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PUBLISHING DETAILS FOR CHRISTMAS 1998 AND NEW YEAR HOLIDAY PERIOD 1999

For *Government Gazette* published 3.30 p.m. Wednesday 30 December 1998,
closing time for copy will be 12 noon Thursday 24 December 1998.

For *Government Gazette* published 3.30 pm Tuesday 5 January 1999,
closing time for copy will be 12 noon Thursday 31 December 1998.

AGRICULTURE

AG301*

Fertilizers Act 1977

Fertilizers Amendment Regulations (No. 2) 1998

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fertilizers Amendment Regulations (No. 2) 1998*.

2. Regulation 16 amended and consequential amendment

- (1) Regulation 16(2) of the *Fertilizers Regulations 1978** is amended by deleting “registered under the trade description of” and inserting instead —

“ described as ”.

- (2) Regulation 11(2) of the *Fertilizers Amendment Regulations 1998*** is repealed.

[* *Published in Gazette 15 September 1978, pp. 3436-42. For amendments to 11 November 1998 see 1997 Index to Legislation of Western Australia, Table 4, p.76 and Gazette 30 October 1998.*]

[** *Published in Gazette 30 October 1998, pp. 5993-5.*]

By Command of the Governor,

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

AG401

CARNARVON BANANA INDUSTRY (COMPENSATION TRUST FUND) ACT 1961

Agriculture Western Australia,
South Perth, WA 6151.

Agric. 1100/87

His Excellency the Governor in Executive Council has been pleased to appoint, pursuant to Section 7 of the Carnarvon Banana Industry (Compensation Trust Fund) Act 1961, the following, for a term of office expiring 23 November 2001, to the positions as listed—

Name	Position	Representing
Mr John Nicholls	Chairman	Agriculture WA
Mr John Gallagher	Deputy	Agriculture WA
Mr Neil Brown	Member	Treasury

MONTY HOUSE, Minister for Primary Industry; Fisheries.

AG402

MARKETING OF EGGS ACT 1945Agriculture Western Australia,
South Perth.

The Governor is pleased to appoint pursuant to Section 7 (3) (b) of the Marketing of Eggs Act 1945, Zelko Lendich as a member of the Western Australian Egg Marketing Board for a term of office expiring on 3 February 2002.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

FISHERIES

FI301*

Pearling Act 1990

**Pearling (General) Amendment Regulations
(No. 2) 1998**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Pearling (General) Amendment Regulations (No. 2) 1998*.

2. The regulations amended

The amendments in these regulations are to the *Pearling (General) Regulations 1991**.

[* *Published in Gazette 27 December 1990, pp. 6337-66.*
For amendments to 16 November 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 202.]

3. Regulation 32 amended

Regulation 32(1) is amended after paragraph (b) by inserting the following paragraph —

“

- (ba) where an inspector has required that the dump be marked and lit so as to indicate its location to any vessels that may be in the area, the dump is marked and lit in an approved manner;

”.

4. Regulation 36 amended

Regulation 36(1) is amended after paragraph (a) by inserting the following paragraph —

“

- (aa) where an inspector has required that the holding site be marked and lit so as to indicate its location to any vessels that may be in the area, the holding site is marked and lit in an approved manner;

”.

5. Part 5A inserted

After regulation 38 the following Part is inserted —

“

Part 5A — Marking of pearl oyster farms for navigational purposes**38A. Farms to be marked and lit**

The holder of a farm lease shall mark and light those parts of the pearl oyster farm designated by an inspector in an approved manner so as to indicate their location to any vessels that may be in the area.

Penalty: \$2 000.

”

By Command of the Governor,

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

FI401**FISH RESOURCES MANAGEMENT ACT 1994****NOTICE OF INTENTION TO DETERMINE A MANAGEMENT PLAN FOR THE BROOME PRAWN FISHERY**

I Monty House, the Minister for Fisheries, hereby give notice in accordance with section 64(2) of the Fish Resources Management Act 1994 of my intention to determine under section 54(1) of that Act a management plan for the Broome Prawn Fishery.

A copy of the draft of the proposed management plan may be obtained from the Broome Regional Fisheries Office of Fisheries WA, located on the corner of Frederick and Weld Streets, Broome, or by phoning the Regional Office on (08) 9192 6000.

Interested persons who wish to comment on the draft plan are invited to make representations to the Minister by Friday 8 January 1999. Representations must be in writing and forwarded to the Minister for Fisheries, c/- The Executive Director, Fisheries WA, PO Box 3064, Broome WA 6725.

Dated this 2nd day of December 1998.

MONTY HOUSE, Minister for Fisheries.

GOVERNMENT EMPLOYEES HOUSING

GO301*

Government Employees' Housing Act 1964

**Government Employees' Housing Authority
Amendment Regulations 1998**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Government Employees' Housing Authority Amendment Regulations 1998*.

2. Regulation 4 amended

Regulation 4 of the *Government Employees' Housing Authority Regulations 1965** is amended by deleting "absence another member of the Authority." and inserting instead —

“

absence —

- (a) another member of the Authority; or
- (b) a person who is appointed for that purpose by the Authority from time to time.

”.

[* *Published in Gazette 20 January 1966, pp. 143-4.*
For amendments to 16 September 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 111.]

By Command of the Governor,

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

HEALTH

HE101

CORRECTION
NURSES ACT 1992

HDWA File No. 96/3573

In the Notice at page 7126 of the *Government Gazette* No. 220 dated 5 December 1997 in respect to the section of the Nurses Act 1992 which appoints Ms Jacqueline Horn to the Nurses Board of Western Australia for the period ending 28 October 2000—section '6(1)(c)' is amended to section '6(1)(e)'.

VICKI STEWART, Principal Legal Officer, Legal Services.

HE401**HEALTH ACT 1911**

Health Department of WA,
 Perth, 30 November 1998.

In accordance with the provisions of section 28 of the Health Act 1911, the appointment of the following persons as Environmental Health Officers is approved

Environmental Health Officer	Date Effective	Local Government
Matthew Piggott	2 November 1998	City of Stirling
Salvatore C. Mastrolembo	26 October 1998	Shire of Irwin
George Stark	25 November 1998	Shire of Coolgardie
Beverly Little	29 October 1998	City of Cockburn
David George Williams	12 November 1998	Shire of Derby/West Kimberley

PAUL PSAILA-SAVONA, Executive Director, Public Health.

HE402***HOSPITALS AND HEALTH SERVICES ACT 1927****HOSPITAL AND HEALTH SERVICES
(CORPORATE NAME) INSTRUMENT (No. 2) 1998**

Made by His Excellency the Governor in Executive Council under the Act.

1. Citation

This notice may be cited as the *Hospitals and Health Services Act (Corporate Name) Instrument (No. 2) 1998*.

2. Interpretation

In this instrument—

“table” means the table in the Schedule to this instrument;

“the Act” means the *Hospitals and Health Services Act 1927 (WA)*;

3. Corporate Names

Pursuant to section 15(3) of the Act, each of the hospital boards known by the name listed in column 1 of the table is assigned a corporate name as set out in column 2 of the table adjacent to the previous name of that hospital board.

SCHEDULE

TABLE – ASSIGNING OF CORPORATE NAMES TO HOSPITAL BOARDS

COLUMN 1

Previous Name

Bridgetown District Hospital Board
Corrigin District Hospital Board
Cunderdin District Hospital Board
Gnowangerup District Hospital Board
Jerramungup Hospital Board
Kellerberrin Memorial Hospital Board
Kojonup District Hospital Board
Plantagenet District Hospital Board
Quairading District Hospital Board
The Southern Cross District Hospital Board
Warren District Hospital Board

By His Excellency's Command

COLUMN 2

Assigned Corporate Name

Bridgetown District Hospital Board
Corrigin District Hospital Board
Cunderdin District Hospital Board
Gnowangerup District Hospital Board
Jerramungup Hospital Board
Kellerberrin Health Services Board of Management
Kojonup District Hospital Board
Plantagenet District Hospital Board of Management
Quairading District Hospital Board
Southern Cross District Health Service
Warren District Hospital Board

M. C. WAUCHOPE, Clerk of the Council.

JUSTICE**JM301***

Fines, Penalties and Infringement Notices Enforcement Act 1994

**Fines, Penalties and Infringement Notices
Enforcement Amendment Regulations
(No. 3) 1998**

Made by the deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 1998*.

2. Schedule 1 amended

Schedule 1 to the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994** is amended as follows:

- (a) after the item commencing “*Caravan Parks and Camping Grounds Act 1995*” insert —
- “ *Cemeteries Act 1986* 63 ”;
- (b) after the item commencing “*Government Railways Act 1904*” insert —
- “
- Health Act 1911*
- (with the *Local Government Act 1995* as the principal enactment)
- ”.

[* *Published in Gazette 30 December 1994, pp. 7232-41. For amendments to 2 November 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 79, and Gazette 23 January and 28 August 1998.*]

By Command of the deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

BUSH FIRES ACT 1954

SHIRE OF DARDANUP

LOCAL LAWS RELATING TO THE ESTABLISHMENT, MAINTENANCE AND EQUIPMENT OF BUSHFIRE BRIGADES FOR ANY PART OF THE SHIRE OF DARDANUP

Under the powers conferred by the Bush Fires Act 1954 and by all other powers, the local government of the Shire of Dardanup resolved to make the following local laws on the 6th day of November 1998.

Interpretation

1. In these local laws, unless the context otherwise requires—
 - “CEO” means the Chief Executive Officer of the local government;
 - “Equipment Officer” means the person appointed by the Local Government for the brigade, or his appointed delegate for each fire district.
 - “local government” means the Shire of Dardanup.

Establishment of the Brigade

2. (a) The local government may establish and maintain one or more bushfire brigades for the purposes of carrying out normal brigade activities as defined in section 35A of the Bush Fires Act 1954.
- (b) On the resolution of the local government to establish, maintain and equip a bushfire brigade, the brigade is to be formed in accordance with these local laws, a name is to be given to the brigade and application accompanied by the resolution of the local government forming the brigade is to be made to the Bush Fire Service WA for its registration accordingly.
- (c) A bushfire brigade may be established for the whole of the district or for any specified part thereof.

Appointment of Officers

3. (a) The local government, by resolution of the Council, is to appoint a captain, a first lieutenant, a second lieutenant and such additional lieutenants as it deems necessary to act as officers of the brigade and who, in the Council's opinion, have the necessary qualifications and knowledge of the district required in such capacities.
(b) The local government, by resolution of the Council, may dismiss or revoke the appointment of any officer appointed in accordance with section 3 (a).
4. The CEO or such other person as the CEO may appoint, is to be the secretary of the brigade.
5. The local government may appoint an equipment officer to be responsible for the custody and maintenance in good order and condition of all equipment and appliances acquired by the local government for the purposes of the brigade.
Such officer may station such equipment at a depot approved by the captain. If there is more than one such depot in the area, the equipment officer is to appoint at each depot a person to look after the equipment allocated to the specific depot and have it ready for immediate use when required.
6. The local government is to appoint a Chief Bush Fire Control Officer, a Deputy Chief Bush Fire Control Officer and such bushfire control officers the Council deems appropriate for the requirements of the district and may prescribe the area over which each such officer has jurisdiction. The employment, dismissal and payment for services of persons (other than officers) employed for duties under this Act is vested in the CEO.

Duties of Officers

7. (a) The duties of all officers appointed under these local laws are as laid down in the provisions of the Bush Fires Act 1954 and as contained in the Standard Operating Procedures of the Bush Fire Service WA (reference SOPLA2, 25/9/96) as varied from time to time.
(b) The chief Bush fire Control Officer shall be responsible for fire operations within the local government area and shall act in accordance with the provisions of the Bush Fires Act 1954 and Standard Operating Procedures of the Bush Fire Service WA (reference SOPLA2, 16/10/95).
(c) The Deputy Chief Bush Fire Control Officer shall be responsible to the Chief Bush Fire Control Officer and shall assume the Chief Bush Fire Control Officer's role and responsibilities during the absence of that officer.
(d) The captain has full control over the members of the brigade whilst engaged in fire fighting and is to issue instructions as to the methods to be adopted by the firemen. In the absence of the captain, the first lieutenant, and in the absence of the first, the second lieutenant or senior officer of the brigade present at the fire, is to exercise all the powers and duties of the captain.

Membership of Brigade

8. (1) The membership of a bushfire brigade consists of the following—
 - (a) subscribing members;
 - (b) fire fighting members; and
 - (c) associate members.(2) Subscribing members are those persons, who being interested in forwarding the objects of the brigade, pay an annual subscription to the funds of the brigade at the following rates—
 - (i) owner or occupier of land within the brigade area—a minimum subscription of \$10.00.
 - (ii) other persons—a minimum subscription of \$5.00.(3) Fire fighting members are those able bodied persons being over 15 years of age and who are willing to render service at any bushfire when called upon and who sign an undertaking on the form contained in the First Schedule of these local laws.
(4) Associate members are those persons who are willing to supply free motor transport for fire fighters or equipment, or are prepared to render other approved assistance, and who sign an undertaking in the form contained in the Second Schedule of these local laws.
(5) Subject to subclause (6), no fees or subscriptions are payable either by fire fighting members or associate members and the enrolment of persons as such members is in every case subject to the approval of the CEO.
(6) A subscribing member is eligible for enrolment as a fire fighting member.

Finance

9. The expenditure incurred by the local government in the purchase of equipment, payment for services and generally for the purposes of this Act, is a charge on the ordinary revenue of the local government, but the CEO is to keep record of the expenditure incurred under this Act.

Meetings of Brigade

10. Meetings will be held as necessary.

Repeal

11. The local laws of the Shire of Dardanup published in the *Government Gazette* on 3rd of April 1940 are hereby repealed.

First Schedule

FORM OF ENROLMENT—FIRE FIGHTING MEMBER

I, the undersigned, hereby make application to be enrolled as a fire fighting member of the Bushfire Brigade.

My private address is

My business address is

I can be contacted on telephone No: (home)
(work)
(mob)

If needed, I can provide my own transport to the scene of any outbreak.
(This line to be struck out if not applicable).

I declare that I am over 15 years of age and in good health.

I give these undertakings—

- (1) to promote the objects of the brigade as far as is in my power;
- (2) to be governed by the provisions of the constitution and such local laws and regulations as may from time to time be made;
- (3) to use my best endeavours to give assistance in fire fighting measures when called upon and on such occasions to obey all orders and instructions issued by duly authorised officers of the brigade.

Applicant's name

Applicant's signature

Date

Second Schedule

FORM OF ENROLMENT—ASSOCIATE MEMBER

I, the undersigned, hereby make application for enrolment as an associate member of the Bushfire Brigade.

(a) I am prepared to offer to transport fire fighting members and/or equipment to the scene of any outbreak when called upon. I have a motor vehicle of the following type available for such purpose.

(b) I am prepared to offer my services in the following capacity—
.....
.....
.....

(paragraph a) or b) above may be struck out if both do not apply)

My private address is

My business address is

I can be contacted on telephone no: (home)
(work)
(mob)

I give these undertakings—

- (1) to promote the objects of the Brigade as far as is in my power;
- (2) to be governed by the provisions of the constitution and such local laws and regulations as may from time to time be made;
- (3) to use my best endeavours to assist in fire suppression work in the above capacity when called upon.

Applicant's name

Applicant's signature

Date

Dated this 6th day of November 1998.

The Common Seal of the Shire of Dardanup was affixed in the presence of—

M. T. BENNETT, Shire President.
M. L. CHESTER, Chief Executive Officer.

LG401***DOG ACT 1976***The Municipality of the Shire of Halls Creek*

It is hereby notified for public information that the following persons have been appointed under the provision of the Dog Act 1976 for the Municipality of the Shire of Halls Creek—

Registered Officer

Mr P. Connell
Mr P. Hunt
Mr M. Kinnaird
Mr M. Cuthbert
Ms P. Calliss
Ms B. Long
Mr C. Seaton
Mr R. Fitzpatrick (Period 2/12/98 to 18/12/98)

Authorised Officers

Mr P. Hunt
Mr M. Herrison
Mr M. Kinnaird
Mr C. Seaton
Mr R. Fitzpatrick (Period 2/12/98 to 18/12/98)

All previous appointments are hereby cancelled dated 2 December 1998.

P. J. McCONNELL, Chief Executive Officer.

LG402**SHIRE OF BUSSELTON**

Appointment of Rangers

It is hereby notified for public information that Mr John Mattaboni and Mr Ronald Anthony Cooper have been appointed Rangers for the Shire of Busselton effective from 18 November, 1998 and are authorised Officers for the following purposes—

1. Litter control in accordance with the provisions of the Litter Act 1979 and under Section 665 (b) of the Local Government Act 1960-1981.
2. Dog control in accordance with the provisions of the Dog Act 1976-1977.
3. To issue infringement notices under Section 59 (A) of the Bush Fires Act 1954-1977.
4. Exercise the power under Section 669 (B) of the Local Government Act 1960-1981.
5. Control and supervision of the following By-laws—
 - 5.1 Control of Vehicles (Off Road Areas) 1978.
 - 5.2 Local Laws relating to Street Lawns and Gardens.
 - 5.3 Local Laws relating to Parking Facilities.
 - 5.4 Local Laws relating to Removal and Disposal of Obstructing Animals or Vehicles.
 - 5.5 Local Laws relating to the Depositing and Removal of Refuse, Rubbish, Litter and Disused Materials.
 - 5.6 Local Laws relating to the Parking of Commercial Vehicles on Street Verges.
 - 5.7 Local Laws relating to Reserves and Foreshores.
 - 5.8 Local Laws relating to Horses and Vehicles on Beaches.
 - 5.9 Local Laws relating to Caravan Parks and Camping Grounds.

MICHAEL SWIFT, Chief Executive Officer.

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

Authorised Person

It is hereby notified for public information that Denis O'Brien has been appointed as an Authorised Person at the St John of God Parking Station No. 17 (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Sections 9.10, 9.13 and 9.15 of the Local Government Act 1995.

JOHN McNALLY, Chief Executive Officer.

LG404**LOCAL GOVERNMENT ACT 1995***City of Melville*

Authorised Person

It is hereby notified for public information that Duncan Fairbairn has been appointed as an Authorised Person at the St John of God Parking Station No. 17 (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Sections 9.10, 9.13 and 9.15 of the Local Government Act 1995.

JOHN McNALLY, Chief Executive Officer.

LG405**LOCAL GOVERNMENT ACT 1995***City of Melville*

Authorised Person

It is hereby notified for public information that Peter Andrew Birk-Beck has been appointed as an Authorised Person at the St John of God Parking Station No. 17 (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Sections 9.10, 9.13 and 9.15 of the Local Government Act 1995.

JOHN McNALLY, Chief Executive Officer.

LG406**BUSH FIRES ACT 1954***Shire of Mt Magnet*

It is hereby notified for public information that those listed hereunder have been appointed as Fire Control Officers for the Shire of Mt Magnet in accordance with the above Act as of 20 November 1998.

All previous appointments are herewith cancelled.

Chief Control Officer—P. R. Webster

Fire Control Officers—

Mr Gary Davis	Mr Kevin Seivwright
Mr Peter Morrissey	Mr David Campbell
Mr Gary Scott	Mr Adrian Morrissey
Mr Dale Zadow	Mr Malcom Craig
Mr Ron Moses	Mr John Dowden
Mr William Broomfield	Mr Paul Jones
Mr Laurie Jensen	Mr Peter Glass
Mr Will Scott	Mr Justin Smith
Mr Ashley Dowden	Mr Greg Scott
Mr Geoff Pilkington	Mr W. Fitzgerald

P. R. WEBSTER, Chief Executive Officer.

LG501***BUSH FIRES ACT 1954***SHIRE OF ROEBOURNE*

NOTICE TO ALL OWNERS OR OCCUPIERS OF LAND IN THE DISTRICT OF
THE SHIRE OF ROEBOURNE REGARDING FIREBREAKS

The Shire of Roebourne hereby gives notice pursuant in Section 33 of the Bush First Act 1954 for all owners or occupiers of land in its district that they are required on or before the 30th day of December 1998 or within 14 days of becoming the owner or occupier of the land if that occurs after the 30th day of December 1998 to plough, cultivate, scarify, burn or otherwise clear firebreaks as specified in this Notice and thereafter up to and including the 30th day of April 1999 to maintain the firebreaks clear of inflammable matter.

(1) Land having an area of 2024m² or more. A firebreak not less than 3 metres wide immediately inside and around all external boundaries of the land must be cleared.

(2) Land having an area of less than 2024m². Where the area of land is 2024m² or less, all inflammable material likely to cause a fire risk on the land shall be removed from the whole land.

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

(4) Pastoral Land. All buildings and or groups of buildings must be cleared of inflammable material up to 3 metres out from those buildings or groups of buildings.

Whenever a firebreak is cleared by burning the provisions of the Act and Regulations made thereunder must be observed. If pursuant to item (2) of this Notice, mowing or slashing is carried out the height of vegetation thereafter must not exceed as far as is reasonable practicable, 50mm over the entire area of the land. The use of chemicals is subject to all restrictions imposed by the Department of Agriculture.

Attention is drawn to the Flammable Liquids Regulations made under the Explosives and Dangerous Goods Act 1961, which requires a site on which inflammable liquid is stored to be totally cleared of all inflammable material for a minimum distance of 6 metres surrounding the site.

If it is considered to be impracticable for any reason to comply with the provisions of this Notice, application may be made not later than the 24th day of December 1998 in the Council or its authorised officer for permission to provide alternative fire protection measures. If permission is not granted the requirements of this Notice must be complied with.

Penalty

An owner or occupier of land who fails or neglects in any respect to comply with the requirements of this Notice is liable to a maximum fine of \$1000.

T. S. RULAND, Chief Executive Officer.

MINERALS AND ENERGY

MN401

COAL MINES REGULATION ACT 1946

APPOINTMENT

Department of Minerals and Energy,
Perth.

Pursuant to section 38(4) of the Coal Mines Regulation Act 1946 the Hon Minister for Mines has reappointed Robert Shaw Ferguson as Trustee representing the Hon Minister and Chairman and Barry William Jack as Trustee representing the mine owners on the Coal Mines Accident Relief Fund Trust for a term expiring on 31 July 1999.

DIRECTOR GENERAL.

PLANNING

PD401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF BAYSWATER

CITY OF STIRLING'S DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 327

Ref: 853/2/20/34 Pt 327

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment (being administered by the City of Bayswater) on 1 December, 1998 for the purpose of rezoning Lots 1 and 2 (HN 138) Guildford Road, corner Central Avenue, Maylands, from "Residential R50" to "Special Use Zone—Residential R50/Institutional Buildings" and adding the use to Schedule II of the Scheme.

J. D'ORAZIO, Mayor.
M. J. CAROSELLA, Chief Executive Officer.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF CANNING
TOWN PLANNING SCHEME NO 40—AMENDMENT NO 83

Ref: 853/2/16/44 Pt 83

Notice is hereby given that the local government of the City of Canning has prepared the abovementioned scheme amendment for the purpose of including 53-61 Kewdale Road (Lot 56) (Cnr Dowd Street), Welshpool, in Appendix 5, Schedule of Additional or Prohibited Uses, to permit the additional use of "Offices—Gross Floor Area 1,450m² inclusive of 833m² Non-Conforming Use Office".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington 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 19 January, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 19 January, 1999.

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. F. KINNER, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF COCKBURN
DISTRICT ZONING SCHEME NO 2—AMENDMENT NO 177

Ref: 853/2/23/19 Pt 177

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

1. Rezoning land bounded by Fawcett Road, Coogee Road, Frobisher Avenue, Rockingham Road, Russell Road and Lake Coogee, Munster from Rural to Marine Technology Park Zone in accordance with the Scheme Amendment Map;
2. Amending the Scheme Maps accordingly;
3. Amending Parts 8 and 3, the First Schedule—Zoning Table and the Seventh Schedule—Interpretations of the Scheme Text to introduce the new zone into the Town Planning Scheme.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 8 March, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 8 March, 1999.

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. M. GREEN, For Chief Executive Officer.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ROCKINGHAM
TOWN PLANNING SCHEME NO 1—AMENDMENT NO 281

Ref: 853/2/28/1 Pt 281

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on 1 December, 1998 for the purpose of deleting clause 5 (b) of Amendment 66 Area in Table IV Column (b) Provisions and inserting new clauses to read as follows:

- 5 (b) In Stages 2 and 3 the Council will not recommend lot sizes less than 2.0 hectares.
11. The developer shall plant native trees and shrubs of a species and at a density and distribution to be determined by Council within the Strategic Revegetation Areas as identified on the Subdivision Guide Plan and other areas as identified in the Rural Land Strategy.

Tree planting shall be undertaken in accordance with a tree-planting program to the satisfaction of the Council prior to endorsement by the Western Australian Planning Commission of Plans or Diagrams of Survey to create the lots. Such landscaping is to be maintained and replaced (if and where necessary) on each lot by the owner of the land to the satisfaction of the Council.

12. The developer shall notify in writing any prospective purchaser of the requirement for the continued maintenance of strategic revegetation areas within the estate.
13. Development within the Peel-Harvey Catchment Area shall comply with Statement of Planning Policy No. 2 (Peel-Harvey Coastal Plain Catchment).
14. Development affecting wetlands shall comply with the provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.
15. No indigenous vegetation or trees shall be removed without the prior approval of the council, except where—
 - the trees are dead, diseased or dangerous;
 - the establishment of a fire access track is required under regulation or local law;
 - access to an approved development site is required;
 - subdivision works require the removal of vegetation.
16. All development, including the clearing of land, except for firebreaks, shall be generally set back fifty (50) metres from the Kwinana Freeway reservation, thirty (30) metres from other subdivisional roads (primary setback) and ten (10) metres from all other boundaries unless otherwise specified in the Rural Land Strategy. Setbacks to tourism uses shall be a minimum of thirty (30) metres from any adjoining boundary and the setback shall be vegetated to ensure screening of the activity.

C. S. ELLIOTT, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PD405***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF ROCKINGHAM

TOWN PLANNING SCHEME NO 1—AMENDMENT NO 312

Ref: 853/2/28/1 Pt 312

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on 1 December, 1998 for the purpose of:

1. Introducing a definition for 'Market' as 'land or buildings used for the display and sale of goods from stalls by independent vendors' within Clause 1.12 of the Scheme;
2. Amending Table I of the Scheme (Use-Class Table) to introduce 'Market' as an 'AA' use within the Service Commercial, Light Industry, Business Local and City Centre Zones and an 'X' use in all other zones;
3. Amending Table III of the Scheme (Car Parking Requirements) to introduce parking requirements for a 'Market' at 3 bays per stall or 1 bay for every 10 square metres of floorspace (whichever is the greater);
4. Amending Table V—Port Kennedy Light Industrial Estate to specify 'Market' as an 'AA' use within the Service Commercial and Light Industrial Zones.

C. S. ELLIOTT, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PD406***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF STIRLING

DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 314

Ref: 853/2/20/34 Pt 314

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 1 December, 1998 for the purpose of rezoning Lot Pt 22 (H.N.1) Thirlmere Road, Mount Lawley from "Low Density Residential R20/Public Open Space/Regional Open Space" to "Special Use—Hospital".

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

PD407*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF CHAPMAN VALLEY
 TOWN PLANNING SCHEME NO 1—AMENDMENT NO 20

Ref: 853/3/17/1 Pt 20

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

1. Rezoning Lot 3447, portion of Lot 12 and Lot 13 North West Coastal Highway, Wokarena from General Farming, Place of Heritage Value, Important Regional Road and Recreation to Special Rural Zone and Special Zone.
2. Rationalising the Recreation Zone over the Wokarena Peak Reserve and the disused Wokarena Railway siding.
3. Amending the Scheme Maps accordingly.
4. Introducing a range of land use controls and management provisions to Appendix No 6 and the Special Zone Table.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Lot 7 Chapman Valley Road, Nabawa 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 19 January, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 19 January, 1999.

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

G. EDWARDS, Chief Executive Officer.

PD408*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF CHITTERING
 TOWN PLANNING SCHEME NO 5—AMENDMENT NO 59

Ref: 853/3/4/5 Pt 59

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

1. Rezoning Lot 12 Morley Road, Lower Chittering, from Rural 1—Landscape Protection Zone to Rural Living Zone A.
2. Adding to Schedule 5—Special Rural Zones and Rural Living Zone provisions relating to the development criteria for this land.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway, Bindoon 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 19 January, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 19 January, 1999.

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

R. P. HOOPER, Chief Executive Officer.

PD410*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF SWAN
 TOWN PLANNING SCHEME NO 9—AMENDMENT NO 337

Ref: 853/2/21/10 Pt 337

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on 23 November, 1998 for the purpose of deleting point 3 in Appendix 6B relating to Lot 190 Great Northern Highway, Cnr Warren Road Bullsbrook being—

3. The use applies to A Giglia and his immediate family members, consisting of his wife and two sons and will automatically cease upon their demise or when the property is sold.

E. W. LUMSDEN, Chief Executive Officer.

A. C. FREWING, Executive Manager, Management Services.

PD409*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF SWAN

TOWN PLANNING SCHEME NO 9—AMENDMENT NO 324

Ref: 853/2/21/10 Pt 324

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on 1 December, 1998 for the purpose of:

1. Amending the Scheme Text by adding to Appendix 6B in the various columns, the following:

Locality	Street and Land Particulars	Additional or Restricted Uses and Conditions
Bullsbrook	Lot 22 Chittering Road	1. The following uses are additional uses: "AA" Use—Private Recreation. "AA" Use—Shop (Tourist Shop). 2. The "Shop" shall be limited to the sale of packaged food, drinks and goods of an arts and craft nature.

2. Amending the Scheme Maps to insert the Additional or Restricted Use Symbol on Lot 22 Chittering Road, Bullsbrook.

E. W. LUMSDEN, Chief Executive Officer.
 A. C. FREWING, Executive Manager, Management Services.

PD411*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT

METROPOLITAN REGION SCHEME (SECTION 33) AMENDMENT No. 991/33

SOUTH WEST DISTRICTS OMNIBUS (No. 3B)

CALL FOR PUBLIC SUBMISSIONS

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for land in the Cities of Cockburn, Melville and Rockingham, the Town of Kwinana and the Shire of Serpentine-Jarrahdale and is seeking public comment. This Amendment is a consolidation of some 23 individual proposals—referred to as an 'omnibus amendment'—for the south west area of the metropolitan region

Purpose

The purpose of this amendment is to implement recommendations for the regional rezoning and reservation of land, as detailed in the Commission's *Amendment Report*.

Environmental Review

The Environmental Protection Authority required four of the twenty three proposals in the Amendment be formally assessed by way of an environmental review.

An environmental review for the four affected proposals has been prepared by the Commission to examine the potential environmental impacts if the amendment is implemented, and puts forward proposed environmental management measures.

The *Environmental Review Summary* and associated appendices is being advertised concurrently with the Metropolitan Region Scheme amendment so that environmental matters related to the Amendment can be commented on.

In addition to the official display centres shown below, the environmental review documents along with the Commission's *Amendment Report* can be examined at the public libraries of Fremantle, Cockburn, Melville, Rockingham, Kwinana, Serpentine-Jarrahdale, and the Library Information Centre of the Department of Environmental Protection, 8th floor, Westralia Square, 141 St Georges Terrace, Perth.

Procedure

The procedure for amending the Scheme, as set out in section 33 of the Metropolitan Region Town Planning Scheme Act, is to be used to advertise this proposal. Public submissions are invited and the amendment will eventually be put to Parliament for final approval.

Copies of the amending and detail plans showing the proposed changes to the zones and reservations of the Scheme, the Commission's *Amendment Report*, and the environmental review documents will be available for public inspection from Monday 7 December 1998 to Friday, 12 March 1999 at each of the following places:

- | | |
|---|--|
| <ul style="list-style-type: none"> • Ministry for Planning
1st floor, Albert Facey House
469 Wellington Street
PERTH • J S Battye Library
Alexander Library Building
Francis Street
NORTHBRIDGE | <p>Council Offices of the municipalities of:</p> <ul style="list-style-type: none"> • City of Perth • City of Fremantle • City of Cockburn • City of Melville • City of Rockingham • Town of Kwinana • Shire of Serpentine-Jarrahdale |
|---|--|

Any person who desires to make a submission supporting, objecting to, or providing comment on any provisions of the proposed amendment should do so on the Form 6A. This submission form is available on request from the display locations, and is also contained in the explanatory *Amendment Report* and the *Environmental Review Summary* report.

Submissions must be lodged with the:

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

on or before 5.00pm Friday 12 March 1999. Late submissions will not be considered.

PETER MELBIN, Secretary,
Western Australian Planning Commission.

POLICE

PE401

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Ross's Auctioneers, 241 Railway Parade, Maylands on Saturday 19th December 1998 at 9.00 am.

The auction is to be conducted by Mr Frank Lee.

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

PREMIER AND CABINET

PR401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52 (1) (b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon R. F. Court MLA in the period 1 to 5 December 1998 inclusive—

Acting Premier; Treasurer; Minister for Public Sector Management; Federal Affairs—Hon H. J. Cowan MLA.

M. C. WAUCHOPE, Director General,
Ministry of the Premier and Cabinet.

TRANSPORT

TR301*

Taxi Act 1994

Taxi Amendment Regulations 1998

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Taxi Amendment Regulations 1998*.

2. Commencement

These regulations come into operation on the day on which section 4 of the *Taxi Amendment Act 1998* comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Taxi Regulations 1995**.

[* *Published in Gazette 10 January 1995, pp. 75-90.*
For amendments to 24 November 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 264.]

4. Regulation 8 amended

After regulation 8(2) the following subregulation is inserted —

“

- (2a) A driver who accepts a voucher as payment or part-payment of a fare shall not enter on the voucher any information that the driver knows to be false or misleading.

”.

5. Regulations 9A and 9B inserted

After regulation 9 the following regulation is inserted —

“

9A. Hirer shall pay fare at termination of hiring or as otherwise agreed

The hirer of a taxi who is obliged to pay for carriage in the taxi any fare that is in accordance with the Act commits an offence if —

- (a) at the termination of the hiring; or
(b) contrary to an agreement made with the driver at the commencement of the hiring,

the hirer fails to pay the fare.

Penalty: \$1 000.

9B. Unpaid fare may be added to modified penalty and paid to driver

- (1) If an infringement notice is given under section 39 for an offence under regulation 9A, the amount of the fare that the hirer failed to pay may be added to the amount that would otherwise be payable as the modified penalty.
- (2) If subregulation (1) has effect, the person entitled to the fare that the hirer failed to pay shall be paid, towards the discharge of that entitlement, so much of the amount added as is recovered through payment of the modified penalty.

”.

6. Regulation 13 amended

Regulation 13(1) is amended as follows:

- (a) by inserting before paragraph (a) the following paragraph —

“

- (aa) the driver has reasonable grounds to believe that —
 - (i) the hirer or a person accompanying the hirer; or
 - (ii) the place at which the hiring is to commence or terminate, poses a threat to the driver’s safety;

”;

- (b) after paragraph (b) by deleting “or”;
- (c) by deleting the full stop at the end of paragraph (c) and inserting the following instead —
“ ; or ”;
- (d) after paragraph (c) by inserting the following paragraph —

“

- (d) the driver has reasonable grounds to believe that the hirer, or a person accompanying the hirer, has evaded or attempted to evade the payment of a fare for hiring a taxi.

”.

7. Regulations 13A and 13B inserted

After regulation 13 the following regulations are inserted —

“

13A. Driver shall inform provider of taxi dispatch service of certain matters

- (1) The driver of a taxi that is operated using a taxi dispatch service shall not fail to inform the provider of the taxi dispatch service on each occasion that —
 - (a) the driver commences or completes a period of duty driving the taxi;

- (b) a hiring commences or terminates and where it commences or terminates; or
 - (c) while the driver is plying for hire, the taxi enters or leaves an area designated by the provider of the taxi dispatch service (a **“designated area”**).
- (2) It is a defence to a charge of an offence under subregulation (1)(c) for the person charged to prove that the person had not been given sufficient information by the provider of the taxi dispatch service to enable the person to identify the relevant designated area.
- (3) When contacting the provider of a taxi dispatch service for the purpose of complying with subregulation (1), a driver shall correctly identify himself or herself to the provider.

13B. Driver shall not interfere with operation of camera surveillance unit

- (1) If a taxi is fitted with a camera surveillance unit in compliance with a condition imposed by the Director General under section 20, the driver of the taxi shall not obstruct, interfere with, damage, destroy or remove the unit.
- (2) In subregulation (1) —
- “camera surveillance unit”** means an approved device that is fitted to a taxi for the purpose of enabling photographs to be taken of persons who enter or leave the taxi.

8. Regulation 17 amended

Regulation 17 is amended as follows:

- (a) by inserting before the first word the subregulation designation “(1)”; and
- (b) by inserting at the end of the regulation the following subregulation —

- “
- (2) A driver shall not leave the taxi unattended while it is at a taxi rank.

9. Schedule 1 amended

- (1) Schedule 1 is amended by inserting after the item that refers to regulation 8(2) the following item —

Regulation 8(2a)	Driver entering false or misleading information on fare voucher	200
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- (2) Schedule 1 is amended by inserting after the item that refers to regulation 9(2) and (3) the following item —

“

Regulation 9A	Hirer failing to pay fare at termination of hiring or as agreed	100
---------------	---	-----

”.

- (3) Schedule 1 is amended by inserting after the item that refers to regulation 13(1) the following items —

“

Regulation 13A(1)	Driver failing to inform provider of taxi dispatch service as required	100
Regulation 13B(1)	Driver obstructing, interfering with, damaging, etc., camera surveillance unit	100

”.

By Command of the Governor,

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

TR302*

Road Traffic Act 1974

Road Traffic (Infringements) Amendment Regulations (No. 3) 1998

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Road Traffic (Infringements) Amendment Regulations (No. 3) 1998*.

2. Commencement

These regulations come into operation on 1 December 1998 or the day on which they are published in the *Gazette*, whichever is later.

3. Second Schedule amended

The Second Schedule to the *Road Traffic (Infringements) Regulations 1975** is amended in Form 2A under the heading “How to Pay” by inserting after “bank” —

“ or other financial institution ”.

[* Reprinted 4 June 1996.
For amendments to 30 September 1998 see 1997 Index to
Legislation of Western Australia, Table 4, pp. 234-5, and
Gazette 23 June 1998.]

By Command of the Governor,

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

TR303*

Road Traffic Act 1974

Road Traffic (Speed Measuring Equipment) Notice 1998

Made by the Minister for Transport under section 98A(2).

1. Citation

This notice may be cited as the *Road Traffic (Speed Measuring Equipment) Notice 1998*.

2. “KUSTOM SILVER EAGLE” approved

The speed detection system bearing the name “**KUSTOM SILVER EAGLE**” is approved as apparatus for ascertaining the speed at which a vehicle is moving.

MURRAY CRIDDLE, Minister for Transport.

WATER

WA401*

RIGHTS IN WATER AND IRRIGATION ACT 1914

Notice under Section 13 of the Act

[Regulation 14(1)]

The Water & Rivers Commission has received the application listed below to take and use surface water.

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

Objections should be sent to reach me at the—Water & Rivers Commission, PO Box 261, Bunbury WA 6230 prior to 25th December 1998 by certified mail.

Any queries regarding this application should be referred to Mr Craig Jaques on telephone 08 9721 0666, Water Resources Officer, South West Region, Water and Rivers Commission.

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

Schedule

- | | | |
|----|--|--|
| 1) | Applicant:
Property:
Water Course: | Phoenicia Wines.
Nelson Location 9161 EastBrook Rd, Pemberton.
Tributary of EastBrook. |
| 2) | Applicant:
Property:
Water Course: | Bellgrave Holdings
Nelson Location 11973 Froomes Rd, West Pemberton.
Tributary of Five Mile Brook. |

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