

# WESTERN AUSTRALIAN GOVERNMENT Gazette

443



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**NEW FORMAT FOR GENERAL GOVERNMENT GAZETTES**

For ease of access to particular notices the general Gazette will be divided into two parts as detailed below. In each part, the notices will appear in alphabetical order of the authorising Department.

**Part 1** will contain Proclamations, Regulations, Rules, Local Laws and various other Instruments etc. but not Town Planning Schemes.

**Part 2** will contain general notices and information and Town Planning Schemes.

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Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
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In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

# — PART 1 —

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## ENERGY

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EC301\*

Gas Corporation Act 1994  
Dampier to Bunbury Pipeline Act 1997

### Gas Referee Amendment Regulations 1999

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Gas Referee Amendment Regulations 1999*.

**2. Commencement**

These regulations come into operation on the commencement of section 9 of the *Gas Pipelines Access (Western Australia) Act 1998*.

**3. The regulations amended**

The amendments in these regulations are to the *Gas Referee Regulations 1995*\*.

[\* *Published in Gazette 30 May 1995, pp. 2155-72.*  
*For amendments to 12 January 1999 see 1997 Index to Legislation of Western Australia, Table 4, p. 103, and Gazette 10 March 1998, pp. 1351-6.*]

**4. Regulation 3 amended**

Regulation 3(1) is amended as follows:

- (a) by deleting the definitions of “acting referee”, “AlintaGas transmission contract”, and “prescribed AlintaGas transmission dispute”;
- (b) in the definition of “dispute notice”, by deleting “or 31, as the case may be”;

- (c) in the definition of “prescribed dispute” —
  - (i) by deleting “a prescribed AlintaGas transmission dispute,”; and
  - (ii) by deleting the comma before “or”;
- (d) by deleting the definition of “referee” and inserting instead —

“

“**referee**” means the person who for the time being holds, or is acting in, the office of the Western Australian Gas Disputes Arbitrator established by section 62 of the *Gas Pipelines Access (Western Australia) Act 1998*;

”.

**5. Part 2 repealed**

Part 2 is repealed.

**6. Regulation 15 amended**

Regulation 15(1) is amended as follows:

- (a) by deleting “shipper, prospective shipper, user,” and inserting instead —  
“ user ”;
- (b) by deleting “one or more AlintaGas transmission contracts,”.

**7. Regulation 29 amended**

- (1) Regulation 29(1) is amended by deleting “Subject to subregulation (3), proceedings” and inserting instead —  
“ Proceedings ”.
- (2) Regulation 29(3) is repealed.

**8. Regulation 31 repealed**

Regulation 31 is repealed.

**9. Regulation 37 amended**

Regulation 37(3) is amended by inserting before “other agreement” —

“ any ”.

**10. Regulation 38 amended**

- (1) Regulation 38(1) is amended by deleting “referee is appointed” and inserting instead —

“ person takes over the functions of referee ”.

- (2) Regulation 38(2) is repealed and the following subregulation is inserted instead —

“

- (2) Subregulation (1) does not limit the ability of a person acting under section 71 of the *Gas Pipelines Access (Western Australia) Act 1998* to complete the hearing of a matter in accordance with section 72 of that Act.

”.

**11. Regulation 46 amended**

Regulation 46(3) is repealed.

**12. Regulation 54 amended**

Regulation 54(3) is amended by deleting “regulations 30 or 31” and inserting instead —

“ regulation 30 ”.

**13. Various references to AlintaGas transmission contracts deleted**

In each place listed in the Table to this regulation “an AlintaGas transmission contract,” is deleted.

Table	
r. 27	r. 54(4)(b)
r. 37(3)	r. 58
r. 43(2)(e) and (f)	r. 66

**14. Transitional provision**

The amendments made by these regulations do not apply in relation to any proceedings or appeal referred to in section 46A(2) of the *Dampier to Bunbury Pipeline Act 1997* or section 90A(2) of the *Gas Corporation Act 1994*.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

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## HEALTH

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HE301\*

### MEDICAL ACT 1894

#### MEDICAL BOARD OF WESTERN AUSTRALIA (APPOINTMENT OF MEMBERS) INSTRUMENT 1999

Made by the Minister for Health under section 4(1a)(b) of the Act.

#### 1. Citation

This notice may be cited as the *Medical Board of Western Australia (Appointment of Members) Instrument 1999*.

#### 2. Appointment of Members

Dr Pam Quatermass and Associate Professor Geoff Riley are appointed for a period of 12 months and a period of 3 years respectively to the Medical Board of Western Australia pursuant to section 4(1a)(b) of the *Medical Act 1894*.

JOHN DAY, Minister for Health.

Date: 22/1/99.

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## — PART 2 —

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### FISHERIES

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**FI401\*****FISH RESOURCES MANAGEMENT ACT 1994****MARINE AQUARIUM FISH MANAGEMENT PLAN AMENDMENT 1999**

FD 109/98 [193].

Made by the Minister under section 54(2).

**Citation**

1. This amendment may be cited as the *Marine Aquarium Fish Management Plan Amendment 1999*.

**Principal Plan**

2. In this amendment the *Marine Aquarium Fish Management Plan 1995\** is referred to as the principal Plan.

**Arrangement amended**

3. The arrangement in the principal Plan is amended by—
- (a) deleting from item 4 the words “limited entry”;
  - (b) deleting items 7, 8, 9, 10 and 11 and substituting the following—
    - “7. Licences
    - 8. Items that may be specified on a licence
    - 9. Nominated operator
    - 10. Nominated divers
    - 11. Use of a boat in the fishery”;
  - (c) deleting item 13 and substituting the following—
    - “13. Grounds for refusal to transfer a licence”;
  - (d) deleting items 15 and 16 and substituting the following—
    - “15. Procedure before amending this Plan
    - 16. Offences”; and
  - (e) deleting “Schedule”.

**Clause 1 amended**

4. Clause 1 of the principal Plan is amended by deleting “Limited Entry Fishery Notice” and substituting the following—  
“Management Plan”.

**Clause 3 amended**

5. Clause 3 of the principal Plan is amended by—
- (a) deleting the item commencing “authorised boat” and substituting the following—
    - “ “authorised boat” means—
      - (a) a licensed fishing boat of which the name, licensed fishing boat number and length are specified on a licence; or
      - (b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in (a);
    - “auxiliary boat” means a licensed fishing boat used in conjunction with a mother boat;”;
  - (b) deleting the item commencing “commencement date”;
  - (c) deleting from the item commencing “Fishery” the words “Limited Entry Fishery declared” and substituting the following—
    - “Managed Fishery described”;
  - (d) deleting the item commencing “licence” and substituting the following—
    - “ “licence” means a managed fishery licence authorising a person to fish in the Fishery;
    - “licensed fishing boat” has the meaning provided for in the regulations;
    - “licensed fishing boat number” has the meaning provided for in the regulations;”;
  - (e) deleting the item commencing “licensee” and substituting the following—
    - “ “licensee” means the holder of a licence;
    - “mother boat” means the licensed fishing boat used primarily for or in connection with fishing under the authority of a licence;

“nominated diver” means a person directed by a nominated operator to fish for marine aquarium fish for or on behalf of the relevant licensee;”;

- (f) deleting the item commencing “nominated operator” and substituting the following—  
“nominated operator” means a single natural person authorised to control all fishing carried out for or on behalf of a licensee and to direct, from time to time, persons to be nominated divers;”;
- (g) deleting the item commencing “nominated person”; and
- (h) deleting the item commencing “Regulations” and substituting the following—  
“regulations” means the *Fish Resources Management Regulations 1995*;  
“this Plan” means the *Marine Aquarium Fish Management Plan 1995*.”.

#### **Clause 4 amended**

6. Clause 4 of the principal Plan is amended by—

- (a) deleting “limited entry” from the heading to clause 4;
- (b) deleting “It is hereby declared that the” and substituting the following—  
“The”;
- (c) deleting “equipment, shall” and substituting the following—  
“equipment, previously declared under the repealed Act to”; and
- (d) inserting after “isobath” the following—  
“and taken to be a managed fishery under item 8 of Schedule 3 of the Act, is a managed fishery and may be referred to as the Marine Aquarium Fish Managed Fishery”.

#### **Clause 5 amended**

7. Clause 5 of the principal Plan is amended—

- (a) in subclause (1) by deleting “to whom section 32(5) of the Act applies,” and substituting the following—  
“fishing in accordance with the Act for a non commercial purpose,”; and
- (b) in both subclauses (1) and (2) by deleting “notice” and substituting the following—  
“Plan”.

#### **Clause 6 amended**

8. Clause 6 of the principal Plan is amended by—

- (a) deleting “professional fisherman’s licence issued pursuant to the Regulations” and substituting the following—  
“commercial fishing licence”; and
- (b) deleting “licensee, nominated operator or nominated person” and substituting the following—  
“nominated operator specified on a licence or a nominated diver fishing under the directions of a nominated operator specified on a licence”.

#### **Clause 7 deleted and substituted**

9. Clause 7 of the principal Plan is deleted and the following clause substituted—

##### **“Licences**

7. (1) No further licences shall be granted after the day on which the *Marine Aquarium Fish Management Plan Amendment 1999* is published in the *Gazette*.

(2) A licence shall expire on 30 June next following the day on which the licence was granted or last renewed.”.

#### **Clause 8 deleted and substituted**

10. Clause 8 of the principal Plan is deleted and the following clause substituted—

##### **“ Items that may be specified on a licence**

8. A licence may specify the—

- (a) the name and address of the licensee;
- (b) the name and address of the nominated operator of the licence;
- (c) the name, licensed fishing boat number and length of one licensed fishing boat that may be used as the mother boat for or in connection with fishing under the authority of the licence;
- (d) the name, licensed fishing boat number and length of not more than two licensed fishing boats that may be used as auxiliary boats for or in connection with fishing from the mother boat;
- (e) the licence number;
- (f) the date of renewal;
- (g) the period for which the licence is valid; and
- (h) any conditions imposed on the licence.”.



**Clause 9 deleted and substituted**

11. Clause 9 of the principal Plan is deleted and the following clause substituted—

**“Nominated operator**

9. (1) A licensee may authorise a single natural person to be the nominated operator of the relevant licence.

(2) Where a licensee is a single natural person and the licensee has not authorised another single natural person to be the nominated operator of the licence then the licensee shall be the nominated operator of the licence.

(3) A person shall not be a nominated operator of more than one licence.

(4) The nominated operator of a licence must not at any one time give directions to more than two persons to operate as nominated divers.

(5) The nominated operator of a licence must make a contemporaneous written record of any directions given to a nominated diver and of any variation or revocation of those directions, and any such record must be kept and maintained at a safe place and must specify—

- (a) the name, address and commercial fishing licence number of the nominated diver;
- (b) the time and date on which the nominated diver was authorised to commence fishing under the directions of the nominated operator;
- (c) the substance of the directions given to the nominated diver by the nominated operator; and
- (d) the time and date on which the nominated diver ceased to be authorised to fish under the directions of the nominated operator.”.

**Clause 10 deleted and substituted**

12. Clause 10 of the principal Plan is deleted and the following clause substituted—

**“Nominated divers**

10. (1) A nominated diver must not fish for marine aquarium fish other than in accordance with the directions of the nominated operator of a licence.

(2) Where a nominated diver has been given directions to fish under the authority of a licence, the nominated diver must not accept or act in accordance with any directions of the nominated operator of another licence.”.

**Clause 11 deleted and substituted**

13. Clause 11 of the principal Plan is deleted and the following clause substituted—

**“Use of a boat in the fishery**

11. (1) A person must not use a fishing boat in the fishery to fish for marine aquarium fish unless the boat is an authorised boat.

(2) A nominated operator of a licence must not direct the use of more than one auxiliary boat in the fishery at any one time.”.

**Clause 12 amended**

14. Clause 12 of the principal Plan is amended—

(a) in sub-clause (1) by deleting “Unless otherwise authorised in writing by the Minister, a” and substituting the following—

“A”;

(b) by deleting sub-clause (2) and substituting the following—

“(2) A nominated diver must not operate in the fishery unless the nominated operator of the relevant licence is present and in control of the fishing operation.”;

(c) in sub-clause (3)(a) by deleting “licensee or”; and

(d) in sub-clause (3)(b) by deleting—

(i) “persons” and substituting “divers”; and

(ii) “professional fisherman’s licence” and substituting “commercial fishing licence”.

**Clause 13 deleted and substituted**

15. Clause 13 of the principal Plan is deleted and the following clause substituted—

**“Grounds for refusal to transfer a licence**

13. The Executive Director may refuse to transfer a licence if the licence is subject to a condition stating that the licence is not transferable.”.

**Clauses 15 and 16 deleted and substituted**

16. Clauses 15 and 16 of the principal Plan are deleted and the following clauses substituted—

**“Procedure before amending this Plan**

15. For the purposes of section 65 of the Act, the licensees are the persons that are to be consulted before this Plan is amended or revoked.

**Offences**

16. A person who contravenes a provision of clause 5, 6, 9, 10, 11 or 12 commits an offence.”.

**Schedule deleted**

17. The Schedule to the principal Plan is deleted.

[\*Published in the Gazette of 22 September 1995. For amendments to 4 January 1999 see the Marine Aquarium Fish Management Plan Amendment 1996 published in the Gazette of 2 August 1996 and the Marine Aquarium Fish Management Plan Amendment 1997 published in the Gazette of 8 August 1997. See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices under the Fisheries Act 1905 immediately before the commencement of those regulations.]

Dated this 29th day of January 1999.

MONTY HOUSE, Minister for Fisheries.

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**LAND ADMINISTRATION**

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**LA401****LICENSED SURVEYORS' ACT 1909**

APPOINTMENT OF

THE LAND SURVEYORS LICENSING BOARD

DOLA File 3553/895v7

His Excellency the Governor in Executive Council has been pleased to approve, under Section 4 of the Licensed Surveyors' Act 1909, the appointment of Cherilyn Miranda Randolph, Colin Neil Shipp, Raymond Joseph Benetti, Barry George Cribb, and Anthony John Snow as members of the Land Surveyors' Licensing Board for the year ending 31 December 1999.

HENRY HOUGHTON, Chairman,  
Land Surveyors Licensing Board.

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**LOCAL GOVERNMENT**

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**LG401****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Town of Victoria Park*

CLOSURE OF PRIVATE STREET

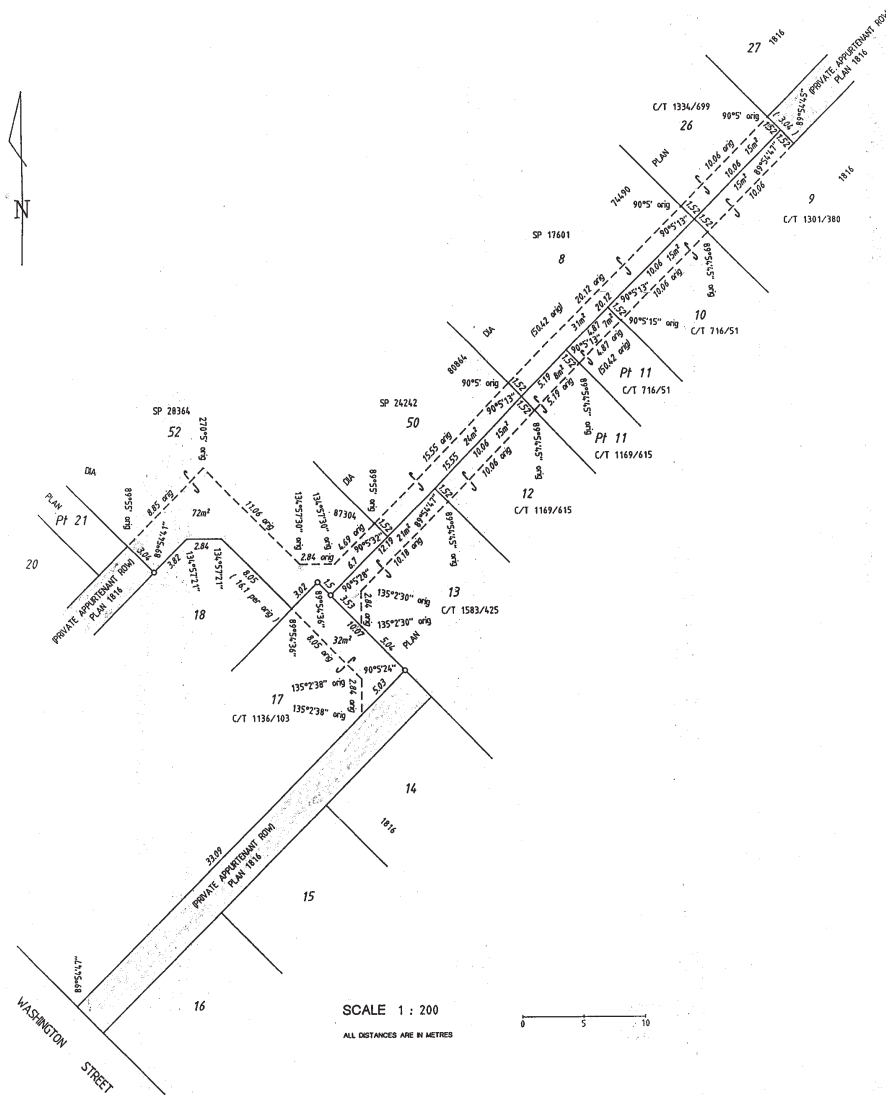
Department of Local Government,  
Perth, 9 February 1999.

LG: V14-12

It is hereby notified for public information that the Governor has approved under section 297A of the *Local Government (Miscellaneous Provisions) Act 1960*, the resolution passed by the Town of Victoria Park that that portion of the private street which is described as being portion of Swan Location 36, being portion of the land coloured brown on Plans 1816, and being part of the land contained in Certificate of Title Volume 237 Folio 63 be closed, and the land contained therein be amalgamated with adjoining Lot 17 Washington Street, Lots 8, 26, 50 and 52 Geddes Street and Lots 9, 10, Pt Lot 11 (contained in Certificate of Title Volume 1169 Folio 615), Pt Lot 11 (contained in Certificate of Title Volume Volume 716 Folio 51) 12 and 13 Cargill Street, Victoria Park, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,  
Department of Local Government.

Schedule  
Plan No. 23240




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## MINERALS AND ENERGY

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MN401\*

STATE OF WESTERN AUSTRALIA  
**PETROLEUM (SUBMERGED LANDS) ACT 1982**  
 GRANT OF RETENTION LEASE

RETENTION LEASE NO.S TR/1 AND TR/2 held by Apache Northwest Pty Ltd, Apache Harriet Pty Ltd, Apache Varanus Pty Ltd, Apache UK Limited, Kufpec Australia Pty Ltd, Hardy Petroleum Limited, Tap (Harriet) Pty Ltd and New World Oil & Developments Pty Ltd were granted for a period of five (5) years with effect from 1 February 1999.

W. L. TINAPPLE, Director Petroleum Operations Division.

**MN402\***

STATE OF WESTERN AUSTRALIA  
**PETROLEUM PIPELINES ACT 1969**  
 GRANT OF PIPELINE LICENCE No. PL44

Pipeline Licence PL44 held by CMS Gas Transmission of Australia, was granted by the Minister for Mines for a period of Twenty one (21) years to have effect from the 3 February 1999.

W. L. TINAPPLE, Director Petroleum Operations Division.

## PLANNING

**PD401\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF BAYSWATER*  
 TOWN PLANNING SCHEME No. 21—AMENDMENT No. 71

Ref: 853/2/14/25, Pt 71.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Bayswater Town Planning Scheme Amendment on 1 February, 1999 for the purpose of rezoning Lots 107 and 108 Nolan Place and Pt Lot 68 Garratt Road, from "Medium Density Residential R25" to "Medium Density Residential R30".

J. D'ORAZIO, Mayor.  
 K. SPROAT, Acting Chief Executive Officer.

**PD402\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF BELMONT*  
 TOWN PLANNING SCHEME No. 11—AMENDMENT No. 120

Ref: 853/2/15/10, Pt 120.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Belmont Town Planning Scheme Amendment on 1 February, 1999 for the purpose of including Lots 5181 and 13 (210-212) Great Eastern Highway, Ascot under Schedule 11 with the additional use permit of "Convenience Store".

P. R. PASSERI, Mayor.  
 B. R. GENONI, Chief Executive Officer.

**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF ROEBOURNE*  
 TOWN PLANNING SCHEME No. 6—AMENDMENT No. 56

Ref: 853/8/5/4, Pt 56.

Notice is hereby given that the local government of the Shire of Roebourne has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 1925 Ridley Street, Karratha from "Residential R30" to "Residential R40".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Welcome Road, Karratha 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 23 March 1999.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before 23 March 1999.

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

T. S. RULAND, Chief Executive Officer.

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**POLICE**

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**PE501****POLICE ACT 1892**

Under the provisions of the Police Act, Unclaimed and Stolen Property will be sold by Public Auction at the premises of Ronald Scott, trading as Snowball Auctions, Auctioneer, of 89 Frederick Street, Albany, at approximately 9.00am on Friday 26th February 1999.

Auction will be conducted by Ronald Scott, Auctioneer.

R. FALCONER, Commissioner of Police.

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**PUBLIC NOTICES**

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

## Notice to Creditors and Claimants

Michael Colevas, late of 78 Woolwich Street, Leederville in the State of Western Australia, Invalid Pensioner deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) for the deceased's estate who died on 2 December 1998 are required by me the trustee, Alexander Regos of 23 Heatherton Mews, Hillarys in the State of Western Australia, Retired to send particulars of your claims to me by 10 March 1999, after that date I will convey or distribute the assets with regard to only the claims of which I have notice.

**ZZ401****CORPORATIONS LAW**

Form 205—Section 491(2)

**NOTIFICATION OF RESOLUTION**

Greenbank Pastoral Company Pty Ltd

A.C.N. 008 756 625

Take notice that at a meeting of members of Greenbank Pastoral Company Pty Ltd duly convened and held at 46 Sadler Drive, Gooseberry Hill on 29 January 1999 it was resolved that the company would be wound up voluntarily and that Elizabeth and Maurice Maroney be appointed Joint and Several Liquidators.

Dated this 29th day of January 1999.

ELIZABETH MARONEY, Director.

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