

WESTERN AUSTRALIAN GOVERNMENT Gazette

4763



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ADVERTISING RATES AND PAYMENTS

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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 —

HEALTH

HE301*

Mental Health Act 1996

Mental Health (Authorisation of Public Hospitals) Order 2000

Made by the Administrator in Executive Council.

1. Citation

This order may be cited as the *Mental Health (Authorisation of Public Hospitals) Order 2000*.

2. Interpretation

In this Order —

“**plan**” means a plan the original of which is held in the offices of the Chief Psychiatrist at the Health Department of Western Australia in Perth.

3. Authorisation of hospitals

The part of each public hospital listed in Schedule 1 specified in that Schedule is authorised for —

- (a) the reception of persons; and
- (b) the admission of persons as involuntary patients,

under the Act.

4. Revocation

The *Mental Health (Authorization of Public Hospitals) Order 1998* is revoked.

Schedule 1 — Authorised hospitals

[cl. 3]

Public hospital	Part of hospital that is authorised
1 Albany Regional Hospital	Area bordered in red on Plan No. Albany Regional Hospital AC. 1

Public hospital	Part of hospital that is authorised
2 Bentley Hospital	Area coloured yellow on Plan No. Bentley Adolescent Unit at Bentley Hospital AC. 1 of 12 April 1999; and The Mills Street Centre, being the area coloured yellow and bordered in green on Plan No. Bentley Hospital AC. 1 of October 1990
3 Bunbury Hospital	Area bordered in red on Plan No. Bunbury Regional Hospital AC. 1 of January 1999
4 Fremantle Hospital	Area bordered in red on Plan No. Authorised Mental Health Facility at Fremantle Hospital MH. 1 of 22 March 2000
5 Graylands Selby — Lemnos and Special Care Hospital	Areas bordered in red on — <ul style="list-style-type: none"> • Plan No GC 1/98; and • Plan No. S-LC 1/98
6 Swan Districts Hospital	Boronia Inpatient Unit being the area bordered in red on Plan No. Boronia Inpatient Unit at Swan Districts Hospital AC. 1 of June 1999

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

HE302*

Chiropractors Act 1964

Chiropractors Registration Board Amendment Rules 2000

Made by the Board with the approval of the Administrator in Executive Council.

1. Citation

These rules may be cited as the *Chiropractors Registration Board Amendment Rules 2000*.

2. Appendix to rules amended

Appendix A to the *Chiropractors Registration Board Rules 1966** is amended as follows:

- (a) in items 4 and 7, by deleting “350.00” and inserting instead —
“ 375.00 ”;
- (b) in item 5, by deleting “175.00” and inserting instead —
“ 187.50 ”.

[* *Published in Gazette 9 May 1966, pp. 1166-73.*
For amendments to 7 July 2000 see 1999 Index to
Legislation of Western Australia, Table 4, p. 33.]

The common seal of the Chiropractors
Registration Board was affixed in the
presence of —

VALERIE FRAZER, Chairman.

ROBERT CHARLES SCOTT, Member.

Approved by the Administrator,

ROD SPENCER, Clerk of the Executive Council.

HE303*

Osteopaths Act 1997

Osteopaths Amendment Rules 2000

Made by the Osteopaths Registration Board with the approval of the
Administrator in Executive Council.

1. Citation

These rules may be cited as the *Osteopaths Amendment Rules 2000*.

2. Schedule 4 amended

Schedule 4 to the *Osteopaths Rules 1999** is amended by
deleting “\$250.” and inserting instead —

“ \$275. ”.

[* *Published in Gazette 21 December 1999, pp. 6475-94.*]

Resolved by the Osteopaths Registration at a meeting held
on 11 July 2000.

The Common Seal of the)
Osteopaths Registration)
Board was affixed hereto)
in the presence of)

COLIN McFARLANE
Chairperson

HELENE MARGARET KNOX
Member

ROSEMARY ANNA LATTO
Member

Approved by the Administrator,

ROD SPENCER, Clerk of the Executive Council.

HE304*

Psychologists Registration Act 1976

Psychologists Board Amendment Rules 2000

Made by the Psychologists Board of Western Australia with the approval
of the Administrator in Executive Council.

1. Citation

These rules may be cited as the *Psychologists Board
Amendment Rules 2000*.

2. The rules amended

The amendments in these rules are to the *Psychologists Board
Rules 1978**.

[* *Reprinted as at 10 February 1998.*

*For amendments to 20 June 2000 see 1999 Index to
Legislation of Western Australia, Table 4, p. 241.]*

3. Rule 50 amended

Rule 50 is amended by deleting “175” in both places where it
occurs and inserting instead —

“ 192.50 ”.

4. Rule 59 amended

Rule 59(1) is amended by deleting “\$175” in each place where it occurs and inserting instead —

“ \$192.50 ”.

5. Rule 60 amended

Rule 60 is amended by deleting “\$15” and inserting instead —

“ \$16.50 ”.

6. Rule 66 amended

Rule 66 is amended by deleting “\$2 to \$30.” and inserting instead —

“ \$2.20 to \$33. ”.

The Common Seal of the)
Psychologists Board of)
Western Australia was)
affixed hereto in the)
presence of)

JOHN HEWLETT HOGBEN
Chairman.

Approved by the Administrator,

ROD SPENCER, Clerk of the Executive Council.

HE305***HEALTH ACT 1911****HEALTH (PESTICIDES) REGULATIONS 1956****PESTICIDES (REGULATION 20B) (PROHIBITION OF SPECIFIED REGISTERED PESTICIDES) NOTICE (No. 2) 2000**

Made by the Executive Director, Public Health under regulation 20B of the *Health (Pesticides) Regulations 1956*.

Citation

1. This notice may be cited as the *Pesticides (Regulation 20B) (Prohibition of Specified Registered Pesticides) Notice (No. 2) 2000*.

Commencement

2. This notice comes into operation on 1 September 2000.

Interpretation

3. In this notice—

“**use**” means application of a specified registered pesticide on a specified crop by means of aerial spraying;

“**specified registered pesticide**” means a registered pesticide specified in the table to this notice;

“**specified crop**” means a *Eucalyptus* spp. plantation.

Prohibition

4. The use of a specified registered pesticide on a specified crop growing anywhere in the State is prohibited until 28 February 2001.

Table

BASF PERFEKTHION EC 400 SYSTEMIC INSECTICIDE.
 DIMETHOMAX SYSTEMIC INSECTICIDE.
 NUFARM DIMETHOATE SYSTEMIC INSECTICIDE.
 FARMOZ DIMETHOATE 400 SYSTEMIC INSECTICIDE.
 ROTAM ROMETHOATE SYSTEMIC INSECTICIDE.
 SABOTEUR SYSTEMIC INSECTICIDE.
 SIPCAM ROGOR SYSTEMIC INSECTICIDE.

Dr PAUL PSAILA-SAVONA, Executive Director,
 Public Health.

LOCAL GOVERNMENT

LG301***LOCAL GOVERNMENT ACT 1995***Shire of Gnowangerup*

LOCAL LAWS RELATING TO THE REPEAL OF DEFUNCT AND OBSOLETE
 LOCAL LAWS MADE UNDER THE LOCAL GOVERNMENT ACT 1960 AND
 EARLIER LEGISLATION

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the local government of the Shire of Gnowangerup resolved to make the following local laws on the 19 July 2000.

Repeal

The following local laws are repealed—

By-laws relating to—

- Poundage Fees, published in the *Government Gazette* of 12 February, 1915;
- General, published in the *Government Gazette* of 28 December, 1923, and amendments published in the *Government Gazettes* of 17 July 1925, 9 April 1926, and 28 January, 1960;
- Wood Walls in Buildings, published in the *Government Gazette* of 26 July, 1935;
- Discount on Rates, published in the *Government Gazette* of 29 August, 1941;
- Appointment of Employees, published in the *Government Gazette* of 24 October, 1941;
- Supply and Distribution of Water, published in the *Government Gazette* of 2 March, 1945;
- Long Service Leave, published in the *Government Gazette* of 9 December, 1949;
- Building, published in the *Government Gazette* of 27 April, 1951 as amended in the *Government Gazettes* of 20 August 1954 and 31 October 1958;
- Nuisances, published in the *Government Gazette* of 15 February, 1952;
- Prevention of Pollution and Supply of Water for Domestic Purposes, published in the *Government Gazette* of 29 December, 1961;
- Prevention of Damage to Streets, published in the *Government Gazette* of 12 October, 1962;
- Verandahs, published in the *Government Gazette* of 7 August, 1963;
- Signs, Hoardings and Billposting, published in the *Government Gazette* of 6 February, 1964;
- Petrol Pumps, published in the *Government Gazette* of 20 September, 1966;
- Sick Leave, published in the *Government Gazette* of 23 April, 1969;
- Motels, published in the *Government Gazette* of 17 December, 1969;
- Vehicle Wrecking, published in the *Government Gazette* of 16 December, 1970;
- Caravan Parks and Camping Grounds, published in the *Government Gazette* of 5 February, 1971.

Dated this 14th day of August 2000.

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

J. P. SAVAGE JP, Shire President.
 F. B. LUDOVICO, Chief Executive Officer.

LG302***HEALTH ACT 1911****CITY OF BUNBURY HEALTH (EATING-HOUSES)
LOCAL LAWS 2000**

Made by Council of the City of Bunbury under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*.

Citation

1. These local laws may be cited as the *City of Bunbury Health (Eating-Houses) Local Laws 2000*.

Interpretation

2. In these local laws, unless the context otherwise requires—

“**Act**” means the *Health Act 1911 (as amended)* and includes any subsidiary legislation made under the *Health Act 1911*.

“**Certificate of Registration**” means a registration certificate issued pursuant to the provisions of these local laws by Council.

“**Council**” means the Council of the City of Bunbury.

“**Eating House**” means an eating house as defined in Division 3, Section 160, of the *Health Act 1911 (as amended)*.

“**Environmental Health Officer**” means an Environmental Health Officer appointed under the Act, and includes any acting or assistant environmental health officer.

“**Licence**” means a licence to conduct an eating house granted pursuant to the provisions of these local laws by Council.

“**Proprietor**” means the person having the management or control of premises.

“**Registered premises**” means any premises that are registered as an eating house under these local laws.

Requirement for Registration and Licensing

3. No person shall occupy or use any premises as an eating house unless—

- (a) the premises are registered under these local laws as an eating house;
- (b) the proprietor of the said premises is the holder of a licence issued by Council authorising him to conduct on the premises the business of an eating house; and
- (c) the premises and the operations conducted within the premises comply with the requirements of the *Health (Food Hygiene) Regulations 1993*.

Registration of an Eating House

4. (1) An application for registration of an eating house made to Council shall be accompanied by—

- (i) payment of an eating house registration fee as fixed by resolution of Council under Section 344C of the Act;
- (ii) detailed plans and specifications of the eating house in satisfaction of the provisions of *Health (Food Hygiene) Regulations 1993*.

(2) The provisions of Clause 4(1)(ii) shall not apply to currently registered eating houses or to eating houses that were established before these local laws were made.

(3) Council may approve an application for registration of an eating house subject to any conditions as it deems necessary to ensure compliance with the requirements of the Act.

(4) Upon approval of an application for registration of an eating house, Council shall provide the applicant with a Certificate of Registration.

Prescribed Date

5. (1) For the purposes of Section 162 of the Act, the prescribed date is fixed as the 31 August 2000.

(2) For the purpose of Section 163 of the Act, the 30th day of June in each year is prescribed as the date on or before which the annual application for registration of an eating house and licence for the proprietor of an eating house shall be made.

Licence to Conduct an Eating House

6. Before any licence to conduct an eating house is issued to any proprietor by Council under these local laws, the proprietor shall make an application in writing and shall—

- (i) include the full name and address of the applicant;

- (ii) specify the location for which the licence is sought;
- (iii) specify the nature of the proposed foods and services;
- (iv) include details of any previous experience in the operations of eating houses.

The applicant shall forward the application, together with the fee as may be fixed from time to time by Council under Section 344C of the Act, to Council and if the application is approved, Council shall issue to the proprietor a licence.

Register of Registrations and Licences

7. Every certificate of registration of premises registered as an eating house and every licence issued to a proprietor shall be entered in a register maintained by Council for that purpose.

Certificates of Registration and Licences

8. Every proprietor of registered premises shall keep the certificates of registration and the licence on the registered premises in a position visible to the general public and shall, when requested to do so by an Environmental Health Officer, produce the certificate of registration and the licence issued to the proprietor in respect of such premises.

Period of Registration and Licence

9. Every certificate of registration and every licence shall be in force from the day of issue to the next 30th day of June, inclusive, unless the same is cancelled in the meantime in accordance with the provisions of the Act.

Renewal Applications

10. Applications for renewal of certificates of registration and licences shall be made annually during the month of June.

Fees

11. The fees payable to Council on the registration of premises, the issue of a licence and on the renewal of any registration or licence shall be the fee as fixed from time to time by Council under Section 344C of the Act.

Change of Address

12. Whenever any person identified as the proprietor on a certificate of registration and/or a licence issued pursuant to these local laws changes his place of abode he shall, within seven days of such a change, give notice in writing to Council specifying his new place of abode and he shall, at the same time, produce such certificate of registration and/or licence to Council, and the amendment shall be endorsed thereon.

Licence Personal to Holder

13. Any licence issued under the provisions of these local laws to any proprietor to conduct an eating house, shall not be transferable to any other person except as specified in Section 168 Subsection 2 of the Act.

New Proprietors to Apply for Licence

14. If the licensed proprietor of any premises registered as an eating house ceases to be the proprietor as defined under these local laws then any person wishing to become the proprietor of such premises must make application to Council for a licence to conduct an eating house as required by Clause 6 of these local laws.

Power to Grant or Refuse an Application or Cancel a Registration or Licence

15. Where application is made to Council either for—

- (a) the registration of an eating house; or
- (b) the licensing of an eating house proprietor,

then—

- (i) such application may be granted or refused subject to Sections 165 and 166 of the Act,
- (ii) any such registration or licence, if granted, may be cancelled at any time for any one of the reasons described in Subsections 165(3) and 166(3) of the Act.

Offences and Penalties

16. Any person who commits a breach of any of the provisions of these local laws shall be guilty of an offence and upon conviction shall be liable to—

a fine that is not more than \$2,500 and not less than—

- (i) in the case of a first offence \$250;
- (ii) in the case of a second offence \$500;
- (iii) in the case of a third or subsequent offence \$1,250;

and if that offence is a continuing offence, a daily penalty which is not more than \$250 and not less than \$125.

Made at a meeting of the Council of the City of Bunbury held on 1st day of August 2000.

The Common Seal of the City of Bunbury was placed here in the presence of—

G. M. CASTRILLI, Mayor.
M. WHITTAKER, Chief Executive Officer.

On this 11th day of August 2000.

Consented to—

DR. RICHARD LUGG, delegate of Executive Director,
Public Health.

Dated this 14th day of August 2000.

MINERALS AND ENERGY

MN301*

Dangerous Goods (Transport) Act 1998

Dangerous Goods (Transport) (General) Amendment Regulations 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Dangerous Goods (Transport) (General) Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Dangerous Goods (Transport) (General) Regulations 1999**.

[* *Published in Gazette 8 June 1999, pp. 2303-8.*]

3. Regulation 3 amended

- (1) Regulation 3 is amended by deleting the definition of “Explosives Code” and inserting the following definition instead —

“

“**Explosives Code**” means the *Australian Code for the Transport of Explosives by Road and Rail*, Second Edition, March 2000, published by the Commonwealth of Australia;

”.

- (2) The definition of “UN dangerous goods tests and criteria” in regulation 3 is amended as follows:

- (a) by deleting “ninth” and inserting instead —
“ eleventh ”;

- (b) by deleting “second” and inserting instead —
“ third ”.

4. Regulation 4 amended

Regulation 4 is amended as follows:

- (a) in paragraph (d) by deleting “Table 9.1” and inserting instead —
“ Appendix 2 ”;
- (b) in paragraph (e) by deleting “column 6 in that Table” and inserting instead —
“ column 7 in that Appendix ”.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

MN302*

Dangerous Goods (Transport) Act 1998

Dangerous Goods (Transport) (Explosives by Water) Amendment Regulations 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Dangerous Goods (Transport) (Explosives by Water) Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Dangerous Goods (Transport) (Explosives by Water) Regulations 1999**.

[* *Published in Gazette 8 June 1999, pp. 2455-65.*]

3. Regulation 3 amended

- (1) Regulation 3(1) is amended by deleting the definition of “Explosives Code” and inserting the following definition instead —

“

“**Explosives Code**” means the *Australian Code for the Transport of Explosives by Road and Rail*, Second Edition, March 2000, published by the Commonwealth of Australia;

”.

- (2) The definition of “UN dangerous goods tests and criteria” in regulation 3(1) is amended as follows:
- (a) by deleting “ninth” and inserting instead —
“ eleventh ”;
 - (b) by deleting “second” and inserting instead —
“ third ”.

4. Regulation 6 amended

Regulation 6(a) is amended by deleting “Table 9.1” and inserting instead —

“ Appendix 2 ”.

5. Regulation 7 amended

Regulation 7(2)(a) is amended by deleting “Column 3 of Table 9.1” and inserting instead —

“ column 4 in Appendix 2 ”.

6. Regulation 8 amended

- (1) Regulation 8 is amended in paragraph (a) of the definition of “Division” by deleting “Column 3 in Table 9.1” and inserting instead —
- “ column 4 in Appendix 2 ”.
- (2) The example after regulation 8 is amended as follows:
- (a) by deleting “Column 2 of Table 9.1” in both places where it occurs and inserting instead —
“ column 2 of Appendix 2 ”;
 - (b) by deleting “Column 3” and inserting instead —
“ column 4 ”;
 - (c) by deleting “section 2.2.3” and inserting instead —
“ Addendum I to Appendix 2 ”;
 - (d) by deleting “section 2.3” and inserting instead —
“ Addendum I to Appendix 2 ”.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

MN303*

Dangerous Goods (Transport) Act 1998

Dangerous Goods (Transport) (Explosives by Road and Rail) Amendment Regulations 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Dangerous Goods (Transport) (Explosives by Road and Rail) Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Dangerous Goods (Transport) (Explosives by Road and Rail) Regulations 1999**.

[* *Published in Gazette 8 June 1999, pp. 2427-51.*]

3. Regulation 1.3 amended

- (1) Regulation 1.3(1) is amended by deleting the definition of “Explosives Code” and inserting the following definition instead —

“

“**Explosives Code**” means the *Australian Code for the Transport of Explosives by Road and Rail*, Second Edition, March 2000, published by the Commonwealth of Australia;

”.

- (2) Regulation 1.3(1) is amended by deleting the definitions of “consignor”, “owner”, and “UN dangerous goods tests and criteria”.
- (3) Regulation 1.3(2) is amended by inserting after “section 1.2” —
“ or 1.3 ”.

4. Regulation 1.6 amended

Regulation 1.6 is amended as follows:

- (a) in paragraph (a) by deleting “Table 9.1” and inserting instead —
“ Appendix 2 ”;
- (b) in paragraph (b) by deleting “column 6 in that Table” and inserting instead —
“ column 7 in that Appendix ”;

- (c) by deleting paragraph (d) and inserting the following paragraph instead —

“

- (d) satisfy the tests and criteria for determining whether goods are dangerous goods of Class 1 specified in the UN Recommendations: Manual of Tests and Criteria.

”.

5. Regulation 1.7 amended

Regulation 1.7(2) is amended as follows:

- (a) in paragraph (a) by deleting “Column 3 of Table 9.1” and inserting instead —

“ column 4 in Appendix 2 ”;

- (b) by deleting paragraph (b) and inserting the following paragraph instead —

“

- (b) as such satisfy tests and criteria in the UN Recommendations: Manual of Tests and Criteria for assignment to that Classification Code.

”.

6. Regulation 1.8 amended

- (1) Regulation 1.8 is amended in paragraph (a) of the definition of “Division” by deleting “Column 3 in Table 9.1” and inserting instead —

“ column 4 in Appendix 2 ”.

- (2) Regulation 1.8 is amended in paragraph (b) of the definition of “Division” by deleting “UN dangerous goods tests and criteria” and inserting instead —

“ UN Recommendations: Manual of Tests and Criteria ”.

- (3) The example after regulation 1.8 is amended as follows:

- (a) by deleting “Column 2 of Table 9.1” in both places where it occurs and inserting instead —

“ column 2 of Appendix 2 ”;

- (b) by deleting “Column 3” and inserting instead —

“ column 4 ”;

- (c) by deleting “UN dangerous goods tests and criteria” and inserting instead —

“ UN Recommendations: Manual of Tests and Criteria ”;

- (d) by deleting “section 2.2.3” and inserting instead —

“ Addendum I to Appendix 2 ”;

- (e) by deleting “section 2.3” and inserting instead —

“ Addendum I to Appendix 2 ”.

7. Regulations 1.9 and 1.11 are repealed

Regulations 1.9 and 1.11 are repealed.

8. Regulation 3.1 amended

- (1) Regulation 3.1 is amended by inserting before “The” the subregulation designation “(1)”.
- (2) Regulation 3.1 is amended by deleting “The” and inserting instead —
“ Subject to subregulation (2), the ”.
- (3) At the end of regulation 3.1 the following subregulation is inserted —

“

- (2) Section 8.4.3(3)(b) of the Explosives Code does not apply to the authorisation of a person by a Competent Authority to drive a vehicle used to transport explosives.

”.

9. Regulation 3.2 amended

- (1) Regulation 3.2(1) is amended by deleting “If section 8 of the Explosives Code, other than sections 8.3.4, 8.4.2 and 8.4.3.1 to 8.4.3.3” and inserting instead —

“

If Chapter 8 of the Explosives Code, other than section 8.3.4(2), 8.4.3(2), and 8.4.3(4)

”.

- (2) Regulation 3.2(2) is amended by deleting “section 8” and inserting instead —

“ Chapter 8 ”.

10. Regulation 5.24 amended

Regulation 5.24(2) is amended by deleting “section 6” and inserting instead —

“ Chapter 6 ”.

11. Regulation 5.26 amended

Regulation 5.26(2) is amended by deleting “section 6” and inserting instead —

“ Chapter 6 ”.

12. Regulation 6.2 inserted

After regulation 6.1 the following regulation is inserted —

“

6.2 Prohibition on transport of certain explosives in the tunnel on the Graham Farmer Freeway

- (1) In this regulation —
“**placarded vehicle**” means a vehicle that is marked, or required to be marked, under section 3.4.1 of the Explosives Code.
- (2) A person who drives a placarded vehicle in the tunnel on the Graham Farmer Freeway commits an offence.
Penalty: \$3 000.
- (3) A prime contractor who does not give the driver of a placarded vehicle instructions not to drive the vehicle in the tunnel on the Graham Farmer Freeway commits an offence.
Penalty: \$3 000.
- (4) The owner of a placarded vehicle who does not give the driver of the vehicle instructions not to drive the vehicle in the tunnel on the Graham Farmer Freeway commits an offence.
Penalty: \$3 000.

”.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

MN304*

Explosives and Dangerous Goods Act 1961

Explosives and Dangerous Goods (Explosives) Amendment Regulations (No. 2) 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Explosives and Dangerous Goods (Explosives) Amendment Regulations (No. 2) 2000*.

2. The regulations amended

The amendments in these regulations are to the *Explosives and Dangerous Goods (Explosives) Regulations 1963**.

[* Reprinted as at 17 March 2000.

For amendments to 25 July 2000 see Gazette 23 June 2000.]

3. Regulation 2 amended

- (1) Regulation 2(1) is amended by deleting the definition of “Australian Explosives Code” and inserting the following definition instead —
“
 “Australian Explosives Code” means the *Australian Code for the Transport of Explosives by Road and Rail*, Second Edition, March 2000, published by the Commonwealth of Australia;
”.
- (2) Regulation 2(1) is amended in paragraph (a) of the definition of “Division” by deleting “Column 3 in Table 9.1” and inserting instead —
“ column 4 in Appendix 2 ”.
- (3) Regulation 2(1) is amended in paragraph (b) of the definition of “Division” by deleting “section 2.2.3” and inserting instead —
“ Addendum I to Appendix 2 ”.
- (4) The definition of “UN tests” in regulation 2(1) is amended as follows:
 - (a) by deleting “ninth” and inserting instead —
“ eleventh ”;
 - (b) by deleting “second” and inserting instead —
“ third ”.
- (5) Regulation 2(4)(a) is amended by deleting “Table 9.1” and inserting instead —
“ Appendix 2 ”.
- (6) Regulation 2(4)(b) is amended by deleting “column 6 in that Table” and inserting instead —
“ column 7 of that Appendix ”.

4. Regulation 76 amended

- (1) Regulation 76(5) is amended by deleting “consigned by a person who, under any of paragraphs (1) to (4), is authorized to have possession of the explosives” and inserting instead —
“
 consigned by a person to another person, both of whom are authorised under the Act or these regulations to have possession of the explosives
”.

(2) After regulation 76(5) the following paragraphs are inserted —

“

- (6) A holder of a licence under the Act to import, manufacture, or sell explosives.
- (7) A person who possesses, and can if necessary produce, a permit to import or bring into the State an unauthorised explosive, which permit is current and unexpired.
- (8) A person who possesses fireworks for the purposes of a display, and can if necessary produce, a permit to display the fireworks issued under the regulations.
- (9) A person conducting a transport business or a driver of a vehicle of a person conducting a transport business who is transporting explosives listed in the Table to this paragraph from a person who is authorised to possess explosives —
 - (a) in this State under this regulation; or
 - (b) in another State or a Territory under a corresponding provision of a corresponding law of that State or Territory,

to a person who is authorised to possess those explosives —

- (c) in this State under this regulation; or
- (d) in another State or a Territory under a corresponding provision of a corresponding law of that State or Territory.

Table

50 kgs or less of explosives of Class 1.3
 250 kgs or less of explosives of Class 1.4 (not being
 explosives of Class 1.4S or detonators of Class 1.4B)
 125 or fewer detonators of Class 1.4B
 Any quantity of Class 1.4S
 50 kgs or less of manufactured fireworks

”.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RA301

TOTALISATOR AGENCY BOARD BETTING ACT 1960

Section 27A

Notice is hereby given that the Totalisator Agency Board of Western Australia, acting in accordance with section, 27A of the Totalisator Agency Board Betting Act 1960, has adopted and will operate under the following rules pertaining to the fixed odds betting system operated by Tabcorp Manager Pty Ltd in Victoria.

RAYMOND WALKER, Chairman, Totalisator Agency Board of WA.

WA TAB—TAB SPORTSBET RULES

The following additional rules are incorporated in the original rules that were gazetted on 2 June 2000.

- 6.15 Where the exact amount of a return ("Return") in relation to a Withdrawn Competitor under Rule 6.14 above is not listed in the "Return of Withdrawn Competitor" column in the Schedule and is an amount greater than the point midway between one amount listed in the "Return of Withdrawn Competitor" column ("First Amount") and the amount immediately below the First Amount, the Return shall be rounded up to the nearest "Return of Withdrawn Competitor" amount and the "WIN" and "Place" deduction amounts corresponding to that rounded up amount shall apply. Otherwise the amount shall be rounded down and the "WIN" and "Place" deduction amounts corresponding to that rounded down amount shall apply.
- 6.16 Where the Return referred to in Rule 6.15 is above the highest "Return of Withdrawn Competitor Amount" the Return shall be deemed to be the highest "Return of Withdrawn Competitor Amount" for the purpose of determining the "WIN" and "Place" deduction amounts. Where the Return referred to in Rule 6.15 is below the lowest "Return of Withdrawn Competitor Amount" the Return shall be deemed to be the lowest "Return of Withdrawn Competitor Amount" for the purpose of determining the "WIN" and "Place" deduction amounts.

SUPERANNUATION BOARD

SD301*

Fire Brigades Superannuation Act 1985

Fire Brigades (Superannuation Fund) Amendment Regulations 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Fire Brigades (Superannuation Fund) Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Fire Brigades (Superannuation Fund) Regulations 1986**.

[* Reprinted as at 11 October 1994.

For amendments to 25 July 2000 see 1999 Index to Legislation of Western Australia, Table 4, pp. 87-9.]

3. Regulation 3 amended

(1) Regulation 3(1) is amended as follows:

(a) in the definition of “Category A member” by deleting paragraph (a) and inserting the following paragraph instead —

“ (a) a Category B member; ”;

(b) in the definition of “Category B member” by inserting after “regulation”—

“ 11(2), ”.

(2) Regulation 3(2) is amended by deleting “4” and inserting instead —

“ 3A ”.

4. Regulation 9B amended

(1) Regulation 9B(1) is amended by deleting “, for the purposes of all or any of these regulations”.

(2) After regulation 9B(1) the following subregulation is inserted —

“

(1a) Different net fund earning rates may be determined for different purposes and, if members make different choices about the investment of money credited to their accumulation accounts, the calculation of interest on their accumulation accounts is to be treated as being for different purposes.

”.

5. Regulation 11 replaced

Regulation 11 is repealed and the following regulation is inserted instead —

“

11. Membership of eligible Authority employee

(1) A person becomes a Category A member when he or she becomes an eligible Authority employee unless he or she —

(a) is already a Category A member;

(b) is a temporary or casual employee as defined in regulation 12A;

(c) is a person to whom regulation 12B applies; or

- (d) is not covered by the Western Australian Fire Services Award 1996 and, at the time of becoming an eligible Authority employee —
- (i) elects to become a Category B member; or
 - (ii) being a GES member, elects to remain a GES member.
- (2) A person who makes an election under subregulation (1)(d)(i) is taken to have become a Category B member when he or she became an eligible Authority employee.
- (3) A person who became a Category B member under subregulation (2) may, by giving notice to the employer, become a Category A member.
- (4) If an eligible Authority employee —
- (a) who made an election under subregulation (1)(d)(ii); or
 - (b) to whom subregulation (1a) as in force before the commencement of the *Fire Brigades (Superannuation Fund) Amendment Regulations 2000* applied when he or she became an eligible Authority employee,
- ceases to be a GES member, subregulation (1) applies as if the employee had become an eligible Authority employee when he or she ceased to be a GES member.
- (5) A person who becomes a member under this regulation remains a member while he or she remains an eligible Authority employee or an associated employee.
- (6) In this regulation —
- “**GES member**” means a member of the 1987 scheme or the 1993 scheme established under the *Government Employees Superannuation Act 1987*.

”.

6. Regulation 14 amended

Regulation 14(1) is repealed and the following subregulation is inserted instead —

“

- (1) If —
- (a) a Category A member who has not made an election under regulation 14A becomes a Category B member; and
 - (b) the balance of the member’s accumulation account is less than the benefit (in this subregulation called “**the member’s notional benefit**”) to which the member would have

been entitled if, on the day the member ceased to be a Category A member, the member had ceased to be in the employment of the employer in a case to which regulation 21(1) applied,

the Superannuation Board is to credit to the member's accumulation account the amount by which the accumulation account balance is less than the member's notional benefit.

”.

7. Regulation 14A inserted

After regulation 14 the following regulation is inserted in Part III —

“

14A. Category A member may elect to transfer notional defined benefit to accumulation account

- (1) A Category A member who is under 65 years of age and —
- (a) has reached 55 years of age; or
 - (b) has completed a membership period of 30 years as a Category A member,

may elect to transfer the member's notional defined benefit to the credit of the member's accumulation account.

- (2) An election under subregulation (1) is irrevocable.
- (3) If a Category A member makes an election under subregulation (1), the Superannuation Board is to credit to the member's accumulation account the member's notional defined benefit.
- (4) In this regulation —

“**member's notional defined benefit**” means —

- (a) if, on the election day, the member has reached 55 years of age – an amount calculated in accordance with Schedule 1 as if the member had ceased to be in the employment of the employer on the election day; or
- (b) if, on the election day, the member is under 55 years of age – an amount calculated in accordance with Schedule 4 as if the member had ceased to be in the employment of the employer on the election day;

“**the election day**” means the day on which the member makes an election under subregulation (1).

”.

8. Regulation 16C amended

(1) Regulation 16C(2) is amended as follows:

(a) in paragraph (a), by inserting after “regulation 14” —
“ , 14A, ”;

(b) after paragraph (d), by inserting the following paragraph —

“
(da) for a Category A member who has made an election under regulation 14A, all contributions made by or for the member after the election is made except contributions under regulation 16B;

”;

(c) in paragraph (e), by deleting “a Category A” and inserting instead —

“ any other Category A ”;

(d) after paragraph (f) by deleting “and” and inserting instead —

“
(fa) for a Category B member, the proceeds received by the Superannuation Board from any insurance policies taken out under regulation 16D in respect of the member; and

”.

(2) After regulation 16C(3)(a) the following paragraphs are inserted —

“
(aa) for a Category B member, the costs and premiums payable by the Superannuation Board for any insurance policies taken out under regulation 16D in respect of the member;

(ab) if the member is a category A member who has made an election under regulation 14A, any fee that the Superannuation Board, on the advice of its actuary, considers it is appropriate to charge for insuring for the cost of paying any benefit under regulation 17 or 18 in excess of the balance of the member’s accumulation account;

”.

9. Regulation 16D inserted

After regulation 16C the following regulation is inserted in Part IV —

“

16D. Insurance for Category B members

(1) The Superannuation Board may take out such policies of insurance in respect of a Category B member who

became a Category B member under regulation 11(2) as the Superannuation Board considers appropriate.

- (2) In addition to any policies taken out under subregulation (1) the Superannuation Board may take out such policies of insurance in respect of a Category B member as the Board and member agree.
- (3) In this regulation —
“**insurance**” means life insurance, disability insurance or life and disability insurance.

”.

10. Regulation 17 amended

- (1) Regulation 17 is amended as follows:
 - (a) by inserting before “If” the subregulation designation “(1)”;
 - (b) by inserting after “Category A member” —

“

who has not made an election under regulation 14A

”.

- (2) At the end of regulation 17 the following subregulation is inserted —

“

- (2) If a Category A member who has made an election under regulation 14A dies while still in the employment of the employer and before reaching 65 years of age, the Superannuation Board is to pay a benefit equal to —
 - (a) the balance of the member’s accumulation account; and
 - (b) if the accumulation account balance is less than the benefit that would have been payable under subregulation (1) had the member not made the election, the amount by which the accumulation account balance is less than that benefit.

”.

11. Regulation 19 amended

- (1) Regulation 19 is amended as follows:
 - (a) by inserting before “If” the subregulation designation “(1)”;
 - (b) by inserting after “Category A member” —

“

who has not made an election under regulation 14A

”.

- (2) At the end of regulation 19 the following subregulation is inserted —

“

- (2) If a Category A member who has made an election under regulation 14A leaves the employment of the employer as a result of partial and permanent disablement before reaching 65 years of age, the member is entitled to a benefit equal to the balance of the member's accumulation account.

”.

12. Regulation 20 amended

Regulation 20 is amended by inserting after “Category A member” —

“ who has not made an election under regulation 14A ”.

13. Regulation 21 amended

- (1) Regulation 21(1) is amended by deleting “leaves the employment of the employer for any reason” and inserting instead —

“

who has not made an election under regulation 14A ceases to be in the employment of the employer in a case to which neither regulation 17, 18, nor 19 applies,

”.

- (2) After regulation 21(1) the following subregulation is inserted —

“

- (1a) If a category A member who has made an election under regulation 14A ceases to be in the employment of the employer in a case to which neither regulation 17, 18, nor 19 applies, the member is entitled to a benefit equal to the balance of the member's accumulation account.

”.

- (3) In regulation 21(2), the following is inserted after “subregulation (1)” —

“ or (1a) ”.

14. Regulation 21A amended

Regulation 21A(2)(a) is deleted and the following paragraph is inserted instead —

“

- (a) ceases to be in the employment of the employer other than as a result of death;

”.

15. Regulation 32 amended

- (1) Regulation 32(1) is amended by deleting “regulation 17 or 18” and inserting instead —
- “ regulation 17(1) ”.
- (2) Regulation 32(2) is amended as follows:
- (a) by deleting “regulation 17 or 18” and inserting instead —
- “ regulation 17(1) ”;
- (b) by deleting “calculated in accordance with Schedule 1.” and inserting instead the following —
- “
- the amount under regulation 17(1)(a) were calculated in accordance with Schedule 1 without applying Schedule 2.
- ”.
- (3) After regulation 32(2) the following subregulation is inserted —
- “
- (2a) Subregulation (2) does not apply for the purposes of calculating the benefit that would have been payable under regulation 17(1) in order to determine —
- (a) a benefit under regulation 17(2); or
- (b) an amount calculated by direct or indirect reference to a benefit under regulation 17(2).
- ”.

16. Regulation 37A amended

Regulation 37A is amended as follows:

- (a) by inserting after “of Category A members” —
- “
- who have not made elections under regulation 14A
- ”;
- (b) by inserting after “distribution is made” —
- “
- and who had not made elections under regulation 14A before that day
- ”.

17. Regulation 41 amended

Regulation 41(8) is amended as follows:

- (a) by deleting “any benefit calculated under regulation 17” and inserting instead —
- “ an amount has to be calculated ”;

(b) by inserting before “is payable” —

“

in order to determine a benefit under or by reference to regulation 17 that

”;

(c) by deleting “benefit shall be reduced” and inserting instead —

“ amount shall be reduced ”.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

TRANSPORT

TR301*

Jetties Act 1926

Jetties Amendment Regulations (No. 2) 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Jetties Amendment Regulations (No. 2) 2000*.

2. Appendix 1 Part 7 amended

Appendix 1 Part 7 to the *Jetties Act Regulations 1940** is amended by deleting “\$2.36” and inserting instead —

“ \$2.15 ”.

[* Reprinted as at 10 December 1999.

For amendments to 24 July 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 152 and Gazette of 20 June 2000.]

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

TREASURY

TY301*

Financial Administration and Audit Act 1985

**Financial Administration and Audit
(Designation of Statutory Authorities)
Regulations (No. 2) 2000**

Made by the Administrator in Executive Council under section 4(2) of the Act.

1. Citation

These regulations may be cited as the *Financial Administration and Audit (Designation of Statutory Authorities) Regulations (No. 2) 2000*.

2. Schedule 1 to the Act amended

Schedule 1 to the *Financial Administration and Audit Act 1985** is amended by deleting “Central Metropolitan College of TAFE” and inserting instead —

“ Central TAFE ”.

[* Reprinted as at 9 July 1999.

For amendments to 19 July 2000 see 1999 Index to Legislation of Western Australia, Table 1, p. 89, Acts Nos. 24 and 25 of 2000, and Gazette of 28 January and 7 April 2000.]

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

FIRE AND RESCUE

FB401*

BUSH FIRES ACT 1954

Bush Fires (Section 25B) Notice 2000

Shire of Williams

Fire and Emergency Services Authority,
Perth.

Correspondence No 109

Made under Section 25B of the Act by the Minister for Emergency Services on the recommendation of the Authority.

1. Citation

This Notice may be cited as the *Bush Fires (Section 25B) Notice 2000—Shire of Williams*.

2. Suspension for 5 years of provisions of section 25 relating to fires lit for destroying garden refuse or rubbish in rubbish disposal sites during restricted or prohibited burning times

(1) The operation of the provisions of section 25 of the Act that relate to a fire to be lit, or which is lit, for the purpose of destroying garden refuse or rubbish or for any like purpose is suspended.

(2) The suspension has effect for the period of 5 years from the day on which this Notice is published in the *Gazette*.

3. Land to which suspension applies

This Notice only applies in respect of the Shire of Williams' rubbish disposal site situated at Lot 40 Williams Road WILLIAMS.

4. Conditions applying during the suspension Schedule 1

During the period of the suspension, the conditions specified in Schedule 1 apply to a fire which is to be lit, or which is lit, in the open air for the purpose of destroying garden refuse or rubbish in a rubbish disposal site or for any like purpose during the restricted burning times and the prohibited burning times.

Schedule 1—CONDITIONS

SPECIFIED CONDITIONS

1. Only dry untreated wood, timber and garden refuse may be burnt under this suspension.

2. A sign notifying the public of the unauthorised lighting of fires shall be provided by the Local Government and maintained in good legible order at all times.

These signs shall be worded and display—

UNAUTHORISED
LIGHTING OF FIRES
IS PROHIBITED

Sign Specifications

Signs shall have letters in capitals, a minimum of five centimetres in height and be black on white background. Signs will be placed at the entrance to the rubbish disposal site and at the immediate proximity of the disposal sites.

3. A sign directing the public to the designated disposal areas shall be provided by the Local Government and maintained in good legible order at all times.

These signs shall be worded and display—

'DOMESTIC REFUSE ONLY. DUMP HERE'

and/or

'GARDEN REFUSE, TIMBER & WOOD WASTE ONLY. DUMP HERE'

Sign Specifications

Signs shall have letters in capitals, a minimum of five centimetres in height and be black on white background. Signs will be placed at the entrance to the rubbish disposal site and at the immediate proximity of the disposal sites.

4. A wire mesh fence, a minimum of two metres in height, is to completely surround the tip site and is to be maintained in sound condition throughout the period of this suspension. The fence shall be constructed with an angled wing across the entrance so as to prevent wind blown materials exiting the

site and the entrance shall be upwind of the annual prevailing winds. Wire mesh shall be a maximum of 100 millimetres in aperture size (ie Poultry Mesh type).

5. A firebreak with a minimum of three metres width, cleared of all inflammable material, is to be maintained around the total perimeter of the disposal site/location throughout the Prohibited and Restricted Burning Period.

6. A buffer zone (distance) of 500 metres minimum will be maintained between the disposal site and any residential development or other developed areas (eg schools, hospitals, industrial areas).

7. Before any fires are lit for refuse disposal, the following must be notified—

- (a) Conservation and Land Management (CALM) District Officers, prior to any fire being lit within three kilometres of CALM land; and
- (b) FESA Fire Services Communication Centre.

8. Fires are to be lit only under the following conditions—

- the fire is lit by personnel specifically authorised to do so by the Local Government;
- the fire is lit after a local forecast for the day has been obtained from the Bureau of Meteorology; and
- the Chief Bush Fire Control Officer or his designated deputies have been consulted and have agreed to the burn taking place.

9. No fires are to be lit on the site subject to this suspension on a day or part of a day for which the fire danger forecast issued by the Bureau of Meteorology in respect of that locality is *Very High* or *Extreme*.

10. Burning shall take place in designated areas of the rubbish disposal site. The designated areas shall be cleared of all inflammable material, save live standing trees, for a radius of 50 metres minimum. The garden refuse site and domestic refuse site will be located a minimum of 50 metres from the rubbish disposal site boundary. Domestic and commercial waste must be kept separate from the material to be burnt.

11. Material for burning shall be arranged in trenches or windrows, as directed by the Local Government. This area shall not be sited over a site which has been previously land filled.

12. All garden, timber and wood refuse burns shall be regularly heaped and stoked throughout the duration of the burn to ensure, as far as possible, a rapid and complete burn.

13. The volume of waste to be burnt shall not exceed that which can be safely burnt and declared safe within the hours of 8 am and 12 midnight on any one day.

14. Until the fire is declared safe, it must be attended by at least two able-bodied personnel who have had the minimum level of Bush Fire Training, as defined by FESA.

15. Throughout the duration of a burn, a fire fighting vehicle (appliance) operated by the personnel referred to in Condition 9, with a minimum water carrying capacity of 500 litres, fitted with a minimum of 30 metres of 19 millimetre diameter rubber hose and pump capable of delivering a minimum of 250 litres of water per minute at a minimum of 700 kPA through an adjustable nozzle capable of projecting water in spray and jet configurations, must be on site.

16. All burns are to be declared '**SAFE**' by personnel specifically authorised to do so by the Bush Fire Control Officer for the local government district prior to fire fighting equipment and personnel being permitted to depart the area.

KEVIN PRINCE, LL.B MLA, Minister for Emergency Services.

FB402*

BUSH FIRES ACT 1954

Bush Fires (Section 25B) Notice 2000

Shire of Pingelly

Fire and Emergency Services Authority,
Perth.

Correspondence No 109

Made under Section 25B of the Act by the Minister for Emergency Services on the recommendation of the Authority.

1. Citation

This Notice may be cited as the *Bush Fires (Section 25B) Notice 2000—Shire of Pingelly*.

2. Suspension for 5 years of provisions of section 25 relating to fires lit for destroying garden refuse or rubbish in rubbish disposal sites during restricted or prohibited burning times

(1) The operation of the provisions of section 25 of the Act that relate to a fire to be lit, or which is lit, for the purpose of destroying garden refuse or rubbish or for any like purpose is suspended.

(2) The suspension has effect for the period of 5 years from the day on which this Notice is published in the *Gazette*.

3. Land to which suspension applies

This Notice only applies in respect of the Shire of Pingelly's rubbish disposal site situated at Location 25802 Paragon Street PINGELLY.

4. Conditions applying during the suspension Schedule 1

During the period of the suspension, the conditions specified in Schedule 1 apply to a fire which is to be lit, or which is lit, in the open air for the purpose of destroying garden refuse or rubbish in a rubbish disposal site or for any like purpose during the restricted burning times and the prohibited burning times.

Schedule 1—CONDITIONS

SPECIFIED CONDITIONS

1. Only dry untreated wood, timber and garden refuse may be burnt under this suspension.
2. A sign notifying the public of the unauthorised lighting of fires shall be provided by the Local Government and maintained in good legible order at all times.

These signs shall be worded and display—

UNAUTHORISED
LIGHTING OF FIRES
IS PROHIBITED

Sign Specifications

Signs shall have letters in capitals, a minimum of five centimetres in height and be black on white background. Signs will be placed at the entrance to the rubbish disposal site and at the immediate proximity of the disposal sites.

3. A sign directing the public to the designated disposal areas shall be provided by the Local Government and maintained in good legible order at all times.

These signs shall be worded and display—

‘DOMESTIC REFUSE ONLY. DUMP HERE’

and/or

‘GARDEN REFUSE, TIMBER & WOOD WASTE ONLY. DUMP HERE’

Sign Specifications

Signs shall have letters in capitals, a minimum of five centimetres in height and be black on white background. Signs will be placed at the entrance to the rubbish disposal site and at the immediate proximity of the disposal sites.

4. A wire mesh fence, a minimum of two metres in height, is to completely surround the tip site and is to be maintained in sound condition throughout the period of this suspension. The fence shall be constructed with an angled wing across the entrance so as to prevent wind blown materials exiting the site and the entrance shall be upwind of the annual prevailing winds. Wire mesh shall be a maximum of 100 millimetres in aperture size (ie Poultry Mesh type).

5. A firebreak with a minimum of three metres width, cleared of all inflammable material, is to be maintained around the total perimeter of the disposal site/location throughout the Prohibited and Restricted Burning Period.

6. A buffer zone (distance) of 500 metres minimum will be maintained between the disposal site and any residential development or other developed areas (eg schools, hospitals, industrial areas).

7. Before any fires are lit for refuse disposal, the following must be notified—

- (a) Conservation and Land Management (CALM) District Officers, prior to any fire being lit within three kilometres of CALM land; and
- (b) FESA Fire Services Communication Centre.

8. Fires are to be lit only under the following conditions—

- the fire is lit by personnel specifically authorised to do so by the Local Government;
- the fire is lit after a local forecast for the day has been obtained from the Bureau of Meteorology; and
- the Chief Bush Fire Control Officer or his designated deputies have been consulted and have agreed to the burn taking place.

9. No fires are to be lit on the site subject to this suspension on a day or part of a day for which the fire danger forecast issued by the Bureau of Meteorology in respect of that locality is *Very High* or *Extreme*.

10. Burning shall take place in designated areas of the rubbish disposal site. The designated areas shall be cleared of all inflammable material, save live standing trees, for a radius of 50 metres minimum. The garden refuse site and domestic refuse site will be located a minimum of 50 metres from the rubbish disposal site boundary. Domestic and commercial waste must be kept separate from the material to be burnt.

11. Material for burning shall be arranged in trenches or windrows, as directed by the Local Government. This area shall not be sited over a site which has been previously land filled.

12. All garden, timber and wood refuse burns shall be regularly heaped and stoked throughout the duration of the burn to ensure, as far as possible, a rapid and complete burn.

13. The volume of waste to be burnt shall not exceed that which can be safely burnt and declared safe within the hours of 8 am and 12 midnight on any one day.

14. Until the fire is declared safe, it must be attended by at least two able-bodied personnel who have had the minimum level of Bush Fire Training, as defined by FESA.

15. Throughout the duration of a burn, a fire fighting vehicle (appliance) operated by the personnel referred to in Condition 9, with a minimum water carrying capacity of 500 litres, fitted with a minimum

of 30 metres of 19 millimetre diameter rubber hose and pump capable of delivering a minimum of 250 litres of water per minute at a minimum of 700 kPA through an adjustable nozzle capable of projecting water in spray and jet configurations, must be on site.

16. All burns are to be declared 'SAFE' by personnel specifically authorised to do so by the Bush Fire Control Officer for the local government district prior to fire fighting equipment and personnel being permitted to depart the area.

KEVIN PRINCE, LL.B MLA, Minister for Emergency Services.

FISHERIES

FI401*

PEARLING ACT 1990

Section 23(8)

NOTICE OF GRANT OF A PEARL OYSTER FARM LEASE—GANTHEAUME POINT

FD 1635/99

Whereas on the second day of July in 1999 a lease over an area of water of 1.82 square nautical miles in the vicinity of Gantheaume Point was issued to Paspaley Pearling Company Pty Ltd (ACN 001 991 046), Roebuck Pearl Producers Pty Ltd (ACN 009 149 651) and Pearls Pty Ltd (ACN 008 396 825) as Tenants-in-Common in Equal Shares ("The Partners") and;

Whereas The Partners being desirous of surrendering a portion of the leased area of 0.55 square nautical miles forming the north eastern portion of the area for the purpose of acquiring an area of 1.05 square nautical miles adjacent to the southern portion of the lease;

Now, I, Peter Phillip Rogers, the Executive Director of Fisheries Western Australia, pursuant to section 23 of the *Pearling Act* 1990 ("the *Pearling Act*") hereby give notice that I have granted an application by The Partners for a pearl oyster farm lease in respect of an aggregated area of water of 2.321 square nautical miles located in the vicinity of Gantheaume Point for a period expiring on 31 December 2002.

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 14th day of August 2000.

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

HEALTH

HE401*

SECURITY AND RELATED ACTIVITIES (CONTROL) ACT 1996

SECURITY AND RELATED ACTIVITIES (CONTROL) REGULATIONS 1997

(Regulation 46(1)(b))

Approved Sample Collectors

1. I, Alan Bansemmer, Commissioner of Health of the Health Department of Western Australia, acting pursuant to regulation 46(1)(b) of the *Security and Related Activities (Control) Regulations 1997*, hereby approve each person who may, from time to time, be employed—

- (a) as a phlebotomist at the Royal Perth Hospital, Wellington Street, Perth; and
- (b) by the Western Australian Centre for Pathology and Medical Research to, as part of their duties, undertake phlebotomy services,

to be a "*sample collector*" for the purposes of the *Security and Related Activities (Control) Act 1996*.

2. This approval shall have effect from the day on which it is published in the *Government Gazette*.

Dated this 11th day of August 2000.

ALAN BANSEMER, Commissioner of Health.

JUSTICE

JM101*CORRECTION*
JUSTICES ACT 1902

An error occurred in the notice published under the above heading on page 4205 of the *Government Gazette* dated 4 August 2000 and is corrected as follows—

Change “Mrs Fiona Coad of Coles Boundary Road, Bruce Rock”
to “Miss Fiona Joy Coad of 11 Mikado Way, Laverton”.

GARY THOMPSON, Executive Director,
Court Services.

JM401**DECLARATIONS AND ATTESTATIONS ACT 1913**

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

Mr Peter James John of 44 Timbercrest Road, Thornlie
Ms Anne Iris Muir of Lot 50 Cardup Siding Road, Cardup.

GARY THOMPSON, Executive Director,
Court Services.

JM402**EX OFFICIO JUSTICE OF THE PEACE**

It is hereby notified for public information that Cr Christopher Wayne Geraghty has been appointed under Section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Avon during his term of office as the President of the Shire of Mukinbudin.

GARY THOMPSON, Executive Director,
Courts Division.

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

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

Mr Anthony Frederick Bright of 47 Emily Street, Esperance
Mr Clyde Reginald Hudson of 2 Burton Road, Esperance.

GARY THOMPSON, Executive Director,
Court Services.

JM404**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 Jean Olive Beard of 4 Harriet Road, Broome
Mr Trevor Wayne Cole of Coles Boundary Road, Bruce Rock
Ms Elisabeth Peden Lucke of Lot 2694 Antheous Way, Blue Haze, Geraldton
to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director,
Court Services.

LOCAL GOVERNMENT

LG401**BUSH FIRES ACT 1954***Shire of Dumbleyung***Bush Fire Control Officers**

The Shire of Dumbleyung has appointed the following persons as Bush Fire Control Officers.

Chief Bush Fire Control Officer	Richard Moran
Deputy Chief Bush Fire Control Officer	Jamie Dare
Chief Fire Weather Officer	Richard Moran
Deputy Chief Fire Weather Officer	Barry Gard
Fire Control Officer	Peter Bayley
Fire Control Officer	Darren Smith
Fire Control Officer	Robert Lukins
Fire Control Officer	Pat O'Neill
Fire Control Officer	Howard Joyce
Fire Control Officer	Barry Gard
Fire Control Officer	Trevor Dawson
Fire Control Officer	Graham Gooding
Fire Control Officer	Gordon Davidson
Fire Control Officer	Mervyn Mott
Fire Control Officer	Shane Edwards
Fire Control Officer	Terry Ward
Fire Control Officer	Ron Lloyd
Fire Control Officer	Ken Smith
Fire Control Officer	Philip Bairstow
Fire Control Officer	Don O'Donnell
Fire Control Officer	Graeme Hall
Fire Control Officer	Aaron Bowman

All previous appointments are hereby revoked.

AARON J. BOWMAN, Chief Executive Officer.

LG402**SHIRE OF DUMBLEYUNG****Prohibition on Burning**

It is hereby notified for public information that burning within the Shire of Dumbleyung is prohibited on Good Friday and Easter Sunday.

AARON J. BOWMAN, Chief Executive Officer.

LG403**HEALTH ACT 1911***Shire of East Pilbara***COMMERCIAL TIP DISPOSAL FEES—NEWMAN**

It is hereby notified for public information that in accordance with the provisions of section 344C of the Health Act 1911 the Council of the Shire of East Pilbara resolved to set the following Tip Disposal Fees for the Newman Refuse Site. The resolution will take effect from 1 September 2000.

Commercial Tip Disposal Fees—Newman		
Description	Proposed Charges	Comments
General Waste, putrescibles, foodstuffs, cans, paper, cardboard, animal carcasses and non-recyclable steel products.	\$8.00	per cubic metre; \$8.00 minimum charge
Clean bricks and clean soil suitable for re-use	\$5.00	per cubic metre; \$5.00 minimum charge
Green waste (sorted)	\$8.00	per cubic metre; \$8.00 minimum charge
Vehicle bodies—Car	\$75.00	each
Vehicle bodies—Light Truck	\$150.00	each
Vehicle bodies—Large Truck	\$200.00	each
Steel products (recyclable)	\$5.00	per cubic metre

Commercial Tip Disposal Fees—Newman—*continued*

Description	Proposed Charges	Comments
Air conditioners, fridges	\$10.00	per item
Tyres—Car	\$3.00	each
Tyres—Light truck	\$5.00	each
Tyres—Truck	\$10.00	each
Tyres—Haulpack or similar	\$200.00	each
Building Waste, concrete, rubble, non-recyclable building materials	\$10.00	per cubic metre
Hazardous waste—Asbestos	\$25.00	per m ³
Hazardous waste—Medical	\$25.00	per m ³
Liquid waste	\$40.00	per truck
Extra large, bulk and unclassified waste		Price on application.
Domestic Tip Disposal Fees—Newman		
Vehicle bodies—Light Truck	\$150.00	each
Vehicle bodies—Large Truck	\$200.00	each
Air conditioners & fridges	\$10.00	per item
Tyres—Light truck	\$5.00	each
Tyres—Truck	\$10.00	each
Tyres—Haulpack or similar	\$200.00	each

Note: Oils not accepted, toxic liquids only accepted upon approval of Manager Health and Regulatory Services.

LG501***BUSH FIRES ACT 1954***SHIRE OF MUNDARING*NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND SITUATED IN
THE SHIRE OF MUNDARING

Take notice that pursuant to Section 33(4) of the Bush Fires Act, where the owner or occupier of land who has received notice fails or neglects to comply with the requisitions of the notice within the time specified, the Shire of Mundaring may, by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of the notice which have not been complied with and pursuant to Section 33(5) of the Bush Fires Act the amount of any costs and expenses incurred may be recovered from you as the owner or occupier of the land.

FIREBREAKS

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are hereby required to clear of flammable material firebreaks not less than 3 metres in width immediately inside all external boundaries of any lot owned or occupied by you and situated within the Shire of Mundaring.

Such firebreaks may be constructed by one or more of the following methods—

Ploughing, Cultivating, Scarifying, Burning, Chemical Spraying or other approved method and are to be cleared to the satisfaction of an Authorised Officer of the Shire. In addition you may be required to carry out further works which are considered necessary by an Authorised Officer of the Shire and specified by way of a separate written notice forwarded to the address as shown on the Shire of Mundaring rates record for the relevant land.

In some instances naturally occurring features such as rocky outcrops, natural watercourses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with an Authorised Officer of the Shire, and approved by the Authorised Officer in writing.

On any lot having an area of less than 3,000m² with a dwelling constructed on it, where the lot is substantially developed (i.e. at least 75% cleared of bush), the keeping of grass on the lot at all times covered by this notice to a height less than 5 centimetres will be accepted in lieu of clearing a firebreak. For the purpose of this notice grass kept at a height of less than 5 centimetres will be deemed not to be flammable material.

All firebreaks and other alternative arrangements allowed by the preceding parts of this notice must be established on or before the 30th day of November 2000 (or within 14 days of you becoming the owner or occupier should this occur after that date) and maintained clear of flammable material up to and including the 14th day of March 2001.

APPLICATION TO VARY THE ABOVE REQUIREMENTS

If it is considered impracticable for any reason whatsoever to clear firebreaks or establish other arrangements as required by this notice, you may apply in writing to the Shire of Mundaring not later than the 15th day of November 2000 for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Shire, you must 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.

The penalty for failing to comply with this Notice is a fine not exceeding \$1,000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

By order of the Council,

M. N. WILLIAMS, Chief Executive Officer.

MINERALS AND ENERGY

MN401

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,
Southern Cross.

In accordance with Regulation 49(2)(c) of the Mining Regulations, 1981 notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act, 1978 for breach of covenant, viz. non-payment of rent.

F. CULLEN, Warden.

To be heard in the Warden's Court at Southern Cross on 12th September, 2000.

YILGARN MINERAL FIELD

Prospecting Licence

77/3132—Vernon Wesley Strange

77/3133—Vernon Wesley Strange

77/3189—Barclay Holdings Ltd

77/3224—Vernon Wesley Strange

MN402

MINING ACT 1978

Department of Minerals & Energy,
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A(1) and 97(1) of the "Mining Act 1978" that the undermentioned mining tenements are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions/non payment of rent.

NORMAN MOORE MLC, Minister for Mines.

NUMBER	HOLDER	MINERAL FIELD
	Exploration Licence	
63/588	Golden Hills Mining NL	Dundas
	Mining Leases	
20/232	Emerald Square Pty Ltd Jewellery International BVBA Nelson, Gary Steinkalik, Sylvain	Murchison
29/131	Lincoln Areas NL	North Coolgardie

POLICE

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 19th August 2000 at 9.00am.

The Auction is to be conducted by Mr Gary Silcock.

B. MATTHEWS, Commissioner of Police,
West Australian Police Service.

RACING, GAMING AND LIQUOR

RA401

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
7896	Ausunshine Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in Northbridge and known as Dragon Seafood Chinese Restaurant.	11/9/00
7897	Gavin Blinman Dewar & Pauline Dewar	Application for the grant of a Producer—Wine Licence in respect of premises situated in Dardanup and known as Willow Bridge Estate.	14/9/00
7898	Sea Eagle Holdings Pty Ltd	Application for the grant of a Tavern Licence in respect of premises situated in Mandurah and known as The Lamb and Flag.	12/9/00
7894/2000	Sphinx Restaurants (Australia) Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in Northbridge and known as Sphinx Restaurant.	12/9/00
7891/2000	Colin George Manley & Sandra Carol Manley	Application for the grant of a Producer's Licence in respect of premises situated in Capel and known as Pepperwood Vineyard Estate.	14/9/00
7885/2000	Christopher James Lockley	Application for the grant of a Special Facility Licence in respect of premises situated in Northbridge and known as Rack'Em & Crack'Em Entertainment Lounge.	30/8/00
7884/2000	Terrence Foster & Pamela Foster	Application for the grant of a Producer's Licence in respect of premises situated in Donnybrook and known as Thomson Brook Wines.	29/8/00
7888/2000	Subiaco Clinic Conference Centre	Application for the grant of a Special Facility Licence in respect of premises situated in Subiaco and known as Subiaco Clinic Conference Centre.	10/9/00

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

HUGH HIGHMAN, Director of Liquor Licensing.

PUBLIC NOTICES

ZZ101**TRUSTEES ACT 1962**

NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 18th September 2000 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Andersons, Janis, late of 112 Garratt Road, Bayswater, died 31/7/2000. (DEC 328643 DS2)

Austin, Margaret Elizabeth, late of 12A Lantern Court, Safety Bay, died 29/7/2000. (DEC 328541 DP3)

Bradley, Coral Ruby, late of 26 Barbary Road, High Wycombe, died 10/6/2000. (DEC 328095 DG3)

Davis, Rose, late of 228B Sixth Street, Wonthella, died 8/7/2000. (DEC 328041 DC2)

Genders, Alfred George Kenneth, late of Guildford Village, Swan Street, Guildford, died 5/1/2000. (DEC 328607 DG2)

Heberle, Dorothy Florence, late of 91 Hanworth Street, Balcatta, died 30/6/2000. (DEC 328633 DC3)

Hough, Bertha Mavis, late of Unit 71 Harris House, Air Force Memorial Estate, Bullcreek Drive, Bullcreek, died 24/7/2000. (DEC 328624 DC2)

Jones, Margaret Edith, late of Armadale Nursing Home, 21 Angelo Street, Armadale, died 4/5/2000. (DEC 328538 DS4)

Lane, Roderick Stanley, late of 15 National Park Road, Swan View, died 18/7/2000. (DEC 328602 DS4)

Linto, Francis Boyce, late of Unit 4/22 Rule Street, North Fremantle, died 28/7/2000. (DEC 328650 DC4)

McConnell, Dulcie Doreen, late of Chrystal Halliday Centre, 61 Jeanes Road, Karrinyup, died 4/6/2000. (DEC 328576 DC4)

Ong, Joseph, also known as Latif, Yusuf, late of 114 French Street, Tuart Hill, died 12/5/2000. (DEC 327190 DS3)

Opie, Violet Lorraine, late of Windsor Park Aged Care, 110 Star Street, Carlisle, died 31/7/2000. (DEC 328673 DA2)

Pegg, William John, late of Mertone Village, Winifred Street, Bayswater, formerly of 91 Hampshire Street, East Victoria Park, died 27/7/2000. (DEC 328665 DS3)

Stelpe, Evdokija, also known as Stelpe, Dusia, late of 1 Swanview Terrace, South Perth, died 27/6/2000. (DEC 327896 DL2)

Wallis, Clifford John, late of 41 Hastie Street, Bunbury, died 12/6/2000. (DEC 328521 DG3)

Wannell, Phyllis, late of Joondana Village Lodge, Edinboro House, 10 Edinboro Street, Joandanna, died 24/7/2000. (DEC 328552 DG4)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office,
565 Hay Street,
Perth WA 6000.
Telephone 9222 6777.

ZZ201**TRUSTEES ACT 1962**

NOTICE TO CREDITORS AND CLAIMANTS

Olive Edith Styles, late of Craigmont Waters Nursing Home, Third Avenue East, Maylands in the State of Western Australia, Spinster, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 24 April 2000 are required by the Executrix Gwendoline Ellen Fenech care of her solicitors Brian Smith & Stewart of 26 Helena Street, Midland in the said State to send particulars of their claims to them by no later than 18 September 2000 after which date the Executrix may convey or distribute the assets having regard only to the claims of which she then has notice.

BRIAN SMITH & STEWART.

ZZ401

DISPOSAL OF UNCOLLECTED GOODS

Koala Self Storage of 54 Roberts Street, Osborne Park, hereby gives notice to the following persons that storage charges are overdue and unless payment is received in full before 15 September 2000, the goods will be auctioned/sold and or disposed of to recover outstanding moneys.

1. Mr Kevin Taylor—Deposited car into storage 15/1/98—Daihatsu Charade 8HI 654. Ref 9115. Owes \$1335.00.
2. Mr Andrew Page—Deposited a car into storage 14/6/99—Sigma Wagon 6ED 021. Ref 9930. Owes \$960.00.
3. Mr Shane Houston—Deposited household goods into storage on 22/4/97. Ref 8684. Owes \$2094.00.

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992

**Price: \$7.65 Counter Sales
Plus Postage on 132 grams**

RETIREMENT VILLAGES REGULATIONS 1992

***Price: \$4.46 Counter Sales
Plus Postage on 25 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

FREEDOM OF INFORMATION ACT 1992

***Price: \$12.43 Counter Sales
Plus Postage on 365 grams**

* Prices subject to change on addition of amendments.



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