trayning.

M. C. WAUCHOPE, Clerk of the Council.

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**LA205\***

**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

DOLA File: 01091-1976-02RO.

Reserve No. 38189 (Cockburn Sound Location 4307) vested in the Minister for Training for the designated purpose of "Technical School Site" with power, to lease the whole or any portion thereof for any term.

Local Authority: City of Rockingham.

DOLA File: 00878-1995-01RO.

Reserve No. 45182 (Rockingham Lot 1604) vested in the Minister for Training for the designated purpose of "Rockingham Regional Campus" with power, to lease the whole or any portion thereof for any term.

Local Authority: City of Rockingham.

M. C. WAUCHOPE, Clerk of the Council.

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**LA206\***

**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.

DOLA File: 13013-1901-02RO.

Reserve No. 8042 (Kalamunda Lot 611) vested in the Shire of Kalamunda for the designated purpose of "Community Purposes" 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.

Local Authority: Shire of Kalamunda.

DOLA File: 03165-1988-01RO.

Reserve No. 21514 (Armadale Lot 31) vested in the City of Armadale for the designated purpose of "Hall Site, Recreation and Education" 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.

Local Authority: City of Armadale.

DOLA File: 00002-1947-01RO.

Reserve No. 22640 (Luman Locations 6 and 26) vested in the Shire of Halls Creek for the designated purpose of "Recreation" 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.

Local Authority: Shire of Halls Creek.

DOLA File: 04356-1974-01RO.

Reserve No. 33928 (Port Hedland Lot 5967) vested in the Town of Port Hedland for the designated purpose of "Recreation" 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.

Local Authority: Town of Port Hedland.

DOLA File: 03408-1980-09RO.

Reserve No. 40184 (Clarence Lots 149, 176, 177, 183, 184, 185 and 186) vested in the Recreation, Camps and Reserve Board for the designated purpose of "Recreation and Conservation" 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.

Local Authority: City of Cockburn.

M. C. WAUCHOPE, Clerk of the Council.

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**LA701\***

**LAND ACT 1933**  
**RESERVATION NOTICES**

Made by His Excellency the Governor under Section 29.

The Crown Land described below has been set apart as public reserves

DOLA File: 02795-1995-01RO.

Reserve No 44271 comprising Dunsborough Lot 316 with an area of 7786 square metres on Land Administration Diagram 92318 for the designated purpose of "Recreation"

Public Plan/s: BF30 (2) 10.01. Bird Crescent

Local Authority: Shire of Busselton.

DOLA File: 01285-1997-01RO.

Reserve No 45098 comprising Kwinana Lot M1049 with an area of 516 square metres for the designated purpose of "Public Utility Services" subject to access being available to the service authorities at all times

Public Plan/s: BG33 (2) 19.34. Cowcher Way East

Local Authority: Town of Kwinana.

DOLA File: 01879-1997-01RO.

Reserve No 45108 comprising Cockburn Sound Location 4338 (formerly Lot 47 on Plan 19966). with an area of 1.9645 hectares for the designated purpose of "Drainage"

Section 20A

Public Plan/s: BG33 (2) 19.03. Jennie Place

Local Authority: Shire of Murray.

DOLA File: 01446-1996-01RO.

Reserve No 45142 comprising Camballin Lot 88 (formerly Lot 41 on Land Administration Plan 9097) with an area of 1012 square metres for the designated purpose of "Use and Requirements of the Government Employees Housing Authority"

Public Plan/s: Camballin Town Site. Camballin Road

Local Authority: Shire of Derby/West Kimberley.

DOLA File: 02328-1997-01RO.

Reserve No 45152 comprising Geraldton Lot 3051 with an area of 1241 square metres on Land Administration Diagram 93339 for the designated purpose of "Depot Site"

Public Plan/s: BE43 (2) 16.15. between North West Coastal Highway and Pass Street

Local Authority: City of Geraldton.

DOLA File: 02611-1949-01RO.

Reserve No 45153 comprising Pingrup Lot 106 with an area of 14.0984 hectares on Land Administration Plan 18660 for the designated purpose of "Sanitary Site"

Public Plan/s: Pingrup TS and Kuringup (50).

Local Authority: Shire of Kent.

DOLA File: 02419-1997-01RO.

Reserve No 45154 comprising Bencubbin Lot 201 with an area of 1.2368 hectares on Land Administration Diagram 71339 for the designated purpose of "Caravan Park"

Public Plan/s: BK37 (2) 12.31. Powell Street

Local Authority: Shire of Mount Marshall.

DOLA File: 02326-1997-01RO.

Reserve No 45156 comprising Binningup Lot 10 with an area of 648 square metres on Land Administration Diagram 93219 for the designated purpose of "Sewage Pumping Station Site"

Section 20A

Public Plan/s: BG31 (2) 4.12 and 4.13. Allan Road

Local Authority: Shire of Harvey.

DOLA File: 02302-1995-01RO.

Reserve No 45160 comprising Cockburn Sound Location 4217 with an area of 1109 square metres on Land Administration Diagram 56633 for the designated purpose of "Drainage"

Public Plan/s: BG33 (10) 6.5. off Jarrahdale Road near Farina Road, Jarrahdale

Local Authority: Shire of Serpentine/Jarrahdale.

DOLA File: 01906-1996-01RO.

Reserve No 45164 comprising Sussex Location 5082 (formerly Lot 50 on Plan 21027) with an area of 769 square metres for the designated purpose of "Public Recreation"

Section 20A

Public Plan/s: BF29 (10) 2.7. Moriarty Place

Local Authority: Shire of Busselton.

DOLA File: 01902-1996-01RO.

Reserve No 45165 comprising Sussex Location 5081 (formerly Lot 16 on Plan 21024) with an area of 1622 square metres for the designated purpose of "Public Recreation"

Section 20A

Public Plan/s: BF29 (10) 2.7. Zamia Grove

Local Authority: Shire of Busselton.

DOLA File: 01900-1996-01RO.

Reserve No 45167 comprising Sussex Locations 5079 and 5080 (formerly lot 23 on Plan 20905 and Lot 24 on Plan 20906) with an area of 8190 square metres for the designated purpose of "Public Recreation"

Section 20A

Public Plan/s: BF29 (10) 2.7. Bayfield Court

Local Authority: Shire of Busselton.

DOLA File: 02170-1996-01RO.

Reserve No 45168 comprising Dunsborough Lot 328 (formerly Lot 27 on Diagram 91068) with an area of 686 square metres for the designated purpose of "Public Recreation"

Section 20A

Public Plan/s: BF29 (2) 10.40. Seymour Street

Local Authority: Shire of Busselton.

DOLA File: 00431-1997-01RO.

Reserve No 45169 comprising Sussex Location 5105 (formerly Lot 109 on Plan 20504) with an area of 6.0791 hectares for the designated purpose of "Public Recreation and Foreshore Management"

Section 20A

Public Plan/s: BF29 (2) 15.36 and 16.36. Caves Road

Local Authority: Shire of Busselton.

DOLA File: 02846-1996-01RO.

Reserve No 45170 comprising Sussex Location 5103 (formerly Lot 311 on Plan 21447) with an area of 7558 square metres for the designated purpose of "Public Recreation and Drainage"

Section 20A

Public Plan/s: BF29 (2) 24.34. Cloisters Cove

Local Authority: Shire of Busselton.

DOLA File: 02849-1996-01RO.

Reserve No 45171 comprising Sussex Location 5104 (formerly Lot 195 on Plan 21438) with an area of 1.9264 hectares for the designated purpose of "Public Recreation"

Section 20A

Public Plan/s: BF29 (2) 23.34 and 24.34. College Avenue

Local Authority: Shire of Busselton.

DOLA File: 00965-1996-01RO.

Reserve No 45174 comprising Sussex Location 5071 (formerly Lot 159 on Plan 20857) with an area of 144 square metres for the designated purpose of "Public Recreation and Drainage"

Section 20A

Public Plan/s: BF29 (2) 25.34. Cook Street and Gale Road

Local Authority: Shire of Busselton.

DOLA File: 01672-1996-01RO.

Reserve No 45175 comprising Sussex Location 5078 (formerly Lot 49 on Plan 21027) with an area of 4268 square metres for the designated purpose of "Public Recreation"

Section 20A

Public Plan/s: BF29 (10) 2.7. Annie Lysle Place

Local Authority: Shire of Busselton.

DOLA File: 01777-1995-01RO.

Reserve No 45176 comprising Weld Location 64 with an area of 80.0000 hectares on Land Administration Reserve Diagram No. 1458 for the designated purpose of "Gravel"

Public Plan/s: Laverton (250).

Local Authority: Shire of Laverton.

DOLA File: 02827-1995-01RO.

Reserve No 45177 comprising Weld Locations 60 and 61 with an area of 30.2476 hectares on Land Administration Plan 19161 for the designated purpose of "Heritage Trail"

Public Plan/s: Laverton (250). Windarra Mine Road

Local Authority: Shire of Laverton.

DOLA File: 00964-1994-01RO.

Reserve No 45181 comprising Kununoppin Lot 225 with an area of 1.6291 hectares on Land Administration Reserve Diagram 1393 for the designated purpose of "Park and Memorial"

Public Plan/s: Kununoppin TS. Wilson Street

Local Authority: Shire of Trayning.

DOLA File: 00878-1995-01RO.

Reserve No 45182 comprising Rockingham Lot 1604 with an area of 3.0823 hectares on Land Administration Diagram 92812 for the designated purpose of "Rockingham Regional Campus"

Public Plan/s: BG33 (2) 07.28. Dixon Road and Dowling Street

Local Authority: City of Rockingham.

A. A. SKINNER, Chief Executive.

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## LA801\*

### LAND ACT 1933 AMENDMENT OF RESERVES

Made by His Excellency the Governor under Section 37.

The following reserves have been amended

DOLA File: 13013-1901-02RO.

Reserve No: 8042 (at Kalamunda) "Community Purposes" to comprise Lot 611 as surveyed and shown bordered red on Land Administration Diagram 93255 in lieu of Lot 602 and of its area being reduced to 4087 square metres accordingly

Public Plan/s: BG34 (2) 25.22 Central Road

Local Authority: Shire of Kalamunda.

DOLA File: 01821-1914-01RO.

Reserve No: 15465 (at Corrigin) "Educational Endowment" to comprise Lot 97 as shown delineated and bordered red on Land Administration Reserve Diagram 1466 and of its area being reduced (recalculated) to 1.6900 hectares accordingly.

Public Plan/s: BK33 (2) 12.23 and 12.24 Goyder Street

Local Authority: Shire of Corrigin.

DOLA File: 01159-1989-02RO.

Reserve No: 19144 (Gascoyne District) "Foreshore Management" to comprise Locations 143 and 340 on Land Administration Reserve Plan No. 321, and Location 475 as surveyed and shown bordered red on Land Administration Plan 19611 in lieu of Location 466, and of its area being reduced to 112.3397 hectares accordingly.

Public Plan/s: AN54 (10) 2.2, 3.2, 3.3 and 4.3 McGlades Road

Local Authority: Shire of Carnarvon.

DOLA File: 01810-1926-01RO.

Reserve No: 19264 (Hay District) "Hall Site" to comprise Location 2381 as surveyed and shown bordered red on Land Administration Diagram 93313 in lieu of Location 554 and of its area being increased to 2.1256 hectares accordingly.

Public Plan/s: Mt Frankland SE (25) Valley of the Giants Road

Local Authority: Shire of Denmark.

DOLA File: 02048-1933-01RO.

Reserve No: 21184 (at Yelbeni) "Sanitary and Rubbish Depot" to comprise Lot 76 as delineated and shown bordered red on Land Administration Reserve Diagram 1449 and of its area remaining unaltered.

Public Plan/s: Yelbeni Townsite near Golf Links Road

Local Authority: Shire of Trayning.

DOLA File: 03165-1988-01RO.

Reserve No: 21514 (Canning District) "Hall Site and Recreation" to comprise Armadale Lot 31 (formerly Canning Location 895) and of its area being established at 7927 square metres accordingly.

Public Plan/s: BG34 (2) 23.03 Jull Street and Prospect Road

Local Authority: City of Armadale.

DOLA File: 01205-1992-01RO.

Reserve No: 22906 (at Kondinin) "Conservation of Flora and Fauna" to comprise Lots 162, 163, 164, 168 to 186 inclusive, 320 and 324 as shown delineated and bordered red on Land Administration Reserve Diagram 1470 and of its area being increased to 39.9464 hectares accordingly.

Public Plan/s: Kondinin TS Karlgarin Road

Local Authority: Shire of Kondinin.

DOLA File: 00555-1966-01RO.

Reserve No: 29298 (at Geraldton) "Water Supply Depot Site" to comprise Lot 3050 as surveyed and shown bordered red on Land Administration Diagram 93339 in lieu of Lot 2365 and of its area being reduced to 3.1109 hectares accordingly.

Public Plan/s: BE43 (2) 16.15 between North West Coastal Highway and Pass Street

Local Authority: City of Geraldton.

DOLA File: 00459-1968-01RO.

Reserve No: 31777 (Parkerville Lot 411) "Recreation and Parkland" to include Lots 413, 414, 421 and 422 and of its area being increased to 1.7273 hectares accordingly

Public Plan/s: BG34 (2) 29.33 Brookside Lane

Local Authority: Shire of Mundaring.

DOLA File: 03236-1959-01RO.

Reserve No: 33246 (Carnarvon Lot) "School Site" to comprise Lot 1322 as surveyed and shown bordered red on Land Administration Diagram 93377 in lieu of Lot 913 and of its area being reduced to 2.6724 hectares accordingly.

Public Plan/s: AN54 (2) 08.05 and 08.06 Carnarvon Road and Egan Street

Local Authority: Shire of Carnarvon.

DOLA File: 03068-1975-01RO.

Reserve No: 33805 (Rockingham Lots 1514 and 1590) "Recreation" to exclude Lot 1514 and of its area being reduced to 7.7302 hectares accordingly.

Public Plan/s: BG33 (2) 07.28 Dowling Street and Dixon Road

Local Authority: City of Rockingham.

DOLA File: 04356-1974-01RO.

Reserve No: 33928 (At Port Hedland) "Recreation" to comprise Port Hedland Lot 5967 on Land Administration Diagram 93207 in lieu of Lots 2464 and 2466 and of its area being increased to 1.0767 hectares accordingly.

Public Plan/s: BL66 (2) 25.23 and 25.24 Lawson Street

Local Authority: Town of Port Hedland.

DOLA File: 03436-1976-01RO.

Reserve No: 34668 (Swan District) "Public Recreation" to comprise Location 12764 as surveyed and shown bordered red on Land Administration Plan 19582 in lieu of Location 10439 and of its area being reduced to 1.0416 hectares accordingly.

Public Plan/s: BG35 (2) 10.03 Wanneroo Road, Buckingham Drive and Uppill Place

Local Authority: City of Wanneroo.

DOLA File: 00705-1986-01RO.

Reserve No: 36975 (Wellington Location 5328) "Public Recreation" to include Binningup Lot 11 on Land Administration Diagram 93219 and of its area being increased to 5.4904 hectares accordingly.

Public Plan/s: BG31 (2) 4.12 and 4.13 Allan Road

Local Authority: Shire of Harvey.

DOLA File: 01819-1984-05RO.

Reserve No: 39361 (Swan Locations 10749 and 12057) "Parks and Recreation" to include Location 11877 on Land Administration Diagram 91378 and of its area being increased to 109.6292 hectares accordingly

Public Plan/s: BG34 (2) 15.24 and 15.25 Goodwood Parade

Local Authority: Town of Victoria Park.

DOLA File: 03408-1980-09RO.

Reserve No: 40184 (at Clarence)"Recreation and Conservation" to comprise Lot 149 as surveyed and shown bordered red on Land Administration Plan 16278 and Lots 176, 177, 183, 184, 185 and 186 as surveyed and shown bordered red on Land Administration Plans 19648 and 19649 in lieu of Lots 146, 148 and 153 and of its area being reduced to 148.3585 hectares accordingly.

Public Plan/s: BG34 (2) 06.04, 07.04, 07.05, 07.06, 08.04, 08.05 and 08.06 Cockburn Road (Clarence)

Local Authority: City of Cockburn.

DOLA File: 02609-1992-01RO.

Reserve No: 42469 (at Clarence) "Conservation of Flora and Fauna" to comprise Lots 178, 179, 180, 181 and 182 as surveyed and shown bordered pink on Land Administration Plans 19648 and 19649 in lieu of Lot 156 and its area being increased to 56.8647 hectares accordingly.

Public Plan/s: BG34 (2) 06.04, 07.04, 07.05, 07.06, 08.04, 08.05 and 08.06 Cockburn Road (Clarence)

Local Authority: City of Cockburn.

DOLA File: 02395-1982-02RO.

Reserve No: 42518 (Cockburn Sound Locations 2733, 2734, Rockingham Lots 1530 to 1535 inclusive, 1538, 1539 and 1598) "Sewerage Main" to include Lot 1607 as surveyed and shown bordered pink on Land Administration Plan 19576 and of its area being increased to 9.8854 hectares accordingly.

Public Plan/s: BG33 (2) 05.28 Rosewood and Fisher Streets

Local Authority: City of Rockingham.

A. A. SKINNER, Chief Executive.

#### LA802

Commonwealth of Australia  
Territory of Cocos (Keeling) Islands  
**LAND ACT 1933 (WA) (CKI)**  
AMENDMENT OF RESERVE

Made by The Honourable Minister for Lands under Section 37.

The following reserve has been amended.

DOLA File 02352-1995-01RO

Reserve No. 44516 (Cocos Location 167) "Recreation and Foreshore Management" to exclude that portion containing 899 square metres now comprised in Location 324 as surveyed and shown bordered green on Land Administration Diagram 93139 and of its area being reduced to 3.4881 hectares accordingly.

Public Plan: YE89 (2) 13.12

Beacon Heights Road

Local Authority—Shire of Cocos (Keeling) Island.

A. A. SKINNER, Chief Executive.

#### LA901\*

**LAND ACT 1933**  
CHANGE OF PURPOSE OF RESERVES

Made by His Excellency the Governor under Section 37.

The purposes of the following reserves have been changed

DOLA File: 01821-1914-01RO.

Reserve No. 15465 (Corrigin Lot 97) being changed from "Educational Endowment" to "Recreation".

Public Plan/s: BK33 (2) 12.23 and 12.24 Goyder Street

Local Authority: Shire of Corrigin.

DOLA File: 01810-1926-01RO.

Reserve No. 19264 (Hay Location 2381) being changed from "Hall Site" to "Hall Site and Recreation".

Public Plan/s: Mt Frankland SE (25) Valley of the Giants Road

Local Authority: Shire of Denmark.

DOLA File: 03165-1988-01RO.

Reserve No. 21514 (Armadale Lot 31) being changed from "Hall Site and Recreation" to "Hall Site, Recreation and Education".

Public Plan/s: BG34 (2) 23.03 Jull Street and Prospect Road

Local Authority: City of Armadale.

DOLA File: 00646-1989-01RO.

Reserve No. 22058 (Albany Suburban Lots 319, 323 to 330 inclusive and Albany Lots 867 and 868) being changed from "Conservation of Flora and Fauna" to "Recreation".

Public Plan/s: BK26 (2) 13.06 Troode Street

Local Authority: Town of Albany.

DOLA File: 01205-1992-01RO.

Reserve No. 22906 (Kondinin Lots 162, 163, 164, 168 to 186 inclusive, 320 and 324) being changed from "Conservation of Flora and Fauna" to "Landscape Protection".

Public Plan/s: Kondinin TS Karlgarin Road

Local Authority: Shire of Kondinin.

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: 00820-1895-02RO.

Reserve No: 2941 (Perth Town Lot N152) "House of Mercy".

Public Plan/s: BG34 (2) 13.26 William and Glendowner Streets

Local Authority: City of Perth.

DOLA File: 02568-1896-02RO.

Reserve No: 3375 (at Kanowna) "Extension of Townsite".

Public Plan/s: Kanowna Townsite (not charted)

Local Authority: City of Kalgoorlie-Boulder.

DOLA File: 06597-1896-02RO.

Reserve No: 3638 (Bulong Town Lots 123 and 124) "Warden's Court and Quarters".

Public Plan/s: Bulong Townsite Colin and Wittenoom Streets

Local Authority: City of Kalgoorlie-Boulder.

DOLA File: 08455-1896-02RO.

Reserve No: 3725 (Cue Town Lots 99 and 100) "Railway".

Public Plan/s: BK47 (2) 16.06 and 16.07 Darlot and Wittenoom Streets

Local Authority: Shire of Cue.

DOLA File: 06555-1896-02RO.

Reserve No: 4786 (at Murrin Murrin) "Townsite (Murrin Murrin)".

Public Plan/s: Murrin Murrin Townsite (not charted)

Local Authority: Shire of Leonora.

DOLA File: 01076-1897-09RO.

Reserve No: 4794 (Wellington District) "Extension of Townsite (Collie)".

Public Plan/s: Collie Townsite (not charted)

Local Authority: Shire of Collie.

DOLA File: 01204-1992-01RO.

Reserve No: 22907 (at Kondinin) "Conservation of Native Flora".

Public Plan/s: Kondinin TS Karlgarin Road

Local Authority: Shire of Kondinin.

DOLA File: 02015-1927-01RO.

Reserve No: 24440 (Hay Location 1289) "Anglican Church Site".

Public Plan/s: Mt Frankland SE (25) Valley of the Giants Road

Local Authority: Shire of Denmark.

DOLA File: 00795-1961-01RO.

Reserve No: 26379 (Wyndham Lot 1761) "Power Station Site".

Public Plan/s: DG80 (2) 21.08 Ord and Kimberley Streets

Local Authority: Shire of Wyndham/East Kimberley.

DOLA File: 02891-1983-01RO.

Reserve No: 38949 (Port Hedland Lot 5554) "Drainage".

Public Plan/s: BL66 (2) 25.22 and 25.23 Cassia Place

Local Authority: Town of Port Hedland.

DOLA File: 03168-1988-01RO.

Reserve No: 40795 (Swan Locations 12537 and 12538) "Use and Requirements of the Minister for Works".

Public Plan/s: BG35 (2) 22.06, 22.07, 23.06 and 23.07 Lexia Avenue and Railway Parade

Local Authority: Shire of Swan.

DOLA File: 01942-1994-02RO.

Reserve No: 44249 (Swan Location 11877) "Tennis Centre".

Public Plan/s: BG34 (2) 15.25 Goodwood Parade

Local Authority: Town of Victoria Park.

DOLA File: 02009-1996-01RO.

Reserve No: 44464 (Swan Location 12610) "Use and Requirements of the Minister for Works".

Public Plan/s: BG34 (2) 12.25 Roberts Road and Hamilton Street

Local Authority: City of Subiaco.

DOLA File: 02471-1996-01RO.

Reserve No: 44969 (Bunbury Lot 853) "Use and Requirements of the Western Australian Land Authority".

Public Plan/s: BG30 (2) 1.33 Ocean Drive

Local Authority: City of Bunbury.

DOLA File: 01540-1991-01RO.

Reserve No: 44983 (Darkan Lots 283, 290 and 291) "Use and Requirements of the Shire of West Arthur".

Public Plan/s: Darkan Town Site Nangip Road

Local Authority: Shire of West Arthur.

DOLA File: 02828-1991-01RO.

Reserve No: 45036 (Mosman Park Lot 658) "Use and Requirements of the Town of Mosman Park".

Public Plan/s: BG34 (2) 07.18 The Rope Walk

Local Authority: Town of Mosman Park.

DOLA File: 01777-1997-01RO.

Reserve No: 45042 (Swan Location 12736) "Use and Requirements of the Minister for Works".

Public Plan/s: BG34 (2) 15.31 Valentine Avenue

Local Authority: City of Stirling.

DOLA File: 01771-1997-01RO.

Reserve No: 45077 (Plantagenet Location 7860) "Use and Requirements of the Water and Rivers Commission".

Public Plan/s: BK26 (2) 10.07 Corner Chester Pass Road and Bevan Street

Local Authority: Town of Albany.

A. A. SKINNER, Chief Executive.

### LB301\*

### LAND ACQUISITION AND PUBLIC WORKS ACT, 1902

#### SALE OF LAND

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

#### LAND

File No 2798/996

Portion of Reserve 35825 shown bordered green on Land Administration Diagram 93373.

File No 2209/997

Portion of Nannup Lot 128 being Lot 4 on Diagram 73215 and being the whole of the land comprised in Certificate of Title Volume 1802 Folio 825.

File No 2243/997

Portion of Hannans Suburban Area Lot 165 being Lot 9 on Diagram 69307 and being the whole of the land comprised in Certificate of Title Volume 1717 Folio 509.

File No 1305/893

That portion of Northam Lot 350 on Land Administration Diagram 72852 which was not previously comprised in Certificate of Title Volume 343 Folio 155.

File No 4973/947

Derby Lots 293 and 294 comprising the remainder of Reserve 44970.

#### LAND

Notice is hereby given that the Governor has approved under Section 29B(1)(a)(i) of the Land Acquisition and Public Works Act 1902 of the sale by public auction or private contract of the land hereinafter described, which was compulsorily taken or resumed under that Act for a public work, nominated and has been used for that public work for a period of ten years or more and being no longer required for that work.

File No 1305/893

Public Work—Northam Hospital Extension

The land previously comprised in Certificate of Title Volume 343 Folio 155 being portion of Northam Town Lot 139 being Lot 5 as shown on Diagram 1247.

File No 4973/947

Public Work—Derby Hospital Site.

Derby Lot 295 comprising part of Reserve 44970.

Dated this 16th day of December 1997.

A. A. SKINNER, Chief Executive.

**LB701\***

Schedule No. A60/1997

Exco No. 1405

DOLA 3054/1995

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

**NOTICE OF RESUMPTION OF LAND**

For the purposes of granting estates, interests or rights under written law as authorised by the Governor under Section 33C of the *Land Acquisition and Public Works Act 1092* described in the Schedule ("Use/Purpose"), the land described in the Schedule ("Description of land affected") 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*, 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
Derby/West Kimberley (Shire)	1. Portion Fitzroy Location 274—Pastoral Lease 3114/1271 (Crown Lease 402/1994) Blina Station (333.7234 hectares). 2. Portion Fitzroy Location 243—Pastoral Lease 3114/975 (Crown Lease 227/1974) Liveringa Station (2000.9715 hectares).	1. Crown—MACLACHLAN Callum Hugh as lessee. 2. Crown—AIL Holdings Pty Ltd as lessee.	Grant of a lease in perpetuity to the Jimbalakudunj Aboriginal Corporation.	Plan 18350	905514 580/1991
Derby/West Kimberley (Shire)	1. Vacant Crown land (about 94.5 hectares) 2. Portion Reserve 12475 "Stock Route" (about 175 hectares) 3. Fitzroy Location 161—Reserve 38787 "Use and Benefit of Aboriginal Inhabitants (1.0117 hectares) 4. Fitzroy Locations 21 and 24 Reserve 35071 "Community Purposes" (1.0082 hectares) 5. Fitzroy Location 62 subject of Special Lease 3116/0613 "Residence" (Crown Lease 1989/1650) (3399 square metres) 6. Fitzroy Locations 46, 48 & 215 being vacant Crown land (6888 square metres) 7. Fitzroy Location 27—Reserve 23613 "Aboriginal Mission" (4047 square metres) 8. Fitzroy Location 29—Reserve 24821 "Tennis Courts" (2087 square metres) 9. Fitzroy Location 38—Reserve 31903 "Church & Presbytery site Roman Catholic (4553 square metres)	1. Crown 2. Crown—Aboriginal Lands Trust as vestee 3. Crown—Shire of Derby/West Kimberley as vestee 4. Crown—ROSS Casey as lessee	Use and Benefit of Aboriginal Inhabitants—Reservation with vesting in the Darlingunaya Aboriginal Corporation (with power to lease).	Reserve Plan 406	930010 535/1991

SCHEDULE—*continued*

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Port Hedland (Town)	Portion of Forrest Location 208 Pastoral Lease 3114/1197 (Crown Lease 281/1984)—Indee Pastoral Station (123,2449 hectares).	Crown Colin Briery as lessee.	Grant of a special lease for the purpose of an ostrich farm.	Diagram 93153	940345 1820/994
Shark Bay (Shire)	Denham Lot 296 being vacant Crown land (6.1017 hectares).	Crown	1. Tourist development site. 2. Sale of lot.	Plan 19635	955954 1194/986
Shark Bay (Shire)	1. Portion Denham Townsite being vacant Crown land (3.8250 hectares). 2. Denham Lot 307—Reserve 41791 "Depot Site" (1.0018 hectares).	1. Crown 2. Crown Shire of Shark Bay as vestee	Subdivisional development including the provision of services (such as power, roads, water) and land for light industrial purposes.	Plan 19625	960764 1373/985

Dated 16 December 1997.

DOUG SHAVE MLA, Minister for Lands.

Dated 16 December 1997.

MICHAEL JEFFREY, Governor in Executive Council.

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**LOCAL GOVERNMENT**


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**LG401****HEALTH ACT 1996***Town of Albany*

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the Town of Albany resolved to make on the 16th December 1997 to include the following Tip Fee in the Tip Fee Schedule for the 1997/98 financial year.

Type of Refuse	Fee per cubic metre
Commercial Organic Waste (non offensive)	\$5.00

MURRAY JORGENSEN, Chief Executive Officer.

**LG402****TOWN PLANNING AND DEVELOPMENT ACT 1928****RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME**

Lands Wholly Within the District of the Shire of Derby/West Kimberley

**TOWN PLANNING SCHEME No. 5—DERBY TOWNSITE**

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928, prepare the above Town Planning Scheme with reference to an area situated wholly within the Shire of Derby/West Kimberley and enclosed within the inner edge of the black border on plans now produced to the Council and marked and certified by the Chief Executive Officer under his hand dated the 30th day of July, 1997 as "Scheme Area Map 1" and "Scheme Area Map 2".

Dated this 30th day of July, 1997.

P. D. ANDREW, Chief Executive Officer.

**LG403****TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME**

Lands Wholly Within the District of the Shire of Derby/West Kimberley  
**TOWN PLANNING SCHEME No. 7—BIRDWOOD RISE SPECIAL RURAL ZONE AND RURAL ZONE**

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928, prepare the above Town Planning Scheme with reference to an area situated wholly within the Shire of Derby/West Kimberley and enclosed within the inner edge of the black border on plans now produced to the Council and marked and certified by the Chief Executive Officer under his hand dated the 28th day of May, 1997 as "Scheme Area Map 1" and "Scheme Area Map 2".

Dated this 28th day of May, 1997.

P. D. ANDREW, Chief Executive Officer.

**LG404****BUSHFIRES ACT 1954**

*City of Geraldton*

**FIRE CONTROL OFFICERS**

The following appointments are hereby notified for public information—

Chief Fire Control Officer—Stephen Murray Edwards

Deputy Fire Control Officer—John Anthony Scotland

The previous appointment of Anthony Walter Green is hereby cancelled.

G. K. SIMPSON, Chief Executive Officer.

**LG405****LOCAL GOVERNMENT ACT 1995**

*Shire of Mount Magnet*

**ACTING CHIEF EXECUTIVE OFFICER**

It is hereby notified for public information that David H. Tindale has been appointed Acting Chief Executive Officer of the Shire of Mount Magnet from Monday 19th January, 1998 until Friday 13th February, 1998 during the Chief Executive Officer, Mr P. L. Hayes' period of Annual Leave.

G. A. O'BRIEN, Shire President.

**LG406****SHIRE OF MOUNT MAGNET**

Authorised Officer

It is hereby notified for public information that Mr David H. Tindale has been appointed Acting Chief Bush Fire Control Officer/Airport Manager for the period from Monday 19th January, 1998 to Friday 13th February, 1998.

G. A. O'BRIEN, Shire President.

**LG407****SHIRE OF SANDSTONE**

Ranger

It is hereby notified for public information that Paul Murray Ranford has been appointed as an authorised officer to enforce the following Acts—

- Dog Act 1979
- Litter Act 1979

- Caravan Parks and Camping Ground Act 1995
- Local Government Act 1995
- Local Government Miscellaneous Provisions Act 1960

Effective from 13th December, 1997.

M. N. DAVIES, Chief Executive Officer.

**LG408**

**DOG ACT 1976**

*Shire of Jerramungup*

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

Registration Officers—

Michelle Kerry Moir  
Nicole Lee Baldwin  
Maree Janine Smith

Authorised Persons—

Murray Nelson Brown  
Garryowen James Moulds  
Richard Alec Davis  
David Ian White  
James Walton Garnett  
Marc Anthony Pitts

All previous appointments are hereby cancelled.

Dated this 19th day of December 1997.

M. N. BROWN, Chief Executive Officer.

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## **PLANNING**

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**PD401\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*CITY OF GOSNELLS*

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 495

Ref: 853/2/25/1, Pt 495.

Notice is hereby given that the local government of the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 116 (No 2) Erith Street, Kenwick from Residential "A" (R17.5) to Residential "B" (R30).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells 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 February 3, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before February 3, 1998.

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

S. HOLTBY, Chief Executive Officer.

**PD402\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF HARVEY*

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 26

Ref: 853/6/12/18, Pt 26.

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

- 1 Rezoning Portion of Lot 27 Coalfields Road, Roelands from "General Farming" to "Restricted Use—Service Station / Rural Service Centre" on the Scheme Map.

2 Introducing Portion of Lot 27 Coalfields Road, Roelands to Schedule No. 8 of the Scheme together with the land use and development controls.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Uduc Road, Harvey 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 February 3, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before February 3, 1998.

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.

K. LEECE, Chief Executive Officer.

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**PD403\***

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

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 75

Ref: 853/6/14/20, Pt 75.

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

- 1 Rezoning Nelson Location 1759 Quockie Road, Manjimup from "Rural" to "Special Development Zone".
- 2 Incorporating Nelson Location 1759 Quockie Road, Manjimup in Appendix 4 "Special Development Zone" and including appropriate provisions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 36 Rose Street, Manjimup 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 February 3, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before February 3, 1998.

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. FITZGERALD, Chief Executive Officer.

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**PD404\***

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

TOWN PLANNING SCHEME No. 4—AMENDMENT No. 124

Ref: 853/6/16/7, Pt 124.

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

- 1 Rezoning Lot 200 Phillips Way and Lot 207 River Glen Drive, North Yunderup from "Rural" to "Special Residential", "Residential R40", "Residential R12.5" and "Public Recreation/Conservation Reserve".
- 2 Adding a portion Lot 200 Phillips Way and Lot 207 River Glen Drive, North Yunderup to Schedule 10 of the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra 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 February 3, 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before February 3, 1998.

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.

N. G. LEACH, Chief Executive Officer.

PD405\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**  
**SHIRE OF ROEBOURNE**  
**TOWN PLANNING SCHEME No. 6—AMENDMENT No. 52**

Ref: 853/8/5/4, Pt 52.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Roebourne Town Planning Scheme Amendment on December 15, 1997 for the purpose of:

1. Modifying the permissibility of Use Class 12 "Caretaker's Dwelling" within Table 3 Zoning Table as follows:

- Industrial Accommodation from "I" to "IP"

2. Amending the Scheme Text by inserting a new such Clause 3.3.5:

**3.3.5 CARETAKER'S DWELLINGS**

When considering a caretaker's dwelling on an "Industrial Accommodation" zoned lot, the dwelling and industrial development shall comply with the following provisions:

- a) The need for a caretaker's dwelling on-site must be demonstrated.
- b) A predominant use approved by Council is required to be established on-site prior to the construction of the caretaker's dwelling on-site. Where an industrial use does not exist on-site, a bank guarantee and/or bond is required to be lodged with Council prior to the issuance of a Building Licence for the caretaker's dwelling to ensure that the industrial building is completed prior to, or in conjunction with, the development of the caretaker's dwelling;
- c) If the predominant use approved by Council on the property ceases or the dwelling is unoccupied, the caretaker's dwelling use must be removed from the site within three (3) months from the date of ceasement or non- occupancy;
- d) Based on the nature of a caretaker's dwelling, the total floor area measurement from the external face of walls (including verandahs) shall not be greater than one hundred square metres;
- e) The caretaker's dwelling shall be screened and/or fenced from the road frontage and where possible, situated at the rear of the industrial building on-site. Dwellings on sites with two road frontages may only be orientated to one street frontage;
- f) Caravans are not acceptable as permanent caretaker's dwellings;
- g) Only one caretaker's dwelling is permitted on a freehold lot. This includes the provision of only one caretaker's dwelling on a freehold lot in association with existing and/or proposed strata lots.

N. H. TURNER, President.  
T. S. RULAND, Chief Executive Officer.

## PREMIER AND CABINET

PR401

**APPOINTMENT OF DEPUTY OF THE GOVERNOR**

It is hereby notified for public information that His Excellency the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable David Kingsley Malcolm AC, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the following period (both dates inclusive)—

26 December 1997 to 19 January 1998

M. C. WAUCHOPE, Director General.

## STATE REVENUE

SX301

**TAXATION (RECIPROCAL POWERS) ACT 1989**

**TAXATION (RECIPROCAL POWERS) AMENDMENT ORDER 1997**

Made by the Governor in Executive Council under section 3.

**Citation**

1. This order may be cited as the *Taxation (Reciprocal Powers) Amendment Order 1997*.

**Principal order**

2. In this order the *Taxation (Reciprocal Powers) Order 1990\** is referred to as the principal order.

[\* *Published in Gazette 5 October 1990, p. 5161-63.*  
*For amendments to 1 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 264.*]

**Schedule 1 amended**

3. (1) Schedule 1 to the principal order is amended in item 1 by inserting in column 3, in the appropriate alphabetical position, the following —

“ *Debits Tax Assessment Act 1990* ”.

(2) Schedule 1 to the principal order is amended in item 6, in column 1, by deleting “The Chief Commissioner of Stamp Duties” and substituting the following —

“ Chief Commissioner of State Revenue ”.

(3) Schedule 1 to the principal order is amended in item 6 by inserting in column 3, in the appropriate alphabetical position, the following —

“ *Financial Institutions Duty Act 1983* ”.

(4) Schedule 1 to the principal order is amended in items 7 and 8, in column 1, by deleting in each item “The Chief Commissioner of Land Tax” and substituting in each item the following —

“ Chief Commissioner of State Revenue ”.

(5) Schedule 1 to the principal order is amended in item 9, in column 1, by deleting “The Chief Commissioner of Pay-roll Tax” and substituting the following —

“ Chief Commissioner of State Revenue ”.

(6) Schedule 1 to the principal order is amended in item 10, in column 1, by deleting “The”.

(7) Schedule 1 to the principal order is amended in item 10A, in column 1, by deleting “The Chief Commissioner of Stamp Duties” and substituting the following —

“ Chief Commissioner of State Revenue ”.

(8) Schedule 1 to the principal order is amended by inserting after item 10A the following item —

“

10B. Chief Commissioner of State Revenue	<i>Taxation Administration Act 1996</i>	<i>Debits Tax Assessment Act 1990</i>
		<i>Land Tax Assessment Act 1976</i>
		<i>Pay-roll Tax Assessment Act 1971</i>

”.

(9) Schedule 1 to the principal order is amended in items 11, 12 and 13, in column 2, by deleting “1978” in each place where it occurs.

(10) Schedule 1 to the principal order is amended in item 14, in column 2, by deleting “1981”.

(11) Schedule 1 to the principal order is amended in item 15, in column 2, by deleting “1989”.

(12) Schedule 1 to the principal order is amended in item 15A, in column 2, by deleting "1990".

(13) Schedule 1 to the principal order is amended in items 20, 22, 23, 24 and 24A, in column 1, by deleting "The Commissioner of Stamps" in each place it occurs and in each case substituting the following —

" The Commissioner of State Taxation ".

(14) Schedule 1 to the principal order is amended in item 21, in column 1, by deleting "The Commissioner of Land Tax" and substituting the following —

" The Commissioner of State Taxation ".

(15) Schedule 1 to the principal order is amended in item 24, in column 2, by deleting "*Tobacco Products (Licensing) Act 1986*" and substituting the following —

" *Tobacco Products Regulation Act 1997* ".

(16) Schedule 1 to the principal order is amended in item 24A, in column 2, by deleting "*Debits Tax Act 1990*" and substituting the following —

" *Debits Tax Act 1994* ".

(17) Schedule 1 to the principal order is amended by inserting after item 24A the following item —

"

24B.	The Commissioner of State Taxation	<i>Taxation Administration Act 1996</i>	<i>Debits Tax Assessment Act 1990</i> <i>Financial Institutions Duty Act 1983</i> <i>Land Tax Assessment Act 1976</i> <i>Pay-roll Tax Assessment Act 1971</i> <i>Stamp Act 1921</i>
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"

(18) Schedule 1 to the principal order is amended by inserting after item 30 the following item —

"

30A.	The Commissioner of State Revenue	<i>Taxation Administration Act 1997</i>	<i>Debits Tax Assessment Act 1990</i> <i>Financial Institutions Duty Act 1983</i> <i>Pay-roll Tax Assessment Act 1971</i>
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By Command of the Governor,

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

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**TRANSPORT**

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TR301

## ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (EVENTS ON ROADS) AMENDMENT REGULATIONS  
1997

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic (Events on Roads) Amendment Regulations 1997*.

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Regulation 10 amended**

3. Regulation 10 of the *Road Traffic (Events on Roads) Regulations 1991*\* is amended by deleting "Penalty: \$500." and substituting the following —

" Penalty: Twenty penalty units (20 PU). "

[\* *Published in Gazette 1 February 1991, pp. 549-54.*  
*For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 235.*]

By Command of the Governor,

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

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TR302

## ROAD TRAFFIC ACT 1974

## ROAD TRAFFIC CODE AMENDMENT REGULATIONS (No. 5) 1997

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic Code Amendment Regulations (No. 5) 1997*.

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Regulation 1901 amended**

3. Regulation 1901 (2) of the *Road Traffic Code 1975*\* is amended —

(a) by deleting "\$400" and substituting the following —

" sixteen penalty units (16 PU) "; and

- (b) by deleting "\$800." and substituting the following —  
" thirty-two penalty units (32 PU). "

[\* Reprinted as at 23 September 1997.]

By Command of the Governor,

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

TR303

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (VEHICLE STANDARDS) AMENDMENT  
REGULATIONS (No. 2) 1997

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 1997*.

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Principal regulations**

3. In these regulations the *Road Traffic (Vehicle Standards) Regulations 1977\** are referred to as the principal regulations.

[\* Reprinted as at 29 July 1996.  
For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 237 and Gazette 31 January and 13 May 1997.]

**Regulation 105 amended**

4. (1) Regulation 105 (1) of the principal regulations is amended —
- (a) in paragraph (a) by deleting "\$200" and substituting the following —  
" eight penalty units (8 PU) "; and
  - (b) in paragraph (b) by deleting "\$400" and substituting the following —  
" sixteen penalty units (16 PU) ".
- (2) Regulation 105 (2) of the principal regulations is amended —
- (a) in paragraph (a) by deleting "\$600" and substituting the following —  
" twenty-four penalty units (24 PU) "; and
  - (b) in paragraph (b) —
    - (i) by deleting "\$1 200" and substituting the following —  
" forty-eight penalty units (48 PU) "; and

(ii) by deleting "\$3 600" and substituting the following —

“  
one hundred and forty-four penalty units (144 PU)  
”

(3) The Table to regulation 105 (4) of the principal regulations is deleted and the following Table is substituted —

“

Table

Column 1 Percentage Excess Mass on Tyre or Axle	Column 2 Minimum Penalty PU	Column 3 Maximum Penalty PU
Not more than 11%	1	3
More than 11% but not more than 16%	2	5
More than 16% but not more than 21%	3	7
More than 21% but not more than 26%	4	9
More than 26% but not more than 31%	5	11
More than 31% but not more than 36%	6	13
More than 36% but not more than 41%	7	15
More than 41% but not more than 46%	8	17
More than 46% but not more than 51%	9	19
More than 51% but not more than 56%	10	21
More than 56% and for each additional 5%	10 1	21 2

”

(4) The Table to regulation 105 (5) of the principal regulations is deleted and the following Table is substituted —

“

Table

Column 1 Percentage Excess Mass on Axle Group	Column 2 Minimum Penalty PU	Column 3 Maximum Penalty PU
Not more than 10%	1	5
More than 10% but not more than 12%	2	7
More than 12% but not more than 14%	3	9
More than 14% but not more than 17%	4	11
More than 17% but not more than 19%	5	13
More than 19% but not more than 22%	6	15
More than 22% but not more than 25%	7	17
More than 25% but not more than 27%	8	19
More than 27% but not more than 30%	9	21
More than 30% but not more than 32%	10	23
More than 32% and for each additional 2%	10 1	23 2

”

(5) The Table to regulation 105 (6) of the principal regulations is deleted and the following Table is substituted —

“

Table

Column 1 Percentage Excess Mass on Vehicle or Combination of Vehicles	Column 2 Minimum Penalty PU	Column 3 Maximum Penalty PU
Not more than 11%	1	5
More than 11% but not more than 15%	2	8
More than 15% but not more than 18%	3	11
More than 18% but not more than 21%	4	14
More than 21% but not more than 25%	5	18
More than 25% but not more than 28%	6	21
More than 28% but not more than 31%	7	24
More than 31% but not more than 35%	8	30
More than 35% but not more than 38%	9	35
More than 38% but not more than 41%	10	39
More than 41% and for each additional 3%	10 1	39 4

”.

(6) Regulation 105 (7) of the principal regulations is amended —

(a) in paragraph (f) by deleting “\$400” and substituting the following —

“ sixteen penalty units (16 PU) ”; and

(b) in paragraph (g) by deleting “\$800” and substituting the following —

“ thirty-two penalty units (32 PU) ”.

#### Regulation 108 amended

5. Regulation 108 of the principal regulations is amended by deleting “Penalty: \$500.” and substituting the following —

“ Penalty: Twenty penalty units (20 PU). ”.

By Command of the Governor,

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

TR304

#### ROAD TRAFFIC ACT 1974

#### ROAD TRAFFIC (LICENSING) AMENDMENT REGULATIONS (No. 5) 1997

Made by the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Road Traffic (Licensing) Amendment Regulations (No. 5) 1997*.

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Regulation 39 amended**

3. Regulation 39 (1) of the *Road Traffic (Licensing) Regulations 1975\** is amended —

- (a) by deleting "\$100" and substituting the following —  
" four penalty units (4 PU) "; and
- (b) by deleting "\$200." and substituting the following —  
"eight penalty units (8 PU). "

[\* Reprinted as at 5 October 1994.  
For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, pp. 235-6 and Gazette 31 January, 26 March, 13 May and 1 July 1997.]

By Command of the Governor,

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

TR305

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

Made by the Governor in Executive Council.

**Citation**

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

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Principal regulations**

3. In these regulations the *Road Traffic (Infringements) Regulations 1975\** are referred to as the principal regulations.

[\* Reprinted as at 4 June 1996.  
For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 235 and Gazette 17 and 31 January, 11 April and 30 May 1997.]

**Regulation 3 amended**

4. Regulation 3 of the principal regulations is amended —

- (a) in subregulation (1) by deleting "amount" and substituting the following —  
" penalty ";

(b) in subregulation (3) by deleting "\$25." and substituting the following —

" one penalty unit (1 PU). "; and

(c) in subregulation (4) by deleting "\$50." and substituting the following —

" two penalty units (2 PU). "

### Regulation 6 amended

5. Regulation 6 of the principal regulations is amended by deleting "Penalty: \$100." and substituting the following —

" Penalty: Four penalty units (4 PU). "

### First Schedule deleted and a Schedule substituted

6. The First Schedule to the principal regulations is deleted and the following Schedule is substituted —

"

#### First Schedule

[Reg. 3]

Provision Creating Offence	Nature of Offence	PU
<i>Road Traffic Act 1974</i>		
1. Section 24 (1)	Failure of licence holder to forthwith notify change of vehicle ownership . . . . .	2
2. Section 24 (2)	Failure to apply within 28 days for transfer of a vehicle licence on becoming the owner . . . . .	2
3. Section 27 (3)	Failure to affix or keep affixed registration label . .	1
4. Section 48A	Failure to produce on demand a cancelled or suspended licence, or a licence of which the holder is disqualified . . . . .	2
5. Section 49 (1)	Driving without appropriate, valid licence . . . . .	2
6. Section 50A (1)	Failure of overseas or interstate visitor to carry or produce driver's licence or its equivalent or permit	1
7. Section 53 (2)	Failure to produce a driver's licence within a reasonable time after demand, or at all . . . . .	1
8. Section 62	Careless driving . . . . .	2
9. Section 64AA	Driving or attempting to drive a motor vehicle while the percentage of alcohol in the driver's blood equals or exceeds 0.05% . . . . .	2
10. Section 86 (2)	Unlawfully parking on land not a road . . . . .	1
11. Section 93	Failure to produce driver's licence in court . . . . .	1
<i>Road Traffic Code 1975</i>		
12. Regulation 202	Disobedience by driver or pedestrian of a signal or direction of a member of the Police Force, fireman, ambulance officer or accredited pilot . . . . .	2
13. Regulation 304	Disobeying a direction on a traffic sign . . . . .	2
14. Regulation 401	Failure to comply with direction of traffic control signal displaying amber signal . . . . .	2
15. Regulation 401	Failure to comply with direction of traffic control signal displaying a red signal . . . . .	3
16. Regulation 402 (1) (4) and (7)	Turning or driving contrary to directions on road traffic signs . . . . .	2

**First Schedule—continued**

Provision Creating Offence	Nature of Offence	PU
17. Regulation 402 (2) and (3)	Driving in wrong direction or entering 'No Entry' carriageway . . . . .	2
18. Regulation 402 (5)	Overtaking or passing contrary to direction on a traffic sign . . . . .	2
19. Regulation 402 (6) (a) and (b)	Overtaking or driving a vehicle on a bridge contrary to direction on a traffic sign . . . . .	2
20. Regulation 402 (6) (c)	Exceeding speed limit on a bridge by —	
	(a) not more than 9 km/h . . . . .	1
	(b) more than 9 km/h but not more than 19 km/h . . . . .	2
	(c) more than 19 km/h but not more than 29 km/h . . . . .	3
	(d) more than 29 km/h but not more than 40 km/h . . . . .	5
	(e) more than 40 km/h . . . . .	7
21. Regulation 402 (8)	Failure to stop or give way at a Stop sign . . . . .	3
22. Regulation 402 (9)	Failure to give way at a Give Way sign . . . . .	3
23. Regulation 403	Unlawfully driving a vehicle in a bus lane or bus-taxi lane . . . . .	2
24. Regulation 404	Unlawfully driving a vehicle in a contra flow bus lane . . . . .	2
25. Regulation 502 (1) (3) (4) (5) and (6)	Offences relating to overtaking . . . . .	2
26. Regulation 504	Failure to keep left of an approaching vehicle . . . . .	2
27. Regulation 506	Driver diverging from lane or line of traffic when unsafe to do so, or crossing continuous line on approach to intersection . . . . .	2
28. Regulation 507	Driving to the right of a traffic island on a roundabout . . . . .	3
29. Regulation 508	Crossing double lines, except for the purpose of lawfully entering a contra flow bus lane or making a lawful turn . . . . .	3
30. Regulation 509	Following another vehicle too closely . . . . .	2
31. Regulation 510	Driving on the wrong side of a median strip . . . . .	3
32. Regulation 511	Crossing the centre line of a road on a curve or crest when unable to see the way is clear . . . . .	3
33. Regulation 512	Failure to drive a vehicle permitted to travel in a contra flow bus lane completely within the boundaries of the lane . . . . .	2
34. Regulation 602	Failing to give way to a vehicle on the right at an intersection . . . . .	3
35. Regulation 603	Failing to give way to any pedestrian or oncoming vehicle when turning at an intersection or to pedestrian or any other vehicle when making a U turn . . . . .	3
36. Regulation 604 (1)	Failing to give way to any vehicle or pedestrian when driving into or out from a parking area or boundary of a carriageway . . . . .	2
37. Regulation 604 (2)	Reversing out of parking bay in centre of road . . . . .	2
38. Regulation 605	Failure to give way to an emergency vehicle . . . . .	3
39. Regulation 606	Failing to give way to vehicles and pedestrians when entering or leaving land abutting a road . . . . .	2
40. Regulation 608	Failing to give way to vehicles on a roundabout . . . . .	3
41. Regulation 609	Failing to give way at an intersection when approaching from terminating road . . . . .	3

**First Schedule—continued**

Provision Creating Offence	Nature of Offence	PU
42. Regulation 610	Failure when leaving an unsealed road to give way at an intersection to vehicles on sealed road . . . . .	3
43. Regulation 701	Failing to give way to a pedestrian on a pedestrian crossing, or entering crossing while other vehicle heading in same direction is giving way . . . . .	4
44. Regulation 705 (1) and (3)	Failing to stop at a childrens' crossing or entering childrens' crossing while other vehicle heading in same direction is giving way . . . . .	4
45. Regulation 708	Failure of user of a motorized wheel chair to give way to a pedestrian . . . . .	2
46. Regulation 801	Making incorrect left turn . . . . .	2
47. Regulation 802	Making right turn from the wrong position or making a right turn so as to enter the other carriageway incorrectly . . . . .	2
48. Regulation 803 (1) (2) (3) (4) (4a) (5) and (6)	Turning or diverging right or left or making a U turn or stopping or suddenly decreasing speed without making the prescribed signal or without making it in time . . . . .	2
49. Regulation 805	Making a U turn when turn cannot be made safely or without interference or making a U turn within 30 metres of a traffic control signal . . . . .	2
50. Regulation 901 (1)	Offences relating to Railway Level Crossings (a) failure to comply with a direction or instruction of a railway employee . . . . . (b) crossing a railway line when unsafe to do so . . . . . (c) failure to stop at Stop sign at a railway crossing . . . . . (d) proceeding to cross a railway line contrary to warning lights, signals or bells . . . . . (e) proceeding onto a congested railway crossing . . . . .	2 4 4 4 4
51. Regulation 901 (2)	Failure to stop at railway crossing when carrying dangerous goods . . . . .	4
52. Regulation 901 (3)	Driving around, under or through a lowered boom gate at a railway crossing . . . . .	4
53. Regulation 1001	Exceeding speed limit by — (a) not more than 9 km/h . . . . . (b) more than 9 km/h but not more than 19 km/h . . . . . (c) more than 19 km/h but not more than 29 km/h . . . . . (d) more than 29 km/h but not more than 40 km/h . . . . . (e) more than 40 km/h . . . . .	1 2 3 5 7
54. Regulation 1003 [(c)]	In the specified circumstances, failing to comply with a direction by a servant of a competent authority . . . . .	2
55. Regulation 1003 [(d)]	In the specified circumstances, exceeding 30 km/h or 50 km/h as the case may be, when passing road works being done by a competent authority — (a) not more than 9 km/h . . . . . (b) more than 9 km/h but not more than 19 km/h . . . . . (c) more than 19 km/h but not more than 29 km/h . . . . . (d) more than 29 km/h but not more than 40 km/h . . . . .	1 2 3 5

**First Schedule—continued**

Provision Creating Offence	Nature of Offence	PU
	(e) more than 40 km/h . . . . .	7
56. Regulation 1105	Intentional obstruction of carriageway . . . . .	4
57. Regulation 1201	Driving at night without lit headlights, or without headlights fitted . . . . .	2
58. Regulation 1202A	Driving a vehicle in a contra flow bus lane without the head lamps being alight and dipped . . . . .	2
59. Regulation 1204 (2) and (3)	Not carrying portable warning signs on a heavy vehicle, or not displaying warning signs if heavy vehicle is disabled . . . . .	2
60. Regulation 1205 (1)	Riding a bicycle at night without lights or reflectors	2
61. Regulation 1301 (5)	Riding a bicycle within 2 metres of a vehicle for more than 22 metres . . . . .	2
62. Regulation 1302 (1) and (2)	Towing of bicycle or toy vehicle, or allowing a bicycle or toy vehicle to be towed . . . . .	2
63. Regulation 1304 (3)	Tying an animal to a moving vehicle . . . . .	2
64. Regulation 1306	Being intoxicated while riding an animal or bicycle, or riding an animal or bicycle recklessly . . . . .	2
65. Regulation 1503	Driver not wearing a seat belt . . . . .	3
66. Regulation 1504	Driver failing to ensure passenger between 1 and 14 years wears a seat belt . . . . .	3
67. Regulation 1505	Driver failing to ensure passenger between 1 and 14 years occupies position with a seat belt . . . . .	3
68. Regulation 1506	Driver failing to ensure that a child under 1 year is in a child restraint . . . . .	3
69. Regulation 1507	Driver of passenger car derivative allowing passenger in back of vehicle when seat belt position unoccupied . . . . .	3
70. Regulation 1508	Passenger not wearing seat belt . . . . .	3
71. Regulation 1509	Passenger not occupying position with a seat belt . . . . .	3
72. Regulation 1602 (a)	Driving vehicle in reverse when unsafe to do so . . . . .	2
73. Regulation 1603	Driving a vehicle on a footway, or a vehicle other than a bicycle on a dual use path, except to enter or leave a lane or driveway by shortest route, or driving on or over a median strip . . . . .	2
74. Regulation 1604 (1)	Driving a vehicle without being in a position to have full control or uninterrupted view, etc. . . . .	2
75. Regulation 1606	Incorrectly carrying a pillion passenger on a motor cycle . . . . .	2
76. Regulation 1607	Offences relating to the wearing of protective helmets by motor cyclists and passengers . . . . .	2
77. Regulation 1609	Throwing, dropping, placing or leaving dangerous materials or substances on a road or causing any of those things to be done, or failing to remove any such thing or any object being part of a load that has fallen onto a road . . . . .	2
78. Regulation 1610	Driving a vehicle with an unsecured load . . . . .	2
79. Regulation 1618	Driving or drawing or causing to be driven or drawn an implement or thing which is not fitted with the prescribed wheels, tyres or rims . . . . .	2
80. Regulation 1619	Driving a vehicle in certain areas so as to create or cause undue or excessive noise . . . . .	2
81. Regulation 1620 (1) (a) and (3)	Failing to comply with the signal to stop given by a member of the Police Force or, not stopping when approaching such person from his front or rear, while he is controlling traffic . . . . .	2
82. Regulation 1803 (1) (b) and (d)	Driving on a freeway under Learner's Permit or driving a tractor on a freeway . . . . .	2

**First Schedule—continued**

Provision Creating Offence	Nature of Offence	PU
83. Regulation 1805 (2)	Exceeding 10 km/h in a pedestrian mall by —	
	(a) not more than 9 km/h . . . . .	1
	(b) more than 9 km/h but not more than 19 km/h . . . . .	2
	(c) more than 19 km/h but not more than 29 km/h . . . . .	3
	(d) more than 29 km/h but not more than 40 km/h . . . . .	5
	(e) more than 40 km/h . . . . .	7
84. Regulation 1806 (2) (a)	Exceeding 40 km/h in Kings Park by —	
	(a) not more than 9 km/h . . . . .	1
	(b) more than 9 km/h but not more than 19 km/h . . . . .	2
	(c) more than 19 km/h but not more than 29 km/h . . . . .	3
	(d) more than 29 km/h but not more than 40 km/h . . . . .	5
	(e) more than 40 km/h . . . . .	7
85. Regulation 1807	Exceeding 25 km/h on Koolan Island by —	
	(a) not more than 9 km/h . . . . .	1
	(b) more than 9 km/h but not more than 19 km/h . . . . .	2
	(c) more than 19 km/h but not more than 29 km/h . . . . .	3
	(d) more than 29 km/h but not more than 40 km/h . . . . .	5
	(e) more than 40 km/h . . . . .	7
86. Regulation 1808 (1)	Exceeding 40 km/h in Greenmount Hill heavy vehicle speed zone by —	
	(a) not more than 9 km/h . . . . .	1
	(b) more than 9 km/h but not more than 19 km/h . . . . .	2
	(c) more than 19 km/h but not more than 29 km/h . . . . .	3
	(d) more than 29 km/h but not more than 40 km/h . . . . .	5
	(e) more than 40 km/h . . . . .	7
<i>Road Traffic (Vehicle Standards) Regulations 1977</i>		
87. Regulation 115	Offences relating to engine numbers . . . . .	2
88. Regulation 124	Altering vehicle from manufacturer's specifications . . . . .	2
89. Regulation 404	Offences relating to flashing warning lights . . . . .	2
90. Regulation 408	Offences relating to illuminated signs . . . . .	2
91. Regulation 1008	Inefficient silencing device . . . . .	2
92. Regulation 1101	Offences relating to axle groups and axle configurations of vehicles . . . . .	2
93. Regulation 1102 (1) (a), (b), (c), (e) or (f), (2), (4) (a) or (b), (6) and (7)	Offences relating to maximum dimensions of vehicles . . . . .	2

## First Schedule—continued

Provision Creating Offence	Nature of Offence	PU
94. Regulation 1102 (1) (d)	Articulated vehicle exceeding length of 17.5m —	
	(a) for a vehicle under 4.5 tonnes aggregate mass . . . . .	2
	(b) for a vehicle equal to or in excess of 4.5 tonnes aggregate mass . . . . .	6
95. Regulation 1102 (3)	Vehicle exceeding length of 17.5m —	
	(a) for a vehicle under 4.5 tonnes aggregate mass . . . . .	2
	(b) for a vehicle equal to or in excess of 4.5 tonnes aggregate mass . . . . .	6
96. Regulation 1102 (4) (c)	Vehicle exceeding width of 2.5m —	
	(a) for a vehicle under 4.5 tonnes aggregate mass . . . . .	2
	(b) for a vehicle equal to or in excess of 4.5 tonnes . . . . .	6
97. Regulation 1102 (5)	Vehicle exceeding height of 4.3m —	
	(a) for a vehicle under 4.5 tonnes aggregate mass . . . . .	2
	(b) for a vehicle equal to or in excess of 4.5 tonnes aggregate mass . . . . .	6
98. Regulation 1103	Offences relating to rear overhang of vehicle . . . . .	2
99. Regulation 1104 (1)	Offence relating to projection of load and equipment —	
	(a) for a vehicle under 4.5 tonnes aggregate mass . . . . .	2
	(b) for a vehicle equal to or in excess of 4.5 tonnes aggregate mass . . . . .	6
100. Regulation 1104 (2), (3) and (4)	Offences relating to projection of load and equipment . . . . .	2
101. 1105	Offences relating to ground clearance of vehicles . . . . .	2
102. Regulation 1107	Offences relating to excessive loads and dimensions . . . . .	6
103. Regulation 1108	Failure of vehicle manufactured on or after 1 July 1988 to conform to Australian Design Rule 43 — vehicle configuration and marking . . . . .	2
104. Regulation 1401 (1) (2) (3) and (6), and 1402 (3) (b)	Excess mass on vehicle or combination of vehicles —	
	Not more than 11% . . . . .	1
	More than 11% but not more than 15% . . . . .	2
	More than 15% but not more than 18% . . . . .	3
	More than 18% but not more than 21% . . . . .	4
	More than 21% but not more than 25% . . . . .	5
	More than 25% but not more than 28% . . . . .	6
	More than 28% but not more than 31% . . . . .	7
	More than 31% but not more than 35% . . . . .	8
	More than 35% but not more than 38% . . . . .	9
	More than 38% but not more than 41% . . . . .	10
	More than 41% . . . . .	10
	and for each additional 3% . . . . .	1
105. Regulation 1401 (4) (a), (b), (c), (d), (e), (f), (g), (h), (j), (o), (r), (t), (w), (y), (aa), and (bb), and (4a), and 1402 (3) (b)	Excess mass on tyre axle or axle group —	
	Not more than 11% . . . . .	1
	More than 11% but not more than 16% . . . . .	2

**First Schedule—continued**

Provision Creating Offence	Nature of Offence	PU
	More than 16% but not more than 21% . . . . .	3
	More than 21% but not more than 26% . . . . .	4
	More than 26% but not more than 31% . . . . .	5
	More than 31% but not more than 36% . . . . .	6
	More than 36% but not more than 41% . . . . .	7
	More than 41% but not more than 46% . . . . .	8
	More than 46% but not more than 51% . . . . .	9
	More than 51% but not more than 56% . . . . .	10
	More than 56% . . . . .	10
	and for each additional 5% . . . . .	1
106. Regulation 1401 (4) excluding those paragraphs mentioned in item 105, and 1402 (3) (b)	Excess mass on axle group — Not more than 10% . . . . .	1
	More than 10% but not more than 12% . . . . .	2
	More than 12% but not more than 14% . . . . .	3
	More than 14% but not more than 17% . . . . .	4
	More than 17% but not more than 19% . . . . .	5
	More than 19% but not more than 22% . . . . .	6
	More than 22% but not more than 25% . . . . .	7
	More than 25% but not more than 27% . . . . .	8
	More than 27% but not more than 30% . . . . .	9
	More than 30% but not more than 32% . . . . .	10
	More than 32% . . . . .	10
	and for each additional 2% . . . . .	1
<i>Road Traffic (Drivers' Licences) Regulations 1975</i>		
107. Regulation 13 (1)	Driving without "P" plate displayed when the holder of a driver's licence issued on probation . . .	2
<i>Road Traffic (Licensing) Regulations 1975</i>		
108. Regulation 15 (2)	Failure to deliver up on demand a suspended or cancelled vehicle licence or licence obtained by misrepresentation or fraud . . . . .	2
109. Regulation 22 (3)	Failure to return number plates . . . . .	2
110. Regulation 24 (8)	Failure when required by notice to surrender non- reflective identification tablet or number plate other than special plates . . . . .	2
111. Regulation 27	Painting or interfering with, or suffering another, paint or interfere with, any number plate, except for the purposes of reinstatement . . . . .	2
112. Regulation 28 (6)	Altering, defacing, obliterating or removing identification mark from engine, or stamping on or affixing to engine a purported identification mark . .	2
113. Regulation 34	Failure to hand over vehicle licence when disposing of used vehicle . . . . .	2

By Command of the Governor,

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

TR306

## ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (DRIVERS' LICENCES) AMENDMENT  
REGULATIONS (No. 3) 1997

Made by the Governor in Executive Council.

**Citation**

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

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Principal regulations**

3. In these regulations the *Road Traffic (Drivers' Licences) Regulations 1975\** are referred to as the principal regulations.

[\* Reprinted as at 29 October 1996.  
For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 235 and Gazette 31 January, 26 March, 13 and 30 March and 2 September 1997.]

**Regulation 13 amended**

4. Regulation 13 of the principal regulations is amended —

- (a) at the foot of subregulation (1) by deleting "Penalty: \$50" and substituting the following —  
" Penalty: Two penalty units (2 PU) "; and
- (b) at the foot of subregulation (1) by deleting "Penalty: \$20.00." and substituting the following —  
" Penalty: One penalty unit (1 PU) ".

**Regulation 16 amended**

5. Regulation 16 (2) of the principal regulations is amended —

- (a) by deleting "\$100.00" and substituting the following —  
" four penalty units (4 PU) "; and
- (b) by deleting "\$200.00." and substituting the following —  
" eight penalty units (8 PU). ".

**Second Schedule repealed and a Schedule substituted**

6. The Second Schedule to the principal regulations is repealed and the following Schedule is substituted —

“

**Second Schedule**

Item No.	Authority	Nature of Offence	Points
	<i>Road Traffic Act 1974.</i> section —		
1.	61	Dangerous driving, first offence . . . .	6

## Second Schedule—continued

Item No.	Authority	Nature of Offence	Points
2.	62	Careless driving . . . . .	3
3.	64AA	Driving or attempting to drive a motor vehicle while the percentage of alcohol in the driver's blood —	
		(a) is equal to or exceeds 0.05% but is less than 0.06% . . . . .	3
		(b) is equal to or exceeds 0.06% but is less than 0.07% . . . . .	4
		(c) is equal to or exceeds 0.07% but is less than 0.08% . . . . .	5
	<i>Road Traffic Code 1975.</i> regulation —		
4.	202	Failing to obey signal of a member of the police force, fireman, ambulance officer or accredited pilot . . . . .	3
5.	304	Contravening the directions of the inscription on a traffic sign . . . . .	3
6.	401	Failing to comply with the direction of a traffic control signal —	
	401 (2) (b)	(a) displaying a steady amber light . . . . .	3
	401 (2) (c)	(b) displaying a flashing amber light . . . . .	3
	401 (2) (d)	(c) displaying a red light . . . . .	3
7.	402 (1)	Failing to obey "no turn" signs . . . . .	3
8.	402 (2)	Travelling in wrong direction on one-way road . . . . .	3
9.	402 (3)	Failing to obey "no entry" sign . . . . .	3
10.	402 (4)	Failing to obey turn signs or arrows	3
11.	402 (5)	Failing to obey "no overtaking" sign	3
12.	402 (6)	Failing to obey —	
	402 (6) (a)	(a) "no overtaking on bridge" sign . . . . .	3
	402 (6) (b)	(b) "bridge load limit" sign . . . . .	3
13.	402 (6) (c)	Exceeding speed limit on bridge by —	
		(a) more than 9 kilometres per hour but not more than 19 kilometres per hour . . . . .	1
		(b) more than 19 kilometres per hour but not more than 29 kilometres per hour . . . . .	3
		(c) more than 29 kilometres per hour but not more than 40 kilometres per hour . . . . .	4
		(d) more than 40 kilometres per hour . . . . .	6
14.	402 (7)	Failing to obey "keep left" or "keep right" sign . . . . .	3
15.	402 (8)	Failing to —	
		(a) stop at a stop sign . . . . .	3
		(b) give way at a stop sign . . . . .	3
16.	402 (9)	Failing to give way at a "give way" sign . . . . .	3

**Second Schedule—continued**

Item No.	Authority	Nature of Offence	Points
17.	402 (10)	Failing to obey a "no U turn" sign . .	3
18.	403	Unlawfully driving a vehicle in a bus or bus-taxi lane . . . . .	3
19.	404	Unlawfully driving a vehicle in a contra flow bus lane . . . . .	3
20.	502	Overtaking—	
	502 (1)	(a) on left when not permitted . .	2
	502 (1)	(b) at an unsafe distance . . . . .	2
	502 (3)	(c) a vehicle turning right . . . . .	2
	502 (4)	(d) and cutting in front after overtaking . . . . .	2
	502 (5)	(e) when unsafe to do so . . . . .	3
	502 (6)	(f) as part of unlawful racing . .	3
21.	503	Driving in the right lane of a carriageway without good reason . .	2
22.	504	Failing to keep left of approaching vehicles . . . . .	3
23.	505 (1) & (2)	Failing to permit another driver to overtake . . . . .	2
24.	506 (1)	Changing lanes when unsafe . . . . .	2
25.	506 (1)	Failing to keep in one lane . . . . .	2
26.	506 (2)	Crossing continuous white line at intersection . . . . .	2
27.	507	Failing to keep left of centre of roundabout . . . . .	3
28.	508	Unlawfully crossing—	
		(a) double continuous white lines	3
		(b) a continuous white line on the left of a broken white line	3
29.	509	Following too close in—	
	509 (2)	(a) a long vehicle . . . . .	1
	509 (4)	(b) a vehicle . . . . .	1
30.	510	Driving to the right of a median strip	4
31.	511	Crossing centre line of a road on a curve or crest when unable to see the way is clear . . . . .	3
32.	512	Failure to drive a vehicle permitted to travel in a contra flow bus lane completely within the boundaries of the lane . . . . .	3
33.	602	Failing to give way to the right . . . .	3
34.	603	Failing to give way—	
	603 (1)	(a) when turning right . . . . .	3
	603 (2)	(b) to pedestrians . . . . .	3
	603 (3)	(c) during a U turn . . . . .	3
35.	604 (1)	Failing to give way when leaving parking area . . . . .	3
36.	604 (2)	Unlawfully reversing out of parking bay in centre of road . . . . .	3
37.	604B (1)	Failing to give way to an omnibus leaving from an embayment . . . . .	3

## Second Schedule—continued

Item No.	Authority	Nature of Offence	Points
38.	605	Failing to give way to an emergency vehicle . . . . .	4
39.	606	Failing to give way —	
	606 (1)	(a) from land abutting . . . . .	3
	606 (2)	(b) to vehicles when leaving a carriageway . . . . .	3
	606 (3)	(c) to pedestrians or cyclists when leaving or entering a carriageway . . . . .	3
40.	607	Driver entering or attempting to cross blocked intersection . . . . .	2
41.	608	Failing to give way at a roundabout	3
42.	609 (2)	Failing to give way at a terminating road . . . . .	3
43.	610	Failure when leaving an unsealed road to give way at an intersection to vehicles on a sealed road . . . . .	3
44.	701 (1)	Failing to give way at a pedestrian crossing . . . . .	3
45.	701 (2)	Overtaking and passing a vehicle that is stopped at a pedestrian crossing . . . . .	4
46.	705 (1)	Failing to stop at children's crossing	4
47.	705 (3)	Overtaking and passing a vehicle that is stopped at a children's crossing . . . . .	4
48.	801 (1)	Incorrectly turning left . . . . .	2
49.	802 (1) & (2)	Incorrectly turning right . . . . .	2
50.	802 (1a)	Incorrectly turning right to enter land abutting . . . . .	3
51.	802 (4) (a)	Turning right not in conformity with markings . . . . .	3
52.	802 (4) (b)	Failing to pass in front or behind a police officer, as directed, when turning . . . . .	3
53.	803 (1)	Failing to indicate an intention to turn, diverge or stop . . . . .	2
54.	803 (1a)	Omnibus failing to indicate an intention to leave a bus embayment	2
55.	805	Making a U turn —	
	805 (a)	(a) when unsafe . . . . .	3
	805 (b)	(b) within 30 metres of traffic control signal . . . . .	2
56.	901 (1) (a)	Failing to comply with a direction or instruction of a railway employee . .	3
57.	901 (1) (b)	Proceeding across a railway crossing when there is a danger of a collision	4
58.	901 (1) (c)	Proceeding across a railway crossing when it is not safe to do so . . . . .	4
59.	901 (1) (c)	Failing to stop at a stop sign at a railway crossing . . . . .	3
60.	901 (1) (d)	Proceeding against lights etc. at a railway crossing . . . . .	4
61.	901 (1) (e)	Proceeding over a railway crossing when not immediately able to lawfully drive over and clear of the crossing . . . . .	4

## Second Schedule—continued

Item No.	Authority	Nature of Offence	Points
62.	901 (2)	Failing to stop at a railway crossing when carrying explosives etc. . . . .	4
63.	901 (3)	Driving around etc., boom gates at a railway crossing . . . . .	4
64.	Part X —	Exceeding the speed restriction by —	
	regulations	(a) more than 9 kilometres per hour but not more than 19 kilometres per hour . . . . .	1
	1001 (1),	(b) more than 19 kilometres per hour but not more than 29 kilometres per hour . . . . .	3
	1001 (1) (a),	(c) more than 29 kilometres per hour but not more than 40 kilometres per hour . . . . .	4
	1001 (1) (b),	(d) more than 40 kilometres per hour . . . . .	6
	1001 (1) (c),		
	1001 (2) (a),		
	1001 (2) (b) (i),		
	1001 (2) (b) (ii),		
	1001 (2) (c),		
	1001 (7), 1001 (8),		
	1003 (d) (i),		
	1003 (d) (ii)		
65.	1003 (c)	Failing to comply with a direction by a servant of a competent authority .	3
66.	1105	Intentional obstruction of carriageway . . . . .	2
67.	1201	Driving at night without headlamps either fitted or lit . . . . .	3
68.	1202	Failing to dip headlamps —	
	1202 (1) (a)	(a) within 200 metres of approaching vehicle . . . . .	1
	1202 (1) (b)	(b) when approaching vehicles headlamps become dipped . .	1
69.	1202A	Driving a vehicle in a contra flow bus lane without the headlights being alight and dipped . . . . .	3
70.	1204 (2) and (3)	Not carrying portable warning signs on a heavy vehicle, or not displaying warning signs if heavy vehicle is disabled . . . . .	3
71.	1304 (3)	Tying an animal to a moving vehicle	3
72.	1503	Driver not wearing a seat belt . . . . .	3
73.	1504	Driver failing to ensure passenger between 1 and 14 years wears a seat belt . . . . .	3
74.	1505	Driver failing to ensure passenger between 1 and 14 years occupies position with a seat belt . . . . .	3
75.	1506	Driver failing to ensure that a child under 1 year is in a child restraint .	3
76.	1507	Driver of passenger car derivative allowing passenger in back of vehicle when seat belt position unoccupied .	3
77.	1602 (a)	Driving a vehicle in reverse when unsafe to do so . . . . .	3
78.	1603	Driving a vehicle on a footway, or a vehicle other than a bicycle on a dual use path, except to enter or leave a lane or driveway by shortest route, or driving on or over a median strip . .	3
79.	1604	Driving a vehicle without being in position to have full control or uninterrupted view, etc. . . . .	3
80.	1605 (1)	Driver in vehicle permitting body or limbs to be outside vehicle . . . . .	3

## Second Schedule—continued

Item No.	Authority	Nature of Offence	Points
81.	1606	Incorrectly carrying a pillion passenger on a motor cycle . . . . .	3
82.	1607 (1)	Offences relating to the wearing of helmets by motor cyclists and passengers . . . . .	3
83.	1619	Driving a vehicle in certain areas so as to create or cause undue or excessive noise . . . . .	3
84.	1620	Failing to stop —	
	1620 (1) (a)	(a) when approaching police giving a stop signal . . . . .	3
	1620 (3)	(b) when approaching police from front or rear . . . . .	3
85.	Part XVIII —	Exceeding the speed restriction by —	
	regulations 1805 (2), 1806 (2) (a), 1807, 1808	(a) more than 9 kilometres per hour but not more than 19 kilometres per hour . . . . .	1
		(b) more than 19 kilometres per hour but not more than 29 kilometres per hour . . . . .	3
		(c) more than 29 kilometres per hour but not more than 40 kilometres per hour . . . . .	4
		(d) more than 40 kilometres per hour . . . . .	6
	<i>Road Traffic (Vehicle Standards) Regulations 1977.</i>		
86.	107 (3)	Use of vehicle —	
		(a) contrary to an order that the vehicle be not used on or after a specified date unless it is examined and found to be fit for use . . . . .	1
		(b) contrary to an order that the vehicle be not used unless it is examined and found to be fit for use . . . . .	3

By Command of the Governor,

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

TR307

## ROAD TRAFFIC ACT 1974

## ROAD TRAFFIC CODE AMENDMENT REGULATIONS (No. 2) 1997

Made by the Governor in Executive Council.

## Citation

1. These regulations may be cited as the *Road Traffic Code Amendment Regulations (No. 2) 1997*.

**Principal regulations**

2. In these regulations the *Road Traffic Code 1975\** is referred to as the principal regulations.

[\* Reprinted as at 23 September 1997.]

**Regulation 1211 amended**

3. Regulation 1211 of the principal regulations is amended in subregulation (3) that begins "A driver is not required" by deleting the subregulation designation "(3)" and substituting the subregulation designation "(4)".

**Regulation 1610 amended**

4. (1) Regulation 1610 (1) and (1a) of the principal regulations are repealed and the following subregulations are substituted —

“

(1) A person shall not drive a vehicle carrying a load that is placed on the vehicle in a way that makes the vehicle unstable or otherwise unsafe.

(1a) A person shall not drive a vehicle carrying a load unless the load is restrained on the vehicle so that the load, or any portion of it, is unlikely —

(a) to fall from the vehicle; or

(b) to become dislodged from the place on the vehicle where it is restrained.

(1b) A person shall not drive a vehicle carrying a load unless the load is restrained on the vehicle by a system appropriate to the load.

”

(2) After regulation 1610 (2) of the principal regulations the following subregulation is inserted —

“

(3) In this regulation and regulation 1610A —

“to become dislodged from”, in relation to a vehicle, does not include to fall from the vehicle.

”

**Regulation 1610A inserted**

5. After regulation 1610 of the principal regulations the following regulation is inserted —

“

**Evidentiary provisions relating to securing of loads**

**1610A.** (1) In any proceedings for an offence against regulation 1610 (1), evidence that the load on the vehicle driven by the defendant was not restrained on the vehicle by a system that complies with the performance standards is evidence that the load was placed on the vehicle in a way that made the vehicle unstable or otherwise unsafe and, in the absence of evidence to the contrary, is proof of that fact.

(2) In any proceedings for an offence against regulation 1610 (1a) (a), evidence that —

(a) the load on the vehicle driven by the defendant was not restrained on the vehicle by a system that complies with the performance standards; or

(b) the load, or any portion of it, on the vehicle driven by the defendant fell from the vehicle,

is evidence that the load was not restrained on the vehicle so that the load, or any portion of it, was unlikely to fall from the vehicle and, in the absence of evidence to the contrary, is proof of that fact.

(3) In any proceedings for an offence against regulation 1610 (1a) (b), evidence that —

- (a) the load on the vehicle driven by the defendant was not restrained on the vehicle by a system that complies with the performance standards; or
- (b) the load, or any portion of it, became dislodged from the place on the vehicle where it was restrained,

is evidence that the load was not restrained on the vehicle so that the load, or any portion of it, was unlikely to become dislodged from the place on the vehicle where it was restrained and, in the absence of evidence to the contrary, is proof of that fact.

(4) In any proceedings for an offence against regulation 1610 (1b), evidence that the load on the vehicle driven by the defendant was not restrained on the vehicle by a system that complies with the performance standards is evidence that the load was not restrained on the vehicle by a system appropriate to the load and, in the absence of evidence to the contrary, is proof of that fact.

(5) In this regulation —

“g” means the force equivalent to the force generated by the rate of acceleration due to gravity, which is to be taken to be 9.81 metres per second per second for the purposes of the performance standards;

“the performance standards”, in relation to a system by means of which a load is restrained on a vehicle, means the requirement that the system is capable of restraining the load on the vehicle despite being subjected to each of the following forces separately —

- (a) 0.8 g deceleration in a forward direction;
- (b) 0.5 g deceleration in a backward direction;
- (c) 0.5 g acceleration in a lateral direction;
- (d) 0.2 g acceleration, relative to the load, in a vertical direction.

By Command of the Governor,

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

TR308

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (TOWED AGRICULTURAL IMPLEMENTS)  
AMENDMENT REGULATIONS 1997

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic (Towed Agricultural Implements) Amendment Regulations 1997*.

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Regulation 30 amended**

3. Regulation 30 of the *Road Traffic (Towed Agricultural Implements) Regulations 1995\** is amended, at the foot of subsection (2), by deleting "Penalty: \$400." and substituting the following —

" Penalty: Eight penalty units (8 PU). "

[\* *Published in Gazette 12 May 1995, pp. 1809-18.*  
For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 236.]

By Command of the Governor,

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

TR309

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (OMNIBUS) AMENDMENT REGULATIONS 1997

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic (Omnibus) Amendment Regulations 1997*.

**Commencement**

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1997* comes into operation.

**Regulation 12 amended**

3. Regulation 12 (1) of the *Road Traffic (Omnibus) Regulations 1975\** is amended —

(a) by deleting "forty dollars," and substituting the following —

" two penalty units (2 PU), "; and

(b) by deleting "one hundred dollars." and substituting the following —

" four penalty units (4 PU). "

[\* *Published in Gazette 29 May 1975, pp. 1559-61.*  
For amendments to 8 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 236.]

By Command of the Governor,

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

TR401

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**RESTRICTED SPEED AREAS—ALL VESSELS**

Rockingham Foreshore

Department of Transport,  
Fremantle WA, 23 December 1997.

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes paragraph (d)(4)(iv) of the notice published in the *Government Gazette* of 25 October 1991.

Providing however that such revocation is only applicable to an area commencing adjacent to the prolongation of Val Street, Rockingham then extending in a North East direction for 1000 metres and between 100 metres and 300 metres offshore between the hours of 1000 and 1600 on Sunday 28 December 1997 and 1000 and 1800 on Wednesday 31 December 1997 and to vessels authorised by the Cruising Yacht Club of Western Australia (Inc) participating in approved aquatic events.

CHRISTOPHER ROBERT WHITAKER, Director General of Transport.

TR402

**NAVIGABLE WATERS REGULATIONS**  
**PARASAILING AREA**

Mandurah

Department of Transport,  
Fremantle WA, 23 December 1997.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport by this notice revokes the notice published in the *Government Gazette* on 8 August 1997 relating to the parasailing area at Comet Bay, Mandurah and substitutes the following—

**CITY OF MANDURAH—COMET BAY**

Parasailing may be conducted in those waters of Comet Bay between Robert Point and Becher Point excluding the following—

- (a) All those waters within 300 metres of the shore except that area from a marked point at the seaward prolongation of the boundary between Lot 10 and Lot 11 Ormsby Terrace, Silver Sands, to a point approximately 160 metres in a South Westerly direction being the seaward prolongation of the boundary between Lot 3 and Lot 42 Ormsby Terrace, which may be used as a take off and landing area.
- (b) All those waters within a radius of 800 metres of the seaward end of the Mandurah Estuary entrance groynes.
- (c) All those waters within 100 metres of the Bight Reef.

Between the hours of sunrise and sunset only; and providing that no vessel towing a parasail is permitted within 100 metres of any other vessel, person or object in the water or within 100 metres of the foreshore, except in the approved water-ski take off area.

CHRISTOPHER ROBERT WHITAKER, Director General of Transport.

TR403

**NAVIGABLE WATERS REGULATIONS**  
**WATER SKI AREA**

Mandurah

Department of Transport,  
Fremantle WA, 23 December 1997.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport by this notice revokes section (1) (a) (10) of the notice published in the *Government Gazette* on 25 October 1991 relating to water ski areas and substitutes the following—

**(10) CITY OF MANDURAH—COMET BAY**

All those waters of Comet Bay between Robert Point and Becher Point excluding the following—

- (a) All those waters within 300 metres of the shore except that area from a marked point at the seaward prolongation of the boundary between Lot 10 and Lot 11 Ormsby Terrace, Silver Sands, to a point approximately 160 metres in a South Westerly direction being the

seaward prolongation of the boundary between Lot 3 and Lot 42 Ormsby Terrace, which may be used as a take off and landing area.

- (b) All those waters within a radius of 800 metres of the seaward end of the Mandurah Estuary entrance groynes.
- (c) All those waters within 100 metres of the Bight Reef.

CHRISTOPHER ROBERT WHITAKER, Director General of Transport.

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## WATER AND RIVERS

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WA301

### WATER SERVICES COORDINATION ACT 1995

#### LICENCE EXEMPTION (WITTENOOM) AMENDMENT ORDER (No. 3) 1997

Made by the Governor in Executive Council under section 19.

#### Citation

1. This order may be cited as the *Licence Exemption (Wittenoorn) Amendment Order (No. 3) 1997*.

#### Clause 2 amended

2. Clause 2 (2) of the *Licence Exemption (Wittenoorn) Order 1996\** is amended by deleting "31 December 1997" and substituting the following —

“ 30 June 1998 ”.

[\* *Published in Gazette 5 July 1996, p. 3255.*  
*For amendments to 3 December 1997 see 1996 Index to Legislation of Western Australia, Table 4, p. 302 and Gazette 24 June and 16 September 1997.*]

By Command of the Governor,

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

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## PUBLIC NOTICES

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ZZ101

### 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 Estate of Robert Charles Rankin, late of 143 Dalkeith Road Nedlands who died on 17 November 1997, are required by the executor National Mutual Trustees Limited of 6th Floor, 111 St Georges Terrace, 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.

**ZZ202****TRUSTEES ACT 1962**

## Notice to Creditors and Claimants

Denis James Hevron, late of 1B Bridges Road, Melville, Western Australia, Insurance Agent.

Creditors and other persons having claims (to which Section 63 of the Trustee Act 1962 relates) in respect of the estate of the deceased, who died 2nd November 1997 are required by us the trustees, John Francis Hevron of 133G View Terrace Bicton, Western Australia and Jennifer Anne Purser of 48 Rosalie Street, Shenton Park, Western Australia, to send particulars of your claims to us by the 23rd day of January 1998, after which date we may convey or distribute the Assets, having regard only to the claims of which we have notice.

Dated this 18th day of December 1997.

**ZZ401**

## IN THE SUPREME COURT OF WESTERN AUSTRALIA AT PERTH

Cor No. 333 of 1997.

In the matter of section 459 of the Corporations Law of Western Australia

In the matter of RL Wright Pty Ltd ACN No. 008 930 907 between Donnybrook Plastering Contractors—Applicant and RL Wright Pty Ltd—Respondent

## ADVERTISEMENT OF APPLICATION FOR WINDING-UP

Date of Document:

Filed on Behalf of: Applicant

Date of Filing:

Prepared by: BEERE MAY & MEYER

Tel: 08 9757 2744

Whose address for service is:

Ref: BWC: JCD 970265

C/- Messrs Mossensons,  
Barristers & Solicitors,  
326 Hay Street,  
PERTH. WA. 6000.

Enq: B Winburn-Clarke

Notice is hereby given that an application for the winding up of the abovenamed company in insolvency by the Supreme Court of Western Australia was on 4 December 1997 filed by Donnybrook Plastering Company. The application is to be heard before a Master in chambers at the Supreme Court at Perth at 10.30 am on 21 January 1998.

The liquidator whose appointment is sought is Kevin Ernest Judge of the firm of Judge Constable of Burswood Chambers, 67 Burswood Road, Victoria Park WA 6100.

Any creditor or contributory of the company desiring to support or oppose the making of an order on the application may appear at the time of hearing by himself or his counsel for that purpose.

The applicant solicitor is Beere May & Meyer of 43 Town View Terrace, Margaret River (whose Perth agent is Mossensons of 326 Hay Street, Perth WA 6000)

NOTE: (1) Any person who intends to appear on the hearing of the application must serve on or send by post to the abovenamed solicitor notice in writing of that intention. The notice must state the name and address of the person or, if a firm, or their solicitor (if any), and must be served or, if posted, must be sent by post in sufficient time to be received not later than 4.00pm on Tuesday 20 January 1998 (the date before the hearing of the application or, if the day appointed is a Monday or a Tuesday following a public holiday, the Friday preceding the day appointed).

(2) A person may not, without leave of the Court, oppose the application unless, at least 7 days before the hearing date, the person has filed and served on the applicant—

- (a) notice of the grounds of opposition; and
- (b) an affidavit verifying the matters stated in the notice.

WESTERN AUSTRALIA

**FREEDOM OF INFORMATION ACT 1992**

**\*Price: \$10.90 Counter Sales  
Plus Postage on 365 grams**

\* Prices subject to change on addition of amendments.

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