

# WESTERN AUSTRALIAN GOVERNMENT Gazette



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JOHN A. STRIJK,  
Government Printer.

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**PROCLAMATIONS**


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**AA101****REAL ESTATE AND BUSINESS AGENTS AMENDMENT ACT 1998**

34 of 1998

## PROCLAMATION

WESTERNAUSTRALIA  
P. M. Jeffery,  
Governor.  
[L.S.]

} By His Excellency Major General Philip Michael  
Jeffery, Companion of the Order of Australia, Officer  
of the Order of Australia (Military Division), Military  
Cross, Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Real Estate and Business Agents Amendment Act 1998* and with the advice and consent of the Executive Council, do hereby fix 1 November 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 6 October 1998.

By Command of the Governor,

D. J. SHAVE, Minister for Fair Trading.

GOD SAVE THE QUEEN !

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**AA201****PRISONS ACT 1981**

## PROCLAMATION

WESTERNAUSTRALIA  
P. M. Jeffery,  
Governor.  
[L.S.]

} By His Excellency Major General Philip Michael  
Jeffery, Companion of the Order of Australia, Officer  
of the Order of Australia (Military Division), Military  
Cross, Governor of the State of Western Australia.

I, the Governor, acting under section 5(1)(a) of the *Prisons Act 1981*, and with the advice and consent of the Executive Council, declare that the place, including the buildings and enclosures on that land, comprising Reserve No. 33481 (Swan Location 9332) to be a prison within the meaning and for the purposes of the *Prisons Act 1981* to be known as Riverbank Prison.

Given under my hand and the Public Seal of the State on 8 September 1998.

By Command of the Governor,

PETER FOSS, Minister for Justice.

GOD SAVE THE QUEEN !

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**ARCHITECTS BOARD**


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**AE401****ARCHITECTS ACT 1922**

## THE ARCHITECTS BOARD OF WESTERN AUSTRALIA

As of the 1st September 1998, the Board removed from the register for the non-payment of subscription (due January 1998) the following natural person—

<u>Registration No.</u>	<u>Name</u>
876	Christopher Edward Willcox

and the following architectural corporation—

1293	Willcox & Associates Pty Ltd.
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JOAN McINTYRE, Registrar.

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**CONSTRUCTION INDUSTRY**

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**CE301\***

Construction Industry Portable Paid Long Service Leave Act 1985

**Construction Industry Portable Paid  
Long Service Leave Amendment  
Regulations (No. 2) 1998**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Construction Industry Portable Paid Long Service Leave Amendment Regulations (No. 2) 1998*.

**2. Commencement**

These regulations come into operation on 1 January 1999.

**3. Regulation 8 amended**

Regulation 8 of the *Construction Industry Portable Paid Long Service Leave Regulations 1986\** is amended by deleting "0.25%" and inserting instead —

“ 0.1% ”.

[\* *Reprinted 1 July 1997.*

*For amendments to 16 September 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 44, and Gazette 20 February 1998.]*

By Command of the Governor,

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

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**CONSERVATION & LAND MANAGEMENT**

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**CM401\***

Conservation and Land Management Act 1984

**Public Firewood Areas Order (No. 2) 1998**

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

**1. Citation**

This order may be cited as the *Public Firewood Areas Order (No. 2) 1998*.

**2. Interpretation**

- (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.

**3. Public firewood areas**

- (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 Schedule 1.

**4. Inspection of CALMAPS**

A CALMAP referred to in Schedule 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.

**5. Amendment of the Public Firewood Areas Order 1997**

Schedule 1 of the *Public Firewood Areas Order 1997\** is amended in Part 1, Division 1, by deleting the item relating to Myara (Keysbrook Road).

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

**6. Amendment of the Public Firewood Areas Order 1998**

Schedule 1 of the *Public Firewood Areas Order 1998\** is amended in Part 1, Division 1, by deleting the item relating to Bartons Mill.

[\* *Published 24 April 1998, pp. 2145-7.*]

**Schedule 1 — Fee payable public firewood areas**

[cl. 3(1)]

**Swan region**

Name of area	Name of CALMAP	Description
Bartons Mill (Ashendon Road)	Kelmscott	That part of State forest 22 bounded by a line commencing on the north-west corner of the road surface at the junction of Pickering Brook Road and Ashendon Road and extending —  600 metres on 61 degrees, then 1470 metres on 44 degrees, then 1940 metres on 115 degrees, then 1840 metres on 196 degrees, then 1000 metres on 261 degrees, then 2140 metres on 323 degrees, to the starting point.
Smailles (Dale Road)	Kelmscott	That part of State forest 22 bounded by a line commencing on the south-east corner of the road surface at the junction of Dale Road and Ashendon Road and extending —  2400 metres on 99 degrees, then 1770 metres on 178 degrees, then 1600 metres on 243 degrees, then 830 metres on 328 degrees, then 2280 metres on 347 degrees, to the starting point.
Myara (Berkeley Road)	Jarrahdale	That part of State forest 14 bounded by a line commencing at reference tree 2 at map reference CD6129 on the Jarrahdale CALMAP and extending —  5500 metres on 84 degrees, then 3000 metres on 338 degrees, then 1300 metres on 288 degrees, then 550 metres on 205 degrees, then 3250 metres on 270 degrees, then 500 metres on 180 degrees, then 600 metres on 270 degrees, then 2700 metres on 180 degrees, then 950 metres on 94 degrees, to the starting point.

SYD SHEA, Executive Director.

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**ENERGY**

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**EC401****ELECTRICITY ACT 1945**

## ELECTRICITY ACT REGULATIONS 1947—PART X

## Approval of Electrical Appliances, Prescribed Appliances and Published Specifications

Notice is hereby given that pursuant to Section 33B(1)(a) of Part IVA (Approval of Electrical Appliances) of the Electricity Act 1945, the Director of Energy Safety hereby declares that the classes or types of electrical appliances that are prescribed and that (unless otherwise stated in respect of a particular class or type of electrical appliance), shall not be sold, hired or exposed for sale or hire or advertised for sale or hire unless electrical appliances of that class or type are approved by the Director, and are stamped or labelled if and as prescribed in the Electricity Act Regulations 1947, are those listed in Appendix E4 of Australian/New Zealand Standard AS/NZS 4417.2:1996 (Marking of electrical products to indicate compliance with regulations, Part 2: Specific requirements for electrical safety regulatory applications) as amended from time to time.

Notice is also hereby given that the following specifications (as amended from time to time) shall be the Published Specifications referred to in Part X of the Electricity Act Regulations 1947 in respect to each of the classes or types of prescribed electrical appliances—

- The Standards listed by the Standards Association of Australia in Appendix D2 of AS/NZS 4417.2:1996 (Marking of electrical products to indicate compliance with regulations, Part 2: Specific requirements for electrical safety regulatory applications) and relevant to each of the classes or types of prescribed electrical appliances;
- AS/NZS 3100-1997 (Approval and test specifications—General requirements for electrical equipment);
- AS 3300-1996/NZS 6300: 1996 (Approval and test specification—General requirements for household and similar electrical appliances);
- AS/NZS 3350.1 1994 (Safety of household and similar electrical appliances, Part 1: General requirements); and
- AS/NZS 3250: 1995 (Approval and test specification—Mains operated electronic and related equipment for household and similar general use);

to the extent considered by the Director appropriate to a particular prescribed electrical appliance.

Furthermore, notice is hereby given that the prescription of television receivers (as listed in Appendix E4 of AS/NZS 4417.2) does not include sets first sold to the public in Australia or New Zealand prior to 1 July 1997.

The Notice published in the *Government Gazette* dated 28 January 1997 pursuant to Section 33B(1)(a) of Part IVA of the Electricity Act 1945 (and all amendments and additions to such Notice thereafter published) is hereby revoked.

ALBERT KOENIG, Director of Energy Safety,  
Office of Energy, Perth, Western Australia.

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**FAIR TRADING**

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**FT301\***

Real Estate and Business Agents Act 1978

## **Real Estate and Business Agents (General) Amendment Regulations 1998**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Real Estate and Business Agents (General) Amendment Regulations 1998*.

## 2. Commencement

These regulations come into operation on the day on which the *Real Estate and Business Agents Amendment Act 1998* comes into operation.

## 3. Regulation 6BA inserted

After regulation 6B of the *Real Estate and Business Agents (General) Regulations 1979\** the following regulation is inserted —

“

### 6BA. Requirements for appointment to act as an agent

- (1) If an amount is not fixed under section 61(1) of the Act, an appointment to act as an agent —
  - (a) where the commission, reward or other valuable consideration to be received by the agent for the services rendered by the agent is expressed as a percentage, is to clearly set out the basis (e.g. selling price, gross rental) on which the percentage is to be calculated;
  - (b) where —
    - (i) the appointment is to act as an agent in a transaction as defined in section 61(4a) of the Act; and
    - (ii) the commission, reward or other valuable consideration to be received by the agent for the services rendered is expressed as an hourly, weekly or other periodic rate,  
is to specify the maximum amount to be received by the agent, expressed as a monetary amount;
  - (c) where the consideration to be received by the agent for the services rendered by the agent is based on the use by a person of certain services provided by the agent, is to provide a full explanation of the nature of the services so provided; and
  - (d) where any expenses (in addition to the commission, reward or other valuable consideration) are to be received by the agent, is to —
    - (i) specify the nature of those expenses; and
    - (ii) clearly set out the method by which the expenses will be calculated.
- (2) If an amount is not fixed under section 61(1) of the Act, an appointment to act as an agent by a person for whom services are to be rendered is to contain, immediately



before the statement of the commission, reward or other valuable consideration to be received by the agent, a statement that the commission, reward or consideration is not to be received pursuant to a scale fixed by law but is to be agreed upon between the person and the agent.

- (3) An appointment to act as an agent is to include a statement in clear, concise and plain English to the effect that the person for whom the services are to be rendered by the agent (e.g. the vendor or landlord) may seek assistance from the Real Estate and Business Agents Supervisory Board in relation to disputes as to the commission, reward or other valuable consideration to be received by the agent.

”.

[\* Reprinted as at 28 November 1997.]

By Command of the Governor,

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

**FT302\***

**REAL ESTATE AND BUSINESS AGENTS ACT 1978**

SECTION 101

CODE OF CONDUCT FOR AGENTS AND SALES REPRESENTATIVES

Notice Of Amendment

The Real Estate and Business Agents Supervisory Board, acting under section 101 of the *Real Estate and Business Agents Act 1978* as amended, and Regulation 13 thereunder, hereby amends, with effect from 1 November 1998, the Code of Conduct for Agents and Sales Representatives (the Code) prescribed on 1 July 1993—

- (1) by deleting, in the Notice published with the Code in the Government Gazette of 29 June 1993, the phrase “Code of Conduct for Real Estate Agents and Sales Representatives” and substituting the phrase “Code of Conduct for Agents and Sales Representatives”; and
- (2) by deleting the current articles 14 and 15 and substituting the following articles—
  - “14. An agent must not demand, retain or receive a commission, reward or other valuable consideration for a service which is—
    - (a) greater than the amount agreed in writing with the principal; or
    - (b) unjust in the circumstances; or
    - (c) not initialled on the agreement by the principal.
  15. (1) If an agent is entitled to seek reimbursement from his or her principal of any expense which the agent has incurred the agent shall promptly supply to the principal all relevant information and material which the principal may reasonably require in order to be satisfied as to the amount of the expense and that the expense was properly incurred by the agent.
  - (2) An agent shall not seek or retain reimbursement of an expense which the agent has incurred in respect of advertising, sign boards, printed material and promotions unless—
    - (a) the principal has agreed in writing to pay the expense;
    - (b) the agreement specifies a maximum amount which the agent may seek or retain by way of reimbursement; and
    - (c) the maximum amount is stated on the agreement and has been initialled by the principal.”

The Common Seal of the Real Estate and Business Agents Supervisory Board was at the time of the abovementioned resolutions affixed in the presence of—

D. A. DAWES, Chairman.  
R. P. ROSSI, Registrar.

**FT401****ASSOCIATIONS INCORPORATION ACT 1987**

## ORDER PURSUANT TO SECTION 34 (2)

## CURTIN UNIVERSITY ALUMNI ASSOCIATION INCORPORATION

Pursuant to the provisions of section 34 (2) of the Associations Incorporation Act 1987, I order that the undertaking of Curtin University Alumni Association Incorporated be transferred to Curtin University of Technology with effect from the date of publication of this Order.

Dated the 13th day of October 1998.

R. P. NEAL, for Commissioner for Fair Trading.

**HEALTH****HE401\*****NURSES ACT 1992**

## NURSES BOARD OF WESTERN AUSTRALIA

## (APPOINTMENT OF MEMBERS) INSTRUMENT (No. 3) 1998

Made by the Minister for Health under section 6(1) of the Act.

**1. Citation**

This instrument may be cited as the *Nurses Board of Western Australia (Appointment of Members) Instrument (No. 3) 1998*.

**2. Interpretation**

In this instrument—

“table” means a table in the schedule to this instrument;

“the Act” means the *Nurses Act 1992*;

“the Board” means the Nurses Board established under section 5(1) of the Act.

**3. Appointment of Members**

Each of the persons named in column 1 of the table in the schedule are appointed as members of the Board pursuant to the provisions of the Act specified in column 2, for the period specified in column 3 of the table adjacent to the name of that person.

Schedule		
TABLE		
COLUMN 1	COLUMN 2	COLUMN 3
Name	Provision of the Act	Period of Appointment
Ms Elizabeth Anne MANLEY	6(1)	6 months from the date of appointment
Mr Patrick Joseph McGILL	6(1)(c)	From 29 October 1998 to 28 October 2001
Ms Margaret Jean Osborne WATSON	6(1)(d)	From 29 October 1998 to 28 October 2001
Mr William Aworth BOOKER	6(1)(f)	From 29 October 1998 to 28 October 2001
Ms Pamela Anne ROBERTS	6(1)(g)	From 29 October 1998 to 28 October 2001

Date: 25/9/98.

JOHN DAY, Minister for Health.

**JUSTICE****JM101***CORRECTION***DECLARATIONS AND ATTESTATIONS ACT 1913**

An error occurred in the notice published under the above heading on page 5595 of the *Government Gazette* dated 9 October 1998 and is corrected as follows—

Delete “Ms Faye Loretta Stark of 117A Ryrie Avenue, Como

Mr Matthew Strang of 77 Butler Street, Willagee”

RICHARD FOSTER, Executive Director, Courts Division.

JM301\*

Young Offenders Act 1994

## Young Offenders (Detention Centre) Variation Order 1998

Made by the Minister under section 13.

### 1. Citation

This order may be cited as the *Young Offenders (Detention Centre) Variation Order 1998*.

### 2. Commencement

This order has effect on and from the day after the day on which it is published in the *Gazette*.

### 3. Preamble

By notice published in the *Gazette* on 24 November 1989 at page 4341 and under section 13A of the *Child Welfare Act 1947* the Minister for Community Services declared the buildings and places, Longmore Remand and Assessment Centre, Longmore Training Centre, Nyandi — Reserves 26918 and 29201 and Riverbank — Reserve 33481, to be detention centres with effect on and from 1 December 1989.

Section 234(2) of the *Young Offenders Act 1994* provides that a declaration of a detention centre under the *Child Welfare Act 1947* is to be taken to have been made under the *Young Offenders Act 1994*.

### 4. Variation of declaration

The declaration published in the *Gazette* on 24 November 1989 made by the Minister for Community Services referred to in paragraph 3 is varied by deleting the reference to the buildings and place, Riverbank — Reserve 33481.

Dated 14th September 1998.

PETER FOSS, Minister for Justice.

JM401

### DECLARATIONS AND ATTESTATIONS ACT 1913

It is hereby notified for public information that the Hon Attorney General has approved the appointment of the following persons as Commissioners for Declarations under the Declarations and Attestations Act 1913—

Mr John Stuart Hadley of 7A Dean Grove, Woodvale  
Mr Robert Harrison of 21 Tristram Gardens, Parmelia  
Mr Stuart Harrison of 17 Tripoli Mews, Currambine  
Mrs Susanne Manthey-Gerard of 9 Sherbourne Way, Armadale

RICHARD FOSTER, Executive Director, Court Services.

**JM402****JUSTICES ACT 1902**

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

Cr Michael Theodore Bennett of 4 Sanford Way, Eaton

Mr Paul Arthur Summerfield of House 28 West Island, Cocos (Keeling) Islands

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

RICHARD FOSTER, Executive Director, Court Services.

**LOCAL GOVERNMENT****LG401****BUSH FIRES ACT 1954**

*Shire of Pingelly*

The following appointments are hereby notified for public information—

Chief Fire Control Officer—M. L. Poultney

Deputy Chief Fire Control Officer—R. L. Shaddick

Fire Control Officers—

J. M. Bostock	J. Edwards
N. G. Giles	R. J. Marshall
C. C. Page	C. M. Thomson
M. J. Hook	J. S. Watts
J. C. Overington	A. W. Parsons

Chief Fire Weather Officer—J. C. Overington

Deputy Chief Fire Weather Officer—A. W. Parsons

Issue of Clover Burning Permits—

M. L. Poultney  
J. Edwards  
J. S. Watts

Dual Fire Control Officers, on the nomination of the Council listed—

Shire of Brookton—	R. Huddleston	N. Turner
Shire of Corrigin—	K. E. McPharlin	W. Baker
Shire of Cuballing—	B. Weatherhead	I. L. Watts
Shire of Wandering—	G. R. Parsons	J. R. Price
Shire of Wickepin—	Nil	

Any previous appointments made under this Act are hereby cancelled.

Dated this 9th day of October, 1998.

C. M. THOMSON, Acting Chief Executive Officer.

**LG402\*****BUSH FIRES ACT 1954****BUSH FIRE CONTROL OFFICERS**

*Shire of Shark Bay*

It is hereby advised that the following have been appointed as Bush Fire Control Officers for the Shire of Shark Bay.

Chief Bush Fire Control Officer—A. R. Biggs

Deputy Chief Bush Fire Control Officer—N. A. Hale

Bush Fire Control Officers—

I. King	L. Kempton	B. Wake	H. Crawford
G. Brockman	R. Chatley	P. Kopke	A. Millar
R. Clausen	G. Wardle	E. Sears	J. Miller
		R. Hoult	K. Cunningham

By order of the Council.

A. R. BIGGS, Chief Executive Officer.  
1 October 1998.

**LG403\*****CITY OF ARMADALE****Schedule of Tipping Fees**

Pursuant to Section 344C of the Health Act 1911 and Section 6.16 of the Local Government Act 1995, Council resolved on the 5th of October 1998, that effective from 2 November 1998, the following schedule of tipping fees apply—

<b>CARS AND TRAILERS</b>		\$
1	Per car, utility or trailer not exceeding 1.8x1.2 provided that person can produce a current tip entry voucher as issued by the City of Armadale .....	Nil
2	Per car, utility or trailer not exceeding 1.8x1.2 and that person does not produce a current tip entry voucher as issued by the City of Armadale .....	8.00
3	Trailers not exceeding 2.5mx1.5m .....	15.00
<b>GENERAL WASTE (\$/TONNE or part thereof)</b>		
4	Domestic, putrescible or other similar trade waste .....	35.00
5	Clean bricks, concrete, top soil and sand .....	23.00
6	Tree loppings, vegetation & garden waste .....	23.00
7	Minimum charge per entry "Category 4" .....	35.00
8	Minimum entry charge "Category 5" .....	23.00
9	Minimum entry charge "Category 6" .....	23.00
10	Large consignments and special burial .....	Price on application
<p>In the event of any of the above being mixed, the higher rate will apply.            Where the material being deposited is in the opinion of the Executive Director of Technical Services suitable for use in the operation of the landfill site and is required at the time for such purpose, the schedule fee may be waived.</p>		
<b>VEHICLE BODIES (each)</b>		
11	Car bodies from residential premises .....	5.00
12	Car bodies from commercial or industrial takings .....	30.00
<b>BURIAL OF ASBESTOS WASTE (per tonne of part thereof)</b>		
13	Asbestos burial .....	42.00
	(minimum charge) .....	20.00
14	Large consignments (over 3 Tonne) .....	Price on application
<b>SPECIAL CHARGES</b>		
15	Tyres (unprocessed) will be accepted only	
	(a) in small quantities	
	(b) from residents of the City of Armadale	
	• car tyres (each) .....	2.00
	• small truck tyres (each) .....	4.00
	• truck tyres (each) .....	10.00
16	Animal Carcasses	
	• Small animals (each) .....	15.00
	• Large animals (each) eg: cattle .....	40.00
	• Small consignment eg: offal & bird carcasses .....	10.00
	• Large consignments (over 3 Tonne) & special disposals .....	Price on application
<b>WEIGHBRIDGE BREAKDOWN</b>		
17	In the event of the landfill facility weighbridge breaking down due to power failure, maintenance or repairs, the following fees shall apply for items 4, 5 & 6 inclusive—	
	• All vehicles carrying non compacted waste; per wheel of truck &/or trailer(s) .....	15.00
	• All vehicles carrying compacted waste: per wheel of truck &/or trailer(s) ...	20.00
	(Burial surcharge; plus 50% of total of the above rates).	
<b>GARDEN BAGS</b>		
18	• Per Bag .....	2.00
	• Maximum charge per load .....	40.00

R. S. TAME, Acting Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954***City of Bayswater***FIRE BREAKS NOTICE**

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before 30 November 1998 (or within fourteen days of the date of you becoming the owner or occupier should this be after the 30 November 1998) and thereafter up to and including the 31 March 1999, to have a fire break clear of all flammable materials at least 3 metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.

If it is considered to be impracticable for any reason to clear firebreaks as required by this notice, you may apply to the Council or its duly authorised officer, not later than 15 November 1998 for permission to provide fire breaks in alternative positions on the land. If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this notice. The penalty for failing to comply with this notice is a fine of not more than \$1000.00, and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

Burning off within the City of Bayswater is prohibited under the provisions of Council Local Laws. All clearing and disposal of waste should be carried out by methods other than burning.

By order of the Council.

MARIO J CAROSELLA, Chief Executive Officer.

**LG502\*****BUSH FIRES ACT 1954****NOTICE TO ALL OWNERS/OCCUPIERS OF LAND WITHIN THE CITY OF SUBIACO****FIRE BREAK OR REMOVAL OF FLAMMABLE MATTER ORDER 1998/99**

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, as amended, owners and/or occupiers of property's within the City of Subiaco are hereby required on or before 30 November 1998, and thereafter to the 31 March 1999, or within fourteen (14) days of the date of becoming owner or occupier, should this be after the 30 November 1998 to maintain a fire break or remove flammable matter as follows—

- (a) Where the land is 2024 m<sup>2</sup> (approximately 1/2 an acre) or less, remove all flammable matter from the whole of the land, (for the purposes of this Notice, flammable matter does not include low standing trees, cultivated plants or shrubs in gardens).
- (b) Where the land exceeds 2024 m<sup>2</sup> (approximately 1/2 an acre) you shall have a fire break not less than three (3) metres wide and clear of all external boundaries of the land and immediately surrounding all buildings and improvements on the land.

If it is considered impractical for any reason to clear fire breaks, or remove flammable matter as required by this Notice, you may apply to the Council or its duly authorised officers not later than the 15 November 1998, for permission to provide a fire break in alternative positions, or to take alternative measures to abate fire hazards on the land. If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this Notice.

The penalty for failing to comply with this Notice is an infringement penalty of \$80.00 or a fine of not more than \$1,000.00 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this Notice, if it is not carried out by the owner/occupier by the date required by this Notice.

CHESTER BURTON, Chief Executive Officer.

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## **MINERALS AND ENERGY**

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**MN401****WESTERN AUSTRALIA****MINING ACT 1978****Instrument of Exemption of Land**

The Minister for Mines, pursuant to the powers conferred on him by Section 19 of the Mining Act 1978, hereby exempts the area of land described hereunder from Divisions 1 to 5 of Part IV of the Mining Act 1978.

Description

Mt Newman—Adjacent to Mineral Lease 244SA.

Those portions of land, not being private land, or land the subject of a mining tenement of application for a mining tenement, hachured blue on the plan at page 27 of Minerals & Energy File 9636/97 and designated "S19-126" on Tengraph.

Area

2588.5 ha.

Dated at Perth this 2nd day of October 1998.

NORMAN MOORE, Minister for Mines.

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**PLANNING**

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**PD401\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF ASHBURTON*

## TOWN PLANNING SCHEME No. 3—AMENDMENT No. 12

Ref: 853/10/3/3, Pt 12.

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

Removing Lot 30 Boonderoo Road from the 'Park and Recreation' Reservation and removing a portion of the 'Railway Reserve' adjacent to Lots 31 and 36 and including all the said land in the 'Service Trades' zone of the Shire of Ashburton Town Planning Scheme No. 3—Tom Price.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Poinciana Street, Tom Price 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 27 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 27 November 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.

D. CAREY, Chief Executive Officer.

**PD402\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF MOUNT MARSHALL*

## TOWN PLANNING SCHEME No. 2—AMENDMENT No. 2

Ref: 853/4/19/5, Pt 2.

Notice is hereby given that the local government of the Shire of Mount Marshall has prepared the abovementioned scheme amendment for the purpose of amending the minimum building setbacks from land in the Rural zone for Lots 68 and 69 Cook Street and Lot 70 Blight Street, Beacon.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Monger Street, Bencubbin 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 27 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 27 November 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.

P. BRADBROOK, Chief Executive Officer.

**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF NORTHAMPTON*  
TOWN PLANNING SCHEME No. 4—AMENDMENT No. 34

Ref: 853/3/14/6, Pt 34.

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

- 1 rezoning the rear portion of Lot 4 Grey Street, Kalbarri from “Commercial” to “Residential” and applying a density coding of R50.
- 2 modifying the Scheme Maps accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Hampton Road, Northampton 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 27 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 27 November 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.

C L KEEFFE, Chief Executive Officer.

**PD404\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF SERPENTINE-JARRAHDAL*  
TOWN PLANNING SCHEME No. 2—AMENDMENT No. 90

Ref: 853/2/29/3, Pt 90.

Notice is hereby given that the local government of the Shire of Serpentine-Jarrahdale has prepared the abovementioned scheme amendment for the purpose of—

- 1 rezoning Lot 5 Randell Road, Mundijong from “Rural” to “Farmlet” as depicted on the Scheme Amendment Map; and
- 2 including special provisions in Appendix 4C of the Scheme.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 6 Paterson Street, Mundijong 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 27 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 27 November 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.

I. BODILL, Chief Executive Officer.

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**POLICE**

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**PE701**

**POLICE ACT 1892**

Under the provisions of the Police Act, Unclaimed and Stolen Property will be sold by Public Auction at the premises of Ronald Scott trading as Snowball Auctions, Auctioneer, of 89 Frederick Street, Albany, at approximately 9.00 am on Friday 6th of November 1998.

Auction will be conducted by Ronald Scott, Auctioneer.

R. FALCONER, Commissioner of Police.



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## RACING, GAMING AND LIQUOR

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**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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
1467/98	Suckfizzle Augusta Pty Ltd	Application for the grant of a Producer-Wine licence in respect of premises situated in Augusta and known as Suckfizzle Augusta Pty Ltd.	9/11/98
1469/98	Stirlingraham Pty Ltd	Application for the grant of a Cabaret licence in respect of premises situated in Northbridge and known as Marco Polo Night Club.	4/11/98
1470/98	Nagar Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Esperance and known as The Taylor Street Tearooms.	11/11/98
1471/98	Ozco Pty Ltd	Application for the grant of a Special Facility licence in respect of premises situated in Perth and known as M V Perth Cruises.	9/11/98
1473/98	John Gordon Jauncey	Application for the grant of a Wholesale licence in respect of premises situated in Applecross and known as To Be Advised.	11/11/98
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
985/98	The Bog (Fremantle) Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Fremantle and known as The Bog (Fremantle).	30/10/98
987/98	V J McDonald Home & J K Home	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Margaret River and known as Prevelly Liquor Store.	2/11/98

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

G. B. AVES, Director of Liquor Licensing.

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## STATE REVENUE

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**SX301\***

Taxation (Reciprocal Powers) Act 1989

### Taxation (Reciprocal Powers) Amendment Order 1998

Made by the Governor in Executive Council.

**1. Citation**

This order may be cited as the *Taxation (Reciprocal Powers) Amendment Order 1998*.

## 2. The order amended

The amendments in this order are to the *Taxation (Reciprocal Powers) Order 1990\**.

[\* *Published 5 October 1990, pp. 5161-3.*  
*For amendments to 24 September 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 264.*]

## 3. Clause 3 amended

Clause 3 is amended by inserting after “section 3(2)(a)” the following —

“ and (ab) ”.

## 4. Schedule 1 amended (Australian Capital Territory)

(1) Schedule 1 is amended as follows:

- (a) in item 1, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and “*Land Tax Assessment Act 1976*”;
- (b) in item 1, column 3, by inserting after “*Stamp Act 1921*” —  
 “ *Tobacco Sellers Licensing Act 1975* ”;
- (c) in item 5, column 2, by deleting “*Business Franchise (Tobacco and Petroleum Products) Act 1984*” and inserting instead —  
 “ *Tobacco Licensing Act 1984* ”;
- (d) in item 5, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and inserting instead —  
 “ *Tobacco Sellers Licensing Act 1975* ”.

(2) Schedule 1 is amended after item 5 by inserting the following items —

“

5A.	Commissioner for Australian Capital Territory Revenue	<i>Debits Tax Act 1997</i>	<i>Debits Tax Assessment Act 1990</i>
5B.	Commissioner for Australian Capital Territory Revenue	<i>Subsidies (Liquor and Diesel) Act 1998</i>	<i>Fuel Suppliers Licensing Act 1997</i>

”.

## 5. Schedule 1 amended (New South Wales)

(1) Schedule 1 is amended as follows:

- (a) by deleting item 10;
- (b) in item 10B, column 3, by inserting after “*Pay-roll Tax Assessment Act 1971*” —  
 “ *Stamp Act 1921* ”.

- (2) Schedule 1 is amended after item 10B by inserting the following items —

“

10C.	Chief Commissioner of State Revenue	<i>Duties Act 1997</i>	<i>Stamp Act 1921</i>
10D.	Chief Commissioner of State Revenue	<i>Premium Property Tax Act 1998</i>	<i>Land Tax Assessment Act 1976</i>
10E.	Chief Commissioner of State Revenue	<i>Petroleum Products Subsidy Act 1997</i>	<i>Fuel Suppliers Licensing Act 1997</i>

”.

**6. Schedule 1 amended (Northern Territory)**

Schedule 1 is amended in item 14, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and inserting instead —

“ *Tobacco Sellers Licensing Act 1975* ”.

**7. Schedule 1 amended (Queensland)**

- (1) Schedule 1 is amended in item 18, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and inserting instead —

“ *Tobacco Sellers Licensing Act 1975* ”.

- (2) Schedule 1 is amended after item 19A by inserting the following item —

“

19B.	The Commissioner of Stamp Duties	<i>Fuel Subsidy Act 1997</i>	<i>Fuel Suppliers Licensing Act 1997</i>
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”.

**8. Schedule 1 amended (South Australia)**

- (1) Schedule 1 is amended in item 24, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and inserting instead —

“ *Tobacco Sellers Licensing Act 1975* ”.

- (2) Schedule 1 is amended after item 24B by inserting the following item —

“

24C.	The Commissioner of State Taxation	<i>Petroleum Products Regulation Act 1995</i>	<i>Fuel Suppliers Licensing Act 1997</i>
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”.

**9. Schedule 1 amended (Victoria)**

- (1) Schedule 1 is amended in item 28, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and inserting instead —
- “ *Tobacco Sellers Licensing Act 1975* ”.
- (2) Schedule 1 is amended after item 30A by inserting the following item —
- “
- |      |                                      |   |  |
|------|--------------------------------------|---|--|
| 30B. | The Commissioner<br>of State Revenue | <i>Business Franchise<br/>(Petroleum<br/>Products) Act 1979</i> | <i>Fuel Suppliers<br/>Licensing<br/>Act 1997</i> |
|------|--------------------------------------|---|--|
- ”.

**10. Schedule 1 amended (Tasmania)**

- (1) Schedule 1 is amended as follows:
- (a) in item 31, column 1, by deleting “Commissioner of Stamp Duties” and inserting instead —
- “ Commissioner of State Revenue ”;
- (b) in item 33, column 1, by deleting “Commissioner of Pay-roll Tax” and inserting instead —
- “ Commissioner of State Revenue ”;
- (c) in item 35, column 3, by deleting “*Business Franchise (Tobacco) Act 1975*” and inserting instead —
- “ *Tobacco Sellers Licensing Act 1975* ”.
- (2) Schedule 1 is amended after item 35 by inserting the following item —
- “
- |     |                                  |   |  |
|-----|----------------------------------|---|--|
| 36. | Commissioner of<br>State Revenue | <i>Taxation<br/>Administration<br/>Act 1997</i> | <i>Financial<br/>Institutions Duty<br/>Act 1983</i><br><br><i>Pay-roll Tax<br/>Assessment<br/>Act 1971</i> |
|-----|----------------------------------|---|--|
- ”.

**11. Schedule 2 amended**

- (1) Schedule 2 is amended after item 1 by inserting the following item —
- “
- 1A. *Subsidies (Liquor and Diesel) Act 1998* of the Australian Capital Territory.
- ”.

- (2) Schedule 2 is amended after item 5 by inserting the following item —

“

- 5A. *Petroleum Products Regulation Act 1995* of the State of South Australia.

”.

By Command of the Governor,

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

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## TENDERS

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### 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
79C98	Construct embankment adjacent to the Kenwick Flyover for settlement, Metropolitan Area .....	27 October
386C98	Herbicide spraying of African Lovegrass ( <i>Eragrostis curvula</i> ), Great Southern Region .....	6 November
98D14	Purchase and removal of a 2.5m x 4m tin shed, short lengths of timber, 8 old controller housings, cement pavers, small water tank, assorted galvanised bolts, nuts, washers etc, steel cable, small ice machine, stepping irons, 1 pallet of assorted oils and greases, 4 fire extinguishers with stands, old temporary warning signs, approximately 500 "Safe-Hit" posts and bases, approximately 200 assorted traffic cones, 2 long metal bench frames, assorted office furniture (mostly in poor condition), movie projector, 2 heat meters and a PABX call recorder, on an "as is where is" basis at Carlisle .....	30 October
98D15	Purchase and removal of a large wooden mezzanine floor structure, on an "as is where is" basis at Carlisle .....	30 October

Executive Director Corporate Services.

### ZT202

*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount \$
164C98	Provision of Professional Insurance Advice for Construction Contracts	Health Fielding (WA) Pty Ltd	50 000.00
319C98	Survey Audit and Quantity Measurement Services for Major Works Contract 105/97 (Marble Bar-Woodie Woodie Road)	Sorensen, Short & Associates	45 278.00

Executive Director, Corporate Services.

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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 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 16th November 1998, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bowers, Florence Evelyn Ann, late of 2 Raymond Street, Collie, died 28/6/97 (DEC 314278 DP4).

De Souza, Benedicto Rusario Adelino, late of 24 Boeing Road, Ridgeview, Harare, Zimbabwe, died 5/3/98 (DEC 313567 DG2).

Dennis, Lillie, late of Two Pines Nursing Home, 77 Clarkson Road, Maylands, died 2/10/98 (DEC 314393 DL4).

Dryer, James Walter, late of 2/17 George Street, Carnarvon, died 17/7/98 (DEC 312799 DP3).

Flindell, Alan, late of Cabrini Nursing Home, 111 Guildford Road, Maylands, died 4/10/98 (DEC 314279 DP3).

Hammond, Brian Charles, late of 11/2 Whitehouse Drive, Koondoola, died 20/7/98 (DEC 312390 DC4).

Harmon, Edith Rose, late of 2/70 Axford Street, Como, died 6/9/98 (DEC 313919 DL4).

Hertel, Doris, late of St David's Nursing Home, 17-19 Lawley Crescent, Mt Lawley died 11/8/98 (DEC 313047 DC2).

Levitzke, Dorothy Florence, late of Charles Jenkins Nursing Home, Hillview Terrace, Bentley, died 27/9/98 (DEC 314271 DG3).

McDonough, Archibald Ernest, late of Unit 12/19 Sorrento Street, North Beach, died 4/9/98 (DEC 314327 DC2).

O'Brien, Thomas Patrick, late of 1/819 Beaufort Street, Inglewood, died 3/8/98 (DEC 312838 DP4).

Richardson, Elsie Mabel, late of St Vincent's Nursing Home, 224 Swan Street, Guildford, died 23/9/98 (DEC 314141 DP3).

Reid, Freda Florence, late of Tandara Nursing Home, 73 Jarrah Road, Bentley, died 18/7/98 (DEC 314218 DP1).

Reilly, Marguerite Ellen, late of John Wesley Aged Care, Rowethorpe, Bentley died 1/10/98 (DEC 314366 DS4).

Reynolds, Thomas William, also known as Collins, Ronnie late of Valencia Nursing Home, 24 Valencia Avenue, Carmel, died 24/9/98 (DEC 314190 DG4).

Simunovich, Cvita, late of 4/454 Main Street, Balcatta, died 5/8/98 (DEC 313364 DL4).

Tait, Alexander, late of 13B Pimelia Court, Greenwood, died 22/9/98 (DEC 314108 DA1).

Turner, Dorothy Mabel, late of Nursing Centre, Rowethorpe Retirement Centre, Hillview Terrace, Bentley, died 29/9/98 (DEC 314235 DG4).

Wood, John Henry, late of Valencia Nursing Home, 24 Valencia Road, Carmel, died 7/7/98 (DEC 313817 DC2).

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

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**ZZ201****TRUSTEES ACT 1962**

Estate of the late Lillian Mary Moore late of 159-161 West Coast Drive North Beach, Spinster, deceased.

Creditors and other persons having claims in respect of the estate mentioned below to which Section 63 of the Trustees Act 1962 as amended relates in respect of the estate of the deceased, who died on the 26th day of August 1997 are required by the personal representative James Andrew Christie to send particulars of claims to the personal representative c/- McCallum Donovan Sweeney, Solicitors of 2nd Floor, 16 Irwin Street, Perth by the 27th day of November 1998 after which date the personal representative may convey or distribute the assets having regard only to the claims of which they have notice and the personal representative shall not be liable to any person of whose claim they have had no notice at the time of distribution.

Dated this 13th day of October 1998.

Signed, McCALLUM DONOVAN SWEENEY,  
for the Personal Representative.

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

## NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims in respect of the Estate of the late Patricia Mary Mannion who died on the 12th day of September 1998 at Lambeth, United Kingdom are requested to send particulars of their claims to the Executors Josephine Anne White and Julie-Anne Gamlen c/- Michael, Whyte & Co, Barristers & Solicitors, Level 1, 41-43 Ord Street, West Perth 6005 within one (1) month from the date of this notice after which date the Executor may distribute the assets having regard only to the claims of which they have then had notice and the said Executor shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

(Our reference: MHT981400)

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**ZZ203****TRUSTEES ACT 1962**

## NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims in respect of the Estate of the late Lydia Wake who died on the 27th day of September 1998 at Mundaring are requested to send particulars of their claims to the Executor Jeffery Gibson Wake c/- Michael, Whyte & Co, Barristers & Solicitors, Level 1, 41-43 Ord Street, West Perth 6005 within one (1) month from the date of this notice after which date the Executor may distribute the assets having regard only to the claims of which they have then had notice and the said Executor shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

(Our reference: MHT981516)

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**ZZ204****TRUSTEES ACT 1962**

Trustees Act 1962 in the estate of Keith Currie late of "Stirling" 121 Lissadell Street, Floreat in the State of Western Australia, Retired Educationalist deceased. Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on the 10th day of September, 1998 are required by the personal representative Edward John Wheatley of 8 Katrine Street, Floreat in the State of Western Australia to send particulars of their claims to him by the 30th day of November 1998 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

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**ZZ401**

## NOTICE OF RESIGNATION

Take notice Cameron Robert Gent and Vanessa Mary Gent have ceased to be partners of Dart Base Metal Exploration effective from 1 July 1998.

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