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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.

PROCLAMATIONS

AA101

SHIPPING AND PILOTAGE ACT 1967

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.
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I, the Governor, acting under section 10(2) of the *Shipping and Pilotage Act 1967* and with the advice and consent of the Executive Council, do hereby declare the place described in the Schedule to this proclamation to be a mooring control area for the purposes of that Act.

Schedule**Swan and Canning Rivers Mooring Control Area**

All the waters of the Swan, Canning and Helena Rivers and Bull Creek upstream of the Fremantle Railway Bridge (the Fremantle Port Authority inner harbour upstream boundary).

Given under my hand and the Public Seal of the State on 1 December 1998.

By Command of the Governor,

M. J. CRIDDLE, Minister for Transport.

GOD SAVE THE QUEEN !

AGRICULTURE

AG401

AGRICULTURE PROTECTION BOARD ACT 1950

AGRICULTURE PROTECTION BOARD OF WESTERN AUSTRALIA

Appointment of Members notice

Agriculture Protection Board,
South Perth WA 6151.

I, the undersigned Minister for Primary Industry, being the Minister in charge with the administration of the Agriculture Protection Board Act 1950, acting in accordance with Section 5 of the said Act, hereby appoint the following persons as members of the Agriculture Protection Board of Western Australia for a three year term, expiring on 8 December 2001.

- Pursuant to Section 5 (2) (b) of the Act, the following persons as members—
Mr Peter Newing
Mr Christopher Richardson
- Pursuant to Section 5 (2) (c) of the Act, the following persons as members—
Mr Kimberley Keogh
Mr Ronald Creagh

Dated this 8th day of December 1998.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

CENSORSHIP

CS401*

CENSORSHIP ACT 1996

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as refused publications for the purposes of that Act.

Dated this 2nd day of December 1998.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

Schedule
24 November 1998
Refused Classification

Title or Description	Publisher
Boyes Jun 1995 No 131	Not Known
Deluxe Beppin Feb 1998	No 147Not Known
Dr Try May 1998 No 38	Not Known
Gokuh Apr 1998 No 81	Not Known
Leg Action Nov 1998	Swank Publications Inc
New Eros, The No 4	Bookpress
Suppin Co-Gal No 5	Not Known
Video Boy 1998 No 167	Not Known
Young & Nasty No 9	MGM

CS402***CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 2nd day of December 1998.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

Schedule
24 November 1998
Restricted Classification

Title or Description	Publisher
40 Plus Vol 8 No 1	Fantasy Publications Ltd
Adult Cinema Review Dec 1998 Vol 16 No 12	Princeton Publishing Inc
Allstars Dec 1998 Vol 7 No 12	Princeton Publishing Inc
American Collection of Erotica (In & Out Urge)	Not Known
Asian Babes Vol 7 No 2	Fantasy Publications Ltd
Australasian Sex Paper Dec 1998 Vol 11 No 86	ASP Productions Pty Ltd
Australian Hustler (Gold Label) May 1998 Vol 3 No 5	JT Publishing Pty Ltd
Australian Rosie, The Nov 1998 No 110	Clean Culture Int. Pty Ltd
Australian Skin (Cat 1) Vol 1 No 6	Redrock Media Pty Ltd
Australian Skin (Cat 2) Vol 1 No 6	Redrock Media Pty Ltd
Best of 40 Plus, The Vol 1 Iss 5	Fantasy Publications Ltd
Best of Asian Babes, The Vol 1 Iss 6	Fantasy Publications Ltd
Best of Big Ones, The Vol 1 Iss 5	Fantasy Publications Ltd
Best of Genesis (Cherry Pop) 1998 No 10	Genesis Publications Inc
Best of Mens World, The No 12	Paul Raymond Publications Ltd
Best of Razzle No 21	Paul Raymond Publications Ltd
Big Busty (Chick Collection) Vol 41	Bookpress
Big Girls Vol 5 No 1	Fantasy Publications Ltd
Big Ones (International) Vol 9 No 10	Fantasy Publications Ltd
Bizarre Nov 1998 Iss 14	Not Known
Blueboy Nov 1998 Vol 9 No 11	Princeton Publishing Inc
Candy Girls Nov 1998 Vol 1 No 9	Dowager Inc
C'est Moi No 4	Staviss GMBH
Cheeks Nov 1998	Swank Publications Inc
Cheri Dec 1998 Vol 23 No 5	Cheri Magazine Inc
Club International Vol 27 No 10	Paul Raymond Publications Ltd
Contact Girls Vol 2 No 7	Fantasy Publications Ltd
D-Cup Nov 1998	Swank Publications Inc
Eros Vol 1 No 3	Fantasy Publications Ltd
Escort (Readers' Wives) No 19	Paul Raymond Publications Ltd
Escort Vol 18 No 11	Paul Raymond Publications Ltd
Fiesta (Naughty 40's Special) No 3	Galaxy Publications Ltd
Fiesta (Shaven Havens Special) No 10	Galaxy Publications Ltd

Restricted Classification—*continued*

Title or Description	Publisher
Fiesta (Black Label Edition) Vol 4 No 2	Galaxy Publications Ltd
Fiesta Vol 32 Iss 9	Galaxy Publications Ltd
Fiesta Vol 32 Iss 10	Galaxy Publications Ltd
Fiesta Vol 32 Iss 11	Galaxy Publications Ltd
For Men Iss 100	Fantasy Publications Ltd
For Women Vol 7 No 3	Fantasy Publications Ltd
Fox Mar 1999 Vol 17 No 9	Montcalm Publications Corporation
Gallery (Holiday) 1998 Vol 26 No 15	Montcalm Publications Corporation
Gallery Special (Lollypops) Vol 13 No 5	Montcalm Publications Corporation
Genesis Dec 1998	Genesis Publications Inc
Girls/Girls (XXX Video) 1998 No 10	Genesis Publications Inc
Hustler's Barely Legal Nov 1998 Vol 1 No 11	LFP Inc
Jock Nov 1998 Vol 7 No 11	Princeton Publishing Inc
Just 18 Dec 1998	Swank Publications Inc
Knave (DD Plus Special) No 1	Galaxy Publications Ltd
Knave Vol 30 Iss 9	Galaxy Publications Ltd
Mating Club, The 1998 Vol 1 Iss 7	The Mating Club
Mayfair Vol 33 No 10	Paul Raymond Publications Ltd
Mayfair Vol 33 No 11	Paul Raymond Publications Ltd
Men Only Vol 63 No 11	Paul Raymond Publications Ltd
Mens World Vol 10 No 11	Paul Raymond Publications Ltd
Model Directory Vol 16 No 10	Paul Raymond Publications Ltd
Model Directory Vol 16 No 11	Paul Raymond Publications Ltd
Naughty Neighbors Nov 1998 Vol 4 No 11	The Score Group
New Talent Vol 5 No 10	Fantasy Publications Ltd
Nude Readers' Wives No 135	Fantasy Publications Ltd
Only 18 Vol 1 No 7	Fantasy Publications Ltd
Only 18 Vol 1 No 8	Fantasy Publications Ltd
Oui Dec 1998 Vol 29 No 12	Princeton Publishing Inc
Penthouse Oct 1998 Vol 30 No 2	General Media Communications Inc
Penthouse Nov 1998 Vol 30 No 3	General Media Communications Inc
Penthouse Forum Oct 1998 Vol 28 No 10	General Media Communications Inc
Pirate Nov 1998 No 52	Milcap Media Group
Plumpers and Big Women Dec 1998 Vol 6 Iss 9	Firestone Publishing Inc
Posh Wives No 6	Fantasy Publications Ltd
Rasiert (Silwa Special) No 14	Silwa Film
Razzle Vol 16 No 10	Paul Raymond Publications Ltd
Razzle Vol 16 No 11	Paul Raymond Publications Ltd
Readers' Wives Vol 6 No 7	Fantasy Publications Ltd
Real Wives Vol 5 No 9	Fantasy Publications Ltd
Score (Holiday) 1998 Vol 7 No 13	The Score Group
Stag's Girls Over 40 Fall 1998	Stag Publications Inc
Swank Desire (For Adults Only) Nov 1998	Swank Publications Inc
Swank Exposed (Open Legs & Lace) Nov 1998	Swank Publications Inc
Swank Satin (Bra Busters) Nov 1998	Swank Publications Inc
Swank Taboo (Legal & Tender) Nov 1998	Swank Publications Inc
Swank Unleashed (Shaved Sex Action) Nov 1998	Swank Publications Inc
Swank Untamed (Rear Action) Nov 1998	Swank Publications Inc
Swank's Video World Dec 1998	Swank Publications Inc
Teazer (Kinky Clobber Special) No 2	Galaxy Publications Ltd
Teazer Vol 1 Iss 2	Galaxy Publications Ltd
Teazer Vol 3 Iss 9	Galaxy Publications Ltd
Teazer Vol 3 Iss 11	Galaxy Publications Ltd
Triple X No 26	Private Media Group

CS403*

CENSORSHIP ACT 1996

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as unrestricted publications for the purposes of that Act.

Dated this 2nd day of December 1998.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

Schedule
24 November 1998
Unrestricted Classification

Title or Description	Publisher
Celebrity Sleuth Vol 11 No 7 H & E Oct 1998	Broadcast Communications Inc New Freedom Publications Ltd
House of Fun Dec-Jan 1999	Pleasures Unlimited
Hustler (Australian Edition) Vol 3 No 12	JT Publishing Pty Ltd
New Zealand Naturist Dec 1998 No 167	New Zealand Nudist Federation Inc
Perfect 10 Winter 1998 Vol 1 No 6	Perfect 10 Inc
Playboy's Celebrating Centerfolds Dec 1998 Vol 1	Playboy Press

EDUCATION

ED401

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911

Office of the Minister for Education
Perth 1998.

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 16B of the University of Western Australia Act 1911, has approved amendments to by-law 9.1 and Part 2 of the First Schedule of the University of Western Australia Lands By-Laws as set out in the attached schedule.

COLIN J. BARNETT, MLA, Minister for Education.

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

The University of Western Australia

THE UNIVERSITY OF WESTERN AUSTRALIA LANDS BY-LAWS

The University of Western Australia, in pursuance of the University of Western Australia Act 1911, hereby makes the following amendments to The University of Western Australia Lands By-Laws, for the purpose of regulating the terms and conditions under which such lands may be visited or used and the conduct of such persons when on or upon such lands—

PART 9—PENALTIES AND PROCEEDINGS

9.1 is amended by replacing \$200 with \$100 as the maximum penalty which may be imposed for a breach of the by-laws.

FIRST SCHEDULE

PART 2 is amended by the addition of the following to the schedule of Other Lands vested in or under the management or control of the University which are prescribed to be Lands of The University—

7 COOPER STREET

38. Lot 257 on Plan 2948 comprised in Certificate of Title Volume 530 Folio 107.

4 BROADWAY/1 STIRLING HIGHWAY

39. All that portion of Swan Location 268 and being Lot 5 on Diagram 53155 comprised in Certificate of Title Volume 1530 Folio 639.

6-8 BROADWAY

40. All that portion of Swan Locaiton 268 and being Lot 251 on Plan 2948 comprised in Certificate of Title Volume 2029 Folio 371.

The Common Seal of the University of Western Australia was hereto affixed by authority of the Senate attested by—

PROFESSOR DERYCK SCHREUDER, Vice-Chancellor.

ENVIRONMENTAL PROTECTION

EP301*

Environmental Protection Act 1986

**Environmental Protection (Miscellaneous
Amendments) Regulations 1998**

Made by the Governor in Executive Council on the recommendation of
the Environmental Protection Authority.

Part 1 — Preliminary**1. Citation**

These regulations may be cited as the *Environmental Protection
(Miscellaneous Amendments) Regulations 1998*.

2. Commencement

These regulations come into operation on the 28th day after the
day on which they are published in the *Gazette*.

Part 2 — *Environmental Protection Regulations 1987***3. The regulations amended**

The amendments in this Part are to the *Environmental
Protection Regulations 1987**.

[* *Reprinted 4 December 1995*.

*For amendments to 9 November 1998 see 1997 Index to
Legislation of Western Australia, Table 4, pp. 67-8, and
Gazette 3 April and 26 June 1998.]*

4. Regulation 2AA inserted

After regulation 2 the following regulation is inserted —

“

2AA. Interpretation

In these regulations, unless the contrary intention
appears —

“**head office**” means the premises of the Authority at
141 St George’s Terrace (“Westralia Square”),
Perth, Western Australia;

“**public reading room**” means the public reading
room situated at the premises of the Department
at 141 St George’s Terrace (“Westralia Square”),
Perth, Western Australia.

”.

5. Regulation 2A amended

Regulation 2A is amended as follows:

- (a) in paragraph (a) by deleting “the premises of”;
- (b) by deleting paragraph (a)(i) and inserting instead —
“
 (i) the public reading room;
”;
- (c) in paragraph (a)(iii) by deleting “the Environmental Protection Authority” and inserting instead —
“ the premises of the Department ”;
- (d) in paragraph (a)(iv) by deleting “the Environmental Protection Authority” and inserting instead —
“ the premises of the Department ”;
- (e) by deleting “and” after paragraph (a)(iv);
- (f) by deleting paragraph (a)(v) and inserting the following paragraphs instead —
“
 (v) the premises of the Department at
 10th Floor, Bunbury Tower, 61 Victoria
 Street, Bunbury, Western
 Australia, 6231; and
 (vi) the premises of the Department at
 5 Burges Street, Geraldton, Western
 Australia, 6530;
”.

6. Regulation 2B amended

Regulation 2B(5) is repealed and the following subregulation is inserted instead —

- “
- (5) Minutes are to be made available for public inspection during normal office hours at the head office and the public reading room.
- ”.

7. Regulation 3 amended

Regulation 3(2) is amended by deleting “in the public reading room of the Authority situated at 38 Mounts Bay Road (“Westralia Square”), Perth, Western Australia 6000” and inserting instead —

“ at the head office ”.

8. Regulation 3A inserted

After regulation 3 the following regulation is inserted —

“

3A. Prescribed number of copies of report by Authority

For the purposes of section 44(1) of the Act the prescribed number of copies is 4.

”.

9. Regulation 5B amended

Regulation 5B is amended as follows:

- (a) in subregulation (1) by deleting “\$200” and inserting instead —
“ \$5 000 ”;
- (b) in subregulation (4) by deleting “\$200” and inserting instead —
“ \$5 000 ”.

10. Regulations 5K and 5L inserted

After regulation 5J the following regulations are inserted —

“

5K. Prescribed details of discharge of waste

For the purposes of section 72(1) of the Act the prescribed details of a discharge of waste are —

- (a) the time and the address of the premises on or from which the discharge occurred and a map of the premises showing the location of the discharge;
- (b) if the discharge of the waste was a result of the operation of equipment or otherwise, the name of the person operating the equipment or otherwise responsible for the discharge of the waste;
- (c) the composition of the waste;
- (d) the quantity of the waste discharged;
- (e) whether or not the discharge caused pollution and, if so, the nature and extent of the pollution;
- (f) the action taken by the occupier of the premises to minimize the effect on the environment of the discharge of waste; and
- (g) whether or not the waste involved in the discharge has been removed, dispersed, destroyed, disposed of or otherwise dealt with, and if so, the manner in which the waste was removed, dispersed, destroyed, disposed of or otherwise dealt with.

5L. Notification of details of discharge of waste

- (1) A notification to the Chief Executive Officer under section 72 of the Act may be given by telephone or facsimile.
- (2) If the notification is given by telephone, notification in writing must be given to the Chief Executive Officer as soon as practicable after the telephone notification.

”.

11. Regulation 8 amended

Regulation 8(1) is amended by deleting “in the public reading room of the Authority situated at 38 Mounts Bay Road (“Westralia Square”), Perth, Western Australia 6000,” and inserting instead —

“ at the head office ”.

12. Regulation 13 amended

Regulation 13(1) is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

13. Regulation 13A amended

Regulation 13A(1) is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

14. Regulation 16 amended

Regulation 16 is amended as follows:

- (a) after subregulation (1) the following paragraph is inserted —
“ Penalty: \$5 000. ”;
- (b) after subregulation (2) the following paragraph is inserted —
“ Penalty: \$5 000. ”;
- (c) after subregulation (3) the following paragraph is inserted —
“ Penalty: \$5 000. ”.

15. Regulation 18 amended

Regulation 18 is amended as follows:

- (a) in subregulation (1) by deleting “\$200” and inserting instead —
“ \$5 000 ”;
- (b) in subregulation (2) by deleting “\$200” and inserting instead —
“ \$5 000 ”.

16. Regulation 20 amended

Regulation 20(2) is amended by deleting "\$200" and inserting instead —

“ \$5 000 ”.

17. Regulation 26 amended

Regulation 26 is amended by deleting "\$200" and inserting instead —

“ \$5 000 ”.

18. Regulation 28 amended

Regulation 28 is amended as follows:

- (a) in subregulation (2) by deleting "\$200" and inserting instead —

“ \$5 000 ”;

- (b) in subregulation (4) by deleting "\$200" and inserting instead —

“ \$5 000 ”;

- (c) in subregulation (8) by deleting "\$200" and inserting instead —

“ \$5 000 ”.

19. Regulation 29 amended

Regulation 29(5) is amended by deleting "\$200" and inserting instead —

“ \$5 000 ”.

20. Regulation 31 amended

Regulation 31(2) is amended by deleting "\$200" and inserting instead —

“ \$5 000 ”.

21. Parts 10, 11, 12 and 13 inserted

After Part 9 the following Parts are inserted —

“

Part 10 — Things seized or forfeited**34. Prescribed ways of dealing with thing seized — section 92B(1)**

- (1) For the purposes of section 92B(1) of the Act, the following ways are prescribed as a way of dealing with any thing seized under section 92A of the Act —

- (a) sale at public auction, by tender or by private contract, as specified by the Chief Executive Officer;

- (b) destruction or treatment at a site licensed under Part V of the Act, as specified by the Chief Executive Officer;
 - (c) preservation, as specified by the Chief Executive Officer;
 - (d) disposal at a site licensed under Part V of the Act, as specified by the Chief Executive Officer; or
 - (e) storage at a site, as specified by the Chief Executive Officer.
- (2) The Chief Executive Officer is to specify which method referred to in regulation (1) is to apply in respect of a particular thing seized.

35. Notice that a thing has been seized — section 92D

If —

- (a) a thing has been seized under the Act; and
- (b) a person to whom the thing can be returned under section 92C of the Act cannot be found,

the Chief Executive Officer is to give notice that the thing is being held by the Department and may be claimed by its owner by publishing a notice once in a newspaper circulating throughout the State —

- (c) setting out a description of the thing seized;
- (d) stating the place where the thing was seized;
- (e) stating the place where the thing may be claimed;
- (f) setting out the manner in which ownership of the thing may be proved; and
- (g) to the effect that if, after the expiration of 3 months from the day on which the notice has been given in the newspaper, the thing has not been claimed by its owner, the thing is forfeited to the Crown.

36. Disposing of any thing forfeited to the Crown

- (1) For the purposes of section 99W(1) of the Act, the following ways are prescribed for disposing of any thing forfeited to the Crown under the Act —
- (a) transfer to the Department for its use or transfer, with or without charge, to another public authority or to a department of the Commonwealth;
 - (b) sale at public auction, by tender or by private contract;
 - (c) treatment at a site licensed under Part V of the Act, as specified by the Chief Executive Officer; or

- (d) destruction or disposal at a site licensed under Part V of the Act, as specified by the Chief Executive Officer.
- (2) The Chief Executive Officer is to specify which method referred to in subregulation (1) is to apply in respect of a particular thing forfeited to the Crown.

Part 11 — Modified penalties and Tier 2 offences

37. Modified penalty notice

Form 1 in Schedule 7 is prescribed, under section 99B(1) of the Act, as the form of modified penalty notice.

38. Withdrawal of modified penalty notice

Form 2 in Schedule 7 is prescribed, under section 99D(1) of the Act, as the form of withdrawal of modified penalty notice.

39. Prescribed particulars to be included in notice of payment of modified penalty — section 99E(3)

For the purposes of section 99E(3) of the Act, the following particulars are prescribed —

- (a) the name of the person who paid the modified penalty;
 - (b) the section of the Act contravened in respect of which the modified penalty was paid;
 - (c) a description of the offence;
 - (d) the penalty paid;
 - (e) the place where the register of certificates issued under section 99A of the Act and modified penalty notices may be inspected.
- #### **40. Public inspection of register of certificates and modified penalty notices — section 99F(2)**
- The register that the Chief Executive Officer is required to maintain under section 99F(1) of the Act is to be available for public inspection during normal office hours at the public reading room.

Part 12 — Infringement notices and offences

41. Offences prescribed as an “infringement notice offence” and prescribed penalties — sections 99H and 99K

- (1) The offences described in the first column of Schedule 6 are prescribed for the purpose of the

definition of “infringement notice offence” in section 99H of the Act and —

- (a) the amount appearing in the second column of that Schedule, directly opposite an offence, is the modified penalty prescribed in respect of that offence if the alleged offender has not previously been convicted of an offence of that kind and has not previously paid a modified penalty under Division 2 of Part VIA of the Act in respect of an alleged offence of that kind; and
 - (b) the amount appearing in the third column of that Schedule, directly opposite an offence, is the modified penalty prescribed in respect of that offence if the alleged offender has previously been convicted of an offence of that kind, or has previously paid a modified penalty under Division 2 of Part VIA of the Act in respect of an alleged offence of that kind.
- (2) For the purposes of subregulation (1), a prior conviction or payment of a modified penalty in respect of an alleged offence against the regulations is not to be taken into account for the purposes of determining whether the alleged offender has previously been convicted of an offence or has previously paid a modified penalty notice unless —
- (a) the prior conviction was recorded within the period of 5 years immediately prior to the giving of an infringement notice in respect of the present alleged offence; or
 - (b) the modified penalty was paid in respect of the prior alleged offence within the period of 5 years immediately prior to the giving of an infringement notice in respect of the present alleged offence.

42. Infringement notice

Form 3 in Schedule 7 is prescribed, under section 99K(1) of the Act, as the form of infringement notice.

43. Withdrawal of infringement notice

Form 4 in Schedule 7 is prescribed, under section 99N(1) of the Act, as the form of withdrawal of infringement notice.

Part 13 — Miscellaneous

44. Amount prescribed for costs and expenses and compensation — section 99Y(1)

- (1) For the purposes of section 99Y(1)(a) of the Act —
 - (a) \$2 million is prescribed as the maximum amount that the offender may be ordered to pay

- to the Chief Executive Officer for reasonable costs and expenses incurred; and
- (b) \$2 million is prescribed as the maximum amount that the offender may be ordered to pay to a public authority for reasonable costs and expenses incurred.
- (2) For the purposes of section 99Y(1)(b) of the Act —
- (a) \$100 000 is prescribed as the maximum amount that the offender may be ordered to pay a person (other than the Chief Executive Officer or a public authority) for reasonably incurred costs and expenses;
- (b) \$500 000 is prescribed as the maximum amount that an offender may be ordered to pay to the Chief Executive Officer or a public authority as compensation for loss or damage suffered to property; and
- (c) \$50 000 is prescribed as the maximum amount that an offender may be ordered to pay to a person (other than the Chief Executive Officer or a public authority) as compensation for loss or damage suffered to property.

”.

22. Schedules 6 and 7 inserted

After Schedule 5 the following schedules are inserted —

“

Schedule 6 — Infringement notice offences

[r. 41]

Infringement notice offence	Modified penalty for first offence	Modified penalty for subsequent offence
	\$	\$
<i>Environmental Protection Act 1986</i>		
1. section 77(1), (2) or (3)	250	500
2. section 78(1) or (3)	250	500
3. section 79(1)	250	500
4. section 80	250	500
5. section 84(1)	250	500
6. section 85(1)	250	500
7. section 97(2)	250	500
8. section 110H(6)	250	500
<i>Environmental Protection Regulations 1987</i>		
1. regulation 5B(1) or (4)	250	500
2. regulation 13(1)	250	500
3. regulation 13A(1)	250	500
4. regulation 16(1)	250	500

Infringement notice offence	Modified penalty for first offence	Modified penalty for subsequent offence
	\$	\$
5. regulation 16(2)	250	500
6. regulation 16(3)	250	500
7. regulation 18(1)	250	500
8. regulation 18(2)	250	500
9. regulation 20(2)	250	500
10. regulation 26(5)	250	500
11. regulation 28(2)	250	500
12. regulation 28(4)	250	500
13. regulation 28(8)	250	500
14. regulation 29(5)	250	500
15. regulation 31(2)	250	500
<i>Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995</i>		
1. regulation 7(1)	250	500
2. regulation 8(1)	250	500
3. regulation 8(5)	250	500
4. regulation 9(1)	250	500
5. regulation 9(5)	250	500
6. regulation 10	250	500
7. regulation 11	250	500
8. regulation 12	250	500
9. regulation 13(1)	250	500
10. regulation 13(2)	250	500
<i>Environmental Protection (Liquid Waste) Regulations 1996</i>		
1. regulation 6(4)	250	500
2. regulation 11(2)	250	500
3. regulation 13(2)	250	500
4. regulation 17(2)	250	500
5. regulation 19(1)	250	500
6. regulation 22(2)	250	500
7. regulation 23	250	500
8. regulation 24(1)	250	500
9. regulation 26(2)	250	500
10. regulation 27(2)	250	500
11. regulation 28(1)	250	500
12. regulation 31	250	500
13. regulation 32(5)	250	500
14. regulation 33A(2)	250	500
15. regulation 33A(3)	250	500
16. regulation 33A(4)	250	500
17. regulation 35(1)	250	500
18. regulation 37	250	500
19. regulation 38(1)	250	500
20. regulation 38(3)	250	500
21. regulation 38(4)	250	500

Infringement notice offence	Modified penalty for first offence	Modified penalty for subsequent offence
	\$	\$
22. regulation 40(1)	250	500
23. regulation 40(2)	250	500
24. regulation 41(4)	250	500
25. regulation 42(2)	250	500
26. regulation 43(2)	250	500
27. regulation 45(5)	250	500
28. regulation 48	250	500
29. regulation 49	250	500
30. regulation 50(2)	250	500
31. regulation 51(2)	250	500
<i>Environmental Protection (Noise) Regulations 1997</i>		
1. regulation 6(2)	250	500
2. regulation 23	250	500
<i>Environmental Protection (Fibre Reinforced Plastics) Regulations 1998</i>		
1. regulation 3(1)	250	500
2. regulation 3(2)	250	500
3. regulation 3(3)	250	500
4. regulation 4(1)	250	500
5. regulation 5	250	500
6. regulation 6	250	500
<i>Environmental Protection (Abrasive Blasting) Regulations 1998</i>		
1. regulation 3	250	500
2. regulation 4	250	500
3. regulation 5(1)	250	500
4. regulation 5(2)	250	500
5. regulation 6	250	500
6. regulation 7(2)	250	500
7. regulation 7(3)	250	500
8. regulation 7(4)	250	500
9. regulation 8	250	500
<i>Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998</i>		
1. regulation 3(1)	250	500
2. regulation 3(2)	250	500
3. regulation 4(1)	250	500
4. regulation 4(2)	250	500
5. regulation 5(1)	250	500
6. regulation 5(2)	250	500
7. regulation 5(3)	250	500
8. regulation 5(4)	250	500
9. regulation 6(1)	250	500

Infringement notice offence	Modified penalty for first offence	Modified penalty for subsequent offence
	\$	\$
10. regulation 6(3)	250	500
11. regulation 6(4)	250	500
12. regulation 7(2)	250	500
13. regulation 7(3)	250	500
14. regulation 7(4)	250	500
15. regulation 8(2)	250	500
16. regulation 9(1)	250	500
17. regulation 9(2)	250	500
18. regulation 10(1)	250	500
19. regulation 10(2)	250	500
20. regulation 11(1)	250	500
21. regulation 11(2)	250	500
22. regulation 12(1)	250	500
23. regulation 12(2)	250	500
24. regulation 12(3)	250	500
25. regulation 13	250	500

Schedule 7 — Forms

[rr. 37, 38, 42, 43]

Form 1

Environmental Protection Act 1986 (Section 99B)

Modified penalty notice

No. of Notice:

Certificate (s. 99A(2)(a)) No.:

To: Sex: M/F
 DoB: / /
 Postcode: or ACN:

It is alleged that you committed an offence:

When and where: When: a.m./p.m. on the day of
 Where:

Details of the offence and modified penalty:

Section of the Act	Description of the offence	Modified penalty
		\$

Information about this notice:

Date:
 Issued at:
 by:
 Signature:

***At the discretion of the Department of Environmental Protection, this Modified Penalty Notice may be withdrawn and other action taken.**

WHAT YOU MUST DO:

- 1. You may dispose of this matter by paying the modified penalty within a period of 28 days after the service of this notice:

PAY THE MODIFIED PENALTY TO:

The Accountant
 Department of Environmental Protection
 GPO Box K822
 PERTH WA 6842

If you wish to do so but are unable to make payment within 28 days you may apply to the Chief Executive Officer of the Department of Environmental Protection for an extension of time within which the modified penalty may be paid.

OR

- 2. Elect to have the matter dealt with by a COURT.

If you do not take one of the above options within the time specified above, this matter will be dealt with before a COURT.

Form 2

Environmental Protection Act 1986 (Section 99D)

Withdrawal of modified penalty notice

To: Sex: M/F
 DoB: / /
 Postcode: or ACN:

A MODIFIED PENALTY NOTICE SERVED ON YOU HAS BEEN WITHDRAWN AND NO FURTHER ACTION WILL BE TAKEN*/A SUMMONS WILL BE ISSUED*

Details of the withdrawn notice:

Date of issue:

Alleged offence:

Notice No.:

Information about this notice:

Date:

Issued at:

by:

Signature:

* Delete where not applicable.

Form 3***Environmental Protection Act 1986 (Section 99K)*****Infringement notice**

No. of Notice:

To: Sex: M/F
 DoB: / /
 Postcode: or ACN:

It is alleged that you committed an offence:

When and where When: ...a.m./p.m. on the day of
 Where:

Details of the offence and modified penalty:

Section or regulation	Description of the offence	Modified penalty \$
------------------------------	-----------------------------------	-------------------------------

Information about this notice:

Date:
 Issued at:
 by:
 Inspector No.:
 Signature:

***At the discretion of the Department of Environmental Protection, this Infringement Notice may be withdrawn and other action taken.**

WHAT YOU MUST DO:

If you do not wish to have a complaint of the alleged offence heard and determined by a court, you may dispose of this matter by paying the modified penalty within a period of 28 days after the service of this notice:

PAY THE MODIFIED PENALTY TO:

The Accountant
 Department of Environmental Protection
 GPO Box K822
 PERTH WA 6842

If you wish to do so but are unable to make payment within 28 days you may apply to the Chief Executive Officer of the Department of Environmental Protection for an extension of time within which the modified penalty may be paid.

WHAT MIGHT HAPPEN IF YOU DO NOT PAY THE MODIFIED PENALTY

If you do not pay the modified penalty, a complaint may be issued against you for the alleged offence, in which case the matter will be dealt with by a COURT.

OR

The modified penalty may be recovered by the Fines Enforcement Registry, in which case —

(a) additional administrative charges may be incurred;

- (b) action may be taken to suspend your Motor Driver's Licence or Vehicle Licence until you have paid in full the modified penalty and any additional charges; and
- (c) you will be given an opportunity to elect to have a complaint for the alleged offence dealt with by a COURT.

PAYMENTS AFTER THE DUE DATE CAN ONLY BE MADE WITH A FINAL DEMAND LETTER WHICH INCURS AN ADDITIONAL ENFORCEMENT FEE.

Form 4

Environmental Protection Act 1986 (Section 99N)

Withdrawal of infringement notice

To: Sex: M/F
 DoB: / /
 Postcode: or ACN:

AN INFRINGEMENT NOTICE SERVED ON YOU HAS BEEN WITHDRAWN AND NO FURTHER ACTION WILL BE TAKEN*/A SUMMONS WILL BE ISSUED*

Details of the withdrawn notice:

Date of issue:

Alleged offence:

Notice No.:

Information about this notice:

Date:

Issued at:

by:

Signature:

* Delete where not applicable.

”.

Part 3 — *Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995*

23. The regulations amended

The amendments in this Part are to the *Environmental Protection (Recovery of Vapours from the Transfer of Organic Liquids) Regulations 1995**.

24. Regulation 7 amended

Regulation 7(1) is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

25. Regulation 8 amended

Regulation 8 is amended as follows:

- (a) in subregulation (1) by deleting "\$200" and inserting instead —
" \$5 000 ";
- (b) in subregulation (5) by deleting "\$200" and inserting instead —
" \$5 000 ".

26. Regulation 9 amended

Regulation 9 is amended as follows:

- (a) in subregulation (1) by deleting "\$200" and inserting instead —
" \$5 000 ";
- (b) in subregulation (5) by deleting "\$200" and inserting instead —
" \$5 000 ".

27. Regulation 10 amended

Regulation 10 is amended by deleting "\$200" and inserting instead —

" \$5 000 ".

28. Regulation 11 amended

Regulation 11 is amended by deleting "\$200" and inserting instead —

" \$5 000 ".

29. Regulation 12 amended

Regulation 12 is amended by deleting "\$200" and inserting instead —

" \$5 000 ".

30. Regulation 13 amended

Regulation 13 is amended as follows:

- (a) in subregulation (1) by deleting "\$200" and inserting instead —
" \$5 000 ";
- (b) in subregulation (2) by deleting "\$200" and inserting instead —
" \$5 000 ".

[* *Published in Gazette 16 May 1995, pp. 1844-49.*]

Part 4 — *Environmental Protection (Liquid Waste) Regulations 1996*

31. Regulation 53 amended

Regulation 53 of the *Environmental Protection (Liquid Waste) Regulations 1996** is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

[* *Published in Gazette 7 June 1996, pp. 2335-70.*
For amendments to 9 November 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 68.]

Part 5 — *Environmental Protection (Noise) Regulations 1997*

32. The regulations amended

The amendments in this Part are to the *Environmental Protection (Noise) Regulations 1997**.

33. Regulation 6 amended

Regulation 6(2) is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

34. Regulation 23 amended

Regulation 23 is amended by deleting “\$100” and inserting instead —

“ \$5 000 ”.

[* *Published in Gazette 31 October 1997, pp. 6035-74.*]

Part 6 — *Environmental Protection (Fibre Reinforced Plastics) Regulations 1998*

35. Regulation 7 amended

Regulation 7 of the *Environmental Protection (Fibre Reinforced Plastics) Regulations 1998** is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

[* *Published in Gazette 17 March 1998, pp. 1411-13.*]

Part 7 — *Environmental Protection (Abrasive Blasting) Regulations 1998*

36. Regulation 9 amended

Regulation 9 of the *Environmental Protection (Abrasive Blasting) Regulations 1998** is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

[* *Published in Gazette 3 April 1998, pp. 1970-2.*]

Part 8 — *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998*

37. Regulation 14 amended

Regulation 14 of the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998** is amended by deleting “\$200” and inserting instead —

“ \$5 000 ”.

[* *Published in Gazette 26 May 1998, pp. 2958-61.*]

Recommended by the Environmental Protection Authority,

BERNARD BOWEN, Chairman.

By Command of the Governor,

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

EP302*

Environmental Protection Act 1986

**Environmental Protection (NEPM -NPI)
Regulations 1998**

Made by the Governor in Executive Council on the recommendation of the Environmental Protection Authority.

1. Citation

These regulations may be cited as the *Environmental Protection (NEPM -NPI) Regulations 1998*.

2. Interpretation

- (1) In these regulations —
“**NPI**” means the NEPM cited as the *National Environment Protection (National Pollution Inventory) Measure*;
“**occupier**” means an occupier, within the meaning of the NPI, to which these regulations apply.
- (2) The following words and expressions have the meaning given by the NPI:
 - “**emission data**”;
 - “**estimation technique**”;
 - “**facility**” (as defined in clause 3 and modified in clause 9(5) of the NPI);
 - “**industry handbook**”;
 - “**reporting facility**”;
 - “**reporting period**”;
 - “**reporting threshold**”;
 - “**substance**”;
 - “**substance identity information**”;
 - “**supporting data**”.

3. Purpose

The purpose of these regulations is to require certain acts to be done for the purpose of implementing the NPI.

4. Application

These regulations apply to an occupier of a reporting facility for which an industry handbook —

- (a) has been agreed between participating jurisdictions to the NPI; and
- (b) is published by the Commonwealth.

5. Collection of data from reporting facilities

- (1) The occupier of each facility must provide to the Chief Executive Officer the following information if a reporting threshold for a substance is exceeded in a reporting period —
 - (a) supporting data for the facility;
 - (b) substance identity information and emission data, determined and documented in accordance with regulation 6, for each substance for which the reporting threshold is exceeded in the period;
 - (c) any information that may be required to assess the integrity of the emission data; and
 - (d) a statement, signed by the occupier or a person authorized by the occupier for that purpose, that the occupier has exercised due diligence in gathering and providing the information mentioned in paragraphs (a), (b) and (c).

- (2) An occupier who —
- (a) fails to provide the information to the Chief Executive Officer within 3 months after the end of the reporting period to which the information relates; or
 - (b) provides information which is false or misleading in a material particular,

commits an offence.

Penalty: \$5 000.

- (3) The State shall not release any information provided to it under subregulation (1)(c) unless —
- (a) the occupier consents to its release; or
 - (b) the State is legally compelled to release it.

6. Emission estimation techniques

- (1) In estimating emission data for the purposes of providing information under regulation 5, each occupier of a reporting facility must —
- (a) if an estimation technique is set out in the relevant industry handbook for that type of reporting facility apply either —
 - (i) that estimation technique; or
 - (ii) another estimation technique approved by the Chief Executive Officer;
 - (b) if no estimation technique is set out in the relevant industry handbook which relates to a specific process carried out at the reporting facility or means of emission of waste from the reporting facility, apply an estimation technique approved by the Chief Executive Officer; and
 - (c) document the technique applied under paragraph (a) or (b).
- (2) An occupier must —
- (a) retain any data which may be required by the Chief Executive Officer to verify the emission data for 3 years from the date on which a report was provided to the Chief Executive Officer; and
 - (b) provide the data to the Chief Executive Officer as required by the Chief Executive Officer.

Penalty: \$5 000.

7. Information not admissible in other proceedings

Information provided by an occupier solely for the purposes of these regulations is not admissible in evidence in any proceedings against the occupier other than proceedings in respect of an offence against regulation 5(2)(b).

Recommended by the Environmental Protection Authority,

BERNARD BOWEN, Chairman.

By Command of the Governor,

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

FAIR TRADING

FT401**CHARITABLE COLLECTIONS ACT 1946**

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

Beverley Child Health Centre
Crossroads Christian Family Centre Incorporated
The Surf Lifesaving Association of Australia W.A. State Centre
The Western Australian Network of Alcohol and other Drug Agencies
Villa Maria Homes Inc

Dated this 30th day of November 1998.

DOUG SHAVE, MLA, Minister for Fair Trading.

FT402**COMPANIES (CO-OPERATIVE) ACT, 1943****ALBANY ORGANISED PRIMARY PRODUCERS CO-OPERATIVE LIMITED**

Notice is hereby given that, pursuant to Section 26(1) of the abovenamed Act, a Certificate of Incorporation, as a Limited Company, has this day been issued to Albany Organised Primary Producers Co-operative Limited.

Dated this Fourth day of December 1998.

(Sgd.), A person authorised by the Commissioner for
Corporate Affairs in Western Australia.

HEALTH

HE301*

Hospitals and Health Services Act 1927

**Hospitals and Health Services (Upper Great
Southern Health Service) By-laws 1998**

Made by the Upper Great Southern Health Service under section 22 of
the Act.

1. Citation

These by-laws may be cited as the *Hospitals and Health
Services (Upper Great Southern Health Service) By-laws 1998*.

2. Interpretation

In these by-laws —

“**Board**” means the hospital board assigned the corporate name “Upper Great Southern Health Service” under clause 4 of the *Hospitals and Health Services (Re-organization of Hospital Boards) Notice (No. 2) 1998*.

3. Local management committees to be established

The Board is to establish a local management committee for each public hospital under the control of the Board.

4. Constitution of local management committees

- (1) A local management committee is to consist of not less than 3 persons or more than 9 persons appointed under sub-by-law (2).
- (2) At least —
 - (a) one person is to be appointed by the Board from its members; and
 - (b) one person is to be appointed by the Board from persons nominated to the Board in accordance with procedures determined by the Board and approved by the Minister.

5. Chairperson

The members of a local management committee are to elect one of them who was appointed under by-law 4(2)(a) to be the chairperson of the committee.

6. Constitutional provisions

- (1) Subject to sub-by-law (2), Schedule 1 to the Act has effect in relation to the constitutional provisions that apply to a local management committee.
- (2) For the purposes of sub-by-law (1) —
 - (a) a reference in Schedule 1 to the Act —
 - (i) to the Governor or the Minister is to be taken to be a reference to the Board; or
 - (ii) to the Chairman is to be taken to be a reference to the chairperson;
 - (b) clauses 3 and 12 of that Schedule do not apply; and
 - (c) the reference in clause 14 of that Schedule to “this Act” is to be taken to be a reference to “any directions given by the Board”.

7. Functions of local management committees

The functions of a local management committee established for a public hospital are —

- (a) to supervise, and provide advice and recommendations to the Board in relation to, the management of the public hospital;

- (b) in association with the Board, to select the person to be employed by the public hospital as its senior employee;
- (c) to manage, and provide advice and recommendations to the Board in relation to the management of the funds available to the Board for distribution to the public hospital;
- (d) to participate in business and strategic planning processes in relation to the public hospital;
- (e) to supervise, and provide advice and recommendations to the Board in relation to, contracts or arrangements entered into for the purposes of services provided by the public hospital; and
- (f) to perform any other functions as directed by the Board.

8. Board may give directions to local management committees

The Board may give directions to a local management committee in relation to the performance of the committee's functions, and the committee is to comply with any direction so given.

Passed by a resolution of the Upper Great Southern Health Service at its meeting held on 17 November 1998.

The common seal of the Upper Great Southern Health Service was at the time of that resolution affixed by order and in the presence of —

TERRY BARRETT PARK, Chairperson.
HENRY ANTHONY BAXTER, Member .

HE401

HEALTH ACT 1911

Health Department of WA,
Perth, 7 December 1998.

8789/89

The removal (termination) of Dr Hugh Derham as a Medical Officer of Health to the Shire of Yilgarn has been approved by the Executive Director, Public Health in accordance with the provisions of section 32(4) of the Health Act 1911.

The appointment of Dr Olga Ward as a Medical Officer of Health to the Shire of Yilgarn effective 1 December 1998 has been approved by the Executive Director, Public Health in accordance with the provisions of section 28 of the Health Act 1911.

CAROLE QUICK, A/Administrative Assistant.

HE402*

POISONS ACT 1964
POISONS ADVISORY COMMITTEE
APPOINTMENTS INSTRUMENT (No. 2) 1998

Made by the deputy of the Governor in Executive Council.

Citation

1. This instrument may be cited as the *Poisons Advisory Committee Appointments Instrument (No. 2) 1998*.

Interpretation

2. In this instrument—

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

“the Act” means the *Poisons Act 1964* (WA);

“the Committee” means the Poisons Advisory Committee constituted under section 8(1) of the Act;

Appointment of Members

3. Dr Sarah Louise Plant is appointed as a member of the Committee pursuant to section 8(3)(d) of the Act, for the period ending 6 April 2001, in order to fill a vacancy caused by the resignation of Mr Andrew Roy Butler. Mr Peter Anthony Rutherford is appointed as Deputy to Dr Plant pursuant to section 14(1) of the Act, for the period ending 6 April 2001.

4. Each of the persons named in column 1 of the table in the schedule are appointed as members of the Committee, pursuant to the provision of the Act specified in column 2 of the table adjacent to the name of that person.

5. The term of tenure of office of each of the members appointed by clause 3 of this instrument shall commence on the date of appointment and shall expire after a period of three years.

6. Pursuant to section 14(1) of the Act, each of the persons named in column 3 of the table are appointed as deputies to act in the place of the member specified in column 1 of the table adjacent to the name of that person.

SCHEDULE

TABLE—MEMBERS AND DEPUTIES

Column 1	Column 2	Column 3
MEMBER	Section	DEPUTY (section 14(1))
Mr Bryan Joseph HILBERT	8(3)(f)	Mr Raymond George BATEY
Mr Graham Thomas GREENHILL	8(3)(g)	Mrs Anne RAMSHAW
Mr Ian Wesley CRAWFORD	8(3)(h)	Ms Zoe Lenette MULLEN

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HERITAGE COUNCIL

HR401***HERITAGE OF WESTERN AUSTRALIA ACT 1990**

NOTICE OF ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with Section 51(2) of the Heritage of Western Australia Act 1990 that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Schedule 1

Name	Location	Description of Place
Dominican Convent Chapel of St Hyacinth (fmr)	Henty Street, Yalgoo	Warrambo Location 30, being Crown Reserve 33166 and being the whole of the land comprised in Crown Land Record Volume 3096 Folio 764.
Gogo Homestead & Cave School	about 10 km southwards of Fitzroy Crossing	That part of Yurabi Location 68, being part of the land comprised in Crown Lease 735/1994 as is defined in HCWA survey drawing No 0698 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Schedule 1—*continued*

Name	Location	Description of Place
Hill 60	76 Great Eastern Highway, Belmont	That portion of Swan Location 34, being part of the land on Diagram 1472 and being part of the land comprised in Certificate of Title Volume 2126 Folio 448 as is defined in HCWA survey Drawing No 4490 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.
Liveringa Homestead Group	about 120 kms southeast of Derby	That part of Fitzroy Location 243, being part of the land comprised in Crown Lease 227/1974 as is defined in HCWA survey drawing No 0694 prepared by Steffanoni Ewing and Cruickshank Pty Ltd.
Narembeen Museum	Longhurst Street, Narembeen	Part of Lot 4 on Plan 4651, being the whole of the land comprised in Certificate of Title Volume 1551 Folio 287.
North Perth Post Office (fmr)	Cnr Leake & View Streets, North Perth	Lot 25 on plan 2422, being the whole of the land comprised in Certificate of Title Volume 1649 Folio 492.
Old York Fire Station	151 Avon Terrace, York	Part of Lot 3 on Plan 939, being the whole of the land comprised in Certificate of Title Volume 1857 Folio 766.
St John the Baptist Anglican Church	Cnr Church & Waldeck Streets, Dongara	Lot 21 on Diagram 52388, being the whole of the land comprised in Certificate of Title Volume 1496 Folio 567.
Upton House	4 Upton Place, Australind	Lot 78 on Plan 7334 (Sheet 2) being the whole of the land comprised in Certificate of Title Volume 1246 Folio 196.

Dated this 11th day of December 1998.

IAN BAXTER, Director, Officer of the Heritage Council.

JUSTICE

JM401

JUSTICES ACT 1902

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

- Mrs Sandra Blackham of 1 Stainton Place, Leeming
- Mr Stuart Charles Chandler of Lot 35 Brand Highway, Dongara
- Mrs Barbara Ludwika Francis of 20 Coronata Way, Mirrabooka
- Mr Lee Thomas George of 12 Ranger Trail, Edgewater
- Mr Anthony John Lepere of 27 Holden Drive, Noranda
- Mr Muhamed Merdjanic of 6 Ione Place, Craigie
- Mr Ahmet Mrkaljevic of 24 Blackboy Way, Morley
- Ms Laura Lucia Tania Pacini of 284 Spearwood Avenue, Spearwood
- Mr Peter Francis Panizza of 1 Holmfirth Street, Menora
- Mr Murray William Reid of Gavins Road, Elgin
- Mr Victor Herbert Smith of 32 St Anthony Drive, Stirling
- Mrs Alison Margaret Trainee of 37 North Terrace, Boulder.

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

RICHARD FOSTER, Executive Director, Court Services.

JM402**JUSTICES ACT 1902**
ORDER UNDER SECTION 7

His Excellency the Governor acting by and with the advice of the Executive Council and under Section 7 of the Justices Act 1902 has approved of the removal of Mr Wayde Shannon Smith of 54 Ventnor Street, Scarborough, from the Office of Justice of the Peace for the State of Western Australia.

By His Excellency's Command,

RICHARD FOSTER, Executive Director, Court Services.

JM403**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

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

Mr Peter Leslie Carter of 8 Ollis Street, Quindalup
Mr Stuart Charles Chandler of Lot 35 Brand Highway, Dongara
Mr Errol Ernest Hoare of 6 Bedingfield Way, Australind.

RICHARD FOSTER, Executive Director, Court Services.

JM404**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 Simon Peter Bird of 15 Seacrest Drive, Sorrento
Mr Roy Dobson of 6 Lang Court, Huntingdale
Mrs Carol Margaret Edwards of 12 Darling Way, Greenfields
Mr Alistair Stuart Honeybun of 34/2 Bradford Street, Menora
Mr David Thomas Large of 8 Sanderson Street, Pingrup
Mrs Debbie Anne Martin of 2 Sepal Close, Armadale
Mr Otto Pelczar of 230 Oceanic Drive, City Beach
Mrs Carol Sue Scott of 34 Park Lane, Alexander Heights
Mr Mark John Warren of Lot 18 Aspendale Street, Nyabing.

RICHARD FOSTER, Executive Director, Court Services.

LAND ADMINISTRATION

LA101*PRINTERS CORRECTION***LAND ADMINISTRATION ACT 1997 (WA) (CI)**
LAND ADMINISTRATION ACT 1997 (WA) (CKI)

An error occurred in the notice published under the above heading on page 6496 of *Government Gazette* No. 238 dated 4 December 1998 and is corrected as follows—

Delete both lines in the heading and insert—

“ **LAND ADMINISTRATION REGULATIONS 1998 (WA) (CI)**
LAND ADMINISTRATION REGULATIONS 1998 (WA) (CKI) ”.

LA401***LAND ADMINISTRATION ACT 1997**

INSTRUMENT OF REVOCATION OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 159 of the *Land Administration Act 1997*, hereby revoke the delegation formerly made to the Hon. Minister for Energy of powers and duties under Parts 9 and 10 of the *Land Administration Act 1997*, and published in the *Government Gazette* of 27 March 1998.

D. J. SHAVE MLA, Minister for Lands.

December 1998

LA402***LAND ADMINISTRATION ACT 1997**

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with s.159 of the *Land Administration Act 1997*, hereby delegate to the Hon. Minister for Energy (being the Minister responsible for administering the *Electricity Corporation Act 1994* and the *Gas Corporation Act 1994*), for the purpose of administering the *Energy Corporations (Powers) Act 1979*, powers and duties under the following Parts—

Part 9, Division 2, 3, 4, 5 and 6	—	Taking interests in lands for public works, entry into land, use and disposal of land designated for a public work, and general provisions.
Part 10	—	Compensation

D. J. SHAVE MLA, Minister for Lands.

December 1998

LA403***LAND ADMINISTRATION ACT 1997**

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Port Hedland Port Authority my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Port Hedland Port Authority Act 1970*;
 - (ii) the subject of a management order issued to the Port Hedland Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Port Hedland Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Port Hedland Port Authority's statutory power to grant or deal in interests in the subject land;
 - (iv) in relation to any dealings in Crown land under the Port Hedland Port Authority's control, except sales, for a cumulative total period up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Port Hedland Port Authority Act 1970* or other related Act, or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

Delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Port Hedland Port Authority Act 1970* or any later Act relating to port authorities, or the subject of any management order or vesting order; or

- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA404*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Water and Rivers Commission ("Commission") my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) the subject of a management order issued to the Commission pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Commission under section 33(2) of the *Land Act 1933*;
 - (ii) to the extent of the Commission's statutory power to grant or deal in interests in the subject land;
 - (iii) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases for terms exceeding any limits specified in the *Water Agencies (Powers) Act 1984* or the *Water and Rivers Commission Act 1995*, or in any management order or vesting order issued in relation to the subject land.

B. Limited Term of Delegation

This delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA405*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Bunbury Port Authority my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Bunbury Port Authority Act 1909*;
 - (ii) the subject of a management order issued to the Bunbury Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Bunbury Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Bunbury Port Authority's statutory power to grant or deal in interests in the subject land;
 - (iv) in relation to any dealings in Crown land under the Bunbury Port Authority's control, except sales, for a cumulative total period of up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.

- This delegation does not extend to transfers in fee simple; assignments of vesting or a management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Bunbury Port Authority Act 1909* or other related Act, or in any management order or vesting order issued in relation to the subject land.

B. Limited Extent of Delegation

This delegation will only endure until—

- Legislation is enacted or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Bunbury Port Authority Act 1909* or any later Act relating to port authorities, or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA406*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Commissioner of the Western Australian Government Railways my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) dedicated to the purposes of the *Government Railways Act 1904* or any other Act relating to government railways; or
 - (ii) the subject of a management order issued to the Commission pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Commission under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Commission's statutory power to grant or deal in interests in such land;
 - (iv) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases for terms exceeding any limits specified in the Acts referred to in item (i) above or in any management order or vesting order issued in relation to the subject land.

B. Limited Term of Delegation

This delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land dedicated to the purposes of the *Government Railways Act 1904* and any other Act relating to government railways or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA407*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Albany Port Authority

my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Albany Port Authority Act 1926*;
 - (ii) the subject of a management order issued to the Albany Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Albany Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Albany Port Authority's statutory power to grant or deal in interests in the subject land;
 - (iv) in relation to any dealings in Crown land under the Albany Port Authority's control, except sales, for a cumulative total period up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Albany Port Authority Act 1926* or other related Act, or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

Delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Albany Port Authority Act 1926* or any later Act relating to port authorities, or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA408*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Esperance Port Authority my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Esperance Port Authority Act 1968*;
 - (ii) the subject of a management order issued to the Esperance Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Esperance Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Esperance Port Authority's statutory power to grant or deal in interests in the subject land;
 - (iv) in relation to any dealings in Crown land under the Esperance Port Authority's control, except sales, for a cumulative total period up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Esperance Port Authority Act 1968* or other related Act, or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

Delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Esperance Port Authority Act 1968* or any later Act relating to port authorities, or the subject of any management order or vesting order; or

- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA409*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Dampier Port Authority my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Dampier Port Authority Act 1985*;
 - (ii) the subject of a management order issued to the Dampier Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Dampier Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Dampier Port Authority's statutory power to grant or deal in interests in the subject land;
 - (iv) in relation to any dealings in Crown land under the Dampier Port Authority's control, except sales, for a cumulative total period up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Dampier Port Authority Act 1985* or other related Act, or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

Delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Dampier Port Authority Act 1985* or any later Act relating to port authorities, or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA410*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Fremantle Port Authority my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Fremantle Port Authority Act 1902*;
 - (ii) the subject of a management order issued to the Fremantle Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Fremantle Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Fremantle Port Authority's statutory power to grant or deal in interests in the subject land;

- (iv) in relation to any dealings in Crown land under the Fremantle Port Authority's control, except sales, for a cumulative total period up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Fremantle Port Authority Act 1902* or other related Act, or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

Delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Fremantle Port Authority Act 1902* or any later Act relating to port authorities, or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA411*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Chief Executive Officer of the Geraldton Port Authority my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the *Geraldton Port Authority Act 1968*;
 - (ii) the subject of a management order issued to the Geraldton Port Authority pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Geraldton Port Authority under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the Geraldton Port Authority's statutory power to grant or deal in interests in the subject land;
 - (iv) in relation to any dealings in Crown land under the Geraldton Port Authority's control, except sales, for a cumulative total period up to five years, inclusive of extensions;
 - (v) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases or other dealings for terms exceeding any limits specified in the *Geraldton Port Authority Act 1968* or other related Act, or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

Delegation will only endure until—

- Legislation is enacted to exclude or modify the application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the *Geraldton Port Authority Act 1968* or any later Act relating to port authorities, or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the subject land.

D. J. SHAVE MLA, Minister for Lands.

LA412*

LAND ADMINISTRATION ACT 1997

INSTRUMENT OF DELEGATION

I, Douglas James Shave, MLA, Minister for Lands, acting in accordance with section 9 of the *Land Administration Act 1997*, hereby delegate to the Minister for Transport my powers and duties under section 18 of the *Land Administration Act 1997* subject to the following conditions:

A. Limited Extent of Delegation

- These Powers are delegated for the purpose of administering the *Ports (Functions) Act 1993*, the *Albany Port Authority Act 1926*, the *Bunbury Port Authority Act 1909*, the *Dampier Port Authority Act 1985*, the *Esperance Port Authority Act 1968*, the *Fremantle Port Authority Act 1902*, the *Geraldton Port Authority Act 1968*, the *Port Hedland Port Authority Act 1970*, the *Marine and Harbours Act 1981*, the *Transport Coordination Act 1966*, and any subsequent Acts dealing with Port Authorities and maritime activities ("the said Acts").
- This delegation is limited to approving dealings over Crown land—
 - (i) vested under, set apart for, or dedicated to the purposes of the above Acts; or
 - (ii) the subject of a management order issued to the Minister for Transport pursuant to section 46 of the *Land Administration Act 1997*, or a vesting order issued to the Minister for Transport under section 33(2) of the *Land Act 1933*;
 - (iii) to the extent of the statutory power of the Minister for Transport or an authority constituted pursuant to one of the above Acts, to grant or deal in interests in such land;
 - (iv) in accordance with any terms and conditions of a management order issued under section 46 of the *Land Administration Act 1997* or a vesting order issued under section 33(2) of the *Land Act 1933*, and associated policies and law.
- This delegation does not extend to transfers in fee simple; assignments of vesting or management to other parties; or to leases for terms exceeding any limits specified in the above Acts or in any management order or vesting order issued in relation to the land.

B. Limited Extent of Delegation

This delegation will only endure until—

- Legislation is enacted to exclude or modify application of section 18 of the *Land Administration Act 1997* in relation to Crown land vested under, set apart for, or dedicated to the purposes of the above Acts, or the subject of any management order or vesting order; or
- Existing management orders or vesting orders already issued in relation to the subject land are revoked and replaced by management orders issued under section 46 of the *Land Administration Act 1997*, excluding the need for the approval of the Minister for Lands to dealings in the such land.

D. J. SHAVE MLA, Minister for Lands.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

TOWN OF COTTESLOE BEACHES AND BEACH RESERVES

Local Law No. 3

In pursuance of the powers conferred upon it by the above-mentioned Act and of all powers enabling it, the Council of the Town of Cottesloe hereby records having resolved on the 23rd day of February, 1998, to make the following local law:

*DIVISION 1—PRELIMINARY***1. Revocation**

The local laws relating to Beaches, Reserves, etc. published in the *Government Gazette* of 7th August, 1963, and incorporating the amendments published on the 1st September, 1965, 23rd December, 1971, 30th May, 1975, 9th December, 1977 and 7th November, 1980, are hereby revoked.

2. Definitions

In this local law, unless the context otherwise requires, the following terms shall have the meanings defined below.

"Act" means the Local Government Act 1995, as amended from time to time;

"Animal" without limiting the generality of such term, includes horses, camels, cattle, bullocks, asses, mules, sheep, goats, swine, reptiles and birds but does not include dogs;

- “Authorised Person” means an employee of the Town of Cottesloe, a member of the Western Australian Police Service or other person where such other person is authorised in writing by the Town to exercise any function provided under these local Laws;
- “Bathing” means the act of entering into the sea and emerging therefrom and includes the use of bathing appliances;
- “Bathing Appliances” means a float of any material, including surf skis, surf boards, kickboards, malibu boards, paddle boards, body boards, boats or any other device whether motorised or not, used or capable of use for bathing or surf riding;
- “Bathing Area” means that part of the defined area which, from time to time, is set aside pursuant to Clause 6.7 of this local law as a bathing area;
- “Boat” means any structure or vessel whether propelled manually or by the wind or power or wave, used to float and travel upon or above the water;
- “Building” means a structure erected or placed on land and without limiting the generality of the same includes all plumbing, electrical installations, fittings, fixtures and all furniture or other contents of a building and all structures in the open air including notices, signs, seats, fences, walls, drains, showers, roads, footpaths, memorials and the like erected by or with the consent of the Council;
- “Cottesloe Beach” means the area of beach from the northern face of the Cottesloe Beach groyne to an imaginary line drawn west at right angles to the coast from the southern boundary of Napier Street road reserve;
- “Council” means the Council of the Town of Cottesloe;
- “Defined Area” means the places and the areas of the sea defined in paragraph 3 of this local law;
- “District” means the district of the Town of Cottesloe;
- “Eric Street Pool” means the area of beach between imaginary lines drawn west at right angles to the coast from:
- (i) the northern border of the Eileen Street road reserve; and
 - (ii) the southern alignment of the Eric Street road reserve
- “Fence” means any artificially created barrier whether temporary or permanent including post and rails, chain, metal, wire or pipe;
- “Fishing” means to use any line, lure, rod, pot or other method for the purposes of catching marine life;
- “Foreshore” means the beach from the low water mark as measured at ordinary spring tides to the commencement of the sand dune system;
- “Function” without limiting the generality of such term, includes a carnival, show, fete, concert, exhibition, gymkhana, sporting event, a training or practice session in connection with a sport by a group or team of five or more persons, or a picnic for a gathering of more than 10 persons;
- “Life Saving Club” means a Life Saving Club affiliated with Surf Life Saving Western Australia Inc;
- “Life Saving Appliance” means any equipment or other appliance used in the provision of life saving services or for the training of Life Saving Club members in their duties;
- “North Cottesloe Beach” means the area of beach between an imaginary line drawn west at right angles to the coast from the northern border of the Eileen Street road reserve and the northern border of the Grant Street road reserve;
- “Nuisance” means
- (a) any thing, condition, circumstance or state of affairs which is injurious or dangerous to the health of a reasonable person, or which has a disturbing effect on the state of reasonable physical, mental or social well-being of a person;
 - (b) any thing a person does or permits or causes to be done which interferes with or is likely to interfere with the enjoyment or safe use by another person of any public place; and
 - (c) any thing a person does on public or private land which detracts from or interferes with the enjoyment or value of land owned by another person;
- “Public Place” includes every place to which the public ordinarily has access, whether by payment of fee or not;
- “Reserves” means Land Reserve Numbers 6896A, 13718, 13719, 16187, 16188, 16189, 28199 and 30807;
- “Sand Dune System” means sand dunes and all areas between sand dunes;
- “Town” means the Town of Cottesloe;
- “Vehicle” means a vehicle described in the First Schedule to the Road Traffic Act 1974;
- “Vera View Beach” means the area of beach between imaginary lines drawn west at right angles to the coast from the southern boundary of Lot 22 (No. 204 Marine Parade) and the southern boundary of Lot 45 (No. 214 Marine Parade) of Swan Location Sub-lot, Plan 691;
- “Watercraft” means any bathing appliance or boat as defined above.

3. Application

Unless the contrary is expressly provided, these local laws shall apply:

- 3.1 to the sea adjoining the District for a distance of 200 metres seaward from the low water mark as measured at ordinary spring tides;
- 3.2 to the area comprising the reserves to the extent the reserves are within the District;
- 3.2 to all land or any building vested in or under the care, control, or management of the Town where such land or building is located within the reserves.

DIVISION TWO

4. Environmental Protection

Subject to the provisions of the Fish Resources Management Act 1994 and the Wildlife Conservation Act 1950, as amended, for the purpose of protecting and conserving the beach reserve environment, it is prohibited to:

- 4.1 destroy, damage, injure, cause harm to, catch, snare, or take any animal or marine life ordinarily found within the defined area;
- 4.2 climb over, under, or through any fence or gate designed or installed for the purpose of prohibiting or restricting the entry of persons or vehicles;
- 4.3 enter any place that has been fenced off or otherwise closed to the public;
- 4.4 use any board or other object to traverse or slide down the sand dune system;
- 4.5 climb, injure, cut, break, deface, pull up, pick, remove or destroy any tree, shrub, flower, grass or plant of any kind or description without the written consent of the council;
- 4.6 plant any tree, shrub, flower, grass or plant of any kind or description or sow or collect any seeds without the written consent of the council;
- 4.7 erect any tent, camp, hut or other structure other than a beach umbrella or other portable item used for the purposes of protection from the elements without the written consent of council;
- 4.8 cause or allow to be ridden or driven any bicycle or other vehicle whether motorised or not except upon a carriageway, thoroughfare, path or footpath designated for use by such vehicle except by an authorised person;
- 4.9 traverse the sand dune system except on designated accessways, unless given permission by an authorised person;
- 4.10 launch hang gliders or other life devices except from locations which are designated for such use by council;
- 4.11 cut, collect, or remove any timber, firewood, stone, sand, seaweed or other material without the written consent of council.

5. Quiet Amenity

In order to protect the quiet amenity of the defined area, no person shall:

- 5.1 play sport or games in such a way as to cause inconvenience or annoyance to other persons except in areas which council may designate from time to time;
- 5.2 create, commit or take part in any nuisance or disturbance, behave in a disorderly or offensive manner, or use indecent language or commit any act of indecency;
- 5.3 loiter either inside or outside any toilet, changeroom or building or portion of a building;
- 5.4 being in the opinion of an authorised person, under the influence of alcohol or drugs, enter or remain in or fail to depart from any place upon being ordered to do so by an authorised person;
- 5.5 throw or release any stone, arrow or other object used as a missile, except in the course of a function being lawfully held pursuant to an approval pursuant to Local Law 11 herein;
- 5.6 carry or discharge any firearm, airgun, or other missile discharging device, or throw or discharge any explosive device, firework, spear or missile, except in the course of a Function or activities approved in writing by council;
- 5.7 operate any musical instrument, radio, record, cassette or compact disk player, radiogram, television, amplifying equipment or other sound producing, enhancing or amplifying electronic device at such volume as in the opinion of an authorised person, is likely to cause a nuisance or annoyance to other persons in or near the locality except in the course of a function or activities approved in writing by council;
- 5.8 save for emergency alarms operated for periodic testing or warning, use or operate any siren, starting gun or other device which causes a noise which in the opinion of an authorised person is likely to cause a nuisance or annoyance to any person in the vicinity, except in the course of a function or activities approved in writing by council;
- 5.9 fly any mechanically operated model aeroplane or like device except in locations which have been designated for such use from time to time by council;

- 5.10 hire, or offer for hire, any vehicle, bicycle, watercraft, kite or other item of equipment for sport, entertainment, or amusement except with the written permission of council;
- 5.11 sell or offer for sale any goods of any description other than from facilities approved in writing by council.

6. Safety

In order to preserve and provide for safety within the designated areas, the following prohibitions apply:

- 6.1 A person, other than an authorised person, shall not drive or ride a motorised vehicle (other than wheelchairs or other devices designed to assist the movement of people with disabilities) other than on those areas set aside as thoroughfares, driveways or vehicle parking areas.
- 6.2 A person, other than an authorised person, shall not park or stand any vehicle except on areas set aside as parking areas.
- 6.3 (1) Council may in special circumstances grant permission to allow a motorised vehicle to enter upon a public reserve for a specific reason and council may apply such conditions as it thinks fit to such permission.
(2) A person shall not park, drive or stand any vehicle in breach of any such condition.
- 6.4 An authorised person may seize any bathing appliance or boat where it is being used contrary to the provision of these local laws.
- 6.5 Any device of the kind referred to in clause 6.4 of these local laws may be impounded after seizure, in which event the provisions of section 3.42 of the Act shall apply.
- 6.6 The provisions of subdivision 4 of Part 3 of the Act shall apply generally to goods impounded under clause 6.5 of these local laws.
- 6.7 For the safety of persons in respect of bathing and other recreational conduct, an authorised person may set aside specific areas where all or any of the following things are prohibited:
 - (a) entry by persons;
 - (b) bathing;
 - (c) the use of any bathing appliances or any particular kind of bathing appliance;
 - (d) the entry and use of vehicles;
 - (e) the launching of boats and other watercraft;
 - (f) the playing of games; and
 - (g) the selling or displaying for sale or hiring of goods and merchandise.
 - (h) fishing.
- 6.8 The council may set aside such specified areas for the purpose of clauses 6.3 or 6.7 of these local laws for a particular period or until further notice by causing notices to that effect to be placed in the vicinity of the locality.
- 6.9 An authorised person may set aside specified areas in which bathing is prohibited by the placement of notices, flags or such indicators as are from time to time provided or required by the council.
- 6.10 Surfboarding is permitted south of the Cottesloe Beach Groyne at all times;
- 6.11 Surfboarding is not permitted north of the Cottesloe Beach Groyne except between 1 April and 30 September, each year, and is entirely prohibited at all times in the following areas:
 - (a) the area bounded by the north side of the Cottesloe Beach Groyne and an imaginary line between the western end of the groyne and a point on the shoreline one hundred metres north of the Cottesloe Beach Groyne;
 - (b) Eric Street Pool and Vera View Beach;but these restrictions may be varied at the discretion of an authorised person.

7. Decency

In order to comply with community expectations and standards of decency, the following restrictions apply:

- 7.1 (1) Any person over the age of 5 years bathing in water exposed to the public view or using a beach for sunbathing or any other activity in public view shall, in order to secure the observance of decency, be properly and adequately clad.
(2) A parent or other adult person who is responsible for the custody, care or control of a child between the age of 5 years and 15 years shall ensure that the child is properly and adequately clad in accordance with paragraph (1) of this clause.
- 7.2 Where in the opinion of an authorised person the costume or other clothing of any person on land or water to which these local laws apply is not proper and adequate to secure decency, the authorised person may order that person to put on adequate clothing and that person shall comply with such order forthwith.

8. Animals

In order to protect the environment and amenity and to provide for a variety of recreational users, the following restrictions apply:

- 8.1 Subject to Local Law 8.2 a person shall not ride, drive or bring an animal onto any part of the defined area that has not been set aside for that purpose, except with the written permission of council.
- 8.2 The council may set aside portions of the defined area as areas upon which a person may ride or drive an animal, or onto which a person may bring an animal.
- 8.3 A person shall not ride, drive, exercise, train or race any animal on any part of the defined area in a manner which, in the opinion of an authorised person, creates or may become a nuisance.
- 8.4 This local law is in addition to the requirements of the Town of Cottesloe Local Law No. 34 Relating to Dogs.

9. Fishing, Netting and Spear Fishing

Subject to the provisions of the Fish Resources Management Act 1994 and the Wildlife Conservation Act 1950, as amended, in order to provide for a variety of recreational users and to provide safety, the following restrictions apply:

- 9.1 No person may fish for sharks by any means.
- 9.2 No person may use blood as a lure for the purpose of attracting marine life.
- 9.3 No person shall clean fish, or leave or deposit fish offal or bait and associated material, except in the bins provided for that purpose.
- 9.4 The council may set aside from time to time a portion or portions of the defined area where fishing is prohibited.
- 9.5 No person may use a spear gun, gidgee, hawaiian sling or other like device.
- 9.6 Any spear gun, gidgee, hawaiian sling or other like device must at all times be made safe.
- 9.7 An authorised person is empowered to seize any device referred to in Clauses 9.5 and 9.6 above if, in the opinion of the authorised person, it is being used or carried contrary to the provisions of this local law.
- 9.8 Any device of the kind referred to in clause 9.7 of these local laws may be impounded after seizure, in which event the provisions of section 3.42 of the Act shall apply.
- 9.9 The provisions of subdivision 4 of Part 3 of the Act shall apply generally to goods impounded under clause 9.6 of these local laws.

10. Watercraft

The following restrictions apply to the use of watercraft:

- 10.1 Surf life saving craft, used in their capacity as training and competition Boats of a Life Saving Club, are permitted at both Cottesloe Beach and North Cottesloe Beach within areas set by the council from time to time.
- 10.2 Motorised surf life saving boats being used for water rescue by a Surf Life Saving Club or authorised person are permitted in the defined Area.
- 10.3 Subject to Local Law 10.5 below surf skis may be used at all beaches.
- 10.4 Surf skis may only be used at Cottesloe Beach and North Cottesloe Beach within an area from time to time designated by the council and only for the purposes of entering and leaving the beach to a distance of one hundred metres seaward from the low water mark as measured at ordinary spring tides.
- 10.5 Sailing craft and sail boards are not permitted within two hundred metres from the low tide mark at any point between the Cottesloe Groyne and the northern boundary of the North Cottesloe Surf Life Saving Club building and may only be launched south of the Cottesloe groyne or north of the North Cottesloe Surf Life Saving Club building.
- 10.6 Other than as provided in Local Laws 10.1-10.5 inclusive, all sail and motor craft, including personal water craft, are not permitted within a distance of two hundred metres from the low tide mark as measured at ordinary spring tides, except with the written approval of Council.

11. Functions, Organised Sport and Other Activities

In order to manage the Defined Area, written permission from Council is required prior to holding any Function.

*DIVISION THREE***12. Permissions**

- 12.1 Every application for permission in these local laws shall be in writing and shall specify:
 - (a) the name, address and contact details of the applicant seeking permission to undertake an activity or activities;
 - (b) the location at, on or from which the applicant proposes to conduct the activities;

- (c) details of the activities the applicant proposes to conduct;
 - (d) the day or days on which, and times during which, the applicant proposes to conduct the activities.
- 12.2 The council may at its discretion grant permission or refuse to grant permission under this clause or may grant permission subject to conditions as it thinks fit.
- 12.3 Where permission has been granted by the council under this clause the person to whom the permission has been granted shall ensure that any conditions are observed at all times. If any such condition is not observed, that person commits an offence against these local laws and the council may by written notice cancel the permission.
- 12.4 Fees applicable to the holding of any function or activity may be set from time to time by resolution of council.

13. Offences

- 13.1 Any person who contravenes or fails to comply with these local laws is guilty of an offence and is liable to a penalty not exceeding \$5,000 and not less than:
- (a) in the case of a first such offence \$50;
 - (b) in the case of a second such offence \$75;
 - (c) in the case of a third or subsequent such offence \$100; and
 - (d) if that offence is a continuing offence, a daily penalty which is not more than \$500 and not less than \$50.

DIVISION FOUR

14. Infringement Notices

- 14.1 An infringement notice in respect of an offence prescribed in these local laws:
- (a) may be given under S. 9.13 of the Act and shall be in or to the effect of Form 1 of Schedule 1;
 - (b) may be given under S. 9.16 of the Act and shall be in or to the effect of Form 2 of Schedule 1;
- 14.2 A notice sent under S. 9.20 of the Act withdrawing an infringement notice shall be in or to the effect of Form 3 of Schedule 1.

SCHEDULE 1

Form 1

Local Government Act 1995 S9.13

TOWN OF COTTESLOE

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date...../...../.....

To: (1).....

of: (2).....

It is alleged that on (3).....at (4).....at (5).....

your vehicle (6).....was involved in the commission of the following offence:

.....

.....

.....

.....

contrary to local law (7).....of the (8).....

You are required under S9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

- If you do not prove otherwise, you will be deemed to have committed the offence unless
- (a) within 28 days after being served with this notice:
 - (i) you inform the Chief Executive Officer or another authorised person of the Local Government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed; or

(b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 working days after the notice was given or such further time as is allowed:

.....
Name and title of authorised person giving the notice

.....
Signature

- (1) name of owner of (vehicle identification)
- (2) Address of owner (not required if owner is not named)
- (3) Time at which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Vehicle identification
- (6) name of the local law
- (7) number of specific section of local law.

Form 2

Local Government Act 1995
Infringement Notice

Serial No.

Date...../...../.....

TOWN OF COTTESLOE

To: (1).....of (2).....it is alleged that
on (3)...../...../.....at (4).....you committed the following offence:
(5).....

.....
contrary to local law (6).....of the (7).....

The modified penalty for the offence is (8) \$.....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid to an authorised person at Town of Cottesloe, 109 Broome Street, Cottesloe, WA 6011 within a period of 28 days after the giving of this notice.

.....
Name and title of authorised person giving the notice

.....
Signature

- (1) name of alleged offender
- (2) Address of the alleged offender
- (3) date of alleged offence
- (4) time of alleged offence
- (5) alleged offence
- (6) number of local law
- (7) name of local law
- (8) modified penalty.

Form 3

Local Government Act 1995
Local Government (Functions and General) Regulations 1996
NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.

Date...../...../.....

TOWN OF COTTESLOE

To: (1).....
of: (2).....
Infringement Notice No..... dated/...../..... for the alleged offence
of.....

.....
has been withdrawn.

The modified penalty of \$.....

has been paid and a refund is enclosed.

has not been paid and should not be paid.

(*Delete as appropriate)

Name and title of authorised person giving this notice

Signature.....

(1) Name of alleged offender to whom infringement notice was given

(2) Address of alleged offender

Dated this 8th day of December, 1998.

The Common Seal of the Town of Cottesloe is hereunto affixed by authority of a resolution of council in the presence of:

JOHN CARPENTER HAMMOND, Mayor.
BARRY ALEXANDER AUSTIN, Chief Executive Officer.

Date: 8th December, 1998.

LG401

SHIRE OF DUMBLEYUNG

Extension to Dumbleyung Townsite Sewerage Scheme

Application has been made to the Executive Director of Public Health for approval of an extension to the Dumbleyung Townsite Sewerage Scheme, to include Lots 4, 5, 6, 7, 8, 9, 171, 174 Tunney Street and Lots 3, 12, 13, 170 Taylor Street and Lot 175 Bairstow Street.

Construction of the extension is expected to cost \$50,000. This will be funded by the Shire of Dumbleyung.

Plans for the proposed scheme may be viewed at the Shire Office, Harvey Street, Dumbleyung or by arrangement with the Environmental Health Office/Building Survey on 9863 4012.

Dated 20th November 1998.

CHRIS PEPPER, Chief Executive Officer.

MINERALS AND ENERGY

MN101

CORRECTION

The Notice at Page 6505 of the *Government Gazette* dated 4 December 1998 to be corrected as follows—

Prospecting Licence 30/1892—Mount Kersey Mining Pty Ltd

to

Prospecting Licence 30/892—Mount Kersey Mining Pty Ltd

MN401

MINING ACT 1978

Department of Minerals and Energy,
Perth WA 6000.

I hereby declare in accordance with the provisions of Section 99(1)(a) of the Mining Act 1978 that the undermentioned Mining Lease is forfeited for breach of covenant, viz; non compliance with expenditure conditions with prior right of application being granted to the plaintiffs under Section 100(2).

NORMAN MOORE, Minister for Mines.

PILBARA MINERAL FIELD

Mining Lease 46/156—Gabriel Resources NL

PLANNING

PD301*

Town Planning and Development Act 1928

Town Planning Amendment Regulations 1998

Made by the Minister for Planning under section 9 of the Act.

1. Citation

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

2. Regulation 25 amended

Regulation 25 of the *Town Planning Regulations 1967** is amended as follows:

- (a) by inserting after the regulation designation “**25.**” the subregulation designation “(1)”;
- (b) by deleting “A” and inserting —
“ Subject to subregulation (2), a ”;
- (c) by deleting paragraphs (fa) and (fb) and inserting the following paragraphs instead —

“

(fa) regulation 15(3) shall not apply but —

- (i) the Commission shall send to the responsible authority a copy of the notice referred to in regulation 15(1);
and
- (ii) the advertisement required to be made under regulation 15(1) shall be effected by the responsible authority publishing the notice once in a newspaper circulating in the district where the land the subject of the Amendment is situated and also displaying a copy of the notice in a prominent place in the offices of the responsible authority until the date specified by the Commission or the Minister, as the case requires, as the date on or before which submissions in respect of the Amendment may be made;

- (faa) in regulation 15(5) —
 - (i) the reference to the notice advertised or given pursuant to this regulation shall be read and construed as a reference to the copy of the notice sent by the Commission to the responsible authority; and
 - (ii) the reference to the date of publication of the advertisement in the *Gazette* pursuant to this regulation shall be read and construed as a reference to the date of publication of the advertisement by the responsible authority in a newspaper circulating in the district where the land the subject of the Amendment is situated;
- (fb) in regulation 17(1)(a) a reference to a period within 6 months of the expiry of the period specified by the Commission or the Minister, as the case requires, under regulation 15(5) for making submissions shall be read and construed as a reference to a period within 42 days from the date of publication of the advertisement in a newspaper circulating in the district where the land the subject of the Amendment is situated or any other date that the Commission or the Minister, as the case requires, has specified as the date on or before which submissions in respect of the Amendment may be made;
- (fba) in regulation 17(2) a reference to no submissions having been lodged within the period specified under regulation 15(5) for making submissions shall be read and construed as a reference to no submissions having been lodged by the date specified on or before which submissions in respect of the Amendment may be made;

”;

- (d) after subregulation (1), by inserting the following subregulation —

“

- (2) If a Town Planning Scheme Amendment —
 - (a) is consistent with section 6(1) of the Act or is for a purpose or work or contains a provision or power that is set out in the First Schedule of the Act;
 - (b) is consistent with any regulations made under the Act;
 - (c) is consistent with the Metropolitan Region Scheme made under section 30 of the

Metropolitan Region Town Planning Scheme Act 1959, a town planning scheme or amendments to a town planning scheme prepared under section 18(1)(ba) of the *Western Australian Planning Commission Act 1985* or any gazetted notice of the Commission relating to the Metropolitan Region Scheme or to a town planning scheme or amendment of a town planning scheme made under section 18(1)(ba) of the *Western Australian Planning Commission Act 1985*; and

- (d) is consistent with any statement of planning policy prepared by the Commission with the approval of the Minister under section 5AA of the Act or any variation or amplification of the policy prepared by the Commission and approved by the Minister under the section,

the Town Planning Scheme Amendment shall be in conformity with these regulations as though it were a Scheme except that —

- (e) it shall comprise only such of the documents comprising a Scheme as are necessary to convey the intent and reasons for the amendment;
- (f) regulations 4 and 5 shall not apply;
- (g) the resolution of the responsible authority to amend a Scheme shall be in the Form No. 1C in Appendix A and shall be forwarded to the Commission separate from but with the Amendment;
- (h) the Commission shall not be under a duty to examine the Amendment and shall not make a recommendation to the Minister under regulation 13(2);
- (i) regulations 13(4) and (5) and 14 shall not apply but —
 - (i) the Amendment shall not be advertised for public inspection unless section 7A1 of the Act has been complied with;
 - (ii) the Amendment shall not be advertised for public inspection if the EPA acts under section 48A(1)(c) of the EP Act unless a direction is given under section 48A(2)(a) of the EP Act and there has been compliance with section 48C(6)(a) of the EP Act (if compliance is required);
 - (iii) the Amendment shall not be advertised for public inspection if the EPA acts under section 48C(1)(a) of the EP Act

- unless the local government has complied with sections 7A2 of the Act and 48C(6)(a) of the EP Act;
- (j) regulation 15 shall not apply but —
- (i) the local government specified in the Town Planning Scheme Amendment as such shall become the responsible authority under the Act and —
 - (I) notice of the Amendment shall be advertised in the Form No. 3 in Appendix A in accordance with paragraph (iii);
 - (II) the responsible authority shall take such other steps, if any, as it considers necessary to make public the details of the Amendment;
 - (III) the responsible authority may give any owner of land that the authority considers is affected by the Amendment a copy of the notice of the Amendment referred to in Item (I); and
 - (IV) the responsible authority may take all reasonable steps to ensure that a notice of the Amendment is conspicuously displayed on or adjacent to any land affected by the Amendment;
 - (ii) the responsible authority shall make available for inspection by the public during office hours at the office of the responsible authority a copy of the Amendment, Amendment Report and other supporting documents, and there shall be made available at the office of any local government affected by the Amendment a copy of that part of the Amendment that relates to land within the district of that local government;
 - (iii) the advertisement required to be made under paragraph (j)(i) shall be effected by publication by the responsible authority of the notice referred to in that paragraph once in a newspaper circulating in the district where the land the subject of the Amendment is situated and the responsible authority shall also

- display a copy of the notice in a prominent place in the offices of the responsible authority until the date on or before which submissions in respect of the Amendment may be made as determined or fixed under paragraph (v);
- (iv) the responsible authority shall give to each public authority or person whom the local government is required by section 7(2aa) of the Act to consult, and in the case of a development scheme to every landowner within the area the subject of the Amendment a notice in writing in the Form No. 3 in Appendix A;
 - (v) the responsible authority shall, in the notice advertised pursuant to paragraph (iii), describe the purpose of the Amendment, state the times and places where the Amendment may be inspected, and specify a date on or before which submissions in respect of the Amendment may be made; which date shall be a date not less than 42 days from the date of publication of the advertisement in a newspaper circulating in the district where the land the subject of the Amendment is situated pursuant to paragraph (iii) unless, at the request of the responsible authority, the Commission decides that another date, being not less than 21 days from the date of such publication, is appropriate to the Amendment;
- (k) in regulation 17(1)(a) a reference to a period within 6 months of the expiry of the period specified by the Commission or the Minister, as the case requires, under regulation 15(5) for making submissions shall be read and construed as a reference to a period within 42 days from the date of publication of the advertisement in a newspaper circulating in the district where the land the subject of the Amendment is situated or any other date that the Commission has specified as the date on or before which submissions in respect of the Amendment may be made;
- (l) in regulation 17(2) a reference to no submissions having been lodged within the

- period specified under regulation 15(5) for making submissions shall be read and construed as a reference to no submissions having been lodged by the date specified on or before which submissions in respect of the Amendment may be made;
- (m) regulation 18(1) shall apply but the responsible authority shall also forward to the Commission particulars of the steps taken to advertise the Amendment;
 - (n) where no submissions are made a local government may, if it resolves to adopt an Amendment without modification and has complied with regulation 17A, proceed to execute the documents in the manner prescribed in regulation 22;
 - (o) regulation 21(1) shall apply but, before making a decision under section 7(2a), if the Minister is not satisfied that the steps taken to advertise the Amendment are adequate, the Minister may in writing direct the responsible authority to take such steps as the Minister considers necessary to make public the Amendment and the responsible authority shall give effect to the direction; and
 - (p) if the Minister gives a direction under paragraph (o), the Minister is also to give directions in writing as to —
 - (i) the manner in which the responsible authority is to publicize the Amendment;
 - (ii) the manner in which a person who desires to make a submission on the Amendment is to make the submission;
 - (iii) the manner in which the responsible authority is to consider, make recommendations on and forward any submission on the Amendment to the Commission; and
 - (iv) the manner in which the Commission is to examine any submission on the Amendment and the recommendations of the responsible authority and make its recommendations to the Minister.

”.

[* Reprinted 28 May 1996.
For amendments to 25 August 1998 see 1997 Index to
Legislation of Western Australia, Table 4, pp. 268-9.]

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF BUNBURY

TOWN PLANNING SCHEME No. 6—AMENDMENT No. 217

Ref: 853/6/2/9 Pt 217

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 Bunbury Town Planning Scheme Amendment on 2 December, 1998 for the purpose of modifying Appendix IV—First Schedule Lot 749 Koombana Drive—Development Condition 19 to read as follows—

19. Appropriate setbacks being imposed around two monitoring bores located in the north western corner of the lot as recommended by the Water and Rivers Commission.

J. M. JONES, A/Mayor.
G. P. BRENNAN, Chief Executive Officer.

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

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF DENMARK

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 51

Ref: 853/5/7/3 Pt 51

Notice is hereby given that the local government of the Shire of Denmark has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 73 Inlet Drive Denmark from the Residential zone to the Tourist zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Strickland Street, Denmark 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 January, 1999.

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

P. DURTANOVICH, Chief Executive Officer.

PD403***TOWN PLANNING AND DEVELOPMENT ACT, 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF ESPERANCE

TOWN PLANNING SCHEME No. 22—AMENDMENT No. 24

Ref: 853/11/6/21 Pt 24

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 Esperance Town Planning Scheme Amendment on 2 December, 1998 for the purpose of rezoning Lots 184-190 Burton Road and Lot 299 Goldfields Road from Residential to Shops and Offices.

I. S. MICKEL, President.
B. SPONBERG, A/Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF JERRAMUNGUP
 TOWN PLANNING SCHEME No. 1—AMENDMENT No. 9

Ref: 853/5/19/1 Pt 9

Notice is hereby given that the local government of the Shire of Jerramungup has prepared the abovementioned scheme amendment for the purpose of amending Schedule VI (Rural Residential Zone No 2) Bremer Bay Road, Bremer Bay, to—

- (a) permit the keeping of limited stock on the Rural Residential properties; and
- (b) provide for an appropriate fire strategy.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2/6 Vasey Street, Jerramungup 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 22 January, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 22 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.

M. BROWN, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF SWAN
 TOWN PLANNING SCHEME No. 9—AMENDMENT No. 330

Ref: 853/2/21/10 Pt 330

Notice is hereby given that the local government of the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of including Showroom as an additional 'P' use on Lots 114 and 115 Victoria Street, Midland in "Appendix 6B—Additional or Restricted Uses".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Midland Square, corner Morrison Road and Old Great Northern Highway, Midland and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 22 January, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 22 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.

E. W. LUMSDEN, Chief Executive Officer.

PD406*

TOWN PLANNING AND DEVELOPMENT ACT 1928

Office of the Minister for Planning,
Perth.

It is hereby notified for general information that the Governor in Executive Council has, in accordance with section 42 of the Town Planning and Development Act 1928 approved the appointment of—

- Leslie STEIN of 10 Grange Street, Claremont as Chairperson;
- John CHANEY of 98 Gloster Street, Subiaco as Deputy Chairperson
- Lloyd GRAHAM of 10 Phillips-Fox Terrace, Woodvale as Member
- Colin PORTER of 3 Villiers Street, BASSENDEAN as Member
- Douglas DRAKE of 118B Delawney Street, Balcatta as Deputy Member and
- Edward McKINNON of 34 Joiner Street, Melville as Deputy Member

of the Town Planning Appeal Tribunal for terms commencing on 1 January 1999 and expiring on 31 December 1999.

GRAHAM KIERATH, Minister for Planning.

PD701*CITY OF PERTH
TOWN PLANNING SCHEME No. 22

The City of Perth under the powers conferred on it by the Town Planning and Development Act 1928 makes the following town planning scheme.

ARRANGEMENT

Preliminary

1. Title
2. Commencement
3. Scheme Documents
4. Definitions
5. Scheme Area
6. Responsible Authority
7. Scheme Objects
8. Metropolitan Region Scheme
9. City Planning Scheme
10. Local Laws
11. Plot Ratio
12. Car Parking
13. Listed Buildings
14. Landscaped Area
15. Application for Town Planning Approval
16. Determination of Applications for Town Planning Approval
17. Agreements
18. Existing Town Planning Approvals

SCHEDULE

1. Definitions
2. Listed Buildings

CITY OF PERTH
TOWN PLANNING SCHEME No. 22

The City of Perth and by virtue of the powers conferred upon it by the Town Planning and Development Act 1928 as amended hereby makes the following Town Planning Scheme.

1. Title

This Town Planning Scheme may be cited as the City of Perth Town Planning Scheme No. 22.

2. Commencement

This Scheme shall come into operation on the publication of notice of the Minister's final approval thereof in the '*Government Gazette*'.

3. Scheme Documents

The Scheme comprises the following documents:

- (a) The Scheme text; and
- (b) The Scheme map

4. Definitions

In this Scheme, unless the context requires otherwise, the words and expressions used have the same meanings as set out in Schedule 1.

5. Scheme Area

This Scheme applies to the Scheme area.

6. Responsible Authority

The responsible authority for carrying out this Scheme is the Council of the City of Perth ("the Council").

7. Scheme Objects

The objects of this Scheme are:

- (a) the development of the Scheme area as a whole in a co-ordinated manner;
- (b) the provision of efficient vehicular access to the Scheme area;
- (c) the adequate provision of landscaped areas accessible to the public within the Scheme area;
- (d) the provision of pedestrian accessways to enable pedestrian movement throughout the Scheme area;
- (e) with respect to any building listed in Schedule 2 of this Scheme:-
 - (i) the restoration and maintenance of the building in a good condition in accordance with any town planning approval and approved plan relating thereto;
 - (ii) the use of the building for a purpose appropriate to the heritage status and the location of the building and to the general object referred to in paragraph (e)(iii); and
 - (iii) the accessibility by the public to appropriate areas within the building.

8. Metropolitan Region Scheme

This Scheme is complementary to and is not a substitute for the Metropolitan Region Scheme and the provisions of the Metropolitan Region Scheme shall continue to have effect.

9. City Planning Scheme

(1) This Scheme is complementary to and is not a substitute for the City of Perth City Planning Scheme ("the City Planning Scheme").

(2) To the extent of any inconsistency between provisions of this Scheme and the City Planning Scheme, the provisions of this Scheme shall prevail.

(3) A reference in Clause 48 of the City Planning Scheme to "a standard or requirement prescribed by the Scheme" shall include a standard or requirement prescribed by this Scheme.

(4) A reference in Clause 160(d) of the City Planning Scheme to "all standards laid down and all requirements prescribed by the Scheme" shall include all standards laid down and all requirements prescribed by this Scheme.

10. Local Laws

Where a provision of this Scheme is inconsistent with a provision of a local law, the provision of this Scheme prevails.

11. Plot Ratio

For the purpose of determining plot ratio under the City Planning Scheme with respect to land within the Scheme area, the Scheme area shall be treated as one site.

12. Car Parking

For the purpose of ascertaining car parking requirements under the City Planning Scheme with respect to land within the Scheme area, the Scheme area shall be treated as one site.

13. Listed Buildings

Any building listed in Schedule 2 of this Scheme shall be restored and maintained in accordance with the town planning approval and any approved plan relating thereto.

14. Landscaped Area

Landscaped areas shall be provided and maintained where required by the Council and in accordance with the town planning approval and the approved plan relating thereto.

15. Application for Town Planning Approval

(1) Notwithstanding the provisions of the City Planning Scheme but subject to the provisions of sub clause (2) of this clause, an application for town planning approval shall be signed by every owner of land comprising the Scheme area.

(2) An agent authorised in writing for that purpose by an owner of land within the Scheme area may sign an application for town planning approval on behalf of the owner.

(3) In addition to any plans and information required by the City Planning Scheme or by the Council pursuant to the City Planning Scheme, where a proposed development may affect parts of the Scheme area other than the land the subject of the application, the Council may require an application for town planning approval to be accompanied by such plans and information with respect to those parts of the Scheme area as will enable the Council to determine the application.

16. Determination of Applications for Town Planning Approval

(1) When considering an application for town planning approval, the Council may, in addition to any other matter or thing which it may consider, have regard to the general objects of this Scheme and where not inconsistent with this Scheme, the provisions of the City Planning Scheme.

(2) If the Council grants town planning approval then the Council may do so subject to conditions:

(a) which the Council considers are reasonable and necessary for the implementation of the general objects of this Scheme; and,

(b) which may require an owner of land in the Scheme area to enter into an agreement with the Council or other owners of land within the Scheme area, with respect to the general objects of this Scheme.

17. Agreements

The Council may enter into any agreement with any owner of land within the Scheme area which the Council considers necessary or convenient for the implementation of the general objects of this Scheme.

18. Existing Town Planning Approvals

No provision of this Scheme is to limit or restrict the carrying out of any development in respect of which town planning approval has been granted before the commencement of this Scheme.

SCHEDULE 1

In this Scheme, unless the contrary intention appears:—

'City Planning Scheme' means the City of Perth City Planning Scheme made under the Town Planning and Development Act, 1928;

'Council' means the Council of the City of Perth;

'Gazettal date' means the date on which this Scheme is published in the *Government Gazette*;

'Metropolitan Region Scheme' means the Metropolitan Region Scheme made under the Metropolitan Region Town Planning Scheme Act 1959;

'Scheme area' means the area shown and described in the Scheme map;

'Scheme map' means the map showing and describing the Scheme area;

'Scheme text' means the document to which this Schedule is attached and includes this Schedule.

SCHEDULE 2

"Bank of New South Wales" 899 - 901 Hay Street, Perth

"Dynon's China Hall Buildings" 915 Hay Street, Perth

ADOPTION

The City of Perth under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended), hereby adopts Town Planning Scheme No.22 for the area of land shown on Plan MTPS. 22.

ADOPTED by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the TWENTY THIRD day of JUNE 1998.

DR P. NATTRASS, The Rt Hon. The Lord Mayor.
GARRY G. HUNT, Chief Executive Officer.

CITY OF PERTH

TOWN PLANNING SCHEME NO. 22

ADOPTED for final approval by the resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the Tenth day of November 1998 and the Seal of the Municipality was, pursuant to that resolution, hereunto affixed in the presence of:—

DR P. NATTRASS, The Rt Hon. The Lord Mayor.
GARRY G. HUNT, Chief Executive Officer.

Recommended—

Dated 24 November 1998.

V. McMULLEN, for Chairman of the Western
Australian Planning Commission.

Approved—

Dated 25 November 1998.

G. D. KIERATH, Minister for Planning.

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.

PORT AUTHORITIES

PH301*

Port Hedland Port Authority Act 1970

Port Hedland Port Authority Amendment Regulations (No. 3) 1998

Made by the Port Hedland Port Authority and approved by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Port Hedland Port Authority Amendment Regulations (No. 3) 1998*.

2. Regulation 6A amended

Regulation 6A of the *Port Hedland Port Authority Regulations** is amended as follows:

- (a) in subregulation (1), by deleting “\$4 800 per annum.” and inserting instead —

“

\$6 125 for the 1997/98 financial year and \$6 900 for each subsequent financial year.

”;

- (b) in subregulation (2), by deleting “\$10 300 per annum” and inserting instead —

“

\$13 100 for the 1997/98 financial year and \$14 700 for each subsequent financial year

”.

[* *Reprinted as approved 12 September 1975. For amendments to 8 October 1998 see 1997 Index to Legislation of Western Australia, Table 4, pp. 212-4 and Gazette 27 February 1998.*]

Passed by a resolution of the Port Hedland Port Authority at a meeting of the Authority held on 21 October 1998.

The Common Seal of the Authority)
was, at the time of the above-)
mentioned resolution, affixed)
by order and in the presence of)

[LS]

PETER G. HARDIE.
JACK HAUNOLD.
IAN HUTTON.

Approved by the Governor,

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

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. H. J. Cowan MLA in the period 26 December 1998 to 3 January 1999 inclusive—

Minister for Commerce and Trade; Regional Development;
Small Business

Hon. M. G. House, MLA.

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

RACING, GAMING AND LIQUOR

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
1505/98	Midwest Irish Club (Inc)	Application for the grant of a Club licence in respect of premises situated in Wonthella and known as Midwest Irish Club (Inc).	5/1/99
1508/98	Trendafil Hasarliev	Application for the grant of a Wholesale licence in respect of premises situated in Darglish and known as European Classic Wines.	3/1/99
1509/98	Kojonup Co-operative Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Kojonup and known as Kojonup Liquor Store.	5/1/99
APPLICATIONS EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
1031/98	Ann Kathrin Young	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Donnybrook and known as Railway Hotel.	25/12/98
1032/98	Hip-E Club Australia Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Leederville and known as Hip-E Club.	28/12/98
APPLICATIONS FOR APPROVAL TO ALTER/REDEFINE THE LICENSED PREMISE			
1577/98	Andrew Gaby, Carol Gaby, Athan Mirmikidis	Application for approval to alter/redefine the Tavern licence in respect of premises situated in Northbridge and known as Fuel Bar and Cafe.	22/12/98
1579/98	Bridgeton Pty Ltd	Application for approval to alter/redefine the Hotel licence in respect of premises situated in Osborne Park and known as Osborne Park Hotel.	22/12/98
1552/98	Ettamogah Pub (Morley) Pty Ltd	Application for approval to alter/redefine the Hotel licence in respect of premises situated in Morley and known as Morley Park Hotel.	14/12/98

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

G. B. AVES, Director of Liquor Licensing.

TRANSPORT

TR301*

Shipping and Pilotage Act 1967

**Shipping and Pilotage (Mooring Control Areas)
Amendment Regulations 1998**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Shipping and Pilotage (Mooring Control Areas) Amendment Regulations 1998*.

2. Commencement

These regulations come into operation on the day on which the *Mooring Regulations 1998* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Shipping and Pilotage (Mooring Control Areas) Regulations 1983**.

[* *Published in Gazette 28 November 1983, pp. 4709-14.*
For amendments to 5 October 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 251.]

4. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) by deleting the definitions of “Controlling Authority” and “the Department”;
- (b) in the definition of “registered owner” by deleting the semicolon and inserting a full stop instead.

5. Regulation 4 amended

Regulation 4 is amended as follows:

- (a) by deleting “These” and inserting instead —
“ (1) Subject to subregulation (2), these ”;
- (b) by inserting the following subregulation —

“

- (2) These regulations do not apply to any mooring control area to which the *Mooring Regulations 1998* apply.

”.

6. References to “Controlling Authority” amended

Each reference to “Controlling Authority” in a regulation listed in the table to this regulation is deleted and the following is inserted instead —

“ controlling authority ”.

TABLE

regulation 5(1) and (2)	regulation 12 (1) and (3)
regulation 6(1)(2 references) and (3)	(2 references)
regulation 7(1), (2) and (3)	regulation 13(c)
regulation 8(1)	regulation 14(2) (3 references)
regulation 8(2) (3 references)	regulation 15
regulation 8(3)	regulation 16(2)
regulation 8(4) (2 references)	regulation 17(1) and (2)
regulation 8(5) (4 references)	regulation 18(1) and (2)
regulation 9 (2 references)	Form 1 in the Schedule
regulation 11	

By Command of the Governor,

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

TR302*

Western Australian Marine Act 1982

Western Australian Marine (Infringements) Amendment Regulations (No. 2) 1998

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Western Australian Marine (Infringements) Amendment Regulations (No. 2) 1998*.

2. Commencement

These regulations come into operation on the day on which the *Mooring Regulations 1998* come into operation.

3. Schedule 1 amended

Schedule 1 to the *Western Australian Marine (Infringements) Regulations 1985** is amended after item 97 by inserting the following heading and items —

“

		Mooring Regulations 1998	
98	6(1)	Securing vessel to mooring when mooring site is not licensed, vessel is not authorized or vessel is not identifiable	100
99	6(2)(a)	Securing vessel to mooring on licensed mooring site when another vessel is secured to the mooring	100
100	6(2)(b)	Securing vessel to another vessel secured to a mooring on a licensed mooring site	100

”

[* *Published in Gazette 4 October 1985, pp. 3866-70.*
For amendments to 5 October 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 305.]

By Command of the Governor,

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

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS
JERVOISE BAY MARINA

Department of Transport,
Fremantle WA, 11 December 1998.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes the notice published in the *Government Gazette* of 20 January 1998 relating to the restricted speed limit of 6 knots within the Jervoise Bay Marina.

MICHAEL LINLAY HARRIS, Acting, Director General of Transport.

TR402*

WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS
JERVOISE BAY MARINA

Department of Transport,
Fremantle WA, 11 December 1998.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice limits the speed of motor vessels to that of eight (8) knots within the following area—

CITY OF COCKBURN

Jervoise Bay Marina: All those waters contained within the main breakwaters including the entrance channel and extending to a radius of 50 metres from the southern end of the northern breakwater but excluding the Recreational Boat Harbour and all those waters within a 50 metre radius of the end of the Recreational Boat Harbour breakwater.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

TREASURY

TY301*

Unclaimed Money Act 1990

Unclaimed Money Amendment Regulations 1998

Made by the Governor in Executive Council.

1. Citation

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

2. Regulation 2B inserted

After regulations 2A of the *Unclaimed Money Regulations 1991** the following regulation is inserted —

“

2B. Exemption to allow voluntary payment of interest earned on patients trust account

- (1) For the purpose of enabling unclaimed money to which this regulation applies to be dealt with under section 13 of the Act, section 7(4)(a) of the Act is to be read as if it had been amended after “satisfied that” by inserting “, to the extent to which they can reasonably be ascertained,”.
- (2) This regulation applies to unclaimed money that was interest credited to the patients trust account prior to 30 June 1994.
- (3) In subregulation (2) —

“patients trust account” means the trust account, called the “Hospital Patients’ Private Property Trust Account” held by the Health Department of Western Australia with the Treasury, in which money was held on behalf of patients in various departmental hospitals and nursing homes.

”.

[* *Published in Gazette 12 April 1991, pp. 1664-6.*
For amendments to 26 October 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 276.]

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

TENDERS

ZT201*

MAIN ROADS
WESTERN AUSTRALIA

Tenders

Tenders are invited for the following projects.

Information on these Tenders are available from the Supply Officer, Supply and Transport Branch, Don Aitken Centre, Waterloo Crescent, East Perth, Telephone: (08) 9323 4912.

Tender No.	Description	Closing Date
		1998
547C98	Provision of materials technician services for a period of 26 weeks, Geraldton.....	Dec 31
586C98	Provision of services for metropolitan fatal crash investigations	Dec 18
588C98	Win, load and cart approximately 25 000m ³ of laterite gravel, Nannup area	Dec 22

ZT202*

Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount \$
516C98	Supply and delivery of cold mix, Goldfields-Esperance Region	Boral Asphalt	107 197.00

D. R. WARNER, Executive Director Corporate Services.

PUBLIC NOTICES

ZZ101

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 11 January 1999 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Aylmore, Marjorie, late of Brightwater Nursing Home, Walter Road, Inglewood, died 22/10/98. (DEC 315182 DL4)

Eilbeck, Tom Foster, late of 17 Hill Street, Halls Head, Mandurah, died 30/10/98. (DEC 315063 DP1)

Freind, John Malcolm, late of 1/149 Banksia Street, Tuart Hill, died 28/9/98. (DEC 315624 DA2)

Godbeer, Oswald, late of Embleton Nursing Home, 46 Broun Avenue, Embleton, died 27/10/98. (DEC 314983 DA2)

Ibbitson, Harold Baldwin, late of 137 Coogee Beach Resort, Cockburn Road, Coogee, died 13/10/98. (DEC 314851 DP4)

Johnson, Elsie, late of Craigmont Waters Nursing Home, Third Avenue East, Maylands, died 25/11/98. (DEC 315453 DS3)

McIntosh, Anne Amelia, late of Amaroo Nursing Home, 74 Lissiman Street, Gosnells, died 7/10/98. (DEC 315451 DL3)

Medhurst, Ernest, late of 29 Ray Street, Rockingham, died 27/9/98. (DEC 314410 DG4)

Nelson, Florence Jean, late of Carinya Hostel, 20 Plantation Street, Mount Lawley, died 24/10/98. (DEC 315458 DP4)

Orriss, Kenneth Eric, late of Unit 38/80-82 Henley Street, Como, died 26/9/98. (DEC 314539 DL4)

Phillips, Doris Helen Audrey, late of J E Murray Homes Hostel, 18 Deerness Way, Armadale, died 5/11/98. (DEC 315062 DS4)

Saks, Agnes Watt, late of Hillcrest Nursing Home, 23 Harvest Road, North Fremantle, died 17/11/98. (DEC 315465 DA2)

Stevens, Lenore Margaret, late of Apartment 40, Carinya Park, 2 Plantation Street, Mount Lawley, formerly of 22 Neil Street, Rossmoyne, died 7/10/98. (DEC 314575 DS2)

Stok, Giovanni, late of Carlisle Nursing Home, 110 Star Street, Carlisle, died 31/7/98. (DEC 312871 DG4)

Strojek, Katherine, late of Collie District Hospital, Deakin Street, Collie, formerly of 59 Clifton Street, Collie, died 12/11/98. (DEC 315452 DP3)

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

ZZ201**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Mary Josephine Forsyth, late of Freeman Nursing Home, Bull Creek Road, Rossmoyne in the State of Western Australia, Widow, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estate of the deceased who died on 30 June 1998 are required by the Executors Deanna Adelaide Hanks and Andrea Edna Hamilton to send particulars of their claim to them, care of Butcher Paull & Calder, 8th Floor, 231 Adelaide Terrace, Perth WA 6000 (Ref: JMC) within one (1) month of the date of publication hereof after which date the Executors may convey or distribute the assets having regard to the claims of which they then have notice.

Dated the 3rd day of December 1998.

BUTCHER PAULL & CALDER, as Solicitors for the Executors.

ZZ202**TRUSTEES ACT 1962**

STATUTORY NOTICE TO CREDITORS

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 thereto relate) in respect of the estates of the undermentioned deceased persons are required by the personal representatives of care of Messrs. Corser & Corser, 1st floor, 256 Adelaide Terrace, Perth to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Armitage, Thelma Joyce, late of 61C McMillan Street, Victoria Park, Home Duties died on 7 November 1998.

Dawson, Frank Worth, late of 56 Holmfirth Street, Menora, Retired Engineer died on 11 October 1998.

Gilbert, Vivienne Joan, late of Alfred Carson Nursing Home, Bay Road, Claremont, Home Duties died on 31 October 1998.

Michell, Doreen Ethne, late of Unit 11, 22 Devon Road, Bassendean, Widow died on 23 November 1998.

Rolland, Gloria Carmel, late of 3 Dutton Close, Merriwa, Widow died on 4 October 1998.

Stobbie, Gordon Robert, late of 216 Cowen Street, Mundijong, Telstra Linesman died on 22 September 1998.

Treble, Joyce, late of Craiglea Nursing Home, 38 Alday Street, St James, Home Duties died on 19 September 1998.

WESTERN AUSTRALIA

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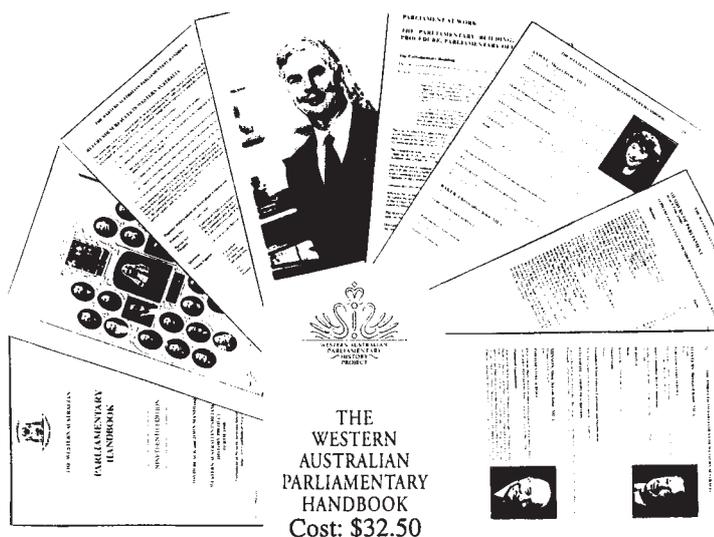
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CONTENTS

SUBSIDIARY LEGISLATION

	Page
Environmental Protection Act 1986—Environmental Protection (Miscellaneous Amendments) Regulations 1998	6597-614
Environmental Protection Act 1986—Environmental Protection (NEPM -NPI) Regulations 1998	6614-6
Hospitals and Health Services Act 1927—Hospitals and Health Services (Upper Great Southern Health Service) By-laws 1998	6617-9
Local Government Act 1995—Town of Cottesloe Beaches and Beach Reserves—Local Law No. 3	6629-36
Port Hedland Port Authority Act 1970—Port Hedland Port Authority Amendment Regulations (No. 3) 1998	6648
Shipping and Pilotage Act 1967—Shipping and Pilotage (Mooring Control Areas) Amendment Regulations 1998	6650-1
Town Planning and Development Act 1928—Town Planning Amendment Regulations 1998	6637-42
Unclaimed Money Act 1990—Unclaimed Money Amendment Regulations 1998	6653
Western Australian Marine Act 1982—Western Australian Marine (Infringements) Amendment Regulations (No. 2) 1998	6651-2

GENERAL CONTENTS

	Page
Agriculture	6593
Censorship	6593-6
Education	6596
Environmental Protection	6597-616
Fair Trading	6617
Health	6617-20
Heritage Council	6620-1
Justice	6621-2
Land Administration	6622-9
Local Government	6629-36
Minerals and Energy	6636
Planning	6637-47
Police	6647
Port Authorities	6648
Premier and Cabinet	6649
Proclamations	6593
Public Notices	6654-5
Racing, Gaming and Liquor	6649
Tenders—Main Roads	6654
Transport	6650-2
Treasury	6653

