

WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, FRIDAY, 24 APRIL 1998 No. 84

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

PUBLISHING DETAILS

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

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy should be received by the Manager (Sales and Editorial), State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher
P.O. Box 8448,
Perth Business Centre 6849

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.
- Proofs will be supplied only on request.
- No additions or amendments to material will be accepted by telephone.

ADVERTISERS SHOULD NOTE:

- All Notices should be written in 'plain English'.
- Signatures (in particular) and proper names must be legible.
- All copy should be typed and double spaced.
- If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*
- Documents not prepared clearly or in the required format for gazettal, will be returned to the sender unpublished.
- Copy received after the deadline will be placed in the following edition irrespective of any date/s mentioned in the copy.

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Government Printer, State Law Publisher. Inquiries should be directed to the Manager Sales & Editorial, State Law Publisher, 10 William St, Perth 6000.

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 1997.

Deceased Estate notices, (per estate)—\$17.20

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$40.10

Other articles in Public Notices Section—\$40.10 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$7.90

Bulk Notices—\$148.00 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

COUNTER SALES 1997-98

(As from 1 July 1997)

	\$
Government Gazette—(General)	2.50
Government Gazette—(Special)	
Up to 2 pages	2.50
Over 2 pages	4.90
Hansard	14.10
Industrial Gazette	12.50
Bound Volumes of Statutes	218.00

IMPORTANT NOTICE

Periodically notices are published indicating a variation in normal publishing arrangements:

- Easter or Christmas editions etc—these notices appear approximately 4 weeks prior to any change.
- Extraordinary gazettes not circulated to all subscribers—these notices appear in the following general edition of the gazette.

In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Law Publisher.

JOHN A. STRIJK,
Government Printer.

ARCHITECTS BOARD

AE401

ARCHITECTS BOARD OF WESTERN AUSTRALIA
Election of Board Members

At the Board meeting of the 3rd February 1998, the Architects Board of Western Australia having examined and counted the voting papers returned by architects in the State of Western Australia has by resolution declared Messrs R. Mollett and S. Ivanovich elected to the Board for a period of three years.

At a meeting of the Board on the 3rd March 1998, Mr John Koivisto was elected Chairman and Mr Anthony Packer was elected Treasurer of the Board for the ensuing year.

The Board has been advised that the Governor's appointment (to 31/1/2001) will be Dr F. Pitman.

JOAN McINTYRE, Registrar.

CONSERVATION & LAND MANAGEMENT

CM301*

CONSERVATION AND LAND MANAGEMENT ACT 1984
FOREST MANAGEMENT REGULATIONS 1993
PUBLIC FIREWOOD AREAS ORDER 1998

Made by the Executive Director under regulation 98 of the *Forest Management Regulations 1993*.

Citation

1. This order may be cited as the *Public Firewood Areas Order 1998*.

Interpretation

2. (1) References in this order to CALMAPS are to maps produced by the Department of Conservation and Land Management.
(2) Copies of the maps are available for inspection by the public during normal office hours at the places referred to in clause 4.

Public firewood areas

3. (1) The areas of State forest named in column 1 and described in column 3 of Schedule 1 are set aside for the purposes of the collection of firewood by members of the public.
(2) The areas set aside under subclause (1) are delineated on the relevant CALMAPS referred to in column 2 of Schedule 1.
(3) Regulation 100 of the *Forest Management Regulations 1993* applies to the areas described in Part 1 of Schedule 1.
(4) No fees are payable in respect of the removal of firewood from the areas designated in Part 2 of Schedule 1.

Inspection of CALMAPS

4. (1) A CALMAP referred to in Schedule 1, Part 1, Division 1 and Part 2, Division 1 may be inspected at the following Department of Conservation and Land Management offices —
 - (a) Dwellingup District Office, Banksiadale Road, Dwellingup;
 - (b) Mundaring District Office, Weir Road, Mundaring;
 - (c) Perth District Office, 5 Dundobar Road, Wanneroo;
 - (d) State Operations Headquarters, 50 Hayman Road, Como; and
 - (e) Swan Regional Office, 3044 Albany Highway, Kelmscott.
(2) A CALMAP referred to in Schedule 1, Part 1, Division 2 may be inspected at the Narrogin regional and district offices of the Department of Conservation and Land Management, 7 Wald Street, Narrogin.
(3) A CALMAP referred to in Schedule 1, Part 2, Division 2 may be inspected at the Albany regional and district offices of the Department of Conservation and Land Management, 120 Albany Highway, Albany.

Amendment of the Public Firewood Areas Order 1997

5. Schedule 1 of the *Public Firewood Areas Order 1997** is amended in Part 1, Division 1, by deleting the items relating to —
 - Death Adder Creek
 - Langford Park.

[* *Published in Gazette 22 April 1997, pp. 2051-4.*]

SCHEDULE 1

PART 1 — FEE PAYABLE PUBLIC FIREWOOD AREAS

Division 1 — Swan region

Name of area	Name of CALMAP	Description
Bartons Mill	Kelmscott	That part of State forest 22 bounded by a line commencing on the north-east corner of the road surface at the junction of named forest track Ashendon Road and Pickering Brook Road and extending — 600 metres on 61 degrees, then 1470 metres on 44 degrees, then 1080 metres on 134 degrees, then 1590 metres on 212 degrees, then 1410 metres on 317 degrees, to the starting point.
Death Adder Creek (Quinine Creek)	Kelmscott	That part of State forest 22 bounded by a line commencing on the north-east corner of the road surface at the junction of Brookton Highway and named forest track Ashendon Road and extending — 1470 metres on 32 degrees, then 1200 metres on 28 degrees, then 610 metres on 98 degrees, then 700 metres on 181 degrees, then 600 metres on 276 degrees, then 640 metres on 210 degrees, then 220 metres on 307 degrees, to the starting point.
Langford Park (Nettleton Road)	Jarrahdale	That part of State forest 22 bounded by a line commencing on the north-west junction of Nettleton Road and unnamed bitumen access road into Langford Park and extending — 600 metres on 351 degrees, then 640 metres on 270 degrees, then 270 metres on 209 degrees, then 250 metres on 97 degrees, then 580 metres on 63 degrees, to the starting point.
Scott (McCoy)	Dwellingup	That part of State forest 14 bounded by a line commencing at reference tree 7 at map reference CN6871 on the Dwellingup CALMAP and extending — 250 metres on 111 degrees, then 2830 metres on 47.5 degrees, then 600 metres on 297.5 degrees, then 1500 metres on 237 degrees, then 1430 metres on 212 degrees, then 270 metres on 111 degrees, to the starting point.

Division 2 — Wheatbelt region

Name of area	Name of CALMAP	Description
Skelton Section D (Congelin)	Dryandra	That part of State forest 51 bounded by a line commencing at the south-east junction of Patonga Road and the York Williams Road and extending — 60 metres on 175 degrees, then 300 metres on 258 degrees, then 250 metres on 265 degrees, then 350 metres on 291 degrees, then 300 metres on 32 degrees, then 730 metres on 285 degrees, then 700 metres on 318 degrees, then 875 metres on 321 degrees, then 225 metres on 5 degrees, then 500 metres on 30 degrees, then 2040 metres on 90 degrees, then 460 metres on 156 degrees, then 560 metres on 188 degrees, then 1690 metres on 180 degrees, to the starting point.

PART 2 — FREE PUBLIC FIREWOOD AREAS

Division 1 — Swan region

Name of area	Name of CALMAP	Description
Yanchep (Bindiar Road)	Yanchep	That part of State forest 65 bounded by a line commencing at the south-west corner of the road surface of named forest track Lagos Road and Wanneroo Road and extending — 550 metres on 230 degrees, then 1650 metres on 152 degrees, then 350 metres on 66 degrees, then 170 metres on 346.5 degrees, then 180 metres on 34.5 degrees, then 1500 metres on 332 degrees, to the starting point.
Pinjar (Bottlebrush Road)	Gnangara	That part of State forest 65 bounded by a line commencing at the north-east corner of the road surface at the junction of named forest track Bottlebrush Road and Old Yanchep Road and extending — 1270 metres on 123.5 degrees, then 1450 metres on 35.5 degrees, then 80 metres on 90 degrees, then 1990 metres on 290 degrees, then 1230 metres on 181 degrees, to the starting point.

Division 2 — South Coast region

Name of area	Name of CALMAP	Description
Redmond Forest (Main Block)	Redmond	That part of State forest 64 bounded by a line commencing at a point 2650 metres on 265.5 degrees from the south-west corner of the road surface at the junction of Redhen Road and Redmond Road West and extending — 400 metres on 56 degrees, then 1450 metres on 283.5 degrees, then 2825 metres on 93 degrees, then 1250 metres on 1.5 degrees, then 1025 metres on 271.5 degrees, then 1115 metres on 1 degree, then 1050 metres on 91 degrees, then 750 metres on 1.5 degrees, then 825 metres on 272.5 degrees, then 1175 metres on 0 degrees, then 388 metres on 270 degrees, then 980 metres on 359 degrees, then 2250 metres on 270 degrees, then 1400 metres on 220 degrees, then 525 metres on 180 degrees, then 375 metres on 267.5 degrees, then 925 metres on 180 degrees, then 775 metres on 91.5 degree, then 800 metres on 180 degrees, then 1265 metres on 90 degrees, then 700 metres on 180 degrees, then 2150 metres on 268 degrees, then 975 metres on 15 degrees, then 2263 metres on 270 degrees, then 4825 metres on 238.5 degrees, then 1700 metres on 194 degrees, then 1250 metres on 89 degrees, then 650 metres on 180 degrees, then 950 metres on 42 degrees, then 975 metres on 58.5 degrees, then 750 metres on 88.5 degrees, then 775 metres on 69 degrees, then 3825 metres on 90.5 degrees, then 750 metres on 110 degrees, to the starting point.

SYD SHEA, Executive Director.

EDUCATION

ED401**MURDOCH UNIVERSITY ACT 1973**Office of the Minister for Education,
Perth, 1998.

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 12 (1) (i) of the Murdoch University Act 1973, approved the reappointment of Mr Jeremy Buxton of West Perth as a member of the Murdoch University Senate for a term of office expiring on 31 May 2001.

COLIN J. BARNETT, Minister for Education.
M. C. WAUCHOPE, Clerk of the Executive Council.

ENERGY

EC301*

ELECTRICITY ACT 1945

ELECTRICITY (LICENSING) AMENDMENT REGULATIONS 1997

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Electricity (Licensing) Amendment Regulations 1997*.

Schedule 1 amended

2. Schedule 1 to the *Electricity (Licensing) Regulations 1991** is amended —
- (a) in item 1 (b) by deleting “12 P.A.” and substituting the following —
“ 16 P.A. ”;
 - (b) in item 2 (b) by deleting “200” and substituting the following —
“ 230 ”; and
 - (c) in item 2 (c) by deleting “100” and substituting the following —
“ 115 ”.

[* Reprinted as at 26 February 1997.]

By Command of the Governor,

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

FAIR TRADING

FT401***RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS (ANZAC DAY MONDAY EXTENDED TRADING) AMENDMENT ORDER 1998**

Made by the Minister for Fair Trading under Section 5.

Citation

1. This Order may be cited as the *Retail Trading Hours (ANZAC Day Monday Extended Trading) Amendment Order 1998*.

Amendment

2. The *Retail Trading Hours (ANZAC Day Monday Extended Trading) Exemption Order 1998* [Published in the Gazette of 13 March 1998 at p. 1363] is amended by inserting after ‘6.00 pm’ the following—
“, other than those general shops within the Shire of Katanning”.

DOUG SHAVE, Minister for Lands; Fair Trading;
Parliamentary and Electoral Affairs.

FT402**CHARITABLE COLLECTIONS ACT 1946**

I, Doug Shave, being the Minister administering the Charitable Collections Act 1946, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licences of the organisations listed below—

- Gosnells District Information Centre Inc
- Soma Health Association of Australia Ltd WA Branch
- United Nations Association of Australia (WA) Incorporated
- Western Australian School Sponsorship Program (W.A.S.S.P.) Inc
- The Institute for Advanced Medical Research Incorporated
- Australian Cancer Foundation for Medical Research
- South West Association for the Physically Handicapped—Western Australia (Incorporated)

Dated this 19th day of March 1998.

DOUG SHAVE, Minister for Fair Trading.

JUSTICE

JM401**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

- Mr Cedric Abbott Curley of 228 Oliver Street, Meekatharra
- Mr Robin Grant Greenham of 22 Velsheda Green, Ocean Reef
- Mr Anthony Michael Miosich of 10 Sowden Drive, Samson

to the office of Justice of the Peace for the State of Western Australia

RICHARD FOSTER, Executive Director, Court Services.

JM402**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following persons as a Member of the Children's Court of Western Australia—

- Mr Cedric Abbott Curley of 228 Oliver Street, Meekatharra
- Mr Peter Edward Darmody of 28 Cubbine Road, Cunderdin
- Mr Gregory Bruce Stewart of PO Box 86 Gnowangerup.

RICHARD FOSTER, Executive Director, Court Services.

LAND ADMINISTRATION

LA401***LAND ADMINISTRATION ACT 1997****TRANSFER OF LAND ACT 1893****INSTRUMENT OF DELEGATION**

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the Land Administration Act 1997, hereby delegate to the officers of the Department of Land Administration listed by position title in the following schedule, the powers and duties under those sections of the Land Administration Act 1997 and the Transfer of Land Act 1893 listed in the schedule.

D. J. SHAVE, Minister for Lands.

LAND ADMINISTRATION ACT**MINISTERIAL POWERS DELEGATED—BY SECTION ORDER**

Section	Position	Powers
21	Manager, Crown Title Creation Sub-section, Registration of Interests Section	Lodging and Withdrawal of Caveats on Behalf of Disabled Persons and Protecting Interests
21	Supervisors, Crown Title Creation Sub-section	Lodging and Withdrawal of Caveats on Behalf of Disabled Persons and Protecting Interests
21	Senior Examiners, Crown Title Creation Sub-section	Lodging and Withdrawal of Caveats on Behalf of Disabled Persons and Protecting Interests
21(3)	Manager, Crown Title Creation Sub-section	Lodging and Withdrawal of Caveats Protecting Interests
21(3)	Supervisors, Crown Title Creation Sub-section	Lodging and Withdrawal of Caveats Protecting Interests
21(3)	Senior Examiners, Crown Title Creation Sub-section	Lodging and Withdrawal of Caveats Protecting Interests
27(1)	All Regional Managers	Subdividing and developing Crown land and causing funds to be expended in this connection
29	Manager, Crown Title Creation Sub-section	Application to Registrar for creation and registration of Crown Land Titles (CLT's), etc
29	Supervisors, Crown Title Creation Sub-section	Application to Registrar for creation and registration of CLT's, etc
29	Senior Examiners, Crown Title Creation Sub-section	Application to Registrar for creation and registration of CLT's, etc
281(2)sch2 cls 45	Manager, Crown Title Creation Sub-section	Duties and Powers in relation to obtaining and lodging for registration, evidence and plans relating to interests in Crown land
281(2)sch2 cls 45	Supervisors, Crown Title Creation Sub-section	Duties and Powers in relation to obtaining and lodging for registration, evidence and plans relating to interests in Crown land

TRANSFER OF LAND ACT 1893**MINISTERIAL POWERS TO BE DELEGATED—BY SECTION ORDER**

Section	Position	Powers
81V	Manager, Crown Title Creation Sub-section, Registration of Interests Section	Applying for removal of qualification from Qualified Crown Land Titles (CLT's)
81V	Supervisors, Crown Title Creation Sub-section	Applying for removal of qualification from QCLT's
81V	Senior Examiners, Crown Title Creation Sub-section	Applying for removal of qualification from QCLT's
81V	Project & Liaison Officer, Crown Title Creation Sub-section	Applying for removal of qualification from QCLT's
81ZA(3)	Manager, Crown Title Creation Sub-section	Applying for creation and registration of Crown Land Title's (CLT's)
81ZA(3)	Supervisors, Crown Title Creation Sub-section	Applying for creation and registration of CLT's
81ZA(3)	Senior Examiners, Crown Title Creation Sub-section	Applying for creation and registration of CLT's
81ZA(3)	Project and Liaison Officer, Crown Title Creation Sub-section	Applying for creation and registration of CLT's
166 A,B	Manager, Crown Title Creation Sub-section	Applying to the Registrar (with sketch plans) for creation and registration of new Crown Land Titles or QCLT's
166 A,B	Supervisors, Crown Title Creation Sub-section	Applying to the Registrar (with sketch plans) for creation and registration of new Crown Land Titles or QCLT's
166 A,B	Senior Examiners, Crown Title Creation Sub-section	Applying to the Registrar (with sketch plans) for creation and registration of new Crown Land Titles or QCLT's
166 A,B	Project & Liaison Officer, Crown Title Creation Sub-section	Applying to the Registrar (with sketch plans) for creation and registration of new Crown Land Titles or QCLT's

LOCAL GOVERNMENT**LG301****LOCAL GOVERNMENT ACT 1995***City of Geraldton***REPEAL OF A LOCAL LAW**

The Council of the City of Geraldton records having made the following Local Law at a meeting held on 20 January 1998.

The following Local Laws—

- Local Law relating to Caravan parks and Parking Grounds—adopted 8 November 1997 (and amended from time to time)

- Local Law relating to Long Service Leave to be granted to employees of the Geraldton Town Council—adopted 24 October 1962
- Local Laws relating to Holiday Accommodation—adopted 26 February 1982 (Local Government Draft Model Local Laws—Holiday Accommodation No. 18)
- Local Law relating to the Control and Management of Reserve 25572, Bayly Street, campsite—adopted 16 November 1961
- Health Local Laws—adopted 17 July 1964 (and amended from time to time)
- Health Local Laws—Stables—adopted 31 October 1968
- Local Law relating to Sick Leave—adopted 5 September 1972
- Local Government Model Local Law (Motels) No. 3—adopted 20 September 1961 (and amended from time to time)
- Building Line Local Law No. 1—adopted 21 August 1959
- Draft Model Local Law—Prevention of Damage to Streets—No. 15—adopted 18 February 1965.

Are hereby repealed.

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

P. G. COOPER, Mayor.
G. K. SIMPSON, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995

Shire of Mundaring

LOCAL LAW: BEEKEEPING

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the council of the abovementioned local government hereby records having resolved on 22 July, 1997 to make the following local law.

Citation

1. This local law may be cited as the *Shire of Mundaring Beekeeping Local Law 1997* and shall apply and have operation throughout the whole of the district of the Shire of Mundaring.

Commencement

2. This local law shall come into operation fourteen (14) days after the date on which the local law is published in the *Government Gazette*.

Interpretation

3. In this local law, unless the context requires otherwise

“Beehive” means a movable or fixed structure, container or object in which bees are kept.

“Council” means the Council of the Shire of Mundaring.

“District” means the local government district of the Shire of Mundaring.

“Residential Land” means land zoned as residential under any town planning scheme in force in the district from time to time.

Keeping of Bees

4. No person shall keep or permit to be kept bees in more than two beehives on any Residential Land without the prior written approval of the Council.

5. Council may grant a written approval for an owner or occupier of land to keep more than two beehives. Such approval may be given with or without conditions and the person to whom the approval is granted shall comply with all such conditions. If the applicant for the approval is not the owner of the land on which the bees are to be kept, the application shall be accompanied by a written form or consent from the owner of the land.

6. Notwithstanding sections 4 and 5 a person shall not keep or permit to be kept bees in beehives on any land within the district unless:

- (a) At all times an adequate and permanent supply of water in a receptacle is provided on the land not less than ten metres from any beehive.
- (b) The beehive is kept not closer than eight metres to any footpath, street or public place and not closer than five metres from any other boundary of the land.
- (c) The beehive is screened or setback in such a manner as to afford protection to all persons in the locality.

- (d) The applicant produces to the Shire a current Certificate of Registration as a Beekeeper and a Certificate of Hive Brand.
7. No person shall keep bees in such a manner as to cause a nuisance.
8. A person shall not keep or permit to be kept bees on a footpath, street or public place in the district.
9. Notwithstanding any preceding section, where Council forms the opinion that the keeping of bees on residential land or any other land within the district has caused a nuisance or has adversely affected the residential amenity of the locality, Council may cause notice to be served on the owner or occupier of the land who shall within the period specified in such notice remove the bees from the land.
10. A person who fails to comply with a written notice issued pursuant to section 9 or contravenes any section of this local law or omits to do any act required by this local law commits an offence and shall be liable, on conviction to a penalty not exceeding \$500 and to a maximum daily penalty in the case of a continuing offence following conviction of \$50 per day.

Dated this 3rd day of April 1998.

The Common Seal of the Shire of Mundaring was hereto affixed in the presence of—
(seal)

J. ELLERY, Shire President.
M. N. WILLIAMS, Chief Executive Officer.

LG401

HEALTH ACT 1911

Section 57(2)

NOTICE OF INTENTION

Shire of Moora

Sewerage Scheme Alteration Moora Townsite

Drummond Street

The Shire of Moora proposes to construct a waste water stabilisation pond for the existing townsite sewerage scheme for the purpose of draining waste water and sewerage from all buildings served by the Shire of Moora reticulated sewerage scheme and to treat the waste water and sewerage in the treatment works already constructed. It is estimated that the capital cost of the extension will cost \$50,000, it is proposed to finance the work from Municipal Funds provided on Council's Budget.

Water supply for the Sewerage Scheme comes from the existing country areas water supply for Moora Townsite.

A general plan and description of the proposed extension will be deposited with the Executive Director, Public Health and copies may be inspected at the Council Office, objections will be received until 10 June 1998.

J. N. WARNE, Chief Executive Officer.

LG402

DOG ACT 1976

Shire of Carnamah

AUTHORISED OFFICERS

It is hereby notified for public information that the following are authorised officers for the purposes of the Dog Act 1976 in the Shire of Carnamah—

Milton Lancelot Croft	Aaron James Capp
Malcolm Harold Pumphrey	Clarry Sydney Fordice Style
Gavin Ross Hard	Cher Maree Blow
Belinda Jane West	Carolyn Croft
Edward David Williams	

All previous appointments are hereby cancelled.

M. L. CROFT, Chief Executive Officer.

LG403**DOG ACT 1976**

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

Registration Officers—

Darren Robert Stanley Mollenoyux
Christie Elizabeth Leeson
Gary Allan Sherry
Geoffrey Mark Peddie

Authorised Office—

David Graham Kerr

GEOFF PEDDIE, Chief Executive Officer.

LG404**BUSH FIRES ACT 1954**

Shire of Dandaragan

CANCELLATION OF FIRE CONTROL OFFICER

Notice is hereby given of the cancellation of the appointment of Mr Terrence Reid McCallum as a Fire Control Officer with the Shire of Dandaragan.

B. J. GOLDING, Chief Executive Officer.

MINERALS AND ENERGY

MN301*

MINING ACT 1978

MINING AMENDMENT REGULATIONS (No. 3) 1998

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Mining Amendment Regulations (No. 3) 1998*.

Regulation 86AA amended

2. Regulation 86AA of the *Mining Regulations 1981** is amended by inserting after subregulation (5) the following subregulations —

“

(5a) If the Minister is satisfied in a particular case that there are circumstances justifying gold royalty relief, the Minister may determine that in that case the rate of royalty payable for gold metal produced while the determination is expressed to apply is to be on the basis of a portion only, as specified in the determination, of the realized value of the gold metal produced, and subregulations (3) to (5) have effect as modified by the determination.

(5b) In subregulation (5a) —

“**circumstances justifying gold royalty relief**” means circumstances that meet criteria for the giving of gold royalty relief that the Minister has published in the *Gazette*.

”.

[* Reprinted as at 18 March 1996.

For amendments to 9 April 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 190-91, and Gazette 17 March 1998.]

By Command of the Governor,

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

MN401***MINING ACT 1978**

DEPARTMENT OF MINERALS AND ENERGY

CRITERIA FOR ASSESSING ROYALTY RELIEF UNDER THE MINING ACT

General

1. Relief is to be provided on a project by project and not an industry basis. Each application will be examined on its merits.

2. The applicant will need to demonstrate long term viability and cash flow problems through full financial disclosure.
3. Relief will only be recommended if the project is able to demonstrate cash flow problems, which are beyond the control of management. Cash flows will be negative and of such importance that they could lead to closure of the project. The cash flow analysis will include operating cost cash flows and maintenance but capital expenditures for additions, expansion and new development will be excluded.
4. A project that has a negative cash flow may receive royalty relief but will be required to pay back to Government the net assistance received when the project moves back into a positive and sustainable operating cash flow position.
5. Relief will be granted by way of lower royalty rates implemented through changes to Mining Act Regulations and will apply from the date of publication in the Government Gazette. Royalty exemptions will not be given unless there are exceptional circumstances.
6. Relief recommended would be short term in nature with regular reviews of the project's position. Such reviews would generally be performed every six months.

Gold Projects—From 1 July 1998 Until 30 June 2005

7. A gold royalty project will not need to demonstrate long term viability under Criterion 2, in order to be eligible for temporary royalty relief. Furthermore, the assessment of cash flow difficulties for gold projects will, in addition to the matters set out in Criterion 3, take into account replacement capital expenditures essential to the project.
8. Notwithstanding any of the above, if a gold royalty project can demonstrate to the satisfaction of the Minister for Mines that continued payment of a gold royalty alone would force the project to close, temporary royalty relief shall be granted.
9. Where a gold royalty project that has received temporary royalty relief closes permanently without fully repaying that royalty relief, the Government will not claim the remaining royalty liability following the closure.

NORMAN MOORE, Minister for Mines.

MN402*

PETROLEUM ACT 1967

Surrender of Exploration Permit EP 387

The surrender of Exploration Permit No. EP387 has been registered and will take effect on the date this notice appears in the *Government Gazette*.

IAN FRASER, Director Petroleum Operations Division.

PLANNING

PD401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF SOUTH PERTH

TOWN PLANNING SCHEME No. 5—AMENDMENT No. 96

Ref: 853/2/11/7, Pt 96.

Notice is hereby given that the local government of the City of South Perth has prepared the abovementioned scheme amendment for the purpose of rezoning—

- 1 Canning Locations 4096, 4095, 4093, 4094 and 2194 (Reserve 29884) Cloister Avenue, Manning from "Public Purposes Reserve (Regional)—Hospital" to "Residential R Zone (R20)".
- 2 Canning Locations 3650 (Reserve 31493), and 3025 (Reserve 36123) Roebuck Drive, Manning from "Public Purposes Reserve (Regional)—Hospital" to "Residential R Zone (R40)".
- 3 Canning Location 3651 (Reserve 37828) from "Public Purposes Reserve (Regional)—Hospital" to "Open Space Reserve—Park and Recreation Area".
- 4 Canning Location 3943 from "Parks and Recreation" to "Residential R Zone (R20)".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Sandgate Street, South Perth 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 June 5, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 5, 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.

L. L. METCALF, Chief Executive Officer.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF STIRLING
DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 307

Ref: 853/2/20/34, Pt 307.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on April 14, 1998 for the purpose of rezoning portion of Lots 110, 111 and 112 (HNS 91-95) Scarborough Beach Road, Scarborough from "Residential R30" to "Restricted Business".

D. C. VALLELONGA, Mayor.
M. J. WADSWORTH, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF STIRLING
DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 319

Ref: 853/2/20/34, Pt 319.

Notice is hereby given that the local government of the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 497 (HN 185) Main Street, (The Plaza), Osborne Park from "Medium Density Residential R40" to "Restricted Business".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including June 5, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 5, 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.

M. J. WADSWORTH, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF STIRLING
DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 325

Ref: 853/2/20/34, Pt 325.

Notice is hereby given that the local government of the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning Reserve 26969 Location 7427 (HN 118) Dundas Road, Inglewood from "Private Institution" to "Residential R30".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including June 5, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 5, 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.

M. J. WADSWORTH, Chief Executive Officer.

PD405***TOWN PLANNING AND DEVELOPMENT ACT 1928**
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF SWAN

PLANNING SCHEME No. 9—AMENDMENT No. 313

Ref: 853/2/21/10, Pt 313.

Notice is hereby given that the local government of the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of modifying the Subdivision Guide Plan—Special Rural Zone No. 4, Lot 117 West Swan Road, Henley Brook, to permit subdivision into two lots.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Corner Morrison Road and Old Great Northern Highway, Midland 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 June 5, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 5, 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.

E. W. LUMSDEN, Chief Executive Officer.

PD406***TOWN PLANNING AND DEVELOPMENT ACT 1928**
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF SWAN

TOWN PLANNING SCHEME No. 9—AMENDMENT No. 317

Ref: 853/2/21/10, Pt 317.

Notice is hereby given that the local government of the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of amending Appendix 6B and the Scheme Maps to provide for additional uses (Machinery and Vehicle Sales and Service), on Lots 16 and 32 (1392) Great Northern Highway, Upper Swan.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Midland Square, (Corner Morrison Road and Old Great Northern Highway), Midland 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 June 5, 1998.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 5, 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.

This Amendment is being re-advertised and all persons/organisations who lodged a submission previously are not required to forward a new submission.

E. W. LUMSDEN, Chief Executive Officer.

POLICE

PE401**POLICE ACT 1892**
PUBLIC AUCTION

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by public auction at the premises of Port Hedland Auction Centre, Lot 1432 McKay Street, Port Hedland on Saturday 2nd May 1998.

R. FALCONER, Commissioner of Police.

RACING, GAMING AND LIQUOR

RA401**LIQUOR LICENSING ACT 1988**
SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE			
1959/97	Alkoomi Wines Pty Ltd	Application for the transfer of a Producers Licence in respect of premises situated in Frankland and known as Alkoomi Wines, from Mervyn Douglas Lange.	6/5/98
1968/97	Dabu Nominees Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Mount Magnet and known as Mount Magnet Hotel, from Dabu Nominees Pty Ltd (S87).	7/5/98
1970/97	Linkview Holdings Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Moora and known as Moora Hotel, from Rimutaka Nominees Pty Ltd.	30/4/98
APPLICATIONS FOR THE GRANT OF A LICENCE			
1322/97	Malcolm Lindsay Gould & Margaret Patricia Gould	Application for the grant of Producers Licence in respect of premises situated in Yallingup and known as Deep Wood Estate.	20/5/98
1328/97	KLM Enterprises Pty Ltd	Application for the grant of a Liquor Store Licence in respect of premises situated in Drummond Cove and known as Drummond Cove Holiday Park.	20/5/98
1336/97	Shorepine Pty Ltd	Application for the grant of a Liquor Store Licence in respect of premises situated in Yangebup and known as Yangebup Liquor Store.	14/5/98
1337/97	Jazzline Nominees Pty Ltd	Application for the grant of a Cabaret Licence in respect of premises situated in Kununurra and known as TBA.	13/5/98

This notice is published under section 67 (5) of the Liquor Licensing Act 1988.

G. B. AVES, Director of Liquor Licensing.

STATE GOVERNMENT INSURANCE

SM401*

STATE GOVERNMENT INSURANCE COMMISSION SCHEDULE OF PREMIUMS

Payable under the Motor Vehicle (Third Party Insurance) Act 1943 in respect of Third Party Insurance Policies on and after 1 July 1998 until further notice.

Definition

"Motor Vehicle" means any vehicle propelled by gas, oil, electricity or any other motive power, not being animal power required to be licensed, and complying with the requirements necessary for licensing under the Road Traffic Act 1974, and includes a caravan trailer or semi-trailer drawn or hauled by a motor vehicle.

Schedule

Class No.	Class of Vehicle	Annual Premium Rate \$
1A	Motor Car—Any motor car used for private or business purposes and constructed principally for the conveyance of persons not included in Classes 2 to 8, inclusive. This class includes Station Wagons which have a designed seating capacity for four (4) or more persons (Any motor car licensed under regulation 21D of the Road Traffic (Licensing) Regulations and issued with registration plates in accordance with regulation 24 (1) of those Regulations as a farm vehicle shall be entitled to a rebate of 50 per cent of this premium).	214.15

Schedule— <i>continued</i>		Annual
Class No.	Class of Vehicle	Premium Rate \$
1B	Ambulance Vehicle, Fire Brigade Vehicle, Undertakers' Vehicle, Motor Vehicle owned and used by the Australian Red Cross Society, or a vehicle owned and used by the Spastic Welfare Association—"Ambulance Vehicle". Any motor vehicle constructed and used for the conveyance of sick or injured persons. "Fire Brigade Vehicle". Any motor vehicle owned by or under the control of the Western Australian Fire Brigade Board. "Undertakers' Vehicles": Any motor vehicle used solely as an undertakers' hearse or mourning coach	103.05
2	Goods Vehicle—Any motor vehicle not included in Classes 3 to 8, both inclusive, constructed principally for the conveyance of goods. This class includes a wagon, utility, tractor (prime mover type)	187.70
	(Any wagon licensed under regulation 21D of the Road Traffic (Licensing) Regulations and issued with registration plates in accordance with regulation 24 (1) of those Regulations as a farm vehicle shall be entitled to a rebate of 50 per cent of this premium).	
3	Hire Vehicle—	
	(a) Any motor vehicle, other than a taxi-cab and "Hire-and-Drive-Yourself" vehicle licensed under the Road Traffic Act to carry eight or more persons principally operating on routes, the major portion of which is within the 40-kilometre radius of the GPO Perth	1 133.65
	(b) Any motor vehicle, other than a taxi-cab and "Hire-and-Drive-Yourself" vehicle licensed under the Road Traffic Act to carry eight or more persons principally operating on routes, the major portion of which is outside the 40-kilometre radius of the GPO Perth	389.45
	(c) Taxi-cab (other than Peak Period Taxi-cab) principally operating within a 40-kilometre radius of the GPO Perth	968.05
	(d) Taxi-cab principally operating outside a 40-kilometre radius of the GPO Perth	266.30
	(e) School buses, ie vehicles used primarily for the carriage of children to and from school and any other vehicle constructed similarly to an omnibus privately owned and used for conveyance of non-paying passengers	139.05
	(f) Any motor vehicle used for carriage of passengers, for hire, fare or reward, not included in Classes 3 (a) to 3 (e) inclusive	310.65
	(g) Hire-and-Drive-Yourself vehicle (other than motor cycles included in Class 7 (a)	266.30
4	Motor Cycle	
	Other than motor cycle included in Classes 5 (b) and 7 (a)	120.45
	(Any motor cycle licensed under regulation 21D of the Road Traffic (Licensing) Regulations and issued with registration plates in accordance with regulation 24 (1) of those Regulations as a farm vehicle shall be entitled to a rebate of 50 per cent of this premium.)	
5	Motor Trade Vehicle (ie motor car manufacturing, garage proprietor, vendor of and/or dealer in motor cars)—	
	(a) Motor Vehicle not included in Classes 5 (b) and 5 (c) used by the above with identification plate attached issued under the Road Traffic Act—rate per identification plate issued	50.90
	(b) Motor cycle used by the above, with identification plate attached issued under Road Traffic Act—rate per identification plate issued	78.00
	(c) Tow Truck (as defined in First Schedule of Road Traffic Act); or testing plate whilst being used in accordance with section 27 of the Motor Vehicle Dealers Act 1973	51.90
6	Trailer, Caravan, Invalid Wheel Chair- (This class includes all vehicles issued with trailer plates, but does not include tractor (prime mover type), which is issued separately under Class 2)	5.00
7	Miscellaneous—	
	(a) Veteran Cars, Wagons and Motor Cycles—Vehicles which are the subject of a limited Traffic Licence as a veteran vehicle and only whilst being used in accordance with the provisions of such licence.	
	Farm Fire Fighting Vehicles—Any vehicle that is owned by a person engaged in the business of farming or grazing and that is fitted or adapted for the purpose of fire fighting, licensed under a limited license, limiting it exclusively to use on a road for fire fighting purposes.	
	Motor Cycles—Not exceeding 75 cc.	
	(If the Motor Cycle is used as a HIRE VEHICLE the premium is increased by 100%).	
	Any other vehicles being a motor vehicle within the meaning of the Motor Vehicle (Third Party Insurance) Act not otherwise classified	14.75

Class No.	Schedule— <i>continued</i> Class of Vehicle	Annual Premium Rate \$
	(b) Forklift, Tow Motor, Self-propelled Headers, Tractor (other than prime mover type but including farm type) and Tractor Plant as defined in First Schedule of Road Traffic Act and licensed as Class A or B licence under Regulations to Road Traffic Act	23.25
8	(a) Tractor Plant which is licensed as Class C licence under Regulations to Road Traffic Act	74.95
	(b) Motor Cranes, as defined in First Schedule of Road Traffic Act	531.20

(Daily rate applicable from 1 July 1998)

For the purpose of issuing Compulsory Third Party Insurance policies for periods other than six (6) months or twelve (12) months, the following daily rates will apply. The same table will also be used to calculate refunds on cancelled policies.

Vehicle Class	PREMIUM		
	12 Months (\$'s)	6 Months (\$'s)	Daily Rate (\$'s)
1A *	214.15	107.10	0.587
1B	103.05	51.55	0.282
2 *	187.70	93.85	0.514
3(a)	1133.65	566.85	3.106
3(b)	389.45	194.75	1.067
3(c)	968.05	484.05	2.652
3(d)	266.30	133.15	0.730
3(e)	139.05	69.55	0.381
3(f)	310.65	155.35	0.851
3(g)	266.30	133.15	0.730
4 *	120.45	60.25	0.330
5(a)	50.90	25.45	0.139
5(b)	78.00	39.00	0.214
5(c)	51.90	25.95	0.142
6	5.00	2.50	0.014
7(a)	14.75	7.40	0.040
7(b)	23.25	11.65	0.064
8(a)	74.95	37.50	0.205
8(b)	531.20	265.60	1.455

* Vehicles insured under Vehicle Class 1A, 2 or 4 and licensed under Regulation 21D(1) of the Road Traffic Act (Licensing) Regulations and issued with registration plates in accordance with Subregulation 1 of Regulation 24 of the Road Traffic (Licensing) Regulations as a farm vehicle shall be entitled to a rebate of 50 per cent of this premium.

(i.e. Vehicle Class 1A \$107.10 (12 months), \$53.55 (6 months) 0.293 (Daily Rate).)

(i.e. Vehicle Class 2 \$93.85 (12 months), \$46.95 (6 months) 0.257 (Daily Rate).)

(i.e. Vehicle Class 4 \$60.25 (12 months), \$30.15 (6 months) 0.165 (Daily Rate).)

NOTE—

SHORT PERIOD RATES—The premium payable for any period less than twelve months shall be calculated as follows—

SHORT TERM FEES—In addition to the premium a short term fee of 10 cents is payable except in the case of an initial licence or permit where such licence or permit is effected for the maximum period permitted by the Licensing Authority.

PERMITS—Any motor vehicle issued with a permit pursuant to Section 26 of the Road Traffic Act 1974, (or the Road Traffic (Licensing) Regulations 1975) which has a duration in excess of 48 hours, shall be entitled to a 50 per cent rebate of the insurance premium listed in this Schedule of Premiums, applicable to that class of vehicle and for the period of the permit.

PERMITS NOT EXCEEDING 48 HOURS—The fee for permits, the duration of which does not exceed 48 hours, shall be \$5.00 Third Party insurance premium and 25 cents stamp duty.

STAMP DUTY—Stamp Duty of 25 cents is payable on all licenses or permits irrespective of the period.

TENDERS

ZT201

MAIN ROADS
WESTERN AUSTRALIA

Tenders

Tenders are invited for the following projects.

Information on these Tenders are available from the Contracts Officer, Supply Branch, Don Aitken Centre, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1998
952C97	Supply and Delivery of Cement and Provision of Stabilisation Equipment, Kimberley Region	1 May
953C97	Bituminous Sealing, Kimberley Region	1 May
97D68	Purchase and Removal of a 1985 Skid Mounted Cook Accommodation Unit at Norseman	5 May
97D69	Purchase and Removal of Welder, Water Tank, Gen Sets, Loader, Water Steriliser, Fuel Trailers, Caravans, Semi 5-Berth Sleeper Van, Semi Supervisors Quarters Van, Semi 3-Berth Plus Kitchen Vans, Semi Recreation Van, Semi Ablution Van, Semi Office/Store Van and Isuzu Mechanics Van at Carnarvon	5 May
97D70	Purchase and Removal of Uniden CB Radio, Tyre Remover, Wheel Balancer, Dust Extractor, Neway Seat Cutters, Single Axle Trailer, Valve Refacer, Welder—Single Phase and Vehicle Fridge (Compressor Unserviceable) at Albany	1 May
97D71	Purchase and Removal of Tandem Axle Trailer, Fuel Tanker Trailer, Mono Dual Pump, Flexiglass Canopy suit Nissan Navara Dual Cab, Set of Loader Forks suit R1250 with R1250 Tree Grab, 8 x 200L Empty ULP Drums, 3 x Air Conditioners (Various Conditions) and Lightburn Washing Machine at Geraldton	1 May
97D72	Purchase and Removal of 15 x Caravan Sleeper Kitchens with Fridges and 1 x Caravan Ablution with Washing Machine and Ice Machine at Narrogin	4 May

Executive Director Corporate Services.

ZT202

Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount \$
934C97	Load and Cart Crushed Aggregate, Mundrabilla to Caiguna, Eyre Highway, Goldfields-Esperance Region	Brookes Earthmoving Contractors	32 060.00

Executive Director Corporate Services.

TRANSPORT

TR301*

SHIPPING AND PILOTAGE ACT 1967
JETTIES ACT 1926
WESTERN AUSTRALIAN MARINE ACT 1982

NAVIGABLE WATERS AMENDMENT REGULATIONS 1998

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Navigable Waters Amendment Regulations 1998*.

Principal regulations

2. In these regulations the *Navigable Waters Regulations** are referred to as the principal regulations.

[* Reprinted as at 3 July 1995.

For amendments to 7 April 1998 see 1997 Index to Legislation of Western Australia, Table 4, pp. 250-51.]

Regulation 2 amended

3. Regulation 2 of the principal regulations is amended —

(a) by deleting the definition of “department” and substituting the following definition —

“

“**department**” means the department principally assisting the Minister in the administration of the Acts;

”;

(b) by deleting the definition of “personal powered watercraft”; and

(c) by deleting the definition of “the Acts” and substituting the following definition —

“

“**the Acts**” means the *Shipping and Pilotage Act 1967*, the *Jetties Act 1926* and the *Western Australian Marine Act 1982*.

”.

Regulation 17 amended

4. Regulation 17 of the principal regulations is amended by deleting “under weigh” in both places where it occurs and substituting the following —

“ under way ”.

Regulation 19 amended

5. (1) Regulation 19 (1) of the principal regulations is amended by deleting paragraph (b) and substituting the following paragraph —

“

(b) a boat licensed or required to be licensed under the *Fish Resources Management Act 1994*.

”.

(2) Regulation 19 (3) of the principal regulations is amended by deleting paragraph (a) and substituting the following paragraph —

“

(a) within the limits of any port or port authority port as defined in the *Shipping and Pilotage Act 1967*;

”.

Regulation 19E amended

6. Regulation 19E of the principal regulations is amended by repealing subregulation (2) and substituting the following subregulations —

“

(2) Notwithstanding subregulation (1) —

(a) an officer of the department;

(b) an officer of a department principally assisting a Minister to whom the administration of the *Conservation and Land Management Act 1984*, the *Fish Resources Management Act 1994* or the *Wildlife Conservation Act 1950* is committed in the administration of that Act; or

(c) a police officer, or an aboriginal aide appointed under section 38A of the *Police Act 1892*,

who is the master or person in charge of a vessel may, in the course of his or her duties, approach a personal buoy or another vessel displaying the International Code Flag “A”.

(3) The master or person in charge of a vessel under subregulation (2) must, while in the vicinity of the vessel or personal buoy —

(a) proceed at a safe speed; and

(b) maintain a proper lookout for persons in the water.

”.

Regulation 27 amended

7. Regulation 27 of the principal regulations is amended by deleting “section 4 of the *Explosives Act 1895*” and substituting the following —

“ section 7 (1) of the *Explosives and Dangerous Goods Act 1961* ”.

Regulation 34 amended

8. Regulation 34 of the principal regulations is amended by deleting “the Minister for Works and Services” and substituting the following —

“ the Minister to whom the administration of the *Public Works Act 1902* is committed ”.

Regulation 35 amended

9. Regulation 35 of the principal regulations is amended by deleting “the Department of Works” in both places where it occurs and substituting in each case the following —

“ the department principally assisting the Minister to whom the administration of the *Public Works Act 1902* is committed in the administration of that Act ”.

Regulation 45E amended

10. Regulation 45E (2) (b) of the principal regulations is amended by deleting “the vessel the consent” and substituting the following —

“ the vessel, the consent ”.

Regulation 46 amended

11. Regulation 46 of the principal regulations is amended by inserting after the definition of “para-sailing” the following definitions —

“**personal watercraft**” means any vessel designed for the transport of one, 2 or 3 persons that —

- (a) is propelled by means of an inboard motor powering a water jet pump; and
- (b) is designed to be steered by means of handlebars by a person sitting, standing or kneeling on the vessel and not within it;

“**PFD Type 1**” means a personal flotation device that bears the stamp of Standards Australia and conforms to standard AS 1512 issued by that body;

“**PFD Type 2**” means a personal flotation device that bears the stamp of Standards Australia and conforms to standard AS 1499 issued by that body;

“**PFD Type 3**” means a personal flotation device that bears the stamp of Standards Australia and conforms to standard AS 2260 issued by that body;

”.

Regulation 49M amended

12. Regulation 49M (1) of the principal regulations is amended —

- (a) by deleting the subregulation designation “(1)”; and
- (b) by deleting paragraph (c) and substituting the following paragraph —

“ (c) slalom ski-ing unless that person is wearing a PFD Type 2 or PFD Type 3; ”.

Regulations 50A and 50B inserted

13. After regulation 50 of the principal regulations, the following regulations are inserted —

“ **Restrictions on freestyle driving, surfing and wave jumping on a personal watercraft**

50A. (1) The chief executive officer may, by notice published in the *Gazette* —

- (a) define and set aside any area of navigable waters where freestyle driving, surfing or wave jumping on a personal watercraft is prohibited;
- (b) vary or cancel any previous notice under this subregulation.

(2) A person must not engage in freestyle driving, surfing or wave jumping on a personal watercraft in an area defined and set aside by the chief executive officer under subregulation (1).

(3) A person must not, in any navigable waters, engage in freestyle driving, surfing or wave jumping on a personal watercraft unless the personal watercraft is —

- (a) 30 metres clear of any other personal watercraft; and
- (b) 50 metres clear of any other vessel or person.

(4) In this regulation —

“**freestyle driving**”, in relation to a personal watercraft, means the practice of driving the personal watercraft in such a manner that the driver of

another vessel in sight of the personal watercraft would be unable to determine the intended course or speed of the personal watercraft so as to take action under the *Prevention of Collisions at Sea Regulations 1983* to avoid a collision;

“**surfing**” in relation to a personal watercraft, means the practice of driving the personal watercraft down a breaking wave or swell, whether formed naturally or by the passage of a vessel;

“**wave jumping**”, in relation to a personal watercraft, means the practice of driving the personal watercraft over or across a breaking wave or swell, whether formed naturally or by the passage of a vessel, with the aim of becoming airborne.

Personal flotation device to be worn by the driver and passenger of a personal watercraft

50B. (1) A person must not, in any navigable waters, drive a personal watercraft unless the person and any passenger on the personal watercraft is wearing an appropriate personal flotation device.

(2) A person must not, in any navigable waters, travel on a personal watercraft as a passenger unless the person is wearing an appropriate personal flotation device.

(3) In this regulation —

“**appropriate personal flotation device**” means —

- (a) a PFD Type 1, if a personal watercraft is being used —
 - (i) outside of protected waters; and
 - (ii) more than 400 metres from any shore;
 or
- (b) a PFD Type 2 or PFD Type 3 in any other case.

Regulation 52 repealed and a regulation substituted

14. Regulation 52 of the principal regulations is repealed and the following regulation is substituted —

Certain vessels to be equipped with fire extinguishers

52. (1) The owner of any vessel fitted with an inboard engine or a hydrocarbon cooling or heating appliance must ensure that the vessel is equipped with a fire extinguisher that bears the stamp of Standards Australia and conforms to one of the following standards issued by that body —

- (a) AS 1841.1 and AS 1841.4 (foam);
- (b) AS 1841.1 and AS 1841.5 (powder type);
- (c) AS 1841.1 and AS 1841.6 (carbon dioxide); or
- (d) AS 1841.1 and AS 1841.7 (vaporizing liquid).

(2) Subregulation (1) does not apply to a personal watercraft.

(3) An owner who contravenes this regulation commits an offence.

Regulation 52A repealed and a regulation substituted

15. Regulation 52A of the principal regulations is repealed and the following regulation is substituted —

Vessels to be equipped with personal flotation devices or life jackets

52A. (1) The owner of a vessel must ensure that the vessel, while being navigated outside protected waters, is equipped with —

- (a) a PFD Type 1; or
- (b) a life jacket that has been approved by the Australian Maritime Safety Authority established under section 5 of the *Australian Maritime Safety Authority Act 1990* of the Commonwealth,

for each person on board, appropriate in terms of the buoyancy and size to the body mass of every such person.

(2) Subregulation (1) does not apply to —

- (a) a personal watercraft; or
- (b) a sailboard,

being used within 400 metres of any shore.

(3) An owner who contravenes this regulation commits an offence.

Regulation 52B amended

16. (1) Regulation 52B (2) of the principal regulations is amended by deleting “subregulation (1)” and substituting the following —

“ subregulations (1) and (1a) ”.

(2) Regulation 52B (2) of the principal regulations is amended by inserting after subregulation (2) the following subregulation —

“

(2a) Subregulations (1) and (2) do not apply to —

(a) a personal watercraft; or

(b) a sailboard,

being used within 400 metres of any shore.

”.

Regulation 52BAA amended

17. Regulation 52BAA (2) of the principal regulations is amended by deleting “underway” and substituting the following —

“ under way ”.

Regulation 52C repealed and a regulation substituted

18. Regulation 52C of the principal regulations is repealed and the following regulation is substituted —

“

Vessels to be equipped with efficient anchor and lines

52C. (1) The owner of a vessel must ensure that the vessel, while being navigated outside protected waters, is equipped with an efficient anchor and line.

(2) Subregulation (1) does not apply to a personal watercraft or a sailboard.

(3) An owner who contravenes this regulation commits an offence.

”.

Regulation 52CAB repealed

19. Regulation 52CAB of the principal regulations is repealed.

Regulation 54 amended

20. Regulation 54 of the principal regulations is amended by deleting “proclaimed under the *Ports and Harbours Act 1917*” and substituting the following —

“ declared under section 10 of the *Shipping and Pilotage Act 1967* ”.

By Command of the Governor,

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

TR401**WESTERN AUSTRALIAN MARINE ACT 1982****BOATING PROHIBITED AREA**

Downes Island

Port Hedland

Department of Transport,
Fremantle WA, 24 April 1998.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub paragraph (a) (26) of the notice published in the *Government Gazette* on 27 January 1995, relating to Boating Prohibited Areas in the Shire of Port Hedland.

CHRISTOPHER ROBERT WHITAKER, Director General of Transport.

TR402**NAVIGABLE WATERS REGULATIONS****WATER SKI AREAS**

Downes Island

Port Hedland

Department of Transport,
Fremantle WA, 24 April 1998.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations the Department of Transport by this notice revokes sub paragraph 1 (a) (12) of the notice published in the

Government Gazette on 25 October 1991, relating to Water Ski Areas in the Shire of Port Hedland and substitutes the following—

Shire of Port Hedland—Downes Island

All those waters contained within a rectangular area of water enclosed within the following boundaries. Commencing on Downes Island at a starting point on the beach which bears 206 degrees true from the benchmark (Datum) labelled PA21 located on Finucane Island. From this starting point for a distance of 330 metres on a bearing of 055 degrees true and thence 400 metres on a bearing of 146 degrees true to the edge of the creek and thence in a west-south-westerly direction for a distance of 2000 metres and thence in a north westerly direction to the south eastern foreshore of Downes Island thence back to the starting point.

CHRISTOPHER ROBERT WHITAKER, Director General of Transport.

TR403

WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS

Department of Transport,
Fremantle WA, 24 April 1998.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport, by this notice—

Limits the speed of motor vessels to that of five (5) knots within the following area—

Swan River—Ascot Waters Cove—Ascot

All the waters contained within the Ascot Waters Cove Waterway, including the entrance channel thereof.

CHRISTOPHER ROBERT WHITAKER, Director General of Transport.

PUBLIC NOTICES

ZZ101

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 25th May 1998, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bowser, Imelda Helen, late of Gracewood Nursing Home, 20 Roebuck Drive, Salter Point, formerly of 3 Errinbee Street, Riverton, died 28.3.98. (DEC 309782 DC2)

Cross, Lionel James, late of 39 Raymond Street, Collie, died 24.1.98. (DEC 309335 DA2)

Haines, Edward John, late of Swan Cottage Homes, G16, Phillips Close, Bentley, died 6.1.98. (DEC 307865 DL4)

Knight, Edith Priscilla, late of Kalgoorlie Nursing Home, Dugan Street, Kalgoorlie, died 19.1.98. (DEC 309560 DG4)

Krall, Jeanette Jane, late of 4/60 Kalinda Drive, City Beach, died 25.3.98. (DEC 309682 DL3)

Lillis, Norma Pauline, late of 11A Keys Court, Leeming, died 31.3.98. (DEC 309852 DS3)

McMorrow, Denis Patrick, late of 22/42 Kathleen Avenue, Maylands, died 30.12.97. (DEC 308880 DE3)

O'Brien, Edward Joseph, late of 4/61 Shakespeare Street, Yokine, died 17.2.98. (DEC 308379 DE3)

Pickstone, Florence Lila, late of Braille Nursing Home, Kitchener Avenue, Victoria Park, died 29.3.98. (DEC 309806 DG3)

Raabe, Paul Clifford, late of 19 Duncan Road, Coodanup, died 5.3.98. (DEC 309064 DG4)

Renton, Ronald John, late of 18 Kenton Way, Rockingham, died 28.3.98. (DEC 309816 DL3)

Harvey, Constance Lucy, late of Mosman Park Nursing Home, 57 Palmerston Street, Mosman Park, died 17.3.98. (DEC 309237 DA3)

Harwood, Thomas Frederick Arthur, late of 22 Whitworth Avenue, Girrawheen, died 25.1.98. (DEC 307932 DE3)

Harwood, Judith Patricia, late of 22 Whitworth Avenue, Girrawheen, died 25.1.98. (DEC 307933 DE3)

Rodrigues, Isamel Rodrigo, late of Lentara Hostel, Cnr Short and Nash Streets, East Perth, died 29.10.97. (DEC 308957 DD4)

Sandwell, Alwyn Frederick, late of Leederville Gardens Retirement Village, 7/37 Britannia Road, Mt Hawthorn, died 1.4.98. (DEC 309742 DS3)

Smith, Raymond Allsop, late of Craiglea Park Nursing Home, 38 Alday Street, St James, died 21.2.98.
(DEC 308454 DC4)

Watkins, Kathleen Nellie, late of Montrose Nursing Home, 12 Grange Street, Claremont, died 17.3.98.
(DEC 309121 DG1)

K. E. BRADLEY, Public Trustee,
Public Trust Office
565 Hay Street
Perth WA 6000
Telephone 9222 6777.

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

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St Georges Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Dated this 22nd April 1998.

P. M. PRINDABLE, Senior Manager, Private Clients.

Bell, Adelaide May, late of Brightwater Nursing Home, Walter Road, Inglewood WA 6052. Widow, died 9/4/98.

Britton, Ivy Constance, late of 85 Riley Road, Riverton WA 6148. Married Woman, died 31/3/98.

Crookshank, Violet May, late of Elanora Villas, 37 Hastie Street, Bunbury WA 6230. Widow, died 1/4/98.

Dunne, Jean Deborah, late of 5/83 Short Street, Joondanna WA 6060. Widow, died 4/3/98.

Head, Janet Annie, late of 114 The Strand, Bedford WA 6052. Accountant, died 31/3/98.

Honey, Teresa Iris, late of 23 Harvest Road, North Fremantle WA 6159. Widow, died 10/12/97.

Inness-Campbell, Joseph William (also known as Campbell, Joseph William), late of 10 The Arcade, Doubleview WA 6018. Clerk, died 22/3/98.

McNamara, Terence John, late of 9 Cabramatta Street, Bayswater WA 6053. Retired Electrical Superintendent, died 6/1/98.

Simeunovic, Olga, late of Chrystal Halliday Euroka Homes, 61 Jeanes Road, Karrinyup WA 6018. Widow, died 16/12/97.

WESTERN AUSTRALIA

THE CRIMINAL CODE

(Reprinted as at 17 December 1993)

***Price: \$42.70 Counter Sales
Plus Postage on 900 grams**

* Prices subject to change on addition of amendments.

Reprinted Regulations

Individual Acts and Regulations are from time to time reprinted under the *Reprints Act 1984* incorporating all amendments up to a particular date.

This program is managed by Parliamentary Counsel's Office, Ministry of Justice.

A standing order for either Acts or Regulations may be placed with State Law Publisher for all Reprints that become available.

Invoices are despatched with the goods to enable clients to check the contents prior to returning with payment.

If a customer wishes to be placed on either or both mailing lists, send written notification to:

Manager, Sales & Editorial
State Law Publisher
10 William Street,
Perth 6000

These Regulations have been Reprinted in 1997.

Firearms Regulations 1974
Motor Vehicle Dealers Car Market Regulations 1981
Health (Pesticides) Regulations 1956
Prisons Regulations 1982
State Planning Commission Regulations 1962
Community Services (Child Care) Regulations 1988
Strata Titles General Regulations 1996
Electricity (Licensing) Regulations 1991
Stamp Regulations 1979
Veterinary Surgeons Regulations 1979
Motor Vehicle (Third Party) Insurance Regulations 1962
Metropolitan Water Supply Sewerage and Drainage By-laws 1981
Travel Agents Regulations 1986
Legal Practice Board Rules 1949
Gaming Commission Regulations 1988
Business Names Regulations 1962
Dangerous Goods Regulations 1992
Industrial Training (General Apprenticeship) Regulations 1981
Construction Industry Portable Paid Long Service Leave Regulations 1986
Dairy Industry Regulations 1977
Dental Board Rules 1973
Plant Diseases Regulations 1989
Bulk Handling Regulations 1967
Financial Institutions Duty Regulations 1984
Building Regulations 1989
W.A. Marine (Certificate of Competency and Safety Manning) Regulations 1983
W.A. Marine (Surveys and Certificates of Survey) Regulations 1983
Water Agencies (Charges) By-laws 1987
Land Drainage By-laws 1986
Rottneest Island Regulations 1988
Liquor Licensing Regulations 1989
Road Traffic Code 1975
Pharmacy Act Regulations 1976
Betting Control Regulations 1978
Finance Brokers Control (General) Regulations 1977
Employment Agents Regulations 1976
Litter Regulations 1981
Financial Administration Regulations 1986
Home Building Contracts Regulations 1992
Dog Regulations 1976

1997 Acts

These Acts were passed by Parliament during 1997.

1. Trustees Amendment Act
2. Metropolitan (Perth) Passenger Transport Trust Amendment Act
3. Labour Relations Legislation Amendment Act
4. Western Australian Sport Centre Trust Amendment Act
5. Acts Amendment (Marine Reserves) Act
6. Sea-Carriage Documents Act
7. Limitation Amendment Act
8. Bank Mergers Act
9. Bank Mergers (Taxing) Act
10. Iron and Steel (Mid West) Agreement Act
11. Treasurer's Advance Authorization Act
12. Revenue Laws Amendment (Taxation) Act
13. Revenue Laws Amendment (Assessment) Act
14. Appropriation (Consolidated Fund) Act (No. 1)
15. Appropriation (Consolidated Fund) Act (No. 2)
16. Regional Development Commissions Amendment Act
17. Curriculum Council Act
18. State Trading Concerns Amendment Act
19. Restraining Orders Act
20. Casino (Burswood Island) Agreement Amendment Act
21. Family Court (Orders of Registrars) Act
22. Professional Standards Act
23. Acts Amendment (Auxiliary Judges) Act
24. Turf Club Legislation Amendment Act
25. Human Tissue and Transplant Amendment Act
26. Appropriation (Consolidated Fund) Act (No. 4)
27. Cement Works (Cockburn Cement Ltd) Agreement Amendment Act
28. W.A. Land Authority Amendment Act
29. Acts Amendment (Legal Costs) Act
30. Land Administration Act
31. Acts Amendment (Land Administration) Act
32. Water Legislation Amendment Act
33. Water Services Coordination Amendment Act
34. Juries Amendment Act
35. W.A. Coastal Shipping Commission Amendment Act
36. Loan Act
37. Grain Marketing Amendment Act
38. Reserves Act
39. Fishing & Related Industries Compensation (Marine Reserves) Act
40. Family Court Act
41. Acts Amendment & Repeal (Family Court) Act
42. Equal Opportunity Amendment Act (No. 3)
43. Commercial Arbitration Amendment Act
44. Maritime Archaeology Amendment Act
45. Pay-Roll Tax Amendment Act
46. Public Notaries Amendment Act
47. Wills Amendment Act
48. Mutual Recognition (W.A.) Amendment Act
49. Sunday Observance Laws Amendment & Repeal Act
50. Road Traffic Amendment Act
51. Revenue Laws Amendment (Assessment) Act (No. 2)
52. Appropriation (Consolidation Fund) Act (No. 3)
53. Dampier to Bunbury Pipeline Act
54. Interpretation Amendment Act
55. Fuel Suppliers Licensing & Diesel Subsidies Act
56. Acts Amendment (Franchise Fees) Act
57. Statute Repeals and Minor Amendments Act
58. Osteopaths Act



Information on solutions to work safety and health challenges has been delivered to your workplace.

Go to the World Wide Web on the Internet on your computer and contact <http://www.wt.com.au/safetyline>

Help yourself to the information WorkSafe Western Australia has put there to help you.

For further information call (08) 9327 8777.

Go on-line to SafetyLine



CUSTOMER
FOCUS
WESTERN AUSTRALIA

CONTENTS

SUBSIDIARY LEGISLATION

	Page
Conservation and Land Management Act 1984—Forest Management Regulations 1993	
Public Firewood Areas Order 1998	2145-47
Electricity Act 1945—Electricity (Licensing) Amendment Regulations 1997	2148
Local Government Act 1995—City of Geraldton—Repeal of a Local Law	2150-51
Local Government Act 1995—Shire of Mundaring—Local Law: Beekeeping	2151-52
Mining Act 1978—Mining Amendment Regulations (No. 3) 1998	2153
Shipping and Pilotage Act 1967—Jetties Act 1926—Western Australian Marine Act 1982	
Navigable Waters Amendment Regulations 1998	2160-64

GENERAL CONTENTS

	Page
Architects Board	2145
Conservation and Land Management	2145-47
Education	2148
Energy	2148
Fair Trading	2148-49
Justice	2149
Land Administration	2149-50
Local Government	2150-53
Minerals and Energy	2153-54
Planning	2154-56
Police	2156
Public Notices	2165-66
Racing, Gaming and Liquor	2156-57
State Government Insurance	2157-59
Tenders—Main Roads	2160
Transport	2160-65

