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GOVERNMENT GAZETTE

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From week commencing January 7 normal publishing resumes.



— PART 1 —

LOCAL GOVERNMENT

LG301*

HEALTH ACT 1911

SHIRE OF DERBY/WEST KIMBERLEY

HEALTH AMENDMENT LOCAL LAWS 2001

Made by the Council of the Shire of Derby/West Kimberley under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Part 3 of the *Local Government Act 1995*.

Citation

1. These local laws may be cited as the *Shire of Derby/West Kimberley Health Amendment Local Laws 2001*.

Principal local laws

2. In these local laws, the *Shire of Derby/West Kimberley Health Local Laws 1998* made under the *Health Act 1911* and passed by the Council of the Shire of Derby/West Kimberley on 24 February 1999, by notice published in the *Government Gazette* on 21 April 1999, are referred to as the principal local laws.

Principal local laws amended

3. The principal local laws are amended as described in the following schedule—

Item	Sections Affected	Description
1	3(1)	Delete the definition of “ Building Code ” in subsection (1) and substitute the following— ‘ “ Building Code ” means the latest edition of the Building Code of Australia published from time to time by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with that Code.’
2	3(1)	Delete the definition of “ water ” in subsection (1) and substitute the following— ‘ “ water ” means drinking water within the meaning of the Guidelines for Drinking Water Quality In Australia—1996, as published by the National Health and Medical Research Council and amended and endorsed by the Minister for Health from time to time;’
3	8	Delete section 8 and substitute the following— “8. Toilets on premises other than a dwelling house shall, where more than one toilet is provided on the premises, bear, on the entrance to each toilet, a suitable sign indicating for which sex its use is intended.”
4	9	Delete section 9 and substitute the following— “9. A person who undertakes temporary work at any place shall ensure every temporary sanitary convenience is installed and maintained in accordance with the requirements of the <i>Health (Temporary Sanitary Conveniences) Regulations 1997</i> .”
5	11	Delete section 11 and substitute the following— “11. (1) A toilet in any premises shall be ventilated in accordance with the <i>Sewerage (Lighting, Ventilation and Construction) Regulations 1971</i> and the Building Code.

Item	Sections Affected	Description
6	15	<p>(2) A mechanical ventilation system provided under subsection (1) shall be maintained in good working order and condition.”</p> <p>Delete section 15 and substitute the following—</p> <p>“15. (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that—</p> <p>(a) is adequately lined with an impervious material and has an adequate ceiling;</p> <p>(b) complies with the Health Act (Laundries and Bathrooms) Regulations; and</p> <p>(c) is equipped with—</p> <p>(i) a wash hand basin; and</p> <p>(ii) either a shower in a shower recess or a bath.</p> <p>(2) All baths, showers, hand basins and similar fittings shall be provided with an adequate supply of hot and cold water.”</p>
7	16	<p>Delete section 16 and substitute the following—</p> <p>“16. (1) A laundry must conform to the provisions of the Building Code.</p> <p>(2) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling.</p> <p>(3) Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall—</p> <p>(a) not be more than 1220 millimetres wide; and</p> <p>(b) have a door which when closed shall completely fill the opening.”</p>
8	18(1)	Delete paragraphs (a) and (b) of subsection (1) and substitute: “(a) a cooking facility”; then renumber paragraph (c) to “(b)”.
9	18(2)	Delete the words “stove, oven” in subsection (2) and substitute “cooking facilities”.
10	18(4)	Delete the words “Mechanical extraction shall be provided in a kitchen and” and substitute “Where mechanical extraction is provided in a kitchen,”.
11	25(3)	<p>In subsection (3), delete paragraph (b) and substitute—</p> <p>“(b) in use at all times the building is occupied, if it is a building without approved natural ventilation.”</p>
12	33(1)	In subsection (1)(c) delete the words “prescribed fee” and substitute the words “fee as fixed from time to time by Council under Section 344C of the Act”.
13	37	In subsection 37 (a), delete the words “the written approval of” and substitute “a licence from”.
14	37	In subsection 37 (b), delete the word “approval” and substitute “licence”.
15	38	In the title of section 38, delete the word “Approval” and substitute “Licence”.

Item	Sections Affected	Description
16	38(1)	In subsection 38 (1), delete the words "prescribed in Schedule 14 for approval" and substitute "as fixed from time to time by Council under Section 344C of the Act, for a licence".
17	38(3)	In subsection 38 (3)(a), delete the words "written approval of" and substitute "licence from".
18	38(4)	In subsection 38 (4), delete the word "approval" and substitute "the licence".
19	39	In section 39 , delete the word "approval" and substitute "a licence".
20	51(3)	In subsection (3) delete the words "in A.S. 1875-1976" and substitute "by Council".
21	51(3)	In subsection (3)(a), delete the numeral "3" before the word "metres" and substitute the numeral "2".
22	54(1)	In subparagraph (a)(i), delete the words "sheet metal" and substitute the words "an approved impervious material,".
23	54(1)	In subparagraph (a)(ii), insert the word and comma "sealed," before the word "welded".
24	54(1)	In subparagraph (b), delete the word "metal" and substitute the comma and words ", durable and impervious".
25	56	Delete the words "in a clean condition" and after the last word "premises", insert ", clear of any rubbish, matter or things coming from or belonging to the premises".
26	114	Delete paragraph (f) and in paragraph (e) delete "; and " and substitute "."
27	130	In subsection (c)(i), delete the words "prescribed in Schedule 14" and substitute the words " as fixed from time to time by Council under Section 344C of the Act".
28	132	In subsection (b), delete the words "prescribed in Schedule 14" and substitute the words " as fixed from time to time by Council under Section 344C of the Act".
29	137(1)	In subsection 137(1), delete paragraph (b) and substitute "(b) bathrooms, each fitted with a wash hand basin and a shower or a bath".
30	137(5)	Delete paragraph (b) of subsection (5).
31	139	Delete paragraph (f) and— In paragraph (d) after ";" insert "and"; and in paragraph (e) delete "; and " and substitute ".".
32	143(2)	Delete the words "Western Australian Fire Brigades Board" and substitute the words "Fire and Emergency Service Authority of Western Australia".
33	147(7)	In subsection (7) delete paragraph (c) and substitute the following: "(c) a lodger or other person does not smoke in any dormitory, kitchen, dining room or other enclosed public place, within a short term hostel or recreational campsite; and".
34	148	After subsection (2), insert new subsections (3) and (4) as follows: "(3) The sheets and blankets required to be Provided by subsection (1)(b)(ii), shall be deemed to have been provided by the keeper, where the keeper offers them for hire to the lodgers. In such circumstances, each lodger must either provide his own clean sheets or hire them from the keeper. (4) In a short term hostel or recreational campsite, the storage facilities required by subsection (1)(c) may be located in a separate secure storage room or locker room."
35	176	In paragraph (d), delete the words "and at such more frequent intervals as may be directed" and substitute the words: "or at such other intervals as may be approved or directed".
36	184	Insert the word "and" before the last word "crevices".

Item	Sections Affected	Description
37	Schedule 1	Delete the numbers "1000", "500" and "250" and substitute "-----" for each number.
38	Schedule 2	Delete the number "180" and substitute "-----".
39	Schedule 14	Delete Schedule 14—"Prescribed Fees".

Passed at an ordinary meeting of the Council of the Shire of Derby/West Kimberley held on 26 July 2001.

The Common Seal of the Shire of Derby/West Kimberley was affixed in the presence of—

E. M. ARCHER, President.
J. P. THROSSELL, Chief Executive Officer.

On this 27 day of July 2001.

Consented to—

Dr VIRGINIA A. McLAUGHLIN, Delegate of
Executive Director, Public Health.

Dated this 1st day of November 2001.

LG302*

DOG ACT 1976
SHIRE OF DERBY/WEST KIMBERLEY
DOGS LOCAL LAW

Under the powers conferred by the *Dog Act 1976* and under all other powers enabling it, the Council of the Shire of Derby/West Kimberley resolved on 30 November 2001 to make the following local law—

The Shire of Moora Dogs Local Law as published in the *Government Gazette* of 29 November 1999, is adopted as a local law of the Shire of Derby/West Kimberley, with the modifications which follow—

1. Preliminary

Wherever the "Shire of Moora" is mentioned in the local law substitute "Shire of Derby/West Kimberley".

2. Clause 1.2—Repeal

Delete clause 1.2 and substitute—

"The Shire of Derby/West Kimberley Local Laws Relating to Dogs published in the *Government Gazette* of 16 October 1987, are repealed."

3. Clause 3.2—Limitation on the number of dogs

Delete clause 3.2(2) and substitute—

"(2) The limit on the number of dogs which may be kept on any premises within the townsites of Derby, Fitzroy Crossing, Koolan Island and Camballin is, for the purpose of section 26(4) of the Act, 2 dogs over the age of 3 months and the young of those dogs under that age."

4. Clause 5.1—Places where dogs are prohibited absolutely

Delete subclause (1) and substitute—

"(1) Dogs are prohibited absolutely from entering or being in any of the following places—

- (a) a public building, unless permitted by a sign;
- (b) a theatre or picture gardens;
- (c) all premises or vehicles classified as food premises or food vehicles under the Health (Food Hygiene) Regulations 1993; and
- (d) a public swimming pool."

5. Clause 5.2—Places which are dog exercise areas

In clause 5.2(1) delete paragraphs (a), (b) and (c) and substitute—

"Within the townsite of Derby

- (a) the area known as Reserve R.34220 along the south western aspect of town adjacent to the marsh that extends from intersection of Monger Street and Rowan Street due south to the Derby Waste Management Facility; and

- (b) the area known as Reserve R.37864 along the north eastern aspect of town adjacent to the marsh that extends from intersection of Villiers Street and Elder Street due east to intersection of Villiers Street and Swain street;
- (c) the northern aspect of area known as Reserve R.23127 (racecourse and recreation) bounded by Steel Street to the east, Reserve R. 24904 to the west and limited to 60 metres due south from northern boundary of Reserve R. 23127.

Within the townsite of Fitzroy Crossing

- (a) the area of land bounded by Forrest Road, Russ Road, Fitzroy River, Great Northern Highway, Emmanuel Way and Bell Road.

Dated this 5th day of December 2001.

The Common Seal of the Shire of Derby/West Kimberley was affixed in the presence of—

E. M. ARCHER, President.
J. P. THROSSELL, Chief Executive Officer.

LG303*

LOCAL GOVERNMENT ACT 1995

CITY OF SUBIACO

LOCAL LAWS RELATING TO PARKING

MODIFIED PENALTY INCREASES AMENDMENT

Pursuant to Section 3.12 of the *Local Government Act 1995*, the above mentioned Local Law is amended as resolved by the Council of City of Subiaco on 13 November 2001.

That the existing third schedule to the Local Laws related to parking be amended as follows—

- (a) Local Law 2.2 parking or standing contrary to parking sign, delete modified penalty "\$40" and insert modified penalty "\$50"
- (b) Local Law 2.3 parking in a "No Parking" area, delete modified penalty "\$60" and insert modified penalty "\$70"
- (c) Local Law 2.4 parking or standing in a "No Standing" area, delete modified penalty "\$80" and insert modified penalty "\$90"
- (d) Local Law 2.18(3) parking or standing in area set aside for authorised persons, delete modified penalty "\$60" and insert modified penalty "\$70"
- (e) Local Law 3.3(a) failure to insert fee into ticket issuing machine, delete modified penalty "\$30" and insert modified penalty "\$35"
- (f) Local Law 3.3(b) failure to correctly display ticket issued by ticket issuing machine, delete modified penalty "\$30" and insert modified penalty "\$35"
- (g) Local Law 3.3(c) parking or standing after expiration of ticket, delete modified penalty "\$30" and insert modified penalty "\$35"

Dated: 13 November 2001.

CHESTER BURTON, Chief Executive Officer.

LG304*

LOCAL GOVERNMENT ACT 1995

SHIRE OF CAPEL

ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES
AND PUBLIC PLACES LOCAL LAW

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Capel resolved on 28 November 2001, to amend the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law published in the *Government Gazette* on 21 February 2001, as follows—

1. Clause 3.2 (3) is repealed.

2. Clause 3.3 added—

“3.3 Fouling of public places in built-up area

Any person liable for the control of a horse, who permits the horse to excrete in any public place or on any land within the District without the consent of the occupier commits an offence unless the excreta is removed as soon as is practicably possible within the same day and disposed of either on private land with the consent of the occupier or in such other manner as the local government may approve”.

3. Schedule 1—amended.

Schedule 1 is amended by deleting—

Clause “3.2 (3) Horse, ridden or driven on thoroughfare or built-up area \$100” and insert—

“3.3 Fouling of public places in built-up area \$100”.

Dated 3 December 2001.

The Common Seal of the Shire of Capel was affixed by authority of a resolution of the Council in the presence of—

M. T. SCOTT, President.
R. G. BONE, Chief Executive Officer.

LG305***LOCAL GOVERNMENT ACT 1995***SHIRE OF CAPEL***LOCAL LAW RELATING TO DOGS**

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the Shire of Capel resolved on 28 November 2001, to amend the Local Laws Relating to Dogs published in the *Government Gazette* on 22 April 1999, and amended on 27 October 1999, as follows—

1. Clauses 10(d) (ii), (iii) and (iv) repealed

Sub clauses 10(d) (ii), (iii), and (iv) are repealed and the following sub clauses substituted—

“(10)(d)(ii) southwest from the prolongation of the Southernmost boundary of Wellington Loc 497 to the prolongation of Rich Road, Stratham;

(iii) beach foreshore west of, and adjacent to reserve 25427, Forrest Beach; and

(iv) north east of the prolongation of Dalyellup Beach Road, Dalyellup to the prolongation of Norton Promenade, Dalyellup.”

2. First Schedule repealed

The First Schedule is repealed and the following Schedule is substituted—

FIRST SCHEDULE*Shire of Capel***DOG EXERCISE AREAS**

Capel Townsite

1 Reserve 21929 Sub Lots 71, 75, 76. Cnr. Weld and East Roads.

2 Part of road reserve (road realignment) adjacent to Sub Lot 21 West Road being Hannaby Park and described as follows—

The triangular portion of unused road reserve severed by the prolongation of the south western road front boundary of lot 37 of Leschenault Location 232 to an intersection with the western boundary of Capel Suburban Lot 21.

3 The railway reserve bounded by Properjohn Road, Forrest Road, Goodwood Road and the prolongation of the Centre line of West Road between Properjohn Road and the boundary of Lot 967 Goodwood Road, Capel.

Boyanup Townsite

Reserve 8333—Boyanup Lots 65, 104, 105 and 106 Boyanup Road (Lions Park)

Gelorup

- 1 Reserve 35950 (Sheoak Park)
- 2 Reserve 35462 (Hampstead Street).

Beaches

All beach foreshores with the exception of those specified in Local Law 10.

Dated 3 December 2001.

The Common Seal of the Shire of Capel was affixed by authority of a resolution of the Council in the presence of—

M. T. SCOTT, President.
R. G. BONE, Chief Executive Officer.

LG306*

Local Government (Miscellaneous Provisions) Act 1960

Building Amendment Regulations (No. 2) 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 433A of the Act and section 9.60 of the *Local Government Act 1995*.

1. Citation

These regulations may be cited as the *Building Amendment Regulations (No. 2) 2001*.

2. Commencement

These regulations come into operation on 18 March 2002.

3. The regulations amended

The amendments in these regulations are to the *Building Regulations 1989**.

[* Reprinted as at 2 March 2001.

For amendments to 3 December 2001 see Gazette
19 October 2001.]

4. Regulation 38A amended

Regulation 38A is amended by deleting the definitions of “person with a disability”, “pre-July 1992 pool” and “pre-November 2001 pool” and inserting instead —

“

“**access through a building**” means access between the area within an enclosure and a part of a building to which there is direct or indirect access from outside the enclosure;

”.

5. Regulations 38B, 38C and 38D replaced

Regulations 38B, 38C and 38D are repealed and the following regulations are inserted instead —

“

38B. Enclosure of pool

- (1) Except as provided in subregulation (2) and regulation 38D(2), the owner or occupier of premises on which there is a swimming pool is to install or provide around the pool an enclosure suitable to restrict access by young children to it and its immediate surrounds.
Penalty: \$5 000 and a daily penalty of \$250.
- (2) If the pool is at the rear of the premises, a person does not contravene subregulation (1) only because the area enclosed includes, as well as the pool and its immediate surrounds, any other part of the rear portion of the premises.
- (3) A building, whether or not it is a Class 10a building under the Building Code, cannot be included within the enclosed area unless all external doors and windows in that building satisfy the requirements of Australian Standard AS 1926.1.
- (4) Except as provided by this Part, the enclosure is not suitable for the purposes of subregulation (1) unless —
 - (a) it consists of a fence, wall, gate or other barrier, or a combination of them;
 - (b) any fence, wall, gate or other barrier included in the enclosure is in accordance with the requirements of Australian Standard AS 1926.1 or alternative requirements that the local government approves; and
 - (c) any wall that it includes contains no means of access through a building other than —
 - (i) a window that is in accordance with the requirements of AS 1926.1; or
 - (ii) a door that is approved by the local government under regulation 38C.
- (5) The local government is not to approve alternative requirements under subregulation (4)(b) unless it is satisfied that the requirements will restrict access by young children to the swimming pool as effectively as Australian Standard AS 1926.1.
- (6) If a boundary fence of the premises is a part of the enclosure of a pool, the boundary fence satisfies the requirements of clauses 2.3, 2.6 and 2.7 of Australian Standard AS 1926.1 if all those requirements are satisfied in relation to either side of the fence.

38C. Approval of doors by local government

- (1) The local government may approve a door for the purposes of regulation 38B(4)(c)(ii) if the door is in accordance with the requirements of Australian Standard AS 1926.1 and —
 - (a) in the opinion of the local government, to install between the building and the pool a fence or barrier satisfying regulation 38B would involve —
 - (i) a sufficient problem of a structural nature; or
 - (ii) a sufficient problem of any other nature, the cause of which is neither within the control of the owner nor occupier;
 - (b) the pool is totally enclosed by a building; or
 - (c) in the opinion of the local government, the existence between the building and the pool of a fence or barrier satisfying regulation 38B would create a sufficient problem for a person with a disability who is resident at the premises and wishes to have access to the pool.
- (2) In deciding whether to give approval under subregulation (1) a local government is to place particular weight on whether or not a young child resides at the premises.
- (3) In this regulation —

“person with a disability” means a person who is able to produce a certificate given by ACROD Limited (Western Australian Division) (ACN 008445485), registered under the *Corporations Act 2001* of the Commonwealth, certifying that the person has a disability that makes it difficult for the person to use a gate of the kind that would be required by these regulations in a swimming pool fence.

38D. Concessions for pre-November 2001 pools

- (1) This regulation applies to a swimming pool —
 - (a) installed before 5 November 2001; or
 - (b) installed on or after 5 November 2001 in accordance with plans, drawings and specifications submitted to the local government for approval before that day.
- (2) Even though the pool is not one to which regulation 38B(2) applies, a person does not contravene regulation 38B(1) only because the area enclosed includes, as well as the pool and its immediate surrounds, any other part of the premises.

- (3) The enclosure required by regulation 38B(1) may include a wall that contains a door permitting access through a building if that door satisfies the requirements of Australian Standard AS 1926.1.

”.

6. Regulation 38H amended

- (1) Regulation 38H(2)(a) is amended by deleting “\$100;” and inserting instead —
“ \$200; ”.
- (2) Regulation 38H(2)(b) is amended by deleting “\$75.” and inserting instead —
“ \$100. ”.

7. Transitional

- (1) In this regulation —

“**access through a building not of Class 10a**” means access between the area within an enclosure and a part of a building, other than a Class 10a building under the Building Code, to which there is direct or indirect access from outside the enclosure;

“**pre-July 1992 pool**” means a swimming pool that —

- (a) was installed before 1 July 1992; or
(b) was installed on or after 1 July 1992 in accordance with plans, drawings and specifications that were submitted to the local government for approval before that day;

“**transitional period**” means the period beginning on the day on which these regulations come into operation and —

- (a) unless paragraph (b) applies, ending on 17 December 2006; or
(b) if the swimming pool is on premises sold within the period referred to in paragraph (a), ending on the day 3 months after the settlement day for that sale.

- (2) During the transitional period an enclosure for a pre-July 1992 pool may, for the purposes of regulation 38B(1) of the *Building Regulations 1989*, include a wall containing a door or window permitting access through a building not of Class 10a even though —
- (a) the door or window may not satisfy the requirements of Australian Standard AS 1926.1; and
(b) the door may not have been approved by the local government.
- (3) If a swimming pool was installed before 28 July 1989, during the transitional period a gate in its enclosure may open in any direction.

By Command of the Lieutenant-Governor
and deputy of the Governor,

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

MINERALS AND PETROLEUM

MP301*

Mining Act 1978

Mining Amendment Regulations (No. 6) 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Mining Amendment Regulations (No. 6) 2001*.

2. Commencement

These regulations come into operation on 1 January 2002.

3. The regulations amended

The amendments in these regulations are to the *Mining Regulations 1981**.

[* Reprinted as at 21 July 2000.

For amendments to 4 December 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 230, and Gazette 2 February, 27 April, 3 August, 17 August and 28 September 2001.]

4. Regulation 85 amended

Regulation 85(1) is amended as follows:

- (a) by deleting the definition of “realised value”;
- (b) after the definition of “related corporation” by deleting the full stop and inserting a semicolon;
- (c) by inserting, in the appropriate alphabetical positions, the following definitions —

“

“**allowable deductions**”, in relation to a mineral, means —

- (a) the amount, in Australian currency, of any costs in transporting the mineral, in the form in which it is first sold, incurred after the shipment date by the person liable to pay the royalty for the mineral; and
- (b) if the mineral is not exported from Australia, the price, in Australian currency, paid or to

be paid by the person liable to pay the royalty for the mineral, for packaging materials used in transporting the mineral, in the form in which it is first sold;

“gross invoice value”, in relation to a mineral, means the amount, in Australian currency, obtained by multiplying the quantity of the mineral, in the form in which it is first sold, for which payment is to be made (as set out in invoices relating to the sale) by the price for the mineral in that form (as set out in those invoices);

“purchaser”, in relation to a mineral, means the person to whom the mineral is first sold;

“royalty value”, in relation to a mineral other than gold, means the gross invoice value of the mineral less any allowable deductions for the mineral;

“shipment date”, in relation to a mineral, means —

- (a) if the mineral is exported from Australia, the day on which the aircraft or ship transporting the mineral first leaves port in this State; or
- (b) if the mineral is not exported from Australia, the day on which the mineral is first loaded on a vehicle for transport to the purchaser;

“sold” includes transferred, shipped or otherwise disposed of, and **“sale”** has a corresponding meaning.

”.

5. Regulation 85AA amended

Regulation 85AA(1) is amended by deleting “realised” and inserting instead —

“ royalty ”.

6. Regulation 85AB inserted

After regulation 85AA the following regulation is inserted —

“

85AB. Conversion to Australian currency

- (1) In this regulation —
“RBA rate” means the daily representative rate used by the Reserve Bank of Australia.
- (2) Where, for the purposes of determining the gross invoice value of, or allowable deductions for, a mineral, it is necessary to convert an amount or a price to Australian currency, the conversion is to be calculated using the average of the RBA rates for the quarter in which the shipment date for the mineral occurred.

- (3) Where, for the purposes of the definition of “gold spot price” in regulation 86AA(11), it is necessary to convert a price to Australian currency, the conversion is to be calculated —
- (a) using the RBA rate for the day on which the price was fixed; or
 - (b) if there is no RBA rate for that day, using the last RBA rate before that day.

7. Regulation 85B amended

Regulation 85B(1) is amended as follows:

- (a) in paragraph (b) by deleting “, transfer, shipment or other disposal”;
- (b) in paragraph (c) by deleting “realised” and inserting instead —
“ royalty ”;
- (c) by deleting paragraph (d) and inserting the following paragraphs instead —
“
 - (d) the gross invoice value of the mineral, when it was paid, and any allowable deductions for the mineral;
 - (da) in the case of a royalty part-payment under regulation 86A, the method of calculating the royalty part-payment and details of the amount of the relevant part-payment of gross invoice value and when it was paid;

8. Regulation 86 amended

The Table to regulation 86 is amended as follows:

- (a) in the heading to column 2 by deleting “realised” and inserting instead —
“ **royalty** ”;
- (b) in the items relating to the minerals listed in the Table to this paragraph by deleting “realised” in each place where it occurs and inserting instead —
“ royalty ”;

Table

Cobalt	Tantalum
Copper	Tin
Garnet	Vanadium
Ilmenite	Zinc
Lead	

- (c) in the item relating to any other mineral by deleting “realised” in both places where it occurs and inserting instead —
“ royalty ”.

9. Regulation 86AA amended

- (1) Regulation 86AA(3), (4), (5) and (7) are each amended by deleting “realised” and inserting instead —
“ royalty ”.
- (2) Regulation 86AA(11) is amended in paragraph (a) of the definition of “gold spot price” by deleting “by using the daily representative rate used by the Reserve Bank of Australia”.

10. Regulation 86A replaced

Regulation 86A is repealed and the following regulation is inserted instead —

“

86A. Payment of royalties

- (1) Royalties for a mineral shall be paid to the Department at Perth.
- (2) Subject to this regulation, royalties for a mineral shall be paid within 30 days after the end of the quarter during which the relevant amount of the mineral was produced or obtained.
- (3) In the case of gold metal, royalties shall be paid within 30 days after the end of the quarter during which the gold metal is to be regarded because of regulation 86AA as having been produced.
- (4) In the case of nickel, or a nickel by-product the royalty for which is not based on royalty value, royalties shall be paid within 30 days after the end of the quarter during which the nickel or nickel by-product was sold.
- (5) In the case of a mineral the royalty for which is based on royalty value, royalties shall, subject to subregulation (6), be paid within 30 days after the end of the quarter during which the gross invoice value of the mineral (or any part of that value) was paid by the purchaser of the mineral.
- (6) If the gross invoice value of a mineral is paid in part-payments, royalties for the mineral may be paid in part-payments in accordance with subregulation (7).
- (7) For the purposes of subregulation (6), a royalty part-payment for a mineral —
 - (a) shall be paid within 30 days after the end of the quarter during which a part-payment of the gross invoice value of the mineral was paid by the purchaser of the mineral; and
 - (b) subject to subregulation (8), shall bear the same proportion to the total royalties payable for the

mineral as the part-payment referred to in paragraph (a) bears to the gross invoice value of the mineral.

- (8) If the Director General of Mines is satisfied by information given by the person liable to pay the royalty that the amount of a royalty part-payment is incorrect because of a miscalculation of gross invoice value or allowable deductions or for any other reason, any necessary adjustment is to be made and may be taken into account in the next royalty part-payment paid after the information is given to the Director General of Mines.

”.

11. Regulation 87 amended

- (1) Regulation 87(1) is amended as follows:

- (a) by deleting “realised” in the first place where it occurs and inserting instead —

“ royalty ”;

- (b) in paragraph (a) by deleting “, transferred or otherwise disposed of or the costs deducted to calculate the realised value by the person liable to pay the royalty” and inserting instead —

“

or the allowable deductions used to calculate the royalty value

”;

- (c) in paragraph (a) by deleting “, transfer or disposal”;
- (d) in paragraph (a) by deleting “, transferred or otherwise disposed of” in the second place where it occurs;
- (e) in paragraph (a) by deleting “, transfer or other disposal”;
- (f) in paragraph (b) by deleting “, transfer or other disposal” in the 3 places where it occurs;
- (g) in paragraph (b) by deleting “, transferred or otherwise disposed of”.

- (2) Regulation 87(2) is amended by deleting “realised” and inserting instead —

“ royalty ”.

12. Regulation 87B amended

Regulation 87B(1) is amended as follows:

- (a) in paragraph (a)(i) by deleting “quality” and inserting instead —

“ quantity ”;

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

“

- (ii) each sale of that mineral, including time, destination, value and quantity of the sale;

”;

- (c) by deleting “, shipment, transfer or other disposal”.

13. Saving

Despite the amendments effected by these regulations, the *Mining Regulations 1981* as in force immediately before the commencement of these regulations continue to apply in relation to the determination and payment of, and returns in respect of, royalties for minerals first sold, transferred or otherwise disposed of before that commencement.

By Command of the Lieutenant-Governor
and deputy of the Governor,

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

TRAINING

TA301*

Vocational Education and Training Act 1996

Vocational Education and Training Amendment Regulations (No. 3) 2001

Made by the Lieutenant-Governor and deputy of the Governor in
Executive Council.

1. Citation

These regulations may be cited as the *Vocational Education and Training Amendment Regulations (No. 3) 2001*.

2. Schedule 1 to the *Vocational Education and Training Regulations 1996* amended

Schedule 1 to the *Vocational Education and Training Regulations 1996** is amended in item 7 as follows:

- (a) in paragraph (a) by deleting “\$2.50;” and inserting instead —

“ \$3.50; ”;

- (b) in paragraph (b) by deleting “\$5.00,” and inserting instead —
“ \$7.00, ”;
- (c) by deleting “\$50.00.” and inserting instead —
“ \$70.00. ”.

[* Reprinted as at 26 May 2000.

For amendments to 4 December 2001 see Gazette
2 November 2001.]

By Command of the Lieutenant-Governor
and deputy of the Governor,

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

TRANSPORT

TR301*

Rail Freight System Act 2000

Rail Freight System (Corridor Land) Rectification Order 2001

Made under section 39 by the Rail Corridor Minister.

1. Citation

This order may be cited as the *Rail Freight System (Corridor Land) Rectification Order 2001*.

2. Commencement

This order has effect from the time when the *Rail Freight System (Corridor Land) Order 2000* had effect but, to the extent that it has effect before the day of its publication in the *Gazette*, its operation is limited by section 39(4) of the Act.

3. Definition

In this order —

“**Depot Plans**” and “**Railway Identification Plans**” have the same meanings as they have in the *Rail Freight System (Corridor Land) Order 2000*.

4. Errors corrected

- (1) For the purposes of identifying, by clause 4 of the *Rail Freight System (Corridor Land) Order 2000*, the land that is designated

as corridor land (in Schedule 1 called “**the corridor**”), the Railway Identification Plans are to be regarded as having been corrected as described in Schedule 1.

- (2) A reference in Schedule 1 to a particular distance at which the corridor is amended refers to that distance, approximately, from the start of the section of line concerned, unless in the context it is clear that something else is intended.

Schedule 1 — Corrections to Railway Identification Plans

[cl. 4]

correction identification	railway line identification	Railway Identification Plan number	correction required
1.120.8.1	East Perth Terminal-Kalgoorlie Section – Line 1	Plan 01-3	At East Northam, amend the corridor to exclude the land in Crown Survey Plan 19819.
1.120.8.2	East Perth Terminal-Kalgoorlie Section – Line 1	Plan 01-3	At East Northam, amend the corridor to include the land in Lot 503 on Crown Survey Plan 21064.
1.121.9	East Perth Terminal-Kalgoorlie Section – Line 1	Plan 01-6	At East Northam, amend the corridor to — (a) include the land in Reserve 38751; (b) include the land in Lot 1 on Office of Titles Diagram 65060.
1.282.2	East Perth Terminal-Kalgoorlie Section – Line 1	Plan 01-6	At West Merredin, amend the corridor to exclude Reserve 32827.
2.045.2	Claisebrook-Bunbury Section – Line 2	Plan 02-1	At Mundijong, amend the corridor to exclude Cockburn Sound Locations 4372, 4374 and 4375 on Crown Survey Plan 19833.
5.000.0	Woodbridge West-Woodbridge East Section – Line 5	Plan 01	Amend the corridor to — (a) include any land shown by green shading on the Railway Identification Plan

correction identification	railway line identification	Railway Identification Plan number	correction required
			<p>“Plan 01 amended December 2000” (which additional land is shown more precisely on Office of Titles Plan 11396) that is not already corridor land, unless it is excluded by paragraph (b);</p> <p>(b) exclude any land shown on Depot Plan 01/13 that is not already excluded, unless it is shown bounded by broken green lines on that plan.</p>
6.004.4	Midland-Kwinana Section – Line 6	Plan 01	Amend the corridor to include the land in Office of Titles Diagram 40267.
6.036.2	Midland-Kwinana Section – Line 6	Plan 02	At Beeliar, amend the corridor to include the land in Office of Titles Plan 10249.
31.152.0	Avon-Albany Section – Line 31	Plan 31-4	At Yornanning, amend the corridor to exclude the land in Crown Diagram 94963.
31.225.6	Avon-Albany Section – Line 31	Plan 31-5	At Wagin, amend the corridor to include all the land in Reserve 10364.
31.401.0	Avon-Albany Section – Line 31	Plan 31-9	At Mount Barker, amend the corridor at 401 km to conform with Crown Survey Diagram 93443.
31.405.0	Avon-Albany Section – Line 31	Plan 31-9	3 km south of Mount Barker, amend the representation of the corridor through Plantagenet Location 224 to conform with Certificate of Title Volume 1235 Folio 36.
34.021.5	Avon-Mullewa Section – Line 34	Plan 34	South of Chitibin, amend the corridor at 21.5 km to conform with Crown Survey Diagram 94677.

correction identification	railway line identification	Railway Identification Plan number	correction required
35.002.2	Wyalkatchem-Mukinbudin Section – Line 35	Plan 35-1	Amend the corridor land as shown by broken brown lines to conform with Crown Survey Plan 21407
52.088.4	Kalgoorlie-Leonora Section – Line 52	Plan 52-1	At Goongarrie, amend the corridor to exclude Lots 121 and 122 on Crown Survey Plan 26439.
61.021.8	Wagin-Newdegate Section – Line 61	Plan 61	At Ballaying, amend the corridor to include the land in Crown Survey Diagram 94117.
75.032.6	Picton-Northcliffe Section – Line 75	Plan 75-1	Near Donnybrook, amend the corridor to exclude Donnybrook Town Lot 462.
75.094.3	Picton-Northcliffe Section – Line 75	Plan 75-3	At Hester, amend the corridor to exclude Hester Townsite Lots 75 and 76.

A. MacTIERNAN, Rail Corridor Minister.

TR302*

Rail Freight System Act 2000

Rail Freight System (Corridor Land Cancellation) Order 2001

Made under section 37 by the Rail Corridor Minister.

1. Citation

This order may be cited as the *Rail Freight System (Corridor Land Cancellation) Order 2001*.

2. Definition

In this order —

“**CBH Site Maps**” has the same meaning as it has in the *Rail Freight System (Corridor Land) Order 2000*.

3. Designation of certain land as corridor land cancelled

- (1) The designation as corridor land of any land shown stippled or cross-hatched on any of the maps that have been added to the CBH Site Maps since the *Rail Freight System (Corridor Land) Order 2000* was made is cancelled.
- (2) Schedule 1 gives information about the land described in subclause (1).
- (3) The designation as corridor land of land identified in the last column of Schedule 2 is cancelled.

Schedule 1 — More CBH land that is not corridor land

[cl. 3(2)]

WAGR Commission lease number	CBH grain receival point
6638	Bencubbin
6648	Bruce Rock
6657	Cleary
6661	Cowcowing
6669	Ejanding
6670	Gabbin
6677	Hines Hill
6680	Kalannie
6684	Kirwan
6688	Koorda
6693	Kulja
6696	Manmanning
6703	Mogumber
6728	Southern Cross
6740	Wialki

Schedule 2 — Other land ceasing to be corridor land

[cl. 3(3)]

designation identification	railway line identification	Railway Identification Plan number	description of land
31.005.0.1	Avon-Albany Section – Line 31	Plan 31	At Northam, the designation as corridor land of that part of the former Eastern Railway alignment being that part of the land in Land Titles Office Plan 1312 between Morrell and Charles Streets is cancelled.

designation identification	railway line identification	Railway Identification Plan number	description of land
31.005.0.2	Avon-Albany Section – Line 31	Plan 31	The designation as corridor land of the land in Reserve 37428 is cancelled.
34.332.1	Avon-Mullewa Section – Line 34	Plan 34-7	At Morawa, the designation as corridor land of the land in Certificate of Title Volume 1728 Folio 792 is cancelled.
18.004.0	Kwinana-Alcoa Section – Line 18	Plan 02	The designation as corridor land of Reserve 37615 is cancelled.
3.146.0	Millendon Junction-Narngulu Section – Line 3	Plan 03-2	At Moora, the designation as corridor land of Moora Townsite Lots 342, 435, 437, 438 and 440 is cancelled.
3.157.5	Millendon Junction-Narngulu Section – Line 3	Plan 03-2	At Cairn Hill, the designation as corridor land of M Lot 574 is cancelled.
3.243.0	Millendon Junction-Narngulu Section – Line 3	Plan 03-3	At Coorow, the designation as corridor land of Coorow Townsite Lots 33 and 34 is cancelled.
75.037.1	Picton-Northcliffe Section – Line 75	Plan 75-1	The designation as corridor land of Donnybrook Town Lots 464 and 465 is cancelled.
1.224.0	East Perth Terminal-Kalgoorlie Section – Line 1	Plan 01-5	At Doodlakine, the designation as corridor land of a strip of land (which is needed for road purposes) generally 20 m wide from the northern side of the corridor as surveyed on Office of Titles Plan 11787 is cancelled.

TR303*

Rail Freight System Act 2000

Rail Freight System (Corridor Land) Order 2001

Made under section 34 by the Minister for Planning and Infrastructure.

1. Citation

This order may be cited as the *Rail Freight System (Corridor Land) Order 2001*.

2. Certain land designated as corridor land

The government railway land identified in the last column of Schedule 1 is designated as corridor land.

Schedule 1 — More corridor land

[cl. 2]

designation identification	railway line identification	Railway Identification Plan number	description of land
34.010.7	Avon-Mullewa Section – Line 34	Plan 01-3	At East Northam, Reserve 46354 is designated as corridor land.
37.071.6	Burakin-Bonnie Rock Section – Line 37	Plan 37	At Beacon, Reserve 20850 is designated as corridor land.
51.014.0	West Kalgoorlie-Esperance Section – Line 51	Plan 01-13	Near Hampton Ballast Siding, Reserve 34568 is designated as corridor land.
52.258.2	Kalgoorlie-Leonora Section – Line 52	Plan 52-5	At Leonora, Reserve 8478 is designated as corridor land.
59.014.6.1	Narrogin-West Merredin via Corrigin Section – Line 59	Plan 59	The parcel of Crown land northwards from and adjoining Boundain siding and lying between that siding, Williams Location 6404, Williams Location 14817, and Reserve 24086 is designated as corridor land.
59.014.6.2	Narrogin-West Merredin via Corrigin Section – Line 59	Plan 59	Reserve 24086 is designated as corridor land.

A. MacTIERNAN, Minister for Planning and Infrastructure.

TREASURY AND FINANCE

TF301*

Stamp Act 1921

Stamp Act (section 119) Notice (No. 2) 2001

Made by the Treasurer under section 119 of the Act.

1. Citation

This notice may be cited as the *Stamp Act (section 119) Notice (No. 2) 2001*.

2. The notice revoked

The *Stamp (Section 119) Notice 1987** is revoked on the day after the day on which this notice is published in the *Gazette*.

[* *Published in Gazette 10 July 1987, p. 2607.*]

ERIC RIPPER, Treasurer.

WORKCOVER

WC301*

Workers' Compensation and Rehabilitation Act 1981

**Workers' Compensation and Rehabilitation
(Scales of Fees) Amendment Regulations 2001**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council, on the recommendation of the Commission, under section 176(1a).

1. Citation

These regulations may be cited as the *Workers' Compensation and Rehabilitation (Scales of Fees) Amendment Regulations 2001*.

2. The regulations amended

The amendments in these regulations are to the *Workers' Compensation and Rehabilitation (Scales of Fees) Regulations 1998**.

[* *Published in Gazette 13 Oct 1998, p. 5709-25.*

For amendments to 5 November 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 415-6.]

3. Regulation 6 amended

Regulation 6 is amended by deleting “\$138.65” and inserting instead —

“ \$146 ”.

4. Regulation 7A inserted

After regulation 7 the following regulation is inserted —

“

7A. Scale of fees — osteopaths

Under section 176(1a)(a)(viii) of the Act, the amount of \$47 is prescribed as the fee to be paid to an osteopath for an osteopathic consultation with a worker suffering disabilities that are compensable under the Act.

[Note: “Osteopathy” was approved as an “approved treatment” under section 5(1) of the Act in *Gazette* 29/9/2000, p. 5564.]

”.

5. Schedule 5 replaced

Schedule 5 is deleted and the following Schedule is inserted instead —

“

Schedule 5 — Scale of fees — speech therapists

[r. 7]

	Type of service	Fee
1.	Initial consultation/assessment (up to and including 1 hour)	\$107
2.	Initial consultation/assessment (exceeding 1 hour)	\$138
3.	Subsequent consultation (<½ hour)	\$46
4.	Subsequent consultation (½ hour – 1 hour)	\$61
5.	Subsequent consultation (>1 hour)	\$82

”.

Recommended by the Workers’ Compensation and Rehabilitation Commission on the 28th day of August 2001.

The common seal of the)
)
 Workers’ Compensation and)
)
 Rehabilitation Commission)

L.S.

BRIAN BRADLEY.

By Command of the Lieutenant-Governor and
 deputy of the Governor,

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

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

FINANCE BROKERS CONTROL ACT 1975

EXCEPTION UNDER SECTION 5(2)

I, John Charles Kobelke MLA, Minister for Consumer and Employment Protection for the time being responsible for the administration of the *Finance Brokers Control Act 1975* (the “Act”) being satisfied that, apart from the provisions of the Act, adequate safeguards exist against loss to others by defalcation, hereby except from the definition of Finance Broker for the purpose of the Act, Aussie Home Loans Limited ACN 002 119 511 and each of its loan consultants, whether employees or agents, who act as a Finance Broker (as defined by the Act) in Western Australia upon the following terms and conditions—

1. The exception of any loan consultant continues only for so long as that loan consultant continues to be an employee or agent of Aussie Home Loans Limited, disclosed as such to the Department for Consumer and Employment Protection (“ the Department”);
2. This exception applies only to the negotiating and arranging of loans by Aussie Home Loans Limited through lenders which are—
 - (a) licensed as a credit provider under the *Credit Act 1984*; or a body exempted from licensing by Section 7(1) of the *Credit (Administration) Act 1984*; and
 - (b) notified in writing to the Department of Consumer and Employment Protection, Consumer Protection Division for the purpose of this exception by Aussie Home Loans Limited, from time to time;
3. Aussie Home Loans Limited is to ensure for the duration of this exception that the proceeds of loans are not to be held or received by Aussie Home Loans Limited or its loan consultants;
4. The exception of any loan consultant is to continue for so long as that loan consultant discloses to all intending borrowers with whom that person is dealing that commission is payable to that person by Aussie Home Loans Limited;
5. Aussie Home Loans Limited is to provide to the Department of Consumer and Employment Protection at least annually a list of all loan consultants who may be affected by this exception; and
6. Aussie Home Loans Limited will indemnify any member of the public in Western Australia against all losses or damage that any such member of the public may sustain in respect of any money received from that person during the operation of this exception by any loan consultant of Aussie Home Loans Limited, whether employee or agent, in relation to any loan application.

This notice rescinds a previous Exception under section 5(2) of the *Finance Brokers Control Act 1975* issued to Australian Home Loans Limited dated 8 August 1996 and published in the *Government Gazette*, WA on 16 August 1996.

Dated this 22 day of November 2001.

JOHN KOBELKE MLA, Minister for Consumer and
Employment Protection.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

NICKOL BAY PRAWN MANAGEMENT PLAN AMENDMENT 2001

FD 146/01 [407]

Made by the Minister under section 54(2).

Citation

1. This amendment may be cited as the *Nickol Bay Prawn Management Plan Amendment 2001*.

Principal Plan

2. In this amendment the *Nickol Bay Prawn Management Plan 1991** is referred to as the principal Plan.

Arrangement amended

3. The arrangement in the principal Plan is amended by—
- (a) inserting immediately after the item numbered 15 the following items—
 - “15A. Requirement for the installation of an Automatic Location Communicator
 - 15B. Presence in the Fishery”,
 - (b) inserting immediately after the item numbered 18 the following items—
 - “19. Offences and major provisions
 - 20. Procedure before this Plan may be amended or revoked”,
- and
- (c) deleting the words “Schedule (clauses 3, 4)” and replacing them with the following—
 - “Schedules 1, 2, and 3”.

Clause 2 amended

4. Clause 2 of the principal Plan is amended by inserting in the appropriate alphabetical order the following—

““ALC” means an Automatic Location Communicator as defined in regulation 55A of the regulations that is capable of transmitting to the Executive Director at any time accurate information as to the geographical position, course and speed of the authorised boat;

“approved directions for use” means the directions for use of an ALC given by the Executive Director in a notice in writing to the master of an authorised boat or a licence holder;

“calendar year” means the period of twelve months commencing on each first day of January and ending on the last day of the next December;

“closed waters” means any waters of the Fishery in which fishing is prohibited;

“prawn” means the fish of that common name described by the scientific classification opposite that name in Column 2 of Schedule 7 of the Regulations;

“regulations” means the *Fish Resources Management Regulations 1995*;

“standard otter trawl net” means an otter trawl net with a headrope length of greater than 5 metres;

“to stream” means to tow a net on the surface of the water with its codend open;

“try net” means an otter trawl net with a headrope length of 5 metres or less; and

“underway” means that a boat is not at anchor, or made fast to the shore or aground.”.

Clause 4 amended

5. Clause 4 of the principle Plan is amended by deleting the words “take, or attempt to take,” and replacing them with the following—

“fish for”.

Clause 7 amended

6. Clause 7 of the principal Plan is amended by deleting the words—

“in accordance with clause 16”.

Clause 10 amended

7. Clause 10 of the principal Plan is amended by deleting the existing clause and replacing it with the following—

“A person shall not fish for prawns in the Fishery other than by—

- (a) standard otter trawl nets the total headrope length of which does not exceed 29.27 metres;

- (b) a try net; or

- (c) both (a) and (b).”.

Clause 10A amended

8. Clause 10A of the principal Plan is amended by deleting the words after the word “water” and replacing them with the following—

“in any part of the Fishery when fishing for prawns is prohibited in accordance with clause 9, except that otter trawl nets may be streamed for the first hour after the start of such a prohibition”.

Clauses 11 and 16 revoked

9. Clauses 11 and 16 of the principle Plan are revoked.

Clauses 15A and 15B inserted

10. The principal Plan is amended by inserting immediately after clause 15 the following—

“Requirement for the installation of an Automatic Location Communicator

15A. (1) For the purpose of this clause “approved” and “approved person” have the same meaning as provided for in regulation 55A of the regulations.

(2) A person must not use an authorised boat in the Fishery unless—

- (a) an ALC has been installed in that boat in accordance with the approved directions for use and by an approved person;

- (b) the ALC has been serviced in accordance with the approved directions for use, by an approved person and at intervals specified by the Executive Director in the approved directions for use;
 - (c) the person has with them a legible copy of the approved directions for use; and
 - (d) the ALC is used in the manner specified in the approved directions for use.
- (3) It is a condition of a licence that the boat authorised by the licence must not be used in the Fishery unless—
- (a) an ALC is installed on that boat;
 - (b) the ALC is serviced in accordance with the approved directions for use, by an approved person and at intervals specified by the Executive Director in the approved directions for use; and
 - (c) when the ALC is used it is used in the manner specified in the approved directions for use.
- (4) It is a condition of a licence that regulation 55C of the regulations is complied with at all times.
- (5) For the purpose of this clause, if a person uses an authorised boat on behalf of another person they are both taken to have so used the boat.

Presence in the Fishery

15B. (1) The master of an authorised boat must, when intending to fish within the Fishery, not use that boat—

- (a) to enter the waters of the Fishery; or
- (b) outside a Port Area (as specified in Schedule 3) within the waters of the Fishery;

at any time when any part of the Fishery is open to fishing unless—

- (c) the Department has received from the master of that boat a nomination of intention to enter the Fishery and comply with the requirements of the Management Plan; and
- (d) that nomination is current.

(2) If the Department receives a nomination in accordance with subclause 1(c) in any calendar year, that nomination is current for the remainder of that year unless—

- (a) the Department receives a nomination from the master of that boat cancelling it;
- (b) the boat leaves the waters of the Fishery; or
- (c) the boat is used in accordance with the *Pilbara Fish Trawl Interim Managed Fishery Management Plan 1997* to fish in that part of the waters of the Fishery that coincides with the waters of the Pilbara Fish Trawl Interim Managed Fishery.

(3) The master of an authorised boat must not use that boat to enter or be underway in closed waters when any other part of the Fishery is open to fishing unless the Department—

- (a) has received a nomination to enter or be underway in closed waters (as the case may be); and
- (b) received the nomination no more than one hour before the boat entered or was underway in those waters.

(4) Any nomination to the Department made in accordance with this clause must be made using an ALC in accordance with the approved directions for use.

(5) In any proceedings for an offence against the Act, unless proven to the contrary, the position of an authorised boat received by the Department from an ALC installed on that boat is to be taken to be conclusive evidence of the actual position of that boat at that time.

(6) For the purposes of section 62(1) of the Act and this clause the areas specified are the areas detailed in Schedule 1 and in Items 1 to 4 in Schedule 2.

(7) For the purpose of this clause, if a person uses an authorised boat on behalf of another person they are both taken to have so used the boat.”

Clause 19 inserted

11. The principal Plan is amended by inserting after clause 18 the following clause—

“Offences and major provisions

19. A person who contravenes a provision of—

- (a) clauses 15A(2)(a) or 15B(3); or
- (b) clauses 4, 5, 9(2), 10, 10A, 13, 14, 15, 15A(2)(b), 15A(2)(c), 15A(2)(d), 15B(1), or 15B(4),

commits an offence and for the purposes of section 75 of the Act the offences specified in subclause (a) are major provisions.”

Clause 20 inserted

12. The principal Plan is amended by inserting after clause 19 the following clause—

“Procedure before this Plan may be amended or revoked

20. For the purposes of section 65 of the Act all the licence holders are the persons that are to be consulted before this Plan is amended or revoked.”

Schedule 3 inserted

13. The principle Plan is amended by inserting after Schedule 2 the following—

“Schedule 3

Port Areas are the areas within 2 nautical miles of the following locations—

- (a) the intersection of 20° 19.00' south latitude and 118° 34.54' east longitude (Port Hedland);
- (b) the intersection of 20° 38.28' south latitude and 117° 11.45' east longitude (Point Samson); and
- (c) the intersection of 20° 36.90' south latitude and 116° 44.84' east longitude (Port of Dampier)."

*[*Published in the Gazette of 19 April 1991. For amendments to 30 November 2001 see Notice No. 533 published in the Gazette of 3 March 1993, Notice No. 591 published in the Gazette of 2 March 1993, Notice No. 645 published in the Gazette of 11 March 1994, Notice No. 694 published in the Gazette of 21 February 1995 and the Nickol Bay Prawn Management Plan Amendment 1996 published in the Gazette of 15 March 1996, and the Nickol Bay Prawn Management Plan Amendment 1998 published in the Gazette of 20 March 1998. See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices made under the Fisheries Act 1905 immediately before the commencement of those regulations.]*

Dated this 4th day of December 2001.

K. M. CHANCE, MLC, Minister for Agriculture, Forestry and Fisheries.

HERITAGE

HR401

HERITAGE OF WESTERN AUSTRALIA ACT 1990

Notice of Removal of Entry of a Place in the Register of Heritage Places

Notice is hereby given in accordance with Section 52(1) and (2) of the Heritage of Western Australia Act 1990 that, pursuant to a direction from the Minister for the Environment & Heritage, the place described below has not been and will not be entered in the Register of Heritage Places on a permanent basis.

Notice is also given that the entry made at the time of interim registration is to be removed. The Heritage Council hereby invites submissions on the matter; submissions must be in writing and should be forwarded to the address below not later than 25 January 2002.

Schedule 1

Description of Place

Barracks Wall (ruin) at 2-4 Sholl Street, Mandurah; Those ptns of Lt 10 on D 17395, being pt of the land comprised in C/T V 1156 F 320 & Lt 700 on D 98232 & being pt of the land comprised in C/T V 2169 F 330 as together are defined in HCWA survey No 3069 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

14 December 2001.

IAN BAXTER, Director, Office of the Heritage Council.
108 Adelaide Terrace, East Perth WA 6004.

HR402*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

Notice of Entry of Places in the Register of Heritage Places

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

Schedule 1

Description of Place

Clontarf at 295 Manning Road, Waterford; Those ptns of Canning Locs 57 & 87, being pt of the land comprised in C/T V 2145 F 827 & Canning Loc 58, being pt of the land comprised in C/T V 2145 F 828 & Canning Loc 65, being pt of the land comprised in C/T V 1731 F 307 as together are defined in HCWA survey No 2401 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Collie Court House at Wittenoom Street, Collie; Collie Lot 322 on Land Administration D 84469, being CR 4913 & being the whole of the land comprised in CLR V 3030 F 997.

Crawshaw's House at 116 Broome Street, Perth; Lt 5 on P 254, being the whole of the land comprised in C/T V 1540 F 981.

Glen Forrest Hall at McGlew Road, Glen Forrest; Glen Forrest Lt 166, being CR 22774 & being the whole of the land comprised in CLR V 3038 F 58.

Golden Valley at Padbury Road, Balingup; Lt 11 on D 66191, being the whole of the land comprised in C/T V 1672 F 142.

Greenough Road Board Office (fmr) at Clinch Place, Greenough; Victoria Loc 10358, being the whole of the land comprised in C/T V 1189 F 436.

Kalgoorlie Railway Station at Forrest Street, Kalgoorlie; Those ptns of Railway Res & Forrest St being Rd Res No 710 in the Townsite of Kalgoorlie as together are defined in HCWA survey No 1279 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Karalee Reservoir, Rock Catchment & Aqueduct at Karalee, about 50 km eastwards of Southern Cross; Yilgarn Loc 1589, being CR 3531 & being the whole of the land comprised in CLR V 3108 F 309.

Korrawilla Homestead Group at Cnr York & Quairading Roads, Greenhills; Avon Locs 477 & 633, being the whole of the land comprised in Country Enrolments 2704 & 3290 respectively & being pt of the land described in Memorial of Conveyance numbered Book 28 F 831 deposited in the Registry of Deeds.

Manjimup Infant Health Centre (fmr) at Cnr of Rutherford & Moore Streets, Manjimup; That pt of Manjimup Lt 153, being pt of CR 14584 & being pt of the land comprised in CLR V 3001 F 770 as is defined in HCWA survey No11375 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Mount Charlotte Reservoir at Mount Charlotte, Kalgoorlie; Kalgoorlie Town Lts 1774 & 1775 being the whole of the land comprised in C/T V 1575 F 491, & Ptns of Kalgoorlie Town Lts 2713 & 2714, being CR 9892 & being the whole of the land comprised in CLR V 3042 F 376, & Rd Res 15740, being Collier Place in the City of Kalgoorlie-Boulder, & Kalgoorlie Town Lts 3610 & 3611 being VCL & being the whole of the land comprised in CLR V 3041 Fs 58 & 59 respectively, & VCL adjacent to Res 9892 as together are defined in HCWA survey No 15727 prepared by Steffanoni Ewing & Cruickshank Pty Ltd

Newcastle Street School at Newcastle Street, Perth; Perth Town Lt Y287, being pt of CR 3765 & being pt of the land comprised in CLR V 3101 F 657. Lts 1 to 4 inclusive on P 392, being the whole of the land comprised in C/T V 2107 F 794.

Perth Modern School at Roberts Road, Subiaco; Perth Suburban Lts 443, 448 & 449, being CR 8899 & being the whole of the land comprised in CLT V 3044 F 377. Perth Suburban Lt 441, being CR 8806 & being the whole of the land comprised in CLT V 3060 F 500. Swan Loc 12610, being the whole of the land comprised in C/T V 2116 F 324.

Quaranup Complex at Quaranup Road, Geake Point, on the Vancouver Peninsula, Albany; Plantagenet Loc 7150, being CR 30360 & being the whole of the land comprised in CLR V3082 F757.

St Catherine's Anglican Church at Clinch Place, Greenough; Victoria Loc 6286, being the whole of the land comprised in C/T V 605 F 148.

St Erney's Homestead at Parsons' Road, Quinninup; Lt 3 on D 56972 being the whole of the land comprised in C/T V 1537 F 974.

St Mark's Anglican Church at Wheatley Coast Road, Upper Warren; Nelson Loc 1353, being CR 1849 & being the whole of the land comprised in CLR V 3085 F 558.

The Residency, Bunbury at Cnr Stirling & Moore Streets, Bunbury; Wellington Loc 4406, being the whole of the land comprised in C/T V 1472 F 180.

Tom Burke House at 191-195 Newcastle Street, Perth; Lt 1 on D 6569, being the whole of the land comprised in C/T V 869 F 52.

WA Bank (fmr), Bunbury at 101 Victoria Street, Bunbury; Lt 1 on D 7885, being the whole of the land comprised in C/T V 1000 F 53.

Wansbrough House at 22 Avon Terrace, York; The subject of D 7122, being the whole of the land comprised in C/T V1759 F 738.

Weld Hall at Cnr Queen & Adelaide Streets, Busselton; Busselton Lt 310, being the whole of the land comprised in C/T V 1293 F 378.

Woodlawn at 20 Osborne Road & 208 Canning Highway, East Fremantle; Lt 304 on D 95223, being the whole of the land comprised in C/T V 2140 F 203. Lt 303 on D 95223, being the whole of the land comprised in C/T V 2137 F 568.

Pursuant to directions from the Minister for the Environment & Heritage, notice is hereby given in accordance with Section 49(1) of the Heritage of Western Australia Act 1990 that it is proposed that the places described in Schedule 2 be entered in the Register of Heritage Places. The Heritage Council invites submissions on the proposal which must be in writing & should be forwarded to the address below not later than 25 January 2002. The places will be entered in the Register on an interim basis with effect from today.

Schedule 2

Description of Place

Camfield House at 172 Serpentine Road, Albany; Lot 30 on Deposited P 26141, being the whole of the land comprised in C/T V 1147 F 331.

Hawthorndene at 24-26 Seymour Street, Albany; Lts 24 & 25 on P 190, being the whole of the land comprised in C/T V 1348 Fs 508 & 509 respectively.

Pymont at 110 Serpentine Road, Albany; (firstly) Ptn of Albany Suburban Lt 41 & being pt of Lt 2 on D 3292 & (secondly) ptn of Albany Suburban Lt 42, being the whole of the land comprised in C/T V 1361 F 305.

Whaling Cove (Ruins) at Barker Bay, Albany – access by Quaranup Road; That ptn of Plantagenet Loc 7151, being a ptn of CR 25295 & being pt of the land comprised in CLR V 3082 F 437 as is defined in HCWA survey No 2994 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

Wooroloo Cemetery off Linley Valley Road, Wooroloo; Avon Loc 29364 on Land Administration P 20442, being CR 9954 & being the whole of the land comprised in CLR V 3114 F 913.

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with the requirements of Section 47 (5) of the Heritage of Western Australia Act, the Heritage Council hereby gives notice that it has advised the Minister for the Environment & Heritage that the places listed in Schedule 4 should be entered in the Register of Heritage Places on an interim basis. The Heritage Council hereby gives notice of the interim registration and invites submissions on the matter; which must be in writing and should be forwarded to the address below not later than 25 January 2002. The places listed in Schedule 3 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

Schedule 3

Description of Place

Beverley Judicial Complex at Bartram Street, Beverley; Beverley Lt 367, being CR 21307 & being the whole of the land comprised in CLR V 3018 F 374. Beverley Lt 368, being CR 6614 & being the whole of the land comprised in CLR V 3018 F 376.

Eclipse Island and Lighthouse at Eclipse Island, Albany; Plantagenet Loc 7847, being pt of CR 44685 & being the whole of the land comprised in CLR V 3087 F 7. Plantagenet L 8069, being pt of CR 44685 & being the whole of the land comprised in CLR V 3118 F 238. Plantagenet Loc 7861, being the whole of CR 44686 & being the whole of the land comprised in CLR V 3107 F 835.

Dated 14 December 2001.

IAN BAXTER, Director, Office of the Heritage Council.
108 Adelaide Terrace, East Perth WA 6004.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Mitchell	Allan Leslie	CS2-277	26/11/2001	1/12/2001	30/07/2005
Burrow	Craig Andrew	CS2-278	26/11/2001	1/12/2001	30/07/2005
Blignaut	Martin Derek	CS2-279	26/11/2001	1/12/2001	30/07/2005
Patmore	Craig Christopher	CS2-280	26/11/2001	26/11/2001	30/07/2005
Clarke	Wayne Raymond Lonsdale	CS2-281	26/11/2001	1/12/2001	30/07/2005
Blottin	Jean Christopher	CS2-282	26/11/2001	1/12/2001	30/07/2005
Epton	Stephen James	CS2-283	26/11/2001	1/12/2001	30/07/2005
Mellowship	Ronald George	CS2-284	26/11/2001	1/12/2001	30/07/2005
Feld	Justin James	CS2-285	26/11/2001	1/12/2001	30/07/2005
Aitken	William	CS2-286	26/11/2001	1/12/2001	30/07/2005
Morgan	Neil George	CS2-287	26/11/2001	1/12/2001	30/07/2005
Morris	Marianne	CS2-288	26/11/2001	1/12/2001	30/07/2005
Godfrey	Keith Malcolm	CS2-289	26/11/2001	1/12/2001	30/07/2005
Wynne	Craig Michael	CS2-290	28/11/2001	1/12/2001	30/07/2005
Armstrong	Paul Geoffrey	CS2-291	28/11/2001	1/12/2001	30/07/2005
Cooper	Dennis Stanley	CS2-292	28/11/2001	1/12/2001	30/07/2005

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Wheeler	Scott Michael	CS2-293	10/12/2001	10/12/2001	30/07/2005
Wollf	Adrian	CS2-294	10/12/2001	10/12/2001	30/07/2005
Tinsley	Danny Martin	CS2-295	10/12/2001	10/12/2001	30/07/2005
Cronin	Francis Peter	CS2-296	10/12/2001	10/12/2001	30/07/2005
Arnold	Barry Ernest	CS2-297	10/12/2001	10/12/2001	30/07/2005
Rajandran	Kanapathy	CS2-298	10/12/2001	10/12/2001	30/07/2005
O'Neill	Hugh	CS2-299	10/12/2001	10/12/2001	30/07/2005
Jordan	Peter	CS2-300	10/12/2001	10/12/2001	30/07/2005
Lassen	James	CS2-301	10/12/2001	10/12/2001	30/07/2005
Nokes	Stephen	CS2-302	10/12/2001	10/12/2001	30/07/2005
Jakimowicz	Stepan	CS2-303	10/12/2001	10/12/2001	30/07/2005
Stewart	David Gordon	CS2-304	10/12/2001	10/12/2001	30/07/2005
Bonney	Colin Edward	CS2-305	10/12/2001	10/12/2001	30/07/2005
Barton	Jason John	CS2-306	10/12/2001	10/12/2001	30/07/2005

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Moody	Peter Douglas	CS2-214	10/12/2001
Smith	Michael Justin	CS2-129	10/12/2001
Gater	Troy Bradley William	CS2-187	10/12/2001
Smith	Sharon Anne	CS2-236	10/12/2001

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BARRY CRAM, Director, Court Security & Prisoner Transport.

JM402

JUSTICES ACT 1902 APPOINTMENTS

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

Mr Keith Henry House of "Privett" Box 60, Gnowangerup
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 Merredin

BUSH FIRE CONTROL OFFICERS

The following persons are appointed Bush Fire Control Officers for the Shire of Merredin and all other appointments are hereby cancelled—

Chief Bush Fire Control Officer—Robert Gray
Deputy Chief Bush Fire Control Officer—Stephen Crook
Bush Fire Control Officers

Muntadgin	Peter McCrae
Merredin	Ron Morton
Korbel	John Goodier

Korbel	Richard Last
Korbel	Chris Hooper
Nukarni/ Nokanning	Russel Cockram
Nukarni/ Nokanning	Frank Alvaro
Hines Hill	Kevin Cahill
Hines Hill	Eric Gethin
Collgar	Syd Crees
Collgar	George Giraud
South Burracoppin	Neil Edgecombe
Burracoppin	John Lambert
Burracoppin	Chris Barnett

P. J. ANASTASAKIS, Chief Executive Officer.

LG402

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

NOTICE ESTABLISHING A PROHIBITED AREA

Shire of Capel

Pursuant to the powers conferred on me by section 16 of the *Control of Vehicles (Off-road Areas) Act 1978*, and after seeking the advice of the Advisory Committee pursuant to section 18 of that Act, and with the consent of the Lieutenant-Governor and deputy of the Governor, I, Tom Stephens MLC, being the Minister as defined by section 3 of that Act, hereby establish the land specified in the first column of the Schedule to this notice, as a prohibited area for the purposes of that Act, in relation to the vehicles and the classes or kinds specified opposite to that area in the second column of the Schedule.

TOM STEPHENS, MLC, Minister for Local Government
and Regional Development.

Schedule
Prohibited Area

Specification of Prohibited Area	Class or Kind of Vehicle Prohibited
All that portion of Vacant Crown Land as shown delineated in black and coloured red on Department of Land Administration Deposited Plan 29624.	Vehicles generally except those used by licensed commercial fishermen.

In this Schedule "Vehicle" has the same meaning as prescribed by section 3 of the *Control of Vehicles (Off-road Areas) Act 1978*.

LG403

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

Shire of Capel

VARIATION TO THE BOUNDARIES OF PROHIBITED AREAS

Pursuant to the powers conferred on me by section 16 of the *Control of Vehicles (Off-road Areas) Act 1978*, and after seeking the advice of the Advisory Committee pursuant to section 18 of that Act, and with the consent of the Lieutenant-Governor and deputy of the Governor, I, Tom Stephens MLC, being the Minister as defined by section 3 of that Act, hereby vary the boundaries of the Prohibited Areas as described in the Government Gazettes of 16 September 1988 and 15 November 1991 on pages 3723-3724 and 5852-5853 respectively by deleting the land described in the attached Schedule.

TOM STEPHENS, MLC, Minister for Local Government
and Regional Development.

Schedule

All that portion of Vacant Crown Land and Wellington Location 5810 (Reserve 45076) as shown delineated in black and coloured green on Department of Land Administration Deposited Plan 29624.

LG404

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978*Eastern Metropolitan Regional Council***VARIATION TO THE BOUNDARIES OF THE RED HILL PERMITTED AREA**

Pursuant to the powers conferred on me by section 12 of the *Control of Vehicles (Off-road Areas) Act 1978*, and after seeking the advice of the Advisory Committee pursuant to section 18 of that Act, and with the consent of the Lieutenant-Governor and deputy of the Governor, I, Tom Stephens MLC, being the Minister as defined by section 3 of that Act, hereby vary the boundaries of the Red Hill Permitted Area situated in the district of the City of Swan and as specified in *Government Gazette* of 22 July 1994 on pages 3775 and 3776 by adding and deleting the land described in the Schedules to this Order.

TOM STEPHENS, MLC, Minister for Local Government
and Regional Development.

Schedule A

Addition to the Permitted Area

All that portion of Lot 1 (Office of Titles Diagram 15239) as shown delineated in black and coloured green on Department of Land Administration Deposited Plan 29623.

Schedule B

Excision from the Permitted Area

All that portion of Lot 1 (Office of Titles Diagram 15239) as shown delineated in black and coloured blue on Department of Land Administration Deposited Plan 29623.

MINERALS AND PETROLEUM

MP401*

State of Western Australia**PETROLEUM (SUBMERGED LANDS) ACT 1982**

Notice of Renewal of Pipeline Licence TPL/7

Pipeline Licence No. TPL/7 held by Apache Oil Australia Pty Ltd, Santos (BOL) Pty Ltd, Pan Pacific Petroleum (South Australia) Pty Ltd, and Ampolex (PPL) Pty Limited has been renewed for a period ending 20 December 2005.

RICHARD CRADDOCK, Acting Director, Petroleum Division.

MP402

MINING ACT 1978**FORFEITURES**

Department of Minerals & Petroleum Resources
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A(1) of the Mining Act 1978 that the undermentioned Exploration Licences are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

CLIVE BROWN, MLA, Minister for State Development.

Number	Holder	Mineral Field
		Exploration Licences
70/2029	My Casino Ltd	South West
77/585	Gondwana Resources NL; Savage Australian Exploration Pty Ltd	Yilgarn
77/586	Gondwana Resources NL; Savage Australian Exploration Pty Ltd	Yilgarn

MP403

MINING ACT 1978
REINSTATEMENT OF LEASE

Department of Minerals and Petroleum Resources
Perth 2001.

In accordance with Section 96A(2) of the Mining Act 1978, I hereby cancel the forfeiture on the undermentioned Mining Lease, previously declared forfeited for failure to comply with the prescribed expenditure conditions and published in the *Government Gazette* of 15 June 2001 and reinstate the lease to its former estate.

CLIVE BROWN, MLA, Minister for State Development

YILGARN MINERAL FIELD

Mining Lease 59/508—R. Dalrymple.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Bill Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the date shown, to the undermentioned Bill passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Sixth Parliament.

Short Title Of Bill	Date of Assent	Act No.
Liquor Licensing Amendment Bill 2001	December 5 2001	26 of 2001

Dated December 11 2001.

L. B. MARQUET, Clerk of the Parliaments.

PLANNING AND INFRASTRUCTURE

PI101*

CORRECTION

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF BUNBURY

TOWN PLANNING SCHEME No. 6—AMENDMENT No. 230

Ref: 853/6/2/9 Pt 230

It is hereby notified for public information that the notice under the above Amendment No. 230 published at pages 6208-6209 of the *Government Gazette* No. 238 dated 7 December 2001, contained errors which are now corrected as follows—

1. In point 3.—for the words: “Amending the Scheme boundary and Policy Area boundary.....” read: “Amending the Scheme boundary.....”
2. In point 5.—for the words: “Amending Appendix IV—First Schedule: Special Uses, Point 85, by adding the following after “2. Central Precinct:” read: “Amending Appendix IV—First Schedule Point 85, to include reference to the revised development area and the Waterfront Precinct as follows—”

M. WHITTAKER, Chief Executive Officer.

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ALBANY

TOWN PLANNING SCHEME No. 1A—AMENDMENT No. 132

Ref: 853/5/2/15 Pt 132

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 5 December 2001 for the purpose of—

1. Rezoning Lots 22 and 23 of Albany Suburban Lot P12, Albany Highway, Centennial Park from the Residential zone to the Tourist Residential zone.
2. Modifying the definition of “Holiday Accommodation” within Appendix IX—Interpretations as follows—

Holiday Accommodation—means accommodation which by way of trade or business or for the purpose of any trade or business is held out as being available or is being made available for holiday purposes for occupation by a person for not more than three (3) months in a twelve (12) month period.

3. Amending the Scheme Maps accordingly.

A. E. GOODE, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ALBANY

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 214

Ref: 853/5/4/5 Pt 214

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 5 December 2001 for the purpose of—

1. In Schedule 1 ‘Special Rural Zones’—
 - (a) deleting the following—

“6—Swan Point, Pt 15—Loc 730 and 731, Lots 117-147—Loc 2161, 2156 and 1569, Lots 163-165—Loc 731, Lots 168-181—Loc 497 and 1569, Pt 182—Loc 1569 and Pt 203—Loc 767 and 1569.”

and inserting therein—

“6—Swan Point; Pt Lot 15—Loc 730 and 731; Lots 117-147—Loc 2161, 2156 and 1569; Lots 163-165—Loc 731; Lots 168-181—Loc 497 and 1569; Pt 182—Loc 1569; Pt Lot 203—Loc 767 and 1569; part of Lot 22, and Lot 23—Pt Loc 1569.”
 - (b) in clause 4.1 of the Special Provisions for Specified Area Or Locality 6—Swan Point, replacing the word “Coastal” with the word “Council”.
 - (c) in the Special Provisions for Specified Area Or Locality 6—Swan Point, inserting the following in numerical order—

“5.4 Part of Lot 22, and Lot 23—Pt Loc 1569

All buildings on part of Lot 22, and Lot 23—Pt Loc 1569 are to be located wholly within building envelopes of up to 2,000m² that are shown on the Subdivision Guide Plan. Where lots do not have building envelopes shown on the Subdivision Guide Plan they are to be selected and delineated on-site by the landowner, and approved by the Council.”

“7.7 The Council may request the Commission to impose a Condition at the time of Subdivision for construction of stock proof fencing along the boundary of Reserve 28690.”

“7.9 The subdivider shall make arrangements to the satisfaction of the Council to advise prospective purchasers of the impacts associated with the spread of weed species, with special regard to those areas near to Reserve 28690.”
 - (d) in the Special Provisions for Specified Area Or Locality 6—Swan Point, deleting clause 10.6 and inserting the following—

“10.6 The Council may request the Commission to impose a Condition at the time of Subdivision that arrangements are made for a guaranteed water supply and standpipe facility in the event that reticulated water and fire hydrants are not provided.”

- 2 (a) rezoning Lot 22 Plantagenet Location 1569 from "Special Sites" to Special Rural" and "Special Use; and
 (b) rezoning Lot 23 Plantagenet Location 1569 from "Rural" to "Special Rural" as depicted on the Scheme Amendment Map.
- 3 inserting the following after the last entry in Schedule 3—Special Use Zones—
- | | | | |
|-----|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| "14 | Part of Lot 22
Plantagenet
Location 1569
Gull Rock Road,
Lower Kalgan | <ul style="list-style-type: none"> • Freshwater fish production and sale. • Holiday chalets—short stay accommodation. • Restaurant. • Cultural use. • Private Recreation. • Shop and Office incidental to the primary uses. • Dwellings for manager and staff. • Ancillary tourist facilities. | <ol style="list-style-type: none"> 1. All uses listed are to be considered under the AA provisions of the Scheme pursuant to clause 3.3. 2. Upon receiving a development application, the Council is to determine appropriate development setbacks from Reserve 28690 in consultation with the Fire and Emergency Services Authority and the Department of Conservation and Land Management." |
|-----|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

A. E. GOODE, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF BRIDGETOWN-GREENBUSHES
TOWN PLANNING SCHEME No. 4—AMENDMENT No. 45

Ref: 853/6/5/4 Pt 45

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Bridgetown-Greenbushes Town Planning Scheme Amendment on 5 December 2001 for the purpose of—

1. Deleting sub-clause 3.4.2 (b) of the Scheme.
2. Renumbering sub-clauses 3.4.2 (c), (d), (e), (f) and (g) accordingly.
3. Adding sub-clause 3.4.5. to the Scheme Text to read—
 - 3.4.5 Council will require applications for the development of a single dwelling on a lot within the residential Zone and Rural Zones 1, 2, 3 and 4 where it is determined by Council that the following circumstances exist—
 - (a) the location, siting and/or access to the proposed dwelling raises significant issues of fire risk and fire protection;
 - (b) the location, siting and/or access to the proposed dwelling could result in the amenity of adjacent and nearby owners being adversely affected;
 - (c) the proposed external materials of the dwelling are considered below the acceptable standard for the amenity and landscape of the surrounding area;
 - (d) where proposed earthworks to accommodate the dwelling raise issues of landscape protection, soil erosion and stormwater drainage;
 - (e) where the subject lot does not have gazetted or legal access;
 - (f) where specific concerns about the method and/or siting of effluent disposal are identified on the subject land; and/or
 - (g) if aspects of the proposed development fall under the objectives and contents of any of Council's Town Planning Scheme Policies.

Council shall prepare and endorse Town Planning Scheme Policies pursuant to Clause 7.6 of the Scheme relating to the abovementioned issues to control the development of single dwellings within the Residential Zone and Rural Zones 1, 2, 3 & 4.
4. Rewording Clause 3.4.3 to read—
 - 3.4.3 The Planning Consent of Council is required for erection of Resided Residence.

N. OAKS, President.
A. MacNISH, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF BRIDGETOWN-GREENBUSHES
 TOWN PLANNING SCHEME No. 4—AMENDMENT No. 50

Ref: 853/6/5/4 Pt 50

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Bridgetown-Greenbushes Town Planning Scheme Amendment on 5 December 2001 for the purpose of—

1. Rezoning Reserve 8360 (former Greenbushes Lots 181 and 187) Blackwood Road, Greenbushes, from the Residential Zone to the Public Purpose Reserve.
2. Designating the purpose of Reserve 8360 on the Scheme Map as 'Fire Station'.

N. OAKS, President.
 A. MacNISH, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF MELVILLE
 COMMUNITY PLANNING SCHEME No. 5—AMENDMENT No. 5

Ref: 853/2/17/12 Pt 5

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Melville Town Planning Scheme Amendment on 5 December 2001 for the purpose of—

1. Inserting a new clause under Part 5: General Development Requirements as follows—
 - 5.20 RESTAURANT USE CLASS

If planning approval is given for a restaurant under this or any preceding scheme or for a proposal under this Scheme falling within the 'restaurant' use class, unless the Council decides otherwise the use may be conducted with a restaurant licence issued under the Liquor Licensing Act 1988, and no further approval of the Council is required for that purpose, but the conduct of the restaurant with any other liquor licence is not permitted without the planning approval of the Council.
2. Modifying the definition of "Restaurant" in Schedule 1: Interpretations in the Scheme Text as follows—

'Restaurant' means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988.

K. J. MAIR, Mayor.
 J. J. McNALLY, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF STIRLING
 DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 395

Ref: 853/2/20/34 Pt 395

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the City of Stirling District Planning Scheme Amendment on 5 December 2001 for the purpose of rezoning Lot 1, HN 16A Marton Road and Lots 3 and 6, HNs 207 and 211 Jones Street, Balcatta, from "Civic, Business and Service Station" to "Business and Residential R30".

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

PI407*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF VICTORIA PLAINS
 TOWN PLANNING SCHEME No. 4—AMENDMENT No. 2

Ref: 853/3/18/4 Pt 2

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning and Infrastructure approved the Shire of Victoria Plains Town Planning Scheme Amendment on 5 December 2001 for the purpose of—

1. Inserting enabling provisions for Special Control Areas under new Clause 5.23 as follows—
 - 5.23 SPECIAL CONTROL AREAS
 - (1) Special Control Areas are depicted on the Scheme Map and special provisions relating to the affected land are listed in Schedule 2(b).
 - (2) The following Special Control Areas are shown on the Scheme Map—
 - (a) European Space Agency Satellite Communications Facility.
 - (3) In respect of the Special Control Areas shown on the Scheme Map, the provisions applying to a Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.
2. Adding the heading “5.23 SPECIAL CONTROL AREAS” in the Table of Contents of the Scheme Text.
3. Amending Clause 3.3 by replacing the words “Schedule 2” with “Schedule 2(a)”.
4. Renumbering “Schedule 2” (Additional Uses) as “Schedule 2(a)”.
5. Inserting into Schedule 2(a) the following—
 1. European Space Agency—Satellite Communications Facility Site
 - (a) Particulars of the Land: Lot 1 of Melbourne Loc. 1991
 - (b) Additional Use: Satellite Communications Facility
 - (c) Conditions of Additional Use: AS DETERMINED BY COUNCIL
6. Inserting a new “Schedule 2(b)—Special Control Areas” into the Scheme Text.
7. Inserting into Schedule 2(b) the following—
 - (1) Special Control Area for the European Space Agency (ESA) Facility—

Overriding Goal

To protect the operations of the ESA facility located at Lot 1 of Melbourne Loc. 1991 Great Eastern Highway, New Norcia from the encroachment of incompatible land uses. The following development requirements will aim to control the impact of radio frequency interference of development proposals on the reception and transmission quality of the ESA facility and of tall developments on the optical horizon required by the facility.

Principles

The ESA facility is both nationally and internationally important to Australia as it plays a role in the international space program. The protection of the facility's operation is imperative and supports undertakings made by the Australian Government with the European Space Agency to take reasonable steps to ensure that the operations of ESA are not interfered with.

Operation of the Special Control Area

The Special Control Area will be imposed over the zoning of the land. The development requirements accompanying the Special Control Area will apply in addition to the provisions of the zone and any general provisions of the Scheme. Where there is a conflict, the development requirements of the Special Control Area shall prevail.

The rights of existing lawful land uses are retained as many rural activities are totally compatible with the facility's operation. The requirements of the Special Control Area will be relevant to new land uses or where there is a change or extension of an existing use requiring Council's approval.

Referral Procedures

Council is to refer any Rezoning, Development Application, Development Plan, Subdivision Guide Plan or Structure Plan to Telstra (acting on behalf of ESA) prior to determination. Any rezoning proposing residential or industrial development within the Special Control Area is to be precluded whilst development proposals are to be referred to Telstra for consideration and comment.

Development Requirements

1. The use of land for heavy industrial activities or involving heavy industrial equipment or any development over 10m in height will not be supported.
2. The rezoning of land for residential or industrial purposes will not be supported within 1 kilometre of the ESA facility. In this regard, residential development means residential lots less than 1 hectare in area.

3. Any Development Application, Development Plan, Subdivision Guide Plan or Structure Plan or intended use of land for industrial activities within the 1km arc of the site as designated in the Special Control Area will be required to demonstrate to the satisfaction of Telstra that the proposed use is compatible with the operations of the ESA facility and the requirements of this provision.
 4. Where required by Telstra, demonstration of compatibility will involve the proponent of the Development Plan, Subdivision Guide Plan or Structure Plan providing a scientifically based study prepared by a qualified professional person or organisation illustrating the impacts on the ESA facility of electromagnetic or radio frequency interferences being emitted by the proposal. Such a study would also need to take into account the cumulative effects of radio frequency interference from other existing uses within the Special Control Area.
 5. Any Development Application or Subdivision Guide Plan, Structure Plan or proposed use may be subject to conditions or modified to be consistent with the intention of the Special Control Area to protect the operation of the ESA facility.
 6. Any Rezoning, Development Application, Development Guide Plan or Structure Plan for uses within the Special Control Area involving or proposing the use of industrial, scientific and medical equipment where AS2064 is applicable will need to demonstrate that the proposed use is compatible with the operations of the ESA facility.
 7. Where determined by Telstra, compliance will be required with development requirements or conditions specified by ESA for the use of industrial, scientific or medical equipment where AS2064 is applicable.
8. Amending the Scheme Maps by—
- (1) Indicating the new zoning of Lot 1 of Melbourne Loc. 1991 as an “Additional Use Site” as shown on the scheme amendment map.
 - (2) Adding a graphic to denote Special Control Areas in the Scheme Map Legend under the category “Other”.
 - (3) Adding a Special Control Area for the European Space Agency Facility over a portion of Melbourne Loc. 1991 as shown on the scheme amendment map.

M. ANSPACH, President.
P. ANNING, Chief Executive Officer.

POLICE

PO501

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 15 December 2001, at 10.00 am.

The auction is to be conducted by Mr Gary Silcock.

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

PREMIER AND CABINET

PC401

APPOINTMENT TO THE ANTI-CORRUPTION COMMISSION

It is hereby notified for public information that the Governor in Executive Council has in accordance with Section 5(3)(b) and (8) of the Anti-Corruption Commission Act 1988 approved the appointment of R. N. George for a term of one year from the 11 December 2001 to be a member of the Anti-Corruption Commission.

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

RACING, GAMING AND LIQUOR

RG401

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			
8652	Riccardo Letta	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Uncle Vincents Pizza Bar and Restaurant	9/1/02
8660	Robert David Holloway and Susan Janet Holloway	Application for the grant of a Producer—Wine licence in respect of premises situated in Forest Grove and known as Broomstick Estate	4/1/02
8662	Abbey Wine Management Pty Ltd	Application for the grant of a Producer—Wine licence in respect of premises situated in Yallingup and known as Woodside Estate	20/1/02
8666	Universal Star Catering (Fremantle) Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Fremantle and known as La Porchetta Pizza Restaurant Fremantle	6/1/02
8667	Beachport Investments Pty Ltd	Application for the grant of a Special Facility Packet/Transport licence in respect of premises situated in Mandurah and known as Bouvard Cruises	7/1/02
8668	Black Swan Wines Pty Ltd	Application for the grant of a Producer—Wine licence in respect of premises situated in Henley Brook and known as Black Swan Winery & Café	8/1/02
8669	Black Swan Wines Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Henley Brook and known as Black Swan Winery & Café	8/1/02
8670	Edgcon Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in City Beach and known as Sunset Rock	8/1/02
8672	Summer Moon Enterprises Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Armadale and known as Pioneer Village Restaurant	9/1/02
8673	Neak Sin	Application for the grant of a Restaurant licence in respect of premises situated in Leederville and known as Thai Palace Restaurant	8/1/02
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
10022	Bushtrail Investments Pty Ltd	Application for the grant of an extended trading permit—ongoing hours, in respect of premises situated in Jurien and known as Jurien Bay Hotel Motel	26/12/01
10202	Maranel Pty Ltd	Application for the grant of an extended trading permit—ongoing hours, in respect of premises situated in Rottneest Island and known as Rottneest General Store	27/12/01
10123	Alh Group Pty Ltd	Application for the grant of an extended trading permit—ongoing hours, in respect of premises situated in Wanneroo and known as Wanneroo Tavern	24/12/01

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
134975	Perry John Heynen and Richard Charles Moriconi	Application to add, vary or cancel a condition of the Special Facility—Tourism licence in respect of premises situated in Northbridge and known as Bar Shanghai	17/12/01
135355	Kitcher Property Investments Pty Ltd	Application to add, vary or cancel a condition of the Special Facility—Packet/Transport licence in respect of premises situated in North Fremantle and known as Northport Ferry Terminal	16/12/01
136515	Northbridge Enterprises Pty Ltd	Application to add, vary or cancel a condition of the Tavern licence in respect of premises situated in Northbridge and known as Aberdeen Hotel	31/12/01
137037	BLG JV Hold. P/L, SG Developments P/L and APGC Investments P/L	Application to add, vary or cancel a condition of the Special Facility—Sports Promotion licence in respect of premises situated in Beechboro and known as Altone Park Golf Course	9/1/02

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

HUGH HIGHMAN, Director of Liquor Licensing.

TRANSPORT

TR401*

SHIPPING AND PILOTAGE ACT 1967

NAVIGABLE WATERS REGULATIONS

WATER SKI AREA WAROONA DAM

Department for Planning and Infrastructure
Fremantle WA, 14 December 2001.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department by this notice defines and sets aside the following area of navigable water for the purpose of water skiing between the hours of sunrise and sunset and orders that bathing shall be prohibited therein—

Waroona Dam

All the waters of the dam lying to the north and east of a line drawn 120 metres upstream and parallel with the dam wall to lines marked with buoys and signs 750 metres upstream in the north-east arm and 1,400 metres upstream in the eastern arm PROVIDED HOWEVER that skiing is not permitted within 45 metres of the foreshore except at the designated ski take off and landing points as marked by signs on the foreshore in the north-east arm, the eastern arm and in the south-eastern bay. The rotation of all water skiing on the dam shall be in an anti-clockwise direction.

MICHAEL LINLAY HARRIS, Acting Director General,
Department for Planning and Infrastructure.

TR402*

WESTERN AUSTRALIAN MARINE ACT 1982

CLOSURE OF NAVIGABLE WATERS—PERSONAL WATERCRAFT WAROONA DAM

Department for Planning and Infrastructure
Fremantle WA, 14 December 2001.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes Notice TR402 as published in the *Government Gazette* on 23 November 2001 and hereby closes all the waters of Waroona Dam to navigation by personal watercraft UNLESS water skiing within the gazetted water ski area.

MICHAEL LINLAY HARRIS, Acting Director General,
Department for Planning and Infrastructure.

TR403*

WESTERN AUSTRALIAN MARINE ACT 1982
RESTRICTED SPEED AREAS—ALL VESSELS
HILLARYS BOAT HARBOUR

Department for Planning and Infrastructure
Fremantle WA, 14 December 2001

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department by this notice revokes Notice TR404 as published in the *Government Gazette* on 1 December 2000 and hereby limits the speed of motor vessels to that of six (6) knots within the following area—

Hillarys Boat Harbour: All the waters contained within a 200 metre buffer from the north and south groynes of the harbour and extending back to the foreshore.

Excluding: All gazetted boating prohibited areas.

MICHAEL LINLAY HARRIS, Acting Director General,
Department for Planning and Infrastructure.

WORKSAFE

WS401

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 20 of 2001)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption from the requirements of Regulation 6.3(1) of the *Occupational Safety and Health Regulations 1996* for the operator of an a boom type elevating work platform to hold a certificate of competency where the boom length is greater than 11 metres. This exemption is limited to the Cinema Complex Project in Weld Street Broome and is subject to the following conditions—

- A documented job safety analysis is prepared; and
- The boom is operated at a length not exceeding 11 metres.

Dated this 5th day of December 2001.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS402

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 21 of 2001)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to Burswood International Resort Casino from Regulation 4.56 of the *Occupational Safety and Health Regulations 1996* in relation to the requirement for Lift 8 in the Casino night club extension to meet the requirements of section 16.1 of AS 1735.2. This exemption is subject to the following conditions—

- Registration of the lift is completed on 7 December 2001; and
- Safe working procedures are implemented for maintenance of the fibre optic light boxes in the lift plant room, by 21 December 2001.

The need for continuation of this exemption will be reassessed within three months of the date of signing.

Dated this seventh day of December 2001.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

PUBLIC NOTICES

ZZ201**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons having claims in respect of the Estate of James Kevin Tondut, late of A15/305 Harborne Street, Glendalough are required to send particulars of their claims to me on or before 16 January, 2002 after which date I may convey or distribute the assets having regard only to the claims of which I then have notice.

KENNETH FERDINAND TONDUT,
12A Churchlands Avenue,
Churchlands WA 6018.

ZZ202**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Alfred Louis Vergo, late of Tinetti Lodge, Wilson Street, Kalgoorlie, retired prospector, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estate of the deceased, who died in Kalgoorlie on 7 June 2001 are required by the administrator of the estate of the deceased of care of Macdonald Rudder solicitors, 126 Hannan Street, Kalgoorlie to send particulars of their claims to the administrator within one month from the date of the publication of this notice after which date the administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

MACDONALD RUDDER, Solicitors.

ZZ203*PRINTERS CORRECTION***TRUSTEES ACT 1962**

DECEASED ESTATES

An error occurred in the notice published under the above heading on page 6220 of *Government Gazette* No. 238 dated 7 December 2001 and is corrected as follows.

Delete the entire notice and insert the following.

TRUSTEES ACT 1962

DECEASED ESTATES

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estate of the undermentioned deceased persons are required by the personal representatives of care of Marks & Sands, Level 26, Exchange Plaza, Sherwood Court, Perth to send particulars of their claims to them by the 18th January, 2002 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Iseppi, James Horace, late of Lot 11, Coronation Road, Waroona, Western Australia, Farmer. Died 21 September 1998.

David, William David, late of 34 Forrest Street, South Perth, Western Australia, Managing Director. Died 17 July 2001.

Ammon, John Victor, late of 61 Gloster Street, Subiaco, Western Australia, Lawyer. Died 23 June 2000.

Perry, Condace Patricia Morgan, late of John Mercer Nursing Home, 18 Laidlaw Street, Hilton, Western Australia, Retired Medical Secretary. Died 10 June 2001.

Walters, Lloyd Andrew, late of 745 Johnston Road, Parkerville, Western Australia, Merchandise Manager. Died 7 August 2001.

Doherty, Doris Enid, late of 195 Grand Promenade, Doubleview, Western Australia, Widow. Died 7 September 2001.

Doherty, James McEleney, late of 195 Grand Promenade, Doubleview, Retired Industrial Chemist. Died 6 September 2001.

ZZ204

TRUSTEES ACT 1962**DECEASED ESTATES**

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 14th January 2002, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bell, Elsie Frances, late of Unit 9/35 Creery Street, Mandurah, died 26/10/01, (DE30335341EM14).

Bickford, Frances Ellen, late of 66 Willis Street, East Victoria Park, died 21/11/01 (DE30335677EM34).

Fielder, June Ellen, late of 4A Regan Street, Rockingham, died 4/11/01, (DE30335433EM36).

Frye, Olive Amy Rose, late of St Michael's Nursing Home, 53 Wasley Street, North Perth, died 20/11/01, (DE30267182EM23).

Grob, Heinrich Benito, late of 5 William Street, Armadale, died 25/11/01, (DE30335663EM22).

James, Kathleen Maud, late of Unit 3/3 Stevenson Street, Mandurah, died 9/11/01 (DE30335680EM14).

Ketteridge, Jessie Eleanor, late of The Pines Nursing Home, Monaco Avenue, Ellenbrook, formerly of 3 Eileen Street, Bassendean, died 25/8/01, (DE30334682EM25).

Kipling, George Edward, late of Unit 6/36 Tenth Avenue, Maylands, died 2/12/01 (DE30335738EM27).

Roberts, Julia, late of Midland Nursing Home, 44 John Street, Midland, died 16/10/01 (DE30335259EM26).

Smith, Doreen Elizabeth, late of Unit 2/10 Chappel Street, Dianella, died 16/8/01 (DE30334191EM24).

Winder, Norman James, late of 3 Wise Street, Carnarvon, died 15/1/00 (DEC30327903EM36).

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

ZZ205

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

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

Farr, Gordon John, late of Kensington Park Nursing Home, Gwentyfred Road, Kensington, in the State of Western Australia, Retired Plant Operator, who died on 22nd August 2000.

Caporn, Hazel Jean, late of 26 South Terrace, South Perth, in the State of Western Australia, Widow, who died on 18th September 2001.

Jecks, Douglas Alan, late of 7 Carinya Place, City Beach, in the State of Western Australia, Retired Vice Chancellor, who died on 1st October 1999.

Dated this 11th day of December 2001.

CORSERS Barristers & Solicitors.

ZZ205

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd C/- Ground Floor, 39 Hunter Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Estate Late Laurel Ivy George

Late of House 6, Brightwater Nursing Home, Renegade Way, Kingsley, WA

Died: 27/12/1999.

ANNA WHITTAKER, Estate Manager,
Perpetual Trustees WA Limited.
Direct Phone: (02) 9229 9214

Biographical Register of Members of the Parliament of Western Australia

Volume One
1870 – 1930
(Revised Edition)

David Black and Geoffrey Bolton

BIOGRAPHICAL REGISTER OF

75

FORREST, Sir John CMG (1882), KCMG (1891), PC (1897), GCMG (1901), Baron (1918)

Surveyor R 27 Aug 1847, Preston Point nr Bunbury; s. of William, miller, and Margaret Guthrie Hill, bro. of Alexander and David (qq.v.), bro-in-law of Edward and Samuel Hamersley (qq.v.); M 29 Feb 1876, St Georges Church, Perth, Margaret Elvire Hamersley (B 22 Oct 1844 – D 13 June 1929), d. of Edward and Anne Louise Cornille; no ch.; D 3 Sep 1918, at sea on *Marathon* off Sierra Leone, Karrakatta cem. C of E.



Educ. Govt. sch., Picton, Bunbury, Bishop Hale's sch. (1859–63). Apprenticed as surveyor Nov 1863; appointed temp. Govt Surveyor Dec 1865, remained on staff of Surveyor-General's office until 1890; 1869 led expeditions to interior to search for Leichhardt's remains and 1870 from Perth–Adel, along South coast; 1871 became Govt Surveyor for Northern Dist; 1874 led expeditions Geraldton–Adel, across centre of WA to overland telegraph line, elected FRGS (gold medal), Chevalier of the Order of the Crown, Italy; Hon. Fellow St. Petersburg, Vienna and Italian Geographical Soc's; 1876 Dpty Surveyor-General, 1878 acting Surveyor-General and Commissioner of Crown Lands, 1880–81 Acting Supt of Convicts; Fellow Linnean Soc. of Adelaide for work in collecting Aust. flora; Jan 1883–90 Surveyor-General and Commissioner of Crown Lands; 1887 represented WA at 1st Colonial Conference and Queen Victoria's Jubilee celebrations in London; 1897 Hon. LLD (Cambridge); 1902 Hon. LLD (Adel); 1916 Hon. LLD (Univ. of WA); in 1918 first Aust. to be created a peer. Published *Explorations in Australia* (London, 1875), *Notes on Western Australia* (Perth 1884, 1885 and 1886), *The Present and Future of Western Australia* (Perth, 1897).

Forrest Party, Prot. 1901–06, WA Party 1906–1910, Liberal from 1910.

State: Nom. (official) MLC 10 Jan 1883 – 9 June 1887, 6 Mar 1888 – 21 Oct 1890, MLA Bunbury 3 Dec 1890 – c. 14 Feb 1901, Premier and Colonial Treas. 29 Dec 1890 – 14 Feb 1901; Colonial Sec. 4 Dec 1894 – 28 Apr 1898. Represented WA at Fed. Conventions 1891 and 1897–98, Fed. Councils 1893, 1895, 1897 (pres.), 1899. **Commonwealth:** MHR Swan 30 Mar 1901 – 3 Sep 1918, Postmaster-General 1 Jan – 17 Jan 1901; Min. for Defence, 17 Jan 1901 – 10 Aug 1903; Home Affairs 11 Aug 1903 – 27 Apr 1904; Treasurer 5 July 1905 – 30 July 1907, 2 June 1909 – 29 Apr 1910, 24 June 1913 – 17 Sep 1914, 17 Feb 1917 – 27 Mar 1918. Acting Prime Minister 1907.

AE, Serle; Kimberly, 1–7 (port.); C20 *Imp.*, 18–19 (port.); Battye I, 308–09 (port.) and II, 46–58 (port.); Crowley (Forrest); ADB 8; BDWA II; Reid and Oliver.

**The Biographical Register of Members of the Parliament of Western Australia
Volume One 1870-1930, the first of two volumes, was produced under the auspices of
the Parliament of Western Australia as part the official Parliamentary History
Project to commemorate the centenary in 1990 of the establishment of a bicameral
legislature and responsible government in Western Australia.**

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