

# WESTERN AUSTRALIAN GOVERNMENT Gazette

3181



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

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

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

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- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

## **ADVERTISING RATES AND PAYMENTS**

EFFECTIVE FROM 1 JULY 1999.

Deceased Estate notices, (per estate)—\$17.80

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$41.50

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Per Column Centimetre—\$8.20

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

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

## **PUBLISHING ALTERATIONS**

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.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

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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## PROCLAMATIONS

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AA101

**PUBLIC AND BANK HOLIDAYS ACT 1972**

## PROCLAMATION

WESTERN AUSTRALIA	}	By the Honourable David Andrew Ipp, deputy of the Governor of the State of Western Australia.
D. A. Ipp,		
Deputy of the Governor.		
[L.S.]		

I, the deputy Governor, acting under section 8 of the *Public and Bank Holidays Act 1972* and with the advice and consent of the Executive Council, declare that instead of Monday 27 September 1999, Thursday 12 August 1999 shall be the Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign in 1999, in the townsite of Onslow.

Given under my hand and the Public Seal of the State on 29 June 1999.

By command of the deputy of the Governor,

CHERYL EDWARDES, Minister for Labour Relations.

GOD SAVE THE QUEEN !

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AA201

**PERTH PARKING MANAGEMENT ACT 1999**

14 of 1999

## PROCLAMATION

WESTERN AUSTRALIA	}	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.
P. M. Jeffery,		
Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the *Perth Parking Management Act 1999* and with the advice and consent of the Executive Council, fix 16 July 1999 as the day on which the provisions of that Act come into operation.

Given under my hand and the public Seal of the State on 13 July 1999.

By Command of the Governor,

MURRAY CRIDDLE, Minister for Transport.

GOD SAVE THE QUEEN !

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**Note for Information**

The commencement of the *Perth Parking Management Act 1999*, as fixed by the above proclamation, also brings into operation the *Perth Parking Management Regulations 1999* as published in this *Gazette*.

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**AGRICULTURE**

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**AG301\***

Stock (Identification and Movement) Act 1970

**Stock (Identification and Movement)  
Amendment Regulations 1999**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Stock (Identification and Movement) Amendment Regulations 1999*.

**2. Schedule 2 amended**

Schedule 2 to the *Stock (Identification and Movement) Regulations 1972\** is amended by deleting "38.00" in each place it occurs and inserting instead —

“ 43.00 ”

[\* Reprinted as at 7 June 1995.

For amendments to 28 June 1999 see 1998 Index to  
Legislation of Western Australia, Table 4, p. 294.]

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

**AG302\***

Plant Diseases Act 1914

**Plant Diseases Amendment Regulations (No. 6)  
1999**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Plant Diseases Amendment Regulations (No. 6) 1999*.

**2. Schedule 2 amended**

Schedule 2 to the *Plant Diseases Regulations 1989*\* is amended as follows:

- (a) in item 1 —
  - (i) by deleting “14” in both places where it occurs and inserting instead —  
“ 15.50 ”;
  - (ii) by deleting “22” and inserting instead —  
“ 24 ”; and
  - (iii) by deleting “33” and inserting instead —  
“ 48 ”;
- (b) in item 2 —
  - (i) by deleting “18” in both places where it occurs and inserting instead —  
“ 20 ”;
  - (ii) by deleting “27” and inserting instead —  
“ 30 ”; and
  - (iii) by deleting “33” and inserting instead —  
“ 48 ”;
- (c) in item 3 —
  - (i) by deleting “148” and inserting instead —  
“ 160 ”;
  - (ii) by deleting “18” in both places where it occurs and inserting instead —  
“ 20 ”; and
  - (iii) by deleting “218” and inserting instead —  
“ 240 ”.

[\* Reprinted as at 7 July 1997.

*For amendments to 29 June 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 235 -236, and Gazette 9 and 23 March and 4 and 22 June 1999.]*

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

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**ENERGY**

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EC301\*

Energy Corporations (Powers) Act 1979

**Gas Corporation (Charges) Amendment  
By-laws 1999**

Made by the Gas Corporation with the approval of the Governor in Executive Council.

**1. Citation**

These by-laws may be cited as the *Gas Corporation (Charges) Amendment By-laws 1999*.

**2. The by-laws amended**

The amendments in these by-laws are to the *Gas Corporation (Charges) By-laws 1996\**.

[\* *Published in Gazette 25 June 1996, pp. 2865-74.*

*For amendments to 1 July 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 77.]*

**3. By-law 3 amended**

By-law 3 is amended by deleting the definition of “maximum endorsed industry price of automotive distillate”.

**4. Schedule 1 amended**

Schedule 1 is amended in Tariff L3 by deleting item 2(b) and inserting instead —

“

- (b) 4.84 cents per unit for all units over 100 units per day.

”

**5. Schedule 2 amended**

Schedule 2 is amended in Tariff A4 as follows:

- (a) in item 1(1) by deleting “7.92” and inserting instead —  
“ 8.71 ”;
- (b) in item 1(2)(a) by deleting “7.92” and inserting instead —  
“ 8.71 ”;
- (c) in item 1(2)(b) by deleting “3.96” and inserting instead —  
“ 4.36 ”;

- (d) in item 2(a) by deleting “5.77” and inserting instead —  
 “ 6.35 ”;
- (e) by deleting item 2(b) and inserting instead —  
 “  
 (b) 5.32 cents per unit for all units over 100 units per  
 day.  
 ”.

The common seal of )  
 the Gas Corporation was )  
 affixed in the presence of — )

PHIL HARVEY  
 Director

MURRAY KING  
 Executive Officer

Approved by the Governor,

ROD SPENCER, Clerk of the Executive Council.

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## JUSTICE

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JM301\*

Supreme Court Act 1935

## Supreme Court Amendment Rules 1999

Made by the Judges of the Supreme Court.

### 1. Citation

These Rules may be cited as the *Supreme Court Amendment Rules 1999*.

### 2. The Rules amended

The amendments in these Rules are to the *Rules of the Supreme Court 1971*\*.

[\* Reprinted as at 21 November 1994.

For amendments to 23 April 1999 see 1998 Index to  
 Legislation of Western Australia, Table 4, pp. 296-7.]

### 3. Order 29A amended

- (1) Order 29A Rule 3(2)(k) is amended by deleting “(f)” and inserting instead —  
 “ (j) ”.
- (2) Order 29A Rule 6(3) is amended as follows:
- (a) by deleting “writ is issued” and inserting instead —  
 “ case is commenced ”;
- (b) by inserting after “of the writ” —  
 “ , originating motion or originating summons ”;
- (c) by deleting “to the writ” and inserting instead —  
 “ in the case ”.
- (3) Order 29A Rule 6(6) is amended as follows:
- (a) at the end of paragraph (c) by deleting the full stop and inserting a semicolon instead;
- (b) after paragraph (c) by inserting the following paragraph —  
 “  
 (d) make an order that Rule 7 does not apply to the case.  
 ”.
- (4) Order 29A Rule 7(1) is amended by deleting “A Case” and inserting instead —  
 “ Subject to any order made under Rule 6(6)(d), a Case ”.

### 4. Order 36 amended

- (1) Order 36 Rule 12 is amended as follows:
- (a) at the end of paragraph (1) by deleting the full stop and inserting instead —  
 “  
 , unless it is a subpoena for which leave to serve the subpoena in New Zealand is to be sought pursuant to Order 39A in which case the writ of subpoena shall be in accordance with Form No. 23.  
 ”;
- (b) in paragraph (1a) —
- (i) after subparagraph (a) by deleting “and”;
- (ii) at the end of subparagraph (b) by deleting the comma and inserting instead —  
 “ ; or ”;



- (iii) after subparagraph (b) by inserting the following subparagraph —

“

- (c) Form 23A, if the person to whom the writ is addressed is to be served by leave of the Court under Order 39A,

”.

- (2) After Order 36 Rule 18(2) the following subrule is inserted —

“

- (3) This Rule does not apply to a subpoena served, or to be served, by leave of the Court under Order 39A.

”.

## 5. Order 37 amended

Order 37 Rule 6(2) is deleted and the following subrules are inserted instead —

“

- (2) An affidavit used for the purposes of —
- (a) interlocutory proceedings; or
  - (b) an application under the —
    - (i) *Coroners Act 1996*;
    - (ii) *Surveillance Devices Act 1998*; or
    - (iii) *Witness Protection (Western Australia) Act 1996*,

may contain statements of information or belief.

- (2a) An affidavit containing statements of information or belief must set out the sources or grounds of that information or belief.

”.

## 6. Order 39A inserted

After Order 39 the following Order is inserted —

“

### Order 39A

#### Trans-Tasman proceedings

##### 1. Interpretation

- (1) In this Order, unless the contrary intention appears —  
**“the Act”** means the *Evidence and Procedure (New Zealand) Act 1994* of the Commonwealth.
- (2) Unless the contrary intention appears, an expression used in this Order and in the Act has the same meaning as in the Act.

**2. Application**

- (1) This Order applies to proceedings to which the Act applies.
- (2) Subject to this Order, unless the contrary intention appears, these Rules apply to proceedings referred to in this Order.

**3. Leave to serve subpoena**

- (1) Leave to serve a subpoena in New Zealand must be sought by filing —
  - (a) if the subpoena was issued by the Court, a motion in that proceeding; or
  - (b) if the subpoena was issued by an inferior court, an originating motion to be heard *ex parte*.
- (2) The motion must be supported by an affidavit annexing a copy of the subpoena and setting out —
  - (a) the name, designation or occupation, and address of the person named and whether that person is over 18 years of age;
  - (b) the nature and significance of the evidence required from the person named, or of the document or thing required to be produced by the person;
  - (c) details of the steps taken to ascertain whether the evidence, document or thing could be obtained by other means without significantly greater expense, and with less inconvenience, to the person named;
  - (d) the date by which it is intended to serve the subpoena;
  - (e) details of —
    - (i) the calculation of the sum sufficient to meet reasonable expenses in complying with the subpoena; and
    - (ii) how those expenses are to be paid, or tendered, to the person named, in money or in vouchers;
  - (f) where the subpoena requires the person named to give evidence, an estimate of the time that the person will be required to attend to give evidence; and
  - (g) details of any facts or matters known to the deponent which may provide cause for the subpoena to be set aside under section 14(2) or (3) of the Act.

- (3) Before granting leave under the Act to serve a subpoena, a Judge may require the applicant for leave to undertake to meet the expenses reasonably incurred by the person named, not being a party to the proceeding, in complying with the subpoena, if those expenses exceed the allowances and travelling expenses to be provided to that person at the time of service of the subpoena.
- (4) No document relating to an application under this Rule is to be searched, inspected or copied without leave of a Judge.

#### **4. Setting aside subpoena**

- (1) An application to the Court under section 13 of the Act must be made in accordance with Form No. 31A.
- (2) The application must be supported by an affidavit setting out the facts and grounds on which the application is based.
- (3) The application must —
  - (a) be headed with the heading on the copy order of the Court granting leave to serve the subpoena; and
  - (b) be filed, by lodgment or by fax, at the Central Office.
- (4) The application must set out the applicant's address for service in Australia or New Zealand, telephone number and, if applicable, fax number.
- (5) If the application is filed by fax, the Principal Registrar must acknowledge, by fax, the receipt of a clear and legible copy of the application and accompanying affidavit.
- (6) The Principal Registrar must deliver a copy of the application and accompanying affidavit, by mail, or fax, to the address for service of the party who obtained leave to serve the subpoena.
- (7) An application made under this Rule is to be determined at a date, time and place and in a manner directed by the Court.
- (8) An objection under section 14(4) of the Act must be made by filing a notice in accordance with Form No. 31B not later than 7 days after —
  - (a) if the objection is made by the person named in the subpoena, the date on which the application was filed; or

- (b) otherwise, the date on which the application is served on the party who obtained leave to serve the subpoena.
- (9) A request under section 14(6) of the Act that is not made in the application must be made by filing a form in accordance with Form No. 31C.

**5. Failure to comply with subpoena**

- (1) A certificate under section 16 of the Act, in accordance with Form No. 31D, may be issued on the motion of the court out of which the subpoena was issued or on the application of a party.
- (2) Application for the issue of a certificate may be made —
- (a) if the proceeding in which the certificate is brought is then before the court, orally, accompanied by a draft certificate in accordance with Form No. 31D; or
  - (b) by motion.
- (3) An application made by motion for the issue of a certificate must be supported by —
- (a) an affidavit of service of the subpoena, the order and the notice referred to in section 10(3) of the Act; and
  - (b) an affidavit stating —
    - (i) particulars of the order granting leave to serve the subpoena;
    - (ii) whether application was made to set aside the subpoena and, if so, particulars of the application and any orders made; and
    - (iii) that the subpoena was not complied with.

**6. Evidence by video link or telephone**

- (1) An application for a direction under section 25 of the Act may be made orally or by summons.
- (2) The application must be supported by an affidavit stating —
- (a) the reasons why such a procedure is desirable;
  - (b) the nature of the evidence to be taken;
  - (c) the number of witnesses to be examined;
  - (d) the expected duration of the evidence;
  - (e) whether issues of character are likely to be raised;

- (f) in the case of submissions, the expected duration of the submissions;
  - (g) the facilities available for such a procedure or that can reasonably be made available; and
  - (h) that the requirements of section 26 or 27 of the Act can be met.
- (3) In deciding whether to grant the application, the Court may take account of the matters set out in the applicant's affidavit in addition to any other matters considered to be material, including cost and convenience to witnesses and all parties.
- (4) If the Court determines that it is appropriate to hear evidence or receive submissions by video link or telephone, the Principal Registrar may be directed to arrange and coordinate the appropriate facilities in Australia and New Zealand.
- (5) Without limiting the generality of subrule (4), the Court may direct that —
- (a) the Principal Registrar arrange for the evidence to be given, or the submissions to be made, at the High Court of New Zealand or at another place approved by the High Court of New Zealand; or
  - (b) an officer of the High Court of New Zealand, or another person approved by the Court, be requested to be present to assist in the transmission of the evidence or submissions, and, in particular to —
    - (i) introduce witnesses to be called and legal representatives;
    - (ii) assist with the administration of oaths, if necessary; and
    - (iii) assist with the implementation of any directions or requests given or made by the Judge or other person presiding in the proceeding.

## 7. Fax copies

If a fax of a document is adduced in evidence under Part 6 of the Act, the party adducing that evidence must file in the Central Office a copy of the fax —

- (a) on paper of durable quality measuring about 295 mm in length and 210 mm in width; and
- (b) on which the writing is permanent,

unless the fax meets those specifications.

”.

**7. Order 60 amended**

After Order 60 Rule 1(1C) the following subrule is inserted —

“

- (1D) A Master shall have power to hear and determine all applications under Parts 2 and 4 of the *Evidence and Procedure (New Zealand) Act 1994* of the Commonwealth.

”.

**8. Order 60A amended**

- (1) Order 60A Rule 1 is amended by inserting before paragraph (a) the following paragraph —

“

- (aa) under Order 36A, the powers of the Court in relation to expert evidence;

”.

- (2) Order 60A Rule 2(1) is amended by inserting before “Order 73” —

“ Order 66 ”.

- (3) After Order 60A Rule 2 the following Rule is inserted —

“

**2A. Applications within Registrar’s jurisdiction to be made to Registrar**

An application in relation to a power of the Court that is exercisable by a Registrar or Case Management Registrar shall be made to a Registrar or Case Management Registrar, as the case requires, unless —

- (a) the application or matter has been referred under Rule 3 to a Master or to the Court; or  
 (b) a Judge or Registrar has granted leave for the application to be made to a Master or to a Judge.

”.

- (4) After Order 60A Rule 5(1) the following subrule is inserted —

“

- (1a) The appeal shall be commenced and proceed on the file in which the action was commenced.

”.

**9. Order 65A amended**

- (1) Order 65A Rule 2(b) is amended by deleting “made” and inserting instead —

“ filed and served on the clerk of petty sessions ”.

- (2) After Order 65A Rule 2 the following Rule is inserted —

“

**2AA. Clerk to forward petty sessions court record**

The clerk of petty sessions served under Rule 2(b) shall deliver to the Registrar the Court of Petty Sessions' record relating to the matter the subject of the appeal including —

- (a) all exhibits;
- (b) the transcript of evidence; and
- (c) any notes or transcripts of reasons for decision and sentencing remarks.

”.

- (3) Order 65A Rule 7 is repealed and the following Rule is inserted instead —

“

**7. Clerk to notify justices**

The clerk of petty sessions to whom notice is given under Rule 6(1) shall, as soon as is practicable, give a copy of the application and order granting leave to the justices whose decision is subject to appeal.

”.

**10. Order 67 amended**

After Order 67 Rule 11(1) the following subrule is inserted —

“

- (1a) Rule 1 does not apply in relation to documents filed, or judgments or orders made, in any cause or matter under the *Witness Protection (Western Australia) Act 1996* or the *Surveillance Devices Act 1998*.

”.

**11. Second Schedule amended**

- (1) Form No. 18A in the Second Schedule is amended by inserting before “Dated” —

“

A copy of the memorandum referred to in Order 59 Rule 9(1) is attached as Annexure [A] to this application.

”.

- (2) After Form No. 22B in the Second Schedule the following forms are inserted —

“

**No. 23**

[O.36 R.12(1)]

**WRIT OF SUBPOENA: FOR SERVICE IN NEW ZEALAND**

*(Heading as in cause or matter)*

Elizabeth the Second *(as in No. 22)*

To *[names of witnesses]*:

We command you to attend before

at \_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_,  
at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, and from day to day thereafter until  
the end of the trial, to give evidence on behalf of the plaintiff *[or defendant]*\*.

Witness *(as in No. 22)*

Issued *(as in No. 22)*

- Note:
1. Failure to comply with this subpoena may result in your arrest and the imposition of a fine under section 16 of the *Evidence Amendment Act 1994* of New Zealand.
  2. Service of this subpoena is effective only if it is accompanied by a copy of the order giving leave to serve the subpoena in New Zealand and by a Notice to Witness setting out your rights and obligations in relation to this subpoena.

*\*If duces tecum add:* And we also command you to bring with you and produce at the time and place aforesaid *[here describe the documents or things to be produced]*, unless you produce this subpoena and those documents or things either —

- (a) to the Central Office of the Supreme Court not later than 2 days before the first day on which you are required to attend; or
- (b) to a registry of the High Court of New Zealand not later than 10 days before the first day on which you are required to attend (in which case you must obtain from the Registrar of the High Court of New Zealand a receipt of the documents or things produced and send a copy of the receipt by fax to the Central Office of the Supreme Court together with a copy of the subpoena).

---

**No. 23A**

[O.36 R.12(1a)]

**NOTICE TO WITNESS**

**THIS NOTICE IS VERY IMPORTANT**

**PLEASE READ IT AND THE ATTACHED DOCUMENT  
OR DOCUMENTS VERY CAREFULLY**

**IF YOU HAVE ANY TROUBLE UNDERSTANDING  
THESE DOCUMENTS YOU SHOULD GET LEGAL  
ADVICE AS SOON AS POSSIBLE**

Attached to this notice is a subpoena.

The subpoena has been issued by the Supreme Court of Western Australia.

The subpoena may be served in New Zealand under New Zealand law (section 14 of the *Evidence Amendment Act 1994* of New Zealand).

This notice:

- sets out your rights relating to the subpoena;



- sets out your obligations relating to the subpoena; and
- includes information about the way in which you may make an application to have the subpoena set aside.

#### **YOUR RIGHTS**

1. You are entitled to receive payment of an amount equal to the reasonable expenses you incur in complying with the subpoena.
2. An amount of money, or money and vouchers, that is sufficient to meet your reasonable expenses of complying with the subpoena must be given to you within a reasonable time before the date for compliance with the subpoena (see below: “**YOUR OBLIGATIONS**”).
3. If, in complying with the subpoena, you incur expenses that are more than the amount that was given to you before you complied, you may obtain an order from the [court that issued the subpoena] that you be paid the additional amount you incurred.
4. You may apply to the Supreme Court to have the subpoena wholly or partly set aside. If you wish to apply to have the subpoena set aside you should get legal advice as soon as possible.
5. An application can be made and determined by the Supreme Court without you having to go to Australia, or to retain Australian solicitors. All the necessary arrangements can be made in New Zealand.

[NOTE: Details of some of the grounds on which a subpoena can be set aside and the procedures for setting aside a subpoena are set out at the end of this notice.]

#### **YOUR OBLIGATIONS**

1. Unless the subpoena is set aside, you must comply with the subpoena if —
  - (a) when the subpoena was served on you, or at some reasonable time before the date specified in the subpoena for compliance with it, you were offered or given either —
    - (i) enough money to meet your reasonable expenses in complying with it, including any travel and accommodation expenses; or
    - (ii) a combination of money and vouchers (for example, travel tickets) to meet those expenses;
  - (b) you were given with the subpoena a copy of an order by a Judge giving leave to serve the subpoena in New Zealand;
  - (c) the subpoena was served on you before or on the date specified in the order as the last day on which the subpoena may be served;
  - (d) service of the subpoena complied with any other conditions specified in the order; and
  - (e) you are over 18 years of age.
2. If the subpoena only requires you to produce documents or things, it must specify the date on which the documents or things are required for production in the court that issued the subpoena. You may comply with the subpoena by producing the documents or things at a registry of the High Court of New Zealand at least 10 days before the date specified in the subpoena. When you produce the documents or things at the registry you will be required to produce the subpoena and to pay the cost of sending the documents or things to the court that issued the subpoena. You will be able to pay that cost out of the money given to you to meet your reasonable expenses of complying with the subpoena.

#### **FAILURE TO COMPLY WITH THE SUBPOENA**

If you do not comply with this subpoena you may be arrested and taken before the High Court of New Zealand. Unless the High Court is satisfied that failure to comply should be excused, a fine not exceeding NZ\$10 000 may be imposed.

#### **GROUND FOR SETTING ASIDE A SUBPOENA**

1. The Supreme Court must set aside the subpoena if the subpoena requires you to attend at a place in Australia and —
  - (a) you do not have necessary travel documents and cannot reasonably get them within the time allowed for compliance with the subpoena;
  - (b) if you complied with the subpoena, you would be liable to be detained for the purpose of serving a sentence;
  - (c) you are being prosecuted or you are liable to prosecution for an offence in Australia;

- (d) you are liable to the imposition of a penalty in civil proceedings in Australia (other than proceedings under the *Trade Practices Act 1974* of Australia); or
  - (e) you are subject to a restriction on your movements imposed by law or an order of a court that is inconsistent with you complying with the subpoena (for example, bail conditions, release conditions or terms of a community based sentence).
2. The grounds on which the Supreme Court may set aside the subpoena include —
- (a) the evidence you give in the proceedings can be obtained satisfactorily by other means without significantly greater expense;
  - (b) compliance with the subpoena would cause you hardship or serious inconvenience;
  - (c) if the subpoena requires you to produce a document or thing and —
    - (i) that document or thing should not be taken out of New Zealand; and
    - (ii) satisfactory evidence of the contents of the document or satisfactory evidence of the thing can be given by other means.

[NOTE: The above list does not include all the matters the Court will consider in an application to set aside a subpoena, but if any of the matters in the list apply to you they should be included in your application.]

#### **PROCEDURE FOR APPLYING TO SET ASIDE A SUBPOENA**

1. Application must be made to the Supreme Court.
2. You may fax your application to that Court on fax number [*fax number of the Supreme Court*].
3. Your application must contain an address for service in New Zealand or Australia. Any documents to be served on you will be delivered, faxed or posted to you at that address.
4. The Principal Registrar of the Supreme Court will arrange for service of your application and of any affidavit you lodge with the Court with your application.
5. The Supreme Court may determine your application without a hearing unless you, or the person who requested that the subpoena be issued, asks for a hearing.
6. If there is a hearing the Supreme Court can direct that it be held by video link (that is, a conference television link) or telephone. In that case you or your lawyer can take part in the hearing by video link or by telephone from a place in New Zealand.
7. If, in your application or within a reasonable time after lodging your application, you request that the hearing be held by video link or telephone, the Supreme Court must hold a hearing by video link or telephone. However, in such a case, the Supreme Court will determine whether video link or telephone will be used.

”.

- (3) After Form No. 31 in the Second Schedule the following forms are inserted —

“

#### **No. 31A**

[O.39A R.4(1)]

#### **APPLICATION FOR SUBPOENA TO BE SET ASIDE**

*(Heading as in order for leave to issue subpoena)*

1. The applicant seeks an order that the subpoena [identify subpoena] be set aside on the grounds appearing in the accompanying affidavit.
2. The applicant requests the Court's directions as to the manner in which this application is to be determined.

- 3.\* The applicant requests that any hearing of this application be held by video link or telephone.

Dated:

[Signature of applicant  
or applicant's solicitor]

[Applicant's address, telephone  
number and, if applicable,  
fax number for service.]

\*[Delete if not required]

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**No. 31B**

[O.39A R.4(8)]

**OBJECTION TO DETERMINATION WITHOUT  
HEARING**

*(Heading as in order for leave to issue subpoena)*

The [identify person] objects to the application to set aside the subpoena [identify subpoena] being determined without a hearing.

Dated:

[Signature of applicant  
or applicant's solicitor]

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**No. 31C**

[O.39A R.4(9)]

**REQUEST FOR HEARING BY VIDEO LINK OR  
TELEPHONE**

*(Heading as in order for leave to issue subpoena)*

The applicant requests that the hearing of the application to set aside the subpoena [identify subpoena] be held by video link or telephone.

Dated:

[Signature of applicant  
or applicant's solicitor]

---

**No. 31D**

[O.39A R.5]

**CERTIFICATE OF NON-COMPLIANCE WITH  
SUBPOENA**

To: The High Court of New Zealand  
[Address]

The [name of court that issued the subpoena] respectfully requests you to exercise your powers under section 16 of the *Evidence Amendment Act 1994* of New Zealand in relation to non-compliance by [name of person subpoenaed] with a subpoena issued by the [name of court that issued the subpoena] and for which leave to serve in New Zealand was given by the Supreme Court of Western Australia under the *Evidence and Procedure (New Zealand) Act 1994* on [insert date of leave].

A copy of the subpoena and a copy of the order giving leave to serve in New Zealand are annexed to this certificate.

[Either]

No application to set aside the subpoena either wholly or in part has been made.

[Or]

An application to set aside the subpoena was dismissed by order made on [*insert date*]. A copy of this order is annexed to this certificate.

Dated:

BY THE COURT

[*Signature of appropriate officer*]

*Note: The seal of the court is to be affixed.*

”.

## 12. Fifth Schedule amended

After Part 1, item 1A in the Second Schedule the following item is inserted —

“

1B.	Commencing an appeal to which O. 60A r.4 applies	200.00
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”.

Dated: 11th May 1999.

DAVID K. MALCOLM, CJ  
Chief Justice's signature

G. A. KENNEDY, J

K. H. PARKER, J

W. P. PIDGEON, J

H. WALLWORK, J

M. J. MURRAY, J

R. J. M. ANDERSON, J

K. WHITE, J

G. F. SCOTT, J

A. J. TEMPLEMAN, J

C. D. STEYTLER, J

Judges' signatures

JM302\*

Supreme Court Act 1935

**Supreme Court Amendment Rules (No. 2) 1999**

Made by the Judges of the Supreme Court.

**1. Citation**

These Rules may be cited as the *Supreme Court Amendment Rules (No. 2) 1999*.

**2. Commencement**

These Rules come into operation on which the *Public Notaries Amendment Act 1997* comes into operation.

**3. The Rules amended**

The amendments in these Rules are to the *Rules of the Supreme Court 1971*\*.

[\* Reprinted as at 21 November 1994.

For amendments to 23 April 1998 see 1998 Index to Legislation of Western Australia, Table 4, pp. 296-7.]

**4. Order 76 amended**

Order 76 Rule 8 is repealed.

**5. Sixth Schedule repealed**

The Sixth Schedule is repealed.

Dated: 11th May 1999.

DAVID K. MALCOLM, CJ  
Chief Justice's signature

G. A. KENNEDY, J

W. P. PIDGEON, J

K. H. PARKER, J

H. WALLWORK, J

M. J. MURRAY, J

R. J. M. ANDERSON, J

K. WHITE, J

G. F. SCOTT, J

A. J. TEMPLEMAN, J

C. D. STEYTLER, J

Judges' signatures

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**LOCAL GOVERNMENT**

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LG301\*

Caravan Parks and Camping Grounds Act 1995

**Caravan Parks and Camping Grounds  
Amendment Regulations 1999**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Caravan Parks and Camping Grounds Amendment Regulations 1999*.

**2. The regulations amended**

The amendments in these regulations are to the *Caravan Parks and Camping Grounds Regulations 1997*\*.

[\* Published in Gazette 20 June 1997, pp. 2871-946.]

**3. Regulation 8A inserted**

After regulation 8 the following regulation is inserted —

“

**8A. Definition of “camp” in this Part**

In this Part —

“**camp**” when used as a verb, includes to camp in a vehicle.

”.

**4. Regulation 11 amended**

- (1) Regulation 11(1) is repealed and the following subregulation inserted instead —

“

- (1) A person may camp —

- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval;
- (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;

- (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;
- (d) on any land which is —
  - (i) held by a State instrumentality in freehold or leasehold; or
  - (ii) dedicated, reserved, or set apart under the *Land Administration Act 1997* or any other written law, and placed under the care, control or management of a State instrumentality,
 in accordance with the permission of that instrumentality; or
- (e) on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the *Land Administration Act 1997*, or a person authorized by the Minister to give permission under this paragraph.

”.

## (2) Subregulation 11(2) is amended —

- (a) by inserting after “(1)” —
    - “ (a) ”;
  - (b) after paragraph (a) by deleting “or”;
- and
- (c) after paragraph (b) by deleting the full stop and inserting —

“

; or

- (c) despite paragraph (b), by the local government of the district where the land is situated —
  - (i) if such approval will not result in the land being camped on for longer than 12 consecutive months; and
  - (ii) if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.

”.

(3) After regulation 11(2) the following subregulation is inserted —

“

(3) In this regulation —

“**building licence**” means a building licence under section 374 of the *Local Government (Miscellaneous Provisions) Act 1960*;

“**emergency**” means a situation where to move the caravan or other vehicle to a more suitable area would constitute an immediate and serious hazard due to the condition of the caravan or other vehicle, or a vehicle towing the caravan, or of the driver, or passengers, of any such vehicle;

“**road side rest area**” means an area designated as such by a traffic sign erected in accordance with a written law;

“**State instrumentality**” has the same meaning as it has for the purposes of the *Land Administration Act 1997*;

“**unallocated Crown land**” has the same meaning as it has for the purposes of the *Land Administration Act 1997*;

“**unmanaged reserve**” has the same meaning as it has for the purposes of the *Land Administration Act 1997*.

”.

## 5. Schedule 8 amended

Schedule 8 is amended by deleting the definition of “camp”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

## LG302

### LOCAL GOVERNMENT ACT 1995

*Shire of Serpentine-Jarrahdale*

#### AMENDMENT TO STANDING ORDERS LOCAL LAW

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Shire of Serpentine-Jarrahdale hereby records having resolved on 28th June 1999 to make a local law amendment to its standing orders:

#### Amendment to Clause 2.2—Urgent Meetings

A meeting of Council for the purpose of dealing with an urgent situation may be called by the President or, in his/her absence, any three councillors. The Chief Executive Officer, or a person authorised by him or her, shall either personally or by telephone, facsimile or other electronic means or otherwise leave or deliver to each councillor, details of the nature of the urgency and the date, time, place and purpose of the urgent meeting. Decisions made at this meeting must be by absolute majority unless the Act specifies otherwise.



Amendment to Clause 5. Meetings—Order of Business

Clause 5.1 Ordinary Meeting—Order of Business.

The “Order of Business” for ordinary council meetings will become the “Agenda” and shall be as follows:

1. Attendances & Apologies
2. Question Time incorporating Questions, Brief Statements & Submissions
3. Response to Previous Public Questions Taken on Notice
4. Petitions, Memorials and Deputations
5. Confirmation of Previous Meetings
6. Reports of Committees and Officers
7. Motions of Which Notice has been Given
8. Announcements by Presiding Member
9. New Business of an Urgent Nature Introduced by Decision of Meeting
10. Closure

Additional Clause 5.7 Committee Meetings—Agenda

1. Attendances & Apologies
2. Question Time
3. Confirmation of Minutes
4. Agenda Items
5. Late Items
6. General Business

---

Dated this 28th June 1999.

The common seal of the Shire of Serpentine-Jarrahdale is hereunto affixed by authority of a resolution of Council in the presence of—

J. C. STAR, Shire President.  
I. M. BODILL, Chief Executive Officer.

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# — PART 2 —

## AGRICULTURE

### AG401

#### SOIL AND LAND CONSERVATION ACT 1945

Agriculture Western Australia,  
South Perth WA 6151.

Agric. 301/91

The Governor has been pleased to appoint pursuant to section 9 of the Soil and Land Conservation Act 1945, Mr Frank Batini and Mr Michael McFarlane as members of the Soil and Land Conservation Council for a term of office expiring 30 June 2002.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

## EDUCATION

### ED401\*

#### EDUCATION ACT 1978

EFFICIENT SCHOOLS AND INDEPENDENT PRE-SCHOOL AND CARE CENTRES—1999

Department of Education Services,  
Office of Non-Government Education.

In accordance with the provisions of sections 27B and 32B of the Education Act 1928, the following schools and independent pre-school and care centres are approved for the current year—

K indicates that the school/centre is registered for the kindergarten level.

PP indicates that the school/centre is registered for the pre-primary level.

P indicates that the school is registered for tuition at the primary level.

LS indicates that the school is registered for tuition beyond primary level but not beyond year ten.

US indicates that the school is registered to provide tuition beyond year ten.

Tuition Level		Name		Location		
<b>Efficient Schools</b>						
	P	LS	Aboriginal Community College	Gnangara		
K	PP	P	Al-Hidayah Islamic School	Bentley		
	PP	P	All Saints College	Bullcreek		
	P	LS	Aquinas College	Manning		
		LS	Aranmore Catholic College	Leederville		
K	PP	P	Aranmore Catholic Primary School	Leederville		
K	PP	P	LS	US	Armadale Christian College	Bedforddale
	PP	P	Armadale John Calvin Primary School	Armadale		
	PP	P	Armadale Seventh-day Adventist School	Brookdale		
K	PP	P	Assumption Catholic Primary School	Mandurah		
K	PP	P	LS	US	Australian Islamic College	Thornlie
K	PP	P	LS	US	Australian Islamic College (North Of The River)	Dianella
		LS	US	Beaufort College	Perth	
K	PP	P	Beechboro Christian School	Beechboro		
K	PP	P	Beehive Montessori School	Mosman Park		
	PP	P	LS	Bethel Christian School	Albany	
	PP	P	LS	US	Bible Baptist Christian Academy	Mount Helena
	PP	P	Bickley Valley Adventist School	Bickley		
K	PP	P	Birlirr Ngawiyiwu Catholic School	Via Halls Creek		
	PP	P	LS	US	Bunbury Cathedral Grammar School	Bunbury
		LS	US	Bunbury Catholic College	Bunbury	
		P	Bunbury Community School	Picton		
	PP	P	Byford John Calvin School	Byford		
	PP	P	Calvary Christian School	Hamilton Hill		
	PP	P	LS	Carey Baptist College	Forrestdale	
		LS	US	Carmel Adventist College	Carmel	
K	PP	P	LS	US	Carmel School	Dianella

Tuition Level			Name		Location
<b>Efficient Schools—continued</b>					
K	PP	P		Carnarvon Christian School	Carnarvon
K	PP	P		Casa Mia Montessori Community School	Bassendean
			LS	US Catholic Agricultural College	Bindoon
			LS	US Chisholm Catholic College	Bedford
			P	LS US Christ Church Grammar School	Claremont
K	PP	P		Christ The King School	Beaconsfield
			P	LS US Christian Aboriginal School	Coolgardie
K	PP	P		Christian Aboriginal School	Kurrawang
			LS	Christian Brothers Agricultural School	Tardun
			LS	US Christian Brothers College	Fremantle
K	PP	P		Chrysalis Montessori School	Osborne Park
			LS	US Clontarf Aboriginal College	Bentley
K	PP	P	LS	US Collie Catholic College	Collie
	PP	P	LS	Cornerstone Christian Community School	Busselton
			LS	US Corpus Christi College	Bateman
			LS	US Corridors Secondary Vocational College	Midland
	PP	P	LS	Culunga Aboriginal Community School	West Swan
K	PP	P		Currambine Catholic Primary School	Currambine
	PP	P		Cygnets Montessori School	Tuart Hill
K	PP	P		Dale Christian School	Armadale
	PP	P	LS	US Divine Mercy College	Rivervale
	PP	P	LS	Djarindjin Lombadina Catholic School	Lombadina
			US	Edwards Matriculation College	O'Connor
	PP	P	LS	US El Shaddai College	Wellard
K	PP	P		Ellenbrook Catholic Primary School	Ellenbrook
	PP	P		Emmanuel Christian School	Girrawheen
	PP	P		Esperance Seventh-day Adventist School	Esperance
			LS	US Foothills School	Guildford
K	PP	P		Forrestfield Christian School	Forrestfield
	PP	P		Foundation Christian School	Mandurah
	PP	P	LS	US Frederick Irwin Anglican Community School	Mandurah
K	PP	P	LS	US Geraldton Grammar School	Geraldton
K	PP	P		Golden Hill Steiner School	Denmark
	PP	P		Good Shepherd Catholic School	Lockridge
K	PP	P		Good Shepherd School	Kelmscott
K	PP	P	LS	Grace Christian School	Bunbury
			LS	Great Southern Grammar	Albany
K	PP	P	LS	US Guildford Grammar School	Guildford
			P	LS US Hale School	Wembley Downs
	PP	P		Helena College Junior School	Darlington
			P	LS US Helena College Senior School	Glen Forrest
K	PP	P		Holy Name School	Carlisle
K	PP	P		Holy Rosary School	Derby
K	PP	P		Holy Rosary School	Doubleview
K	PP	P		Holy Spirit School	City Beach
	PP	P	LS	US Hope Christian College	Roelands
K	PP	P		Infant Jesus School	Morley
			LS	US Iona Presentation College	Mosman Park
K	PP	P		Iona Primary School	Mosman Park
			LS	John Calvin School	Albany
			LS	US John Calvin Senior High School	Armadale
			LS	US John Paul College	Kalgoorlie
K	PP	P	LS	John Pujajangka Piyirn School	Lake Gregory Station
	PP	P	LS	US John Septimus Roe Anglican Community School	Mirrabooka
	PP	P	LS	US John Wollaston Anglican Community School	Kelmscott
	PP	P	LS	US John XXIII College	Claremont
K	PP	P		Kalamunda Christian School	Walliston
			P	LS Karalundi Aboriginal Education Centre	Via Meekatharra
K	PP	P	LS	US Kearnan College	Manjimup
			P	Kelmscott John Calvin School	Kelmscott
	PP	P		Kerry Street Community School	Hamilton Hill
	PP	P	LS	US Kids Open Learning School	Maylands
	PP	P	LS	US Kingsway Christian College	Landsdale
			LS	US Kolbe Catholic College	Rockingham
K	PP	P	LS	US Kulkarriya Community School	Noonkanbah Station
K	PP	P	LS	US Kururrungku Catholic Education Centre	Via Halls Creek
			LS	US La Salle College	Viveash
	PP	P	LS	US Lake Joondalup Baptist College	Joondalup
K	PP	P		Lance Holt School	Fremantle
	PP	P		Landsdale Gardens Christian School	Landsdale
K	PP	P		Leschenault Catholic Primary School	Australind
K	PP	P	LS	Living Waters Lutheran College	Warnbro

Tuition Level			Name	Location
<b>Efficient Schools—continued</b>				
K	PP	P	Liwara Catholic Primary School	Greenwood
K	PP	P	Loreto Primary School	Nedlands
		LS	US Lumen Christi College	Gosnells
K	PP	P	LS Luurnpa Catholic School	Via Halls Creek
		LS	US Mackillop Catholic College	Busselton
K	PP	P	Mackillop Catholic Primary School	Yangebup
K	PP	P	Majella Primary School	Balga
	PP	P	LS US Mandurah Catholic College	Mandurah
K	PP	P	LS US Maranatha Christian College	Waikiki
K	PP	P	Margaret River Montessori School	Margaret River
K	PP	P	Mary Mackillop Catholic Community School	Ballajura
K	PP	P	Marys Mount Primary School	Gooseberry Hill
		LS	US Mater Dei College	Edgewater
	PP	P	Matthew Gibney Catholic Primary School	High Wycombe
		LS	US Mazenod College	Lesmurdie
	PP	P	Mel Maria Catholic Primary School	Attadale
		LS	US Mercedes College	Perth
		LS	US Mercy College	Mirrabooka
K	PP	P	Mercy Primary School	Koondoola
	PP	P	Merriwa Christian School	Merriwa
K	PP	P	LS US Methodist Ladies College	Claremont
	PP	P	Midland Christian School	Middle Swan
	PP	P	Moerlina School	Mt Claremont
K	PP	P	LS US Montessori School	Kingsley
	PP	P	LS Mukinbudin Christian School	Mukinbudin
K	PP	P	Mundaring Christian School	Mundaring
		LS	US Nagle Catholic College	Geraldton
		LS	US Newman College	Churchlands
K	PP	P	Newman Junior College	Churchlands
K	PP	P	LS Ngalangangpum School	Via Kununurra
		P	LS US Nollamara Christian Academy	Nollamara
K	PP	P	Notre Dame School	Cloverdale
K	PP	P	Nyindamurra Family School Of Creativity	Forest Grove
K	PP	P	Orana Catholic School	Willetton
	PP	P	Our Lady Of Fatima School	Palmyra
K	PP	P	Our Lady Of Good Counsel School	Karrinyup
K	PP	P	Our Lady Of Grace School	North Beach
K	PP	P	Our Lady Of Lourdes School	Dardanup
K	PP	P	Our Lady Of Lourdes School	Nollamara
K	PP	P	Our Lady Of Mercy Primary School	Girrawheen
	PP	P	Our Lady Of Mount Carmel School	Hilton
K	PP	P	Our Lady Of Mount Carmel School	Mullewa
K	PP	P	Our Lady Of The Cape Primary School	Dunsborough
	PP	P	Our Lady Star Of The Sea Catholic Primary School	Esperance
	PP	P	Our Ladys Assumption School	Dianella
	PP	P	Padbury Catholic Primary School	Padbury
K	PP	P	Parklands School	Albany
K	PP	P	LS Parnngurr Community School	Via Newman
K	PP	P	LS US Penrhos College	Como
	PP	P	LS US Perth College	Mount Lawley
K	PP	P	Perth Montessori School	Victoria Park
K	PP	P	LS US Perth Waldorf School	Bibra Lake
	PP	P	Pioneer Village School	Armadale
		LS	US Port Community High School	Hamilton Hill
		LS	US Prendiville Catholic College	Ocean Reef
	PP	P	LS US Presbyterian Ladies College	Peppermint Grove
K	PP	P	LS Purnululu Aboriginal School	Via Kununurra
K	PP	P	Queen Of Apostles School	Riverton
	PP	P	LS Quinns Baptist College	Mindarie
K	PP	P	Quintilian School	Mt Claremont
K	PP	P	LS Rawa Community School	Via Newman
	PP	P	Regent College	Victoria Park
	PP	P	Rehoboth Christian Primary School	Wilson
	PP	P	Rehoboth Christian Primary School	Yangebup
		LS	US Rehoboth Christian School	Kenwick
K	PP	P	Riverlands School	Whiteman
	PP	P	Riverside Community School	Victoria Park
K	PP	P	Rockingham Family School	Rockingham
	PP	P	Rockingham John Calvin School	Baldivis

Tuition Level			Name			Location
<b>Efficient Schools—continued</b>						
K	PP	P	Sacred Heart Catholic School			Goomalling
			LS	US	Sacred Heart College	Sorrento
	PP	P	Sacred Heart Primary School			Highgate
K	PP	P	Sacred Heart Primary School			Thornlie
K	PP	P	LS		Sacred Heart School	Beagle Bay
K	PP	P			Sacred Heart School	Mundaring
K	PP	P			Santa Clara School	Bentley
			LS	US	Santa Maria College	Attadale
		P	LS	US	Scotch College	Swanbourne
			LS	US	Servite College	Tuart Hill
			LS	US	Seton Catholic College	Samson
		P	LS		Southlands Christian College	Albany
	PP	P			Speech and Hearing Centre	Wembley
K	PP	P			St Andrews Catholic Primary School	Clarkson
K	PP	P			St Andrews Greek Orthodox Grammar	Dianella
K	PP	P			St Annes School	Harvey
K	PP	P			St Anthonys School	Greenmount
K	PP	P			St Anthonys School	Wanneroo
K	PP	P			St Augustines School	Rivervale
	PP	P			St Benedicts School	Applecross
K	PP	P			St Bernadettes Catholic Primary School	Port Kennedy
K	PP	P			St Bernards School	Kojonup
K	PP	P	LS	US	St Brigids College	Lesmurdie
	PP	P			St Brigids Primary School	Middle Swan
K	PP	P			St Brigids School	Bridgetown
K	PP	P			St Cecilians College	Port Hedland
			LS	US	St Clares School	East Perth
	PP	P			St Columbas Catholic Primary School	South Perth
K	PP	P			St Columbas Primary School	Bayswater
K	PP	P			St Denis School	Joondanna
K	PP	P			St Dominics School	Innaloo
	PP	P			St Francis Xavier Primary School	Geraldton
K	PP	P			St Francis Xavier School	Armadale
K	PP	P			St Gerards Primary School	Balga
K	PP	P	LS	US	St Hildas Anglican School For Girls	Mosman Park
	PP	P			St Jeromes School	Munster
K	PP	P			St Johns School	Rangeway
K	PP	P			St Johns School	Scarborough
K	PP	P	LS	US	St Josephs College	Albany
K	PP	P			St Josephs Primary School	Bunbury
K	PP	P			St Josephs School	Boulder
K	PP	P			St Josephs School	Busselton
K	PP	P			St Josephs School	Kununurra
K	PP	P			St Josephs School	Moora
K	PP	P	LS		St Josephs School	Northam
	PP	P			St Josephs School	Pemberton
K	PP	P			St Josephs School	Pinjarra
K	PP	P			St Josephs School	Queens Park
K	PP	P			St Josephs School	Southern Cross
K	PP	P			St Josephs School	Warooka
K	PP	P			St Josephs School	Wyndham
K	PP	P			St Judes Catholic School	Langford
K	PP	P			St Kieran Primary School	Tuart Hill
	PP	P			St Lawrence Primary School	Balcatta
K	PP	P			St Lawrences Primary School	Geraldton
K	PP	P			St Lukes Catholic Primary School	Woodvale
			LS	US	St Lukes College	Karratha
K	PP	P			St Lukes Primary School	Beeliar
K	PP	P			St Maria Goretti School	Redcliffe
	PP	P	LS	US	St Marks Anglican Community School	Hillarys
			LS	US	St Marks International College	Perth
K	PP	P	LS		St Mary Star of the Sea Catholic School	Carnarvon
K	PP	P			St Mary's Primary School	Kalgoorlie
K	PP	P	LS	US	St Marys Anglican Girls School	Karrinyup
K	PP	P			St Marys Catholic Primary School	Bunbury
K	PP	P			St Marys Catholic School	Boyup Brook
K	PP	P	LS	US	St Marys College	Broome
K	PP	P			St Marys School	Donnybrook
K	PP	P			St Marys School	Merredin
K	PP	P			St Marys School	Northampton

Tuition Level			Name	Location
<b>Efficient Schools—continued</b>				
K	PP	P	St Matthews School	Narrogin
K	PP	P	St Michaels School	Bassendean
K	PP	P	St Michaels School	Brunswick Junction
	PP	P	St Munchins School	Gosnells
			LS US St Norbert College	Queens Park
	PP	P	St Patricks School	Fremantle
	PP	P	St Patricks School	Katanning
	PP	P	St Pauls Primary School	Karratha
	PP	P	St Pauls Primary School	Mount Lawley
K	PP	P	St Peters Primary School	Bedford
K	PP	P	St Pius X School	Como
	PP	P	St Simon Peter Catholic Primary School	Ocean Reef
	PP	P	LS US St Stephens School	Duncraig
K	PP	P	St Thomas More Catholic Primary School	Margaret River
K	PP	P	St Thomas Primary School	Claremont
K	PP	P	St Vincents School	Kwinana
	PP	P	Star Of The Sea School	Rockingham
K	PP	P	LS Strathalbyn Christian College	Geraldton
	PP	P	LS Strelley Community School	Via Port Hedland
			LS US Swan Christian College	Middle Swan
			US Swan College	Perth
			P LS The Japanese School In Perth	Scarborough
			P LS US Thornlie Christian College	Southern River
K	PP	P	LS Tranby College	Baldivis
K	PP	P	Treetops Montessori School	Darlington
			P LS US Trinity College	East Perth
K	PP	P	Unity Christian School	Australind
K	PP	P	LS US Ursula Frayne Catholic College	Victoria Park
			LS US WA International College	Joondalup
K	PP	P	Wanalirri Catholic School	Via Derby
	PP	P	Wandalgu Catholic Primary School	Tardun
K	PP	P	Warlawurru Catholic School	Via Halls Creek
K	PP	P	LS US Wesley College	South Perth
K	PP	P	West Coast Steiner School	Nollamara
K	PP	P	Whitford Catholic Primary School	Hillarys
K	PP	P	Wilgie View School	via Denmark
			LS US Winthrop Baptist College	Murdoch
			US Wongutha Christian Aboriginal School	Gibson
	PP	P	Woodbury Boston Primary School	Torbay
	PP	P	LS Wulungarra Independent Community School	Via Fitzroy Crossing
K	PP	P	LS Yakanarra Community School	Via Fitzroy Crossing
K	PP	P	Yallingup Steiner School	Yallingup
	PP	P	Yidarra Catholic Primary School	Bateman
K	PP	P	LS Yiyili Aboriginal Community School	Via Fitzroy Crossing
<b>Independent Pre-School &amp; Care Centres</b>				
K	PP		Banksia Montessori School	Dianella
K	PP		Blue Gum Montessori Childrens Centre	Bibra Lake
K	PP		Bold Park Community School	City Beach
K			Borden Kindergarten	Borden
K	PP		College Park Kindergarten	Nedlands
	PP		Conon Road Kindergarten	Applecross
	PP		Coolabaroo Neighbourhood Centre	Thornlie
K			Ewin Pre-School Centre	Kununurra
K	PP		Gumnut Montessori School	Claremont
K			Hensman Street Pre-School	South Perth
	PP		Kindy-Care	Kingsley
	PP		Mundaring Montessori School	Mundaring
K			Ongerup Kindergarten	Ongerup
K			Parkwood Kindergarten	Parkwood
	PP		Riverton-Willetton Kindergarten	Riverton
K			Sathya Sai School Perth	Willetton
K			St Francis Xavier Third Road Kindy	Armadale
K	PP		The Silver Tree Kindergarten	Parkerville

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## FIRE AND EMERGENCY SERVICES

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**FB401\*****BUSH FIRES ACT 1954***Shire of Koorda**Shire of Morawa*

## REVOKING OF SECTION 25B SUSPENSIONS

Fire and Emergency Services Authority,  
Perth.

Correspondence No. 00109

Pursuant to the powers contained in Section 25B of the Bush Fires Act 1954, I hereby revoke the suspensions relating to the burning of garden refuse or rubbish at—

- the Shire of Koorda's rubbish disposal site situated on Reserve No. 20237, as published in the *Government Gazette* on 15 January 1982, page 64;
- the Shire of Morawa's rubbish site situated on Reserve No. 20087, as published in the *Government Gazette* on 30 January 1996, pages 353/5.

KEVIN PRINCE, Minister for Emergency Services.

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## FISHERIES

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**FI401\*****FISH RESOURCES MANAGEMENT ACT 1994**

## PROHIBITION ON FISHING (TROUT) ORDER 1999

Order No. 10 of 1999

FD 1620/98 [304].

Made by the Minister under section 43.

**Citation**

1. This order may be cited as the *Prohibition on Fishing (Trout) Order 1999*.

**Prohibition on fishing for trout**

2. A person must not fish for trout—
  - (a) in the waters described in Schedule 1 during the period 1 May to 30 November in any year; or
  - (b) in the waters described in Schedule 2 during the period 1 May to 31 August in any year.

**Order revoked**

3. The *Trout Fishing Restrictions Notice 1993* being Notice No. 606\* is revoked.

**Schedule 1**

The waters of Lake Leschenaultia (including the waters of all streams, brooks and tributaries flowing, continuously or intermittently, into that lake).

**Schedule 2**

All WA Waters excluding—

- (a) all private waters; and
- (b) the waters of Samson Dam, Stirling Dam, Murray River, Blackwood River, Donnelly River and Warren River; and that part of the Serpentine River between the Serpentine Pipe-Head Dam and Serpentine Falls,

but including the waters of all streams, brooks and tributaries flowing, continuously or intermittently, into those dams and rivers specified in paragraph (b) above.

[\*Published in the *Gazette* of 13 August 1993.]

Dated this 7th day of July 1999.

MONTY HOUSE, Minister for Fisheries.

**FI402\*****PEARLING ACT 1990**

Section 23(8)

NOTICE OF GRANT OF A PEARL OYSTER FARM LEASE—  
MONTEBELLO ISLANDS

FD 917/98.

I, Peter Rogers, the Executive Director of the Fisheries Department of Western Australia, pursuant to section 23 of the *Pearling Act 1990* ("the *Pearling Act*") have granted an application by Morgan & Co Pty Ltd (ACN 008 673 694) for a pearl oyster farm lease in respect of several areas of water which total 3.6490 square nautical miles in the vicinity of Montebello Islands.

Under section 33(1) of the *Pearling Act* a person aggrieved by my decision may, within 14 days after publication of this notice in the *Gazette* appeal against this decision by serving on the Minister for Fisheries a statement in writing of the grounds of that appeal.

The statement of the grounds of appeal may be served on the Minister care of the following address—

The Executive Director, Fisheries Department  
Third Floor, SGIO Atrium  
168-170 St Georges Terrace  
PERTH WA 6000

Dated this 12th day of July 1999.

P. P. ROGERS, Executive Director, Fisheries Department.

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**HEALTH**

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**HE401\*****PODIATRISTS REGISTRATION ACT 1984**PODIATRISTS REGISTRATION BOARD  
(APPOINTMENT OF MEMBERS) INSTRUMENT 1999

Made by the deputy of the Governor pursuant to section 6(1) of the *Podiatrists Registration Act 1984*.

**1. Citation**

This instrument may be cited as the *Podiatrists Registration Board (Appointment of Members) Instrument 1999*.

**2. Appointment of Member**

Mr Cameron Sydney Kippen is appointed to the Podiatrists Registration Board pursuant to section 6(1)(d) of the *Podiatrists Registration Act 1984* for the period ending 11 July 2001 in order to replace Mrs Susan Moffat, who has resigned.

By Command of the deputy of the Governor,

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

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**JUSTICE**

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**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 Alison Ruth Comparti of 1 Hastie Road, Gelorup  
Mr Vincenzo Antonio Costantino of 8 Whittome Street, Middleswan  
Ms Kedy Kristal of 32 Flinders Street, Mount Hawthorn  
Mr Thomas Arthur Maloney of 119 Charthouse Road, Rockingham

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

RICHARD FOSTER, Executive Director, Court Services.



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**LOCAL GOVERNMENT**

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**LG401\*****LOCAL GOVERNMENT ACT 1995****HEALTH ACT 1911***SHIRE OF WONGAN-BALLIDU*

1999/2000 FINANCIAL YEAR

Memorandum of Imposing Rates

At a meeting of the Shire of Wongan-Ballidu held on July 1, 1999, it was resolved that the Rates and Charges specified hereunder should be imposed on all rateable properties within the municipality in accordance with the provisions of the Local Government Act 1995 and Health Act 1911.

Dated: July 2, 1999.

D. G. S. HOOD, President.  
F. J. PECZKA, Chief Executive Officer.

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**SCHEDULE OF RATES AND CHARGES****GENERAL RATES**

- (a) 2.488 cents in the dollar on Unimproved Values
- (b) 7.548 cents in the dollar on Gross Rental Values

**MINIMUM RATES**

- (a) \$160 per lot on all Gross Rental Values excluding Ballidu and Cadoux/Burakin Wards
- (b) \$100 per lot on all Gross Rental Values within the Ballidu and Cadoux/Burakin Wards
- (c) \$75 per lot on all Unimproved Values

**DISCOUNT**

- A discount of 5.0% on all current rates issued and received in full at the Shire Office on the 35th day after the date of service of the rate notice closing at 4.30 pm on 19 August 1999.

**ISSUE DATE**

- July 15, 1999

**OPTIONS FOR PAYMENT***Option One*

- Prompt payment. Due no later than 4.30 pm on August 19, 1999 and subject to a 5.0% discount on current rates.

*Option Two*

- Two Equal Instalments
  - (1) First instalment due no later than 4.30 pm on August 19, 1999
  - (2) Second instalment due no later than 4.30 pm on November 12, 1999

*Option Three*

- Four Equal Instalments
  - (1) First Instalment due no later than 4.30 pm on August 19, 1999
  - (2) Second instalment due no later than 4.30 pm on October 13, 1999
  - (3) Third instalment due no later than 4.30 pm on December 13, 1999
  - (4) Fourth instalment due no later than 4.30 pm on February 10, 2000

Note—No discount applicable on options two and three and instalment options are not applicable is arrears and any interest that has accrued up to the date of issue of the notice are not paid by the due date.

Administration—A charge of \$5.00 per reminder will apply on options 2 and 3.

Instalment Plan Interest Rate—An interest charge of 5.5% per annum applies to the total rates levied on options two and three. A charge of \$20 will apply to adhoc instalments.

Late Payment Interest Rate—a charge of 11% per annum calculated daily by simple interest from October 15, 1999

Rubbish charge—\$100 per annum for weekly removal of one 240 litre mobile garbage bin.

**LG402****BUSH FIRES ACT 1954***Shire of Pingelly*

The following appointments are hereby notified for public information—

Chief Fire Control Officer—M. L. Poultney

Deputy Chief Fire Control Officer—R. L. Shaddick

Fire Control Officers—

J. M. Bostock

C. C. Page

N. Giles

C. M. Thomson

R. J. Marshall

J. C. Overington

M. J. Hook

A. W. Parsons

Fire Weather Officers—

Chief J. C. Overington

Deputy A. W. Parsons

Issue of Clover Burning Permits—

J. S. Watts

J. Edwards

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

Shire of Corrigin—K. Evans, W. Baker

Shire of Wickpin—A. Coxon, C. Simpson (to be confirmed)

Shire of Wandering—J. R. Price, J. M. Bostock

Shire of Cuballing—I. L. Watts, B. Weatherhead (to be confirmed)

Shire of Brookton—L. Eyre, D. Turner, R. Evans

Any previous appointments made under this Act are hereby cancelled.

Dated this 13th day of July 1999.

MARK HOOK, Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954***Shire of Donnybrook/Balingup***FIRE BREAK ORDER**

**IMPORTANT INFORMATION RELATING TO YOUR RESPONSIBILITY  
AS A LANDHOLDER IN THE DONNYBROOK/BALINGUP SHIRE**

With reference to Section 33 of the Bush Fire Act, 1954-79, you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this order.

This work must be carried out by 1st December 1999 and kept maintained throughout the summer months until 31st March 2000.

An inspection of firebreaks and hazard removal will be carried out in all areas of the Shire by an authorised officer.

Persons who fail to comply with the requirements of this order may be issued with an Infringement Notice (Penalty \$80) or prosecuted with an increased penalty, and additionally, Council may carry out the required work at the cost to owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice or if natural features render firebreaks unnecessary you may apply to the Council or its duly authorised officer not later than the 15th day of November 1999 for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by the council or its duly authorised officer, you shall comply with the requirements of this notice. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

**1. Rural Land**

- (a) On land which is divided by or abuts a formed or partly formed road or railway reserve, a firebreak not less than two metres wide shall be provided within 60 metres of the boundary of the road or railway reserve. Breaks are not permitted on road reserves without Council approval.
- (b) A firebreak two metres wide shall be provided immediately surrounding and within twenty metres of the perimeter of all buildings, hay sheds and fuel storage areas situated on the land.
- (c) A cleared area of at least a six metre radius shall be provided around all combustion pumping engines.

**2. Eucalyptus and Pine Plantations**

- (a) Firebreaks not less than ten metres in width around the perimeter of land on which trees are planted.
- (b) Not less than ten metres in width along those portions of plantations which enjoy a common boundary with a road reserve.

- (c) Not less than six metres in width in such positions that no part or compartment of a plantation shall exceed 28ha in area.
  - (d) Where ten metre breaks are required in accordance with this Section of Council's Fire Break Order, pruning of overhang shall be carried out up to a height of five (5) metres above the firebreak (Ground level).
  - (e) In addition to the breaks specified, plantations traversed by SEC power transmission lines have additional obligations under the Electricity Act.
3. Townsites Land: (Includes Residential, Commercial and Industrial Land)  
Townsites: Donnybrook, Balingup, Kirup, Mullalyup, Newlands, Preston and Noggerup.
- (a) Where the area of land is 2024m<sup>2</sup> (approx. ½ acre) or less, remove all flammable material on the land except living trees, shrubs and plants from the whole land, and;
  - (b) Where the land exceeds 2024m<sup>2</sup> (approx. ½ acre) clear firebreaks at least 2 metres wide, immediately inside all external boundaries of the land, and also immediately surrounding all buildings situated on the land. Grass on the remaining area of the land must be either grazed, cut for fodder, or totally removed from the land.
  - (c) Council, on the recommendation of a Bush Fire Control Officer, may vary these conditions in certain circumstances.
4. Rural Residential and Special Residential Land  
The owners of all existing small rural holdings zoned as "Rural Residential" or "Special Residential" under Town Planning Schemes, must maintain free of all flammable material a firebreak not less than two metres in width immediately inside all external boundaries of the land, and a twenty metre wide fuel free zone around all buildings on the land.
5. Fuel and/or Gas Depot  
In respect of land owned by you on which is situated any container normally used to contain liquids or gas fuel, including the land on which any ramp or support is constructed, you shall have the land clear of all flammable materials.
6. Welding, Cutting, and Grinding Equipment  
Persons shall not operate welding, cutting or grinding apparatus of any kind during the Prohibited Burning Times on land which is under crop, pasture or stubble unless at least one fire extinguisher is provided and there is compliance with any other fire controls required by the Fire Control Officer.
7. Roadside Verges  
Council policy is that no vegetation is to be removed from road verges and no verge is to be burnt without a permit for that specific purposes.

J. R ATTWOOD, Chief Executive Officer.

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## MINERALS AND ENERGY

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### MN401\*

#### COMMONWEALTH PETROLEUM (SUBMERGED LANDS) ACT 1967

#### PARTIAL DETERMINATION OF EXPLORATION PERMIT NO. WA-234-P

Notice is hereby given that Hamersley Range Block Nos. 659, 661, 662, 733 and 805, from within the above permit, were determined 13 February 1998.

W. L. TINAPPLE, Director Petroleum Division.

### MN402\*

#### COMMONWEALTH PETROLEUM (SUBMERGED LANDS) ACT 1967

#### PARTIAL DETERMINATION OF EXPLORATION PERMIT NO. WA-244-P

Notice is hereby given that Rowley Shoals Block Nos. 3259, 3331, 3335, 3405 and 3406, from within the above permit, were determined 23 May 1999.

W. L. TINAPPLE, Director Petroleum Division.

**MN403****MINING ACT 1978**

## NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,  
Marble Bar WA 6760.

In accordance with Regulation 49(2)(c) of the Mining Act 1978, notice is hereby given that the Miscellaneous Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

WARDEN.

To be heard in the Warden's Court, Marble Bar on the 27th July, 1999.

## PILBARA MINERAL FIELD

*Marble Bar District*

P45/2381—Harris, Mark Richard; Crizzle, Desmond; Clark, Jerrald George.

*Nullagine District*

P46/1241—Kay, Wally

P46/1242—Kay, Wally

**MN404****MINING ACT 1978**

## NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy.

In accordance with Regulation 49(2)(c) of the Mining Act 1978, notice is hereby given that the Licences are liable to forfeiture under the provisions of Section 96(1)(a) the breach of covenant, viz. non payment of rent.

WARDEN.

To be heard in the Warden's Court, Marble Bar on the 27th July, 1999.

## PILBARA MINERAL FIELD

*Marble Bar District*

P45/2383—Clark, Jerrald George; Crizzle, Desmond Cecil; Harris, Mark Richard.

*Nullagine District*

L46/27—Simba Holdings Pty Ltd

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

## TOWN PLANNING SCHEME AVAILABLE FOR INSPECTION

*CITY OF WANNEROO*

## TOWN PLANNING SCHEME NO 2—DISTRICT SCHEME

Ref: 853/2/30/19 Vol 8

Notice is hereby given that the local government of the City of Wanneroo has prepared the abovementioned town planning scheme for the purpose of:

## SCHEME AIMS AND OBJECTIVES

The aims and objectives of Scheme 2 are:

- Regional  
planning  
framework:
- (a) To facilitate a sustainable approach to development in accordance with the statutory provisions of the Metropolitan Region Scheme and the planning principles embodied in state and regional policies relevant to the City.

- Local planning framework:
- (b) To encourage and facilitate development of the City in accordance with the City of Wanneroo Strategic Plan 1999/2002 and subsequent updates.
  - (c) To provide an accountable planning framework appropriate to the needs of a rapidly developing City and its diverse lifestyle opportunities.
  - (d) To facilitate the co-ordination and early provision of social and community facilities and other physical infrastructure in line with the needs of new development.
  - (e) To promote the revitalisation of existing urban areas in order to meet the changing needs of the community.
- Land Use & Development
- (f) To encourage development which will:
    - provide high standards of amenity, safety and welfare,
    - strive to ensure that new developments are energy-efficient,
    - ensure permanent and easy access by the public to the ocean shore and recreation reserves,
    - promote the development of business which increases employment opportunities close to living places,
    - protect and where appropriate, enhance the prospects of market gardening and other agricultural activity,
    - support a safe, efficient and effective transportation system.
  - (g) To encourage urban design which is compatible with and appropriate to the natural, built and social environment of the City.
- Heritage Conservation
- (h) To encourage the conservation and continued use of identified places and objects of cultural heritage significance.
- Environmental Protection
- (i) To provide the Council and landowners with appropriate mechanisms to protect identified places of landscape or environmental value within the City.
  - (j) To ensure that adequate regard is given to the protection of the natural environment in the determination of land use and development proposals in accordance with sustainable development principles.
- Urban Development
- (k) To enable the Council to formulate arrangements for the sharing of costs on an equitable basis amongst landowners for the provision of infrastructure for urban, industrial and other development carried out in accordance with the Scheme.
  - (l) To promote planning, management and strategic control of development in a rational and systematic manner taking into account the aspirations of residents, environmental capacity, and the costs and benefits of development.
- Development Assessment & Approval Process
- (m) To provide guidance on the procedures to be followed in the lodgment, assessment and determination of applications for the development and use of land within the City.
  - (n) To ensure that proper regard is given to the needs of the community in the determination of land use and development proposals.

Plans and documents setting out and explaining the town planning scheme have been deposited at Council Offices, Kingsley Administration Centre, 11 Moolanda Boulevard, Kingsley and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 27 August, 1999.

Submissions on the town planning scheme may be made in writing on Form No 4 and lodged with the undersigned on or before 27 August, 1999.

The Scheme is being advertised following endorsement by the Hon Minister for Planning to split the proposed City of Wanneroo District Planning Scheme No 2 into the City of Joondalup and City of Wanneroo Schemes respectively and following completion of modifications required by the Hon Minister to the City of Wanneroo Scheme.

K. WHITE, Chief Executive Officer.

PD402\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF SERPENTINE-JARRAHDAL*

TOWN PLANNING SCHEME NO 2—AMENDMENT NO 94

Ref: 853/2/29/3 Pt 94

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

1. Rezoning Pt Lot 12 South Western Highway, Byford, from "Rural" to "Rural Living A".
2. Including special provisions in Appendix 4A.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 6 Paterson Street, Mundijong and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 27 August, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 27 August, 1999.

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

I. BODILL, Chief Executive Officer.

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**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
TOWN PLANNING SCHEME AVAILABLE FOR INSPECTION  
*TOWN OF PORT HEDLAND*  
TOWN PLANNING SCHEME NO 5

Ref: 853/8/4/6

Notice is hereby given that the local government of the Town of Port Hedland has prepared the abovementioned town planning scheme for the purpose of:

1. encouraging an appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity;
2. implementing strategic planning for the municipality;
3. reserving certain portions of land required for public purposes;
4. zoning the balance of the land within the Scheme Area for purposes described in the Scheme;
5. defining the uses and types of development to be permitted on land within the Scheme Area; and
6. controlling and regulating the development of land, erection and demolition of buildings and the carrying out of works.

Plans and documents setting out and explaining the town planning scheme have been deposited at Council Offices, Civic Centre, McGregor Street, Port Hedland 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 18 October, 1999.

Submissions on the town planning scheme may be made in writing on Form No 4 and lodged with the undersigned on or before 18 October, 1999.

A. FORD, A/Chief Executive Officer.

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**POLICE**

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**PE501**

**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 Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday 17th July 1999 at 9.00 am.

The auction is to be conducted by Mr Gary J. Silcock.

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

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**PREMIER AND CABINET**

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**PR401**

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the deputy of 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 M. J. Criddle MLC in the period 7 to 17 July 1999 inclusive—

Minister for Transport—Hon P. D. Omodei MLA

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

**PR402****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the temporary appointment published in *Government Gazette* No. 111 dated 25 June 1999 in regard to the Hon C. L. Edwardes MLA is amended as follows—

Minister for the Environment; Labour Relations—Hon A. K. R. Prince MLA 12-14 July 1999 inclusive

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

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**RACING, GAMING AND LIQUOR**


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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
1613/1998	Eugene Joseph Cantwell & Maureen Olive Cantwell	Application for the grant of a liquor store licence in respect of premises situated in Torbay and known as Cosy Corner Store.	4/8/1999
1632/1999	Bunker Bay Wine Group Pty Ltd	Application for the grant of a wholesaler licence in respect of premises situated in South Perth and known as Bunker Bay Wine Group.	2/8/1999
1633/1999	HPS-HVAC Process Services Pty Ltd	Application for the grant of a special facility-canteen licence in respect of premises situated via Gascoyne Junction and known as CS2 and CS4 Remote Sites.	15/7/1999
1634/1999	Han Investments Pty Ltd	Application for the grant of a restaurant licence in respect of premises situated in Cannington and known as Han's Cafe.	12/8/1999
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
1232/1999	Glistenere Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Joondalup and known as Joondalup Inn.	30/7/1999

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

G. B. AVES, Director of Liquor Licensing.

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**TRANSPORT**


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**TR402\*****WESTERN AUSTRALIAN MARINE ACT 1982****RESTRICTED SPEED AREAS—ALL VESSELS****POWER DINGHY RACING CLUB****TIME TRIAL**

Department of Transport,  
Fremantle WA, 16 July 1999.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub-paragraphs b(1)(i), d(1)(iii) and d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River between Garratt Road Bridge and Middle Swan Bridge only.

Provided that this revocation will apply only to official bona fide competitors competing in a power dinghy time trial for start positions in the Avon Descent and other bona fide vessels associated with the event, between the hours of 1200 and 1500 on Sunday 25 July 1999 and will not apply to normal traffic.

After 1500 hours on Sunday 25 July 1999 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991.

MICHAEL LINLAY HARRIS, Acting, Director General of Transport.

**TR401\***

**WESTERN AUSTRALIAN MARINE ACT 1982**

CLOSURE OF NAVIGABLE WATERS

BOYINABOAT REEF

HILLARYS

Department of Transport,  
Fremantle WA, 16 July 1999.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, the Department of Transport closes the following waters to navigation by all craft until further notice—

Boyinaboat Reef:

All waters contained within a line commencing at a point where the seaward side of the Hillarys Boat Harbour Southern Breakwater meets a line extending the edge alignment of the Service Jetty, thence on the same extension a distance of 240 metres offshore, thence in a north westerly direction to the Boyinaboat Reef starboard-hand lateral mark, thence to the north west extremity of the southern breakwater.

MICHAEL LINLAY HARRIS, Acting, Director General of Transport.

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**WATER**

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**WA401\***

**RIGHTS IN WATER AND IRRIGATION ACT 1914**

Notice under Section 13 of the Act

[Regulation 14(1)]

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

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

Objections should be sent to reach myself at the—Water & Rivers Commission, PO BOX 261, BUNBURY WA 6231 prior to 30<sup>th</sup> July 1999 by certified mail.

Any queries regarding this application should be referred to Mr Terry Hahn on telephone 08 9721 0666.

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

- 
- 1) Applicant: A G Ayres  
Property: Lot 11, Wellington Location 3356  
Lowden—Grimwade Rd, Lowden  
Watercourse: Tributary of the Preston River.
  - 2) Applicant: Crooked Brook Wines  
Property: Wellington Location 1515  
Crooked Brook Rd, Dardanup  
Watercourse: Crooked Brook—Tributary of the Preston River.



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**PUBLIC NOTICES**

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**ZZ101****PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to Section 14 of the Public Trustee Act, 1941 and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 9th day of July 1999.

K. E. BRADLEY, Public Trustee,  
565 Hay Street, Perth WA 6000.

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Name of Deceased; Address; Date of Death; Date Election Filed.

Loffner, George Karl; Greenough; 26/04/99; 24/06/99; (DEC 319017 DC4)  
Hall, Mary; Bentley; 1/05/99; 28/06/99; (DEC 319160 DS4)  
Hooper, Hudson Cecil; Carine; 20/05/99; 29/06/99; (DEC 319626 DP4)  
Ward-Hughes, Doris Mary; Subiaco; 11/12/98; 1/07/99; (DEC 318402 DG4)  
Richardson, Catherine Ruth; Armadale; 19/05/99; 5/07/99; (DEC 319998 DC4)  
Bedford, Spida; Wyndham; 28/03/99; 5/07/99; (DEC 318552 DG4)

**ZZ102****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 17 August 1999 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Adams, Douglas Albert, late of 9 Salvado Street, Cottesloe, died 21.05.99. (DEC 319428 DL4)  
Arthurs, Colin Francis, late of 1 Willis Street, Warnbro, died 28.06.99. (DEC 320455 DC3)  
Burnett, Albert Leslie William, late of 21 Raymond Street, Collie, died 15.02.99. (DEC 319110 DC2)  
Henderson, Ruth, late of 135 Stock Road, Bicton, died 16.06.99. (DEC 320389 DG2)  
Linto, Vivienne Joan, late of 33/104 King William Street, Bayswater, died 09.06.99. (DEC 320508 DA2)  
Masters, Gilbert Henry, late of Lakelands Caravan Park, 25/289 Sydney Road, Wanneroo, died 18.06.99. (DEC 320406 DA3)  
O'Sullivan, Kathleen Mary, late of Brightwater, 125 Thomas Street, Subiaco, died 25.06.99. (320412 DL3)  
Park, Amy Gladys, late of 8B Blackburn Street, Bellevue, died 12.06.99. (DEC 320489 DP4)  
Reid, Hillhouse Glen, late of 9/60 Cranford Avenue, Mount Pleasant, formerly of 68 Cudliss Street, Eaton, died 01.06.99. (DEC 320390 DP4)  
Rillstone, Raymond, late of 16 Banksia Lodge, RAAFA Estate, Merriwa, died 17.06.99. (DEC 320058 DA1)  
Rudka, Joseph Wazlaw, late of Shoalwater Nursing Home, 70-74 Fourth Avenue, Shoalwater, died 04.04.99. (DEC 318308 DG4)  
Tobisch, Ranyvoj, late of 115 Fremantle Road, Gosnells, died 14.06.99. (DEC 320053 DG3)  
Vale, John Francis, late of Magnolia Suite 2, William Buckley Hostel, 60 Stalker Road, Gosnells, died 20.06.99. (DEC 320346 DS4)  
Vally, Roshan Banoo, late of 10 Allenswood Road, Greenwood, died 30.06.99. DEC 320385 DC2)

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

Estate of Eileen Morris, late of 57A Dorothy Street, Gosnells in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the above-named deceased who died on 25 March 1999 are required to send particulars of their claims to the Executors of the Estate of the late Eileen Morris, care of Phillips Fox, by the 16 August 1999 after which date the Executors may convey or distribute the assets having regard only to claims of which notice has been given.

G. W. STEVENS and P. C. BEEKINK.  
Joint Executors of the Estate of the late Eileen Morris.  
C/- Phillips Fox, Lawyers,  
Level 19, The Quadrant,  
1 William Street, PERTH WA 6000  
Telephone: 08 9288 6000  
REF: RTM: GWS: 610200/61447933

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

## NOTICE TO CREDITORS AND CLAIMANTS

Estate of Edna Margaret Lemon, late of 10 Barnet Street, North Perth in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the abovenamed deceased who died on 2 May 1999 are required to send particulars of their claims to the Executors of the Estate of the late Edna Margaret Lemon, care of Phillips Fox, by the 16 August 1999 after which date the Executors may convey or distribute the assets having regard only to claims of which notice has been given.

G. W. STEVENS and P. C. BEEKINK.  
Joint Executors of the Estate of the late Edna Margaret Lemon.  
C/- Phillips Fox, Lawyers,  
Level 19, The Quadrant,  
1 William Street, PERTH WA 6000  
Telephone: 08 9288 6000  
REF: RTM: GWS: 619746/61448020

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

Creditors and other persons having claim (to which Section 63 of the Trustees Act 1962-68 relates) in respect of the undermentioned deceased persons are required to send particulars of their claims to the Executors of care of Butlers, 83-85 Stirling Highway, Nedlands WA 6009 by 19 August 1999 after which date the Trustees may convey or distribute the assets having regard only to the claims of which notice has been given.

Name: Humphrey, Valerie Catherine  
Address: Late of RSM 230 Price Road, Busselton, Western Australia  
Occupation: Farmer  
Date of Death: 8 June 1999  
Name: Lento, Gianfrancesco David  
Address: Late of ALTC Latchford Barracks, Bonegilla, Victoria  
Occupation: Ground Support Engineering Fitter and Turner  
Date of Death: Between 1 & 2 May 1999

**ZZ204****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 Trustees of Western Australia Limited of Level 22, 108 St George's Terrace, Perth, on or before the expiration of one month from the date of publication of this notice, after which date the company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Driver, Elizabeth Mackenzie, late of 5A Greenshields Way, Redcliffe. Widow, died 11th June 1999.

Matthews, Phoebe Ellen (otherwise known as Nell Matthews), late of Unit 2, 140 Hubert Street, East Victoria Park. Retired Clerk, died 25th May 1999.

Wilde, Hilda, late of 18 Gifford Road, Dunsborough. Widow, died 4th May 1999.

Dated this 13th day of July 1999.

ADRIAN J. HALL, Manager—Trusts.

**ZZ205****TRUSTEES ACT 1962****CREDITORS NOTICE**

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962 as amended relates in respect of the estate of IAN MENZIES late of 8 Burton Court, Clifton Park, who died on 22nd June 1999, are required by the personal representative to send particulars of their claims addressed to the Administrator of the Estate of Ian Menzies deceased care of Young & Young, 5 Spencer Street, Bunbury, by the 18th day of August 1999, after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

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