

**WESTERN
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Gazette**

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SPECIAL PUBLICATION NOTICE

GOVERNMENT GAZETTE—EASTER 2003

Advertisers are advised to note the following changes to publication dates for *Government Gazette* over the Easter period 2003.

EASTER ISSUES:

THURSDAY 17 APRIL (Copy closes Tuesday 15 April at 12.00 noon)

THURSDAY 24 APRIL (Copy closes Tuesday 22 April at 12.00 noon)

TUESDAY 29 APRIL (Copy closes Thursday 24 April at 12.00 noon)

There will be no edition for TUESDAY 22 APRIL.

Any enquiries should be directed to John Thompson,
Phone (08) 9426 0010

— PART 1 —

CONSUMER AND EMPLOYMENT

CE301*

Home Building Contracts Act 1991

Home Building Contracts (Home Indemnity Insurance — Multi-storey Multi-unit Developments Exemption) Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Home Building Contracts (Home Indemnity Insurance — Multi-storey Multi-unit Developments Exemption) Amendment Regulations 2003*.

2. Commencement

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

3. The regulations amended

The amendments in these regulations are to the *Home Building Contracts (Home Indemnity Insurance — Multi-storey Multi-unit Developments Exemption) Regulations 2002**.

[* *Published in Gazette 19 April 2002, p. 2103-15.*]

4. Heading to Part 1 inserted

Before regulation 1 the following heading is inserted —

“

Part 1 — Preliminary

”

5. Regulation 1 amended

Regulation 1 is amended by deleting “ — *Multi-storey Multi-unit Developments Exemption*” and inserting instead —

“ *Exemptions* ”.

6. Regulation 3 amended

Regulation 3(1) is amended by inserting the following definitions in the appropriate alphabetical positions —

“

“home indemnity insurance” means —

- (a) a policy of insurance that complies with Part 3A Division 2 of the Act; or
- (b) corresponding cover;

“leased retirement village” means a retirement village in which all the dwellings are occupied under a residential tenancy agreement or any other lease or licence;

“practical completion” has the meaning given by section 11 of the Act;

“residential tenancy agreement” has the meaning given by the *Residential Tenancies Act 1987*;

“retired person” has the meaning given by the *Retirement Villages Act 1992*;

“retirement village” means a complex of dwellings that are intended for occupation by retired persons;

”.

7. Heading to Part 2 inserted

After regulation 3 the following heading is inserted —

“

Part 2 — Multi-storey multi-unit developments

”.

8. Parts 3 and 4 inserted

After regulation 8 the following Parts are inserted —

“

Part 3 — Leased retirement villages

9. Exemption — leased retirement villages

- (1) Residential building work that relates to the construction of a retirement village is exempt from the requirements of Part 3A of the Act if —
 - (a) the owner of the retirement village intends the retirement village to be a leased retirement village; and
 - (b) before a building licence for the residential building work is issued —
 - (i) the owner has lodged with the Registrar of Titles a memorial to the effect that there is no home indemnity insurance in

- respect of the dwellings in the retirement village; and
- (ii) a statutory declaration by the owner that complies with subregulation (2) has been given to the local government that is to issue the building licence.
- (2) In the statutory declaration referred to in subregulation (1)(b)(ii) the owner must verify that —
 - (a) the owner intends the retirement village to be a leased retirement village; and
 - (b) the owner has lodged a memorial with the Registrar of Titles in accordance with this regulation.
 - (3) A local government may rely upon a statutory declaration referred to in subregulation (2) as proof that the memorial has been lodged.
 - (4) A memorial under subregulation (1)(b)(i) is to be in a form approved by the Registrar of Titles.
 - (5) The Registrar of Titles must, on payment of the appropriate fee, register the memorial against the relevant land.
 - (6) The Registrar of Titles may cancel the registration of the memorial after 6 years from the day of practical completion of the leased retirement village.
 - (7) This regulation does not apply to residential building work for which a building licence has been issued before this regulation commences.
- 10. Sale of dwellings in leased retirement village within 6 years of practical completion**
- (1) If residential building work for a retirement village was exempt from the requirements of Part 3A of the Act under regulation 9(1), the owner of the retirement village must not enter into a sale contract for one or more dwellings in the retirement village, within 6 years of the day of practical completion, unless —
 - (a) a policy of insurance that complies with subregulation (2) is in force in relation to the residential building work or corresponding cover that complies with subregulation (3) is provided in relation to the residential building work; and

- (b) the purchaser has been given a certificate, in a form approved by the Minister, which evidences the taking out of the policy or the provision of the corresponding cover.

Penalty: \$5 000.

- (2) The policy of insurance referred to in subregulation (1)(a) complies with this subregulation if —
 - (a) it insures the purchaser and the purchaser's successors in title against the risk of being unable to take advantage of an entitlement to, or to enforce or recover under, a remedy under section 12A of the *Builders' Registration Act 1939* by reason of the insolvency or death of the builder who carried out the residential building work or by reason of the fact that, after due search and enquiry, that builder cannot be found;
 - (b) it provides that claims may be made under it at any time before the expiration of a period of 6 years from the day of practical completion;
 - (c) it provides for insurance cover of —
 - (i) at least \$100 000 or such other amount as is prescribed; or
 - (ii) the cost of the building work, whichever is the lesser; and
 - (d) it is issued by or on behalf of an insurer who is —
 - (i) authorised under the *Insurance Act 1973* of the Commonwealth to carry on insurance business; and
 - (ii) approved in writing by the Minister.
- (3) The corresponding cover referred to in subregulation (1)(a) complies with this subregulation if the cover is provided by an approved fund and the purchaser, and the purchaser's successors in title, are in the same position that they would be if a policy of insurance that complies with subregulation (2) were in force in relation to the residential building work.

Part 4 — State Housing Commission

11. Exemption — State Housing Commission

- (1) Subject to subregulation (2), residential building work carried out by or on behalf of the State Housing Commission which relates to a dwelling for letting or leasing is exempt from the requirements of Part 3A of the Act.

- (2) The State Housing Commission must not enter into a sale contract for the dwelling referred to in subregulation (1), within 6 years from the day of practical completion, unless —
- (a) a policy of insurance that complies with subregulation (3) is in force in relation to the residential building work or corresponding cover that complies with subregulation (5) is provided in relation to the residential building work; and
 - (b) the purchaser has been given a certificate, in a form approved by the Minister, which evidences the taking out of that policy.
- (3) The policy of insurance referred to in subregulation (2)(a) complies with this subregulation if —
- (a) it insures the purchaser and the purchaser's successors in title against the risk of being unable to take advantage of an entitlement to, or to enforce or recover under, a remedy under section 12A of the *Builders' Registration Act 1939* by reason of the insolvency or death of the builder who carried out the residential building work or by reason of the fact that, after due search and enquiry, that builder cannot be found;
 - (b) it provides that claims may be made under it at any time before the expiration of a period of 6 years from the day of practical completion;
 - (c) it provides for insurance cover of —
 - (i) at least \$100 000 or such other amount as is prescribed; or
 - (ii) the cost of the building work, whichever is the lesser; and
 - (d) it is issued by or on behalf of an insurer who is —
 - (i) authorised under the *Insurance Act 1973* of the Commonwealth to carry on insurance business; and
 - (ii) approved in writing by the Minister.
- (4) Where the policy of insurance referred to in subregulation (2) relates to work described in paragraph (b) of the definition of "home building work" in section 3 of the Act, the cost of the building work for the purposes of subregulation (3)(c)(ii) is only the cost of —
- (a) placing the dwelling on the land including siting, stumping and any other work in connection with that placement; and

- (b) any building work to the dwelling after placement.
- (5) The corresponding cover referred to in subregulation (2)(a) complies with this subregulation if the cover is provided by an approved fund and the purchaser, and the purchaser's successors in title, are in the same position that they would be if a policy of insurance that complies with subregulation (3) were in force in relation to the residential building work.
- (6) In this regulation —
“State Housing Commission” means The State Housing Commission continued under the *Housing Act 1980*.

”.

9. Schedule 1 amended

Schedule 1 is amended in clause 5 by deleting “ — *Multi-story Multi-unit Developments Exemption*” and inserting instead —
 “ *Exemptions* ”.

10. Home Building Contracts Regulations 1992 amended

Regulation 6 of the *Home Building Contracts Regulations 1992** is repealed.

[* Reprinted as at 7 June 2002.]

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

HOUSING AND WORKS

HW301*

Architects Act 1921

Architects' Board of Western Australia Amendment By-laws 2003

Made by the Architects' Board of Western Australia.

1. Citation

These by-laws may be cited as the *Architects' Board of Western Australia Amendment By-laws 2003*.

2. The by-laws amended

The amendments in these by-laws are to the *Architects' Board of Western Australia By-laws 1965**.

[* Reprinted as at 30 March 1989.

For amendments to 14 February 2003 see 2001 Index to Legislation of Western Australia, Table 4, p. 20 and Gazette 15 March 2002.]

3. By-law 31 amended

By-law 31 is amended as follows:

- (a) in paragraph (a) by deleting "\$100" and inserting instead —
" \$165 ";
- (b) in paragraph (b) by deleting "\$200" and inserting instead —
" \$275 ";
- (c) in paragraph (c) by deleting "\$75" and inserting instead —
" \$165 ".

4. By-law 48A amended

By-law 48A(b) is amended by deleting "\$10.00" and inserting instead —

" \$110.00 ".

The Common Seal of the)
Architects' Board of Western)
Australia was at the time of the)
above resolution affixed in the)
presence of —

BRIAN WRIGHT, Chairman.

JOAN McINTYRE, Registrar.

Confirmed by the Governor,

ROD SPENCER, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

DOG ACT 1976
Shire of Westonia
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 Westonia resolved on 21 November 2002 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 Westonia with the modifications which follow:

1. Preliminary

Wherever the Shire of Moora is mentioned in the local law substitute "Shire of Westonia".

2. Clause 1.2

Delete Clause 1.2—Repeal, in its entirety.

3. Renumber Clauses

Renumber clauses 1.3 and 1.4 to 1.2 and 1.3 respectively.

4. Clause 3.2(2)—Limitations on the number of dogs

In Clause 3.2(2), delete paragraphs (a) and (b) and substitute—

- “(a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated on land less than 10,000 square meters in area;
- (b) 3 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated on land 10,000 square meters in area or greater but less than 20,000 square meters in area; or
- (c) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated on land greater than 20,000 square meters in area.”

5. Clause 5.1—Places where dogs are prohibited absolutely

In Clause 5.1(1)—

- (a) renumber paragraphs (b) and (c) to (c) and (d) respectively;
- (b) insert the following paragraph—“(b) a theatre or picture gardens”;
- (c) insert the following paragraph—“(e) a cemetery”.

5. Clause 5.2—Places which are dog exercise areas

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

- “(a) Reserve 14983, Westonia Common.”

Dated this 21st day of November 2002.

The Common Seal of the Shire of Westonia was hereunto affixed by authority of a decision of the Council in the presence of—

JOHN DELLA BOSCA, President.
JULIAN MURPHY, Chief Executive Officer.

LG302*

CEMETERIES ACT 1986
Shire of Westonia
CEMETERIES LOCAL LAW

Under the powers conferred by the Cemeteries Act 1986, the Council of the Shire of Westonia resolved on 21 November 2002 to adopt the Model Local Law (Cemeteries) 1998 published in the *Government Gazette* on 12 May 1998 with such modifications as are here set out:

1. Preliminary

In construing the following modifications, where a modification requires the renumbering of a clause, sub clause or paragraph, subsequent modifications have been drafted on the basis that a renumbering has been effected.

2. Clause 3.2

Delete

3. Clauses renumbered

Renumber clauses 3.3 and 3.4 to 3.2 and 3.3 respectively.

4. Clause 3.2

- a. Delete "and 3.3"
- b. Delete "3.4" and substitute "3.3"

5. Clause 3.3(1)

Delete "or crematorium within the cemetery,"

6. Clause 4.2

Delete ", or crematorium"

7. Clause 4.3

Delete "or crematorium,"

8. Clause 5.1, para (a)

Delete "or cremation"

9. Clause 5.2

Delete "or cremation" and "or clause 3.2"

10. Clause 5.6, para (d)

Delete

11. Clauses renumbered

Renumber Clause 5.6, paragraphs (e), (f) and (g), to (d), (e) and (f) respectively.

12. Clause 5.6, para (d)

Delete "or the ashes placed"

13. Part 5, Division 2

Delete

14. Clause 5.13

Delete

15. Clause 5.14

Delete

16. Division Headings and Clauses Renumbered

- a. Renumber Division 3 to Division 2
- b. Renumber Clause 5.12 to 5.7.

17. Clause 7.12

Delete and substitute—

"7.12 A person shall not place glass domes, vases or other grave ornaments outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under section 40 (2) of the Act."

18. Part 7, Division 2

Delete

19. Part 7, Division 3

Delete

20. Division Headings and Clauses Renumbered

Renumber Division 4 to Division 2.

Renumber Clauses 7.16, 7.17, 7.18, 7.19 and 7.20 to 7.13, 7.14, 7.15, 7.16 and 7.17 respectfully.

Dated this 21st day of November 2002.

The Common Seal of the Shire of Westonia was hereunto affixed by authority of a decision of the Council in the presence of—

JOHN DELLA BOSCA, President.
JULIAN MURPHY, Chief Executive Officer.

WORKSAFE

WS301*

Occupational Safety and Health Act 1984

**Occupational Safety and Health Amendment
Regulations (No. 3) 2003**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Occupational Safety and Health Amendment Regulations (No. 3) 2003*.

2. Commencement

These regulations come into operation on 1 July 2003.

3. The regulations amended

The amendment in these regulations is to the *Occupational Safety and Health Regulations 1996**.

[* Reprinted as at 19 July 2002.

For amendments to 5 March 2003 see *Gazette 10 January 2003*.]

4. Part 3 Division 10 inserted

After Part 3 Division 9 the following Division is inserted —

“

Division 10 — Driving commercial vehicles**3.129. Application**

This Division does not apply to a commercial goods vehicle, as defined in section 4(1) of the *Transport Co-ordination Act 1966*, that is required to be licensed under that Act.

3.130. Interpretation

In this Division —

“**commercial vehicle**” means —

- (a) an omnibus within the meaning of the *Transport Co-ordination Act 1966*;
- (b) a school bus within the meaning of the *Road Traffic (Vehicle Standards) Regulations 2002*;

- (c) any mobile plant with a GVM over 4.5 tonnes, or motor vehicle with a GVM over 4.5 tonnes within the meaning of those terms in the *Road Traffic (Vehicle Standards) Regulations 2002* that is designed to carry, or is carrying, a large integrated item of equipment; or
- (d) any other motor vehicle with a GVM over 4.5 tonnes, within the meaning of those terms in the *Road Traffic (Vehicle Standards) Regulations 2002* used or intended to be used for the carriage of goods for hire or reward;

“commercial vehicle driver” means a person who drives a commercial vehicle in the course of work and whose work time —

- (a) is more than 60 hours per week;
- (b) for more than once per week — is more than 10 hours in any 24 hour period; or
- (c) for more than once per week — includes the period from midnight to 5 a.m.;

“driver fatigue management plan”, in relation to commercial vehicle drivers, means a written document setting out requirements and procedures relating to —

- (a) scheduling trips;
- (b) rostering drivers;
- (c) establishing a driver’s fitness to work;
- (d) education of drivers in fatigue management;
- (e) managing incidents on or relating to commercial vehicles; and
- (f) establishing and maintaining appropriate workplace conditions;

“responsible person at a workplace” means a person who, at a workplace, is an employer, the main contractor, a self-employed person or the person having control of the workplace;

“work time”, in relation to driving a commercial vehicle, includes —

- (a) time spent doing work incidental to the driving;
- (b) time spent operating the mobile plant, where the commercial vehicle is plant;
- (c) time spent operating mobile plant transported on the commercial vehicle; and

- (d) a break from driving, mobile plant operation or incidental work lasting less than 30 minutes.

3.131. Driving commercial vehicles

- (1) A responsible person at a workplace must ensure that a commercial vehicle driver who is required to drive a commercial vehicle that forms the whole or part of the workplace —
 - (a) drives the vehicle in accordance with regulation 3.132; and
 - (b) is certified by a medical practitioner as fit to drive the vehicle.

Penalty: \$25 000.

- (2) A commercial vehicle driver who is required to drive a commercial vehicle that forms the whole or part of a workplace must —
 - (a) drive the vehicle in accordance with regulation 3.132; and
 - (b) be the holder of a certificate of a medical practitioner confirming his or her fitness to drive the vehicle.

Penalty for a person who commits the offence as an employee: \$5 000.

Penalty in any other case: \$25 000.

- (3) For the purposes of subregulations (1)(b) and (2)(b), the certificate is to state that not more than 3 years before the driving, the medical practitioner examined and passed the commercial vehicle driver in accordance with —
 - (a) the Medical Examinations of Commercial Vehicle Drivers published by the Federal Office of Road Safety and the National Road Transport Commission; or
 - (b) requirements exceeding or substantially equivalent to the requirements in the document referred to in paragraph (a).

3.132. Commercial vehicle operating standard

- (1) A commercial vehicle driver must, so far as practicable, have —
 - (a) for every 5 hours work time — breaks from driving totalling at least 20 minutes including a break from driving of at least 10 consecutive minutes after 5 hours work time; and
 - (b) in any 14 day period — no more than 168 hours of work time.

- (2) In addition to subregulation (1), a commercial vehicle driver who drives without a relief driver must, so far as practicable, have —
- (a) in any 72 hour period — at least 27 hours non-work time, including at least 3 periods of at least 7 consecutive hours non-work time, with each period separated from the next by not more than 17 hours; and
 - (b) either —
 - (i) in any 14 day period — at least 2 periods of 24 consecutive hours non-work time; or
 - (ii) in any 28 day period — at least 4 periods of 24 consecutive hours non-work time if, and only if, the driver has no more than 144 hours work time in any 14 day period that is part of the 28 day period.
- (3) In addition to subregulation (1), a commercial vehicle driver who drives with a relief driver must, so far as practicable, have —
- (a) in any 24 hour period — at least 7 hours of non-work time, whether or not the time is spent in the vehicle while it is moving; and
 - (b) either —
 - (i) in any 48 hour period — at least one period of 7 continuous hours non-work time, which time is not spent in the vehicle while it is moving; or
 - (ii) in any 7 day period — at least 48 continuous hours non-work time, which time is not spent in the vehicle while it is moving.
- (4) In addition to subregulation (1), a commercial vehicle driver who does shiftwork on 5 or more consecutive days must, so far as practicable, have at least 24 continuous hours of non-work time between shift changes.

3.133. Driver fatigue management plan

A responsible person at a workplace must ensure that a driver fatigue management plan is developed and kept current by a competent person for every commercial vehicle driver who is required to drive a commercial vehicle that forms the whole or part of the workplace.

Penalty: \$25 000.

3.134. Record of work time, breaks from driving, and non-work time

- (1) A responsible person at a workplace must ensure that a record in accordance with subregulation (2) is established and kept current in respect of the work time, breaks from driving, and non-work time of each commercial vehicle driver who is required to drive a commercial vehicle that forms the whole or part of the workplace.

Penalty: \$25 000.

- (2) The record is to be —
- (a) set out in a clear and systematic manner;
 - (b) available for inspection by an inspector at all reasonable times; and
 - (c) kept for at least 3 years from the date of the last entry on the record.

”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

WS302*

Occupational Safety and Health Act 1984

**WorkSafe Western Australia Commission
(Appointment of Members) Instrument 2003**

Made by the Governor in Executive Council.

1. Citation

This instrument may be cited as the *WorkSafe Western Australia Commission (Appointment of Members) Instrument 2003*.

2. Interpretation

In this instrument —

“**Act**” means the *Occupational Safety and Health Act 1984*;

“**Commission**” means the WorkSafe Western Australia Commission established under the Act.

3. Appointment of members

- (1) The following persons are appointed under section 6(2)(d)(i) of the Act as members of the Commission —
 - (a) Anne BELLAMY of 8 West Lorne Street, Floreat Park;
 - (b) Stephen DAY of 14 West Terrace, Maida Vale; and
 - (c) Linda THOMPSON of 9b Randall Street, Dianella.
- (2) The following persons are appointed under section 6(2)(d)(ii) of the Act as members of the Commission —
 - (a) Joy BARRETT of 28 Charonia Road, Mullaloo;
 - (b) Robert BRYANT of 39 Lachlan Way, Bibra Lake; and
 - (c) Stephanie MAYMAN of 149 Sixth Avenue, Inglewood.
- (3) The following persons are appointed under section 6(2)(d)(iii) of the Act as members of the Commission —
 - (a) John SUTHERS of 11 Gibney Vista, Leederville;
 - (b) Patrick GILROY of 94A Garratt Road, Bayswater; and
 - (c) Michael PHILLIPS of 1420 Gill Street, Mundaring.

4. Terms of office

- (1) The members of the Commission referred to in clause 3(1), 3(2) and 3(3)(a) and (c) of this instrument are to hold office for a term beginning on 4 April 2003 and ending on 3 April 2006.
- (2) The member of the Commission referred to in clause 3(3)(b) of this instrument is to hold office for a term beginning on 4 April 2003 and ending on 3 October 2004.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE

AG401*

AGRICULTURAL PRODUCE COMMISSION ACT 1988

NOTICE OF FEE FOR SERVICE

I, the undersigned Minister for Agriculture, Forestry and Fisheries being the Minister charged with the administration of the Agricultural Produce Commission Act 1988 grant, pursuant to Section 14 (1) of the said Act, implementation of changes to the fee for service for the APC Kununurra Crop Pest Control Committee. The new fee for service is as follows:

Rockmelon, honeydew and butternut pumpkin	@ 5 cents per carton
Pumpkin and watermelon	@ \$1.20 per tonne
Other fruit and vegetables	@ 11cents per carton

The above charges to operate from 1 May 2003.

KIM CHANCE MLC, Minister for Agriculture,
Forestry and Fisheries.

AG402*

SOIL AND LAND CONSERVATION ACT 1945

SOIL AND LAND CONSERVATION (MERREDIN LAND CONSERVATION DISTRICT) AMENDMENT ORDER 2003

Made by the Governor in Executive Council under sections 23 of the Soil and Land Conservation Act 1945 on the recommendation of the Minister for Agriculture.

1. Citation

This order may be cited as the *Soil and Land Conservation (Merredin Land Conservation District) Amendment Order 2003*.

2. Principal Order

In this order the Soil and Land Conservation (Merredin Land Conservation District) Order 1984* is referred to as the principal order.

(*Published in the Gazette of 25 May 1984 at p. 1406 and amended in the Gazettes of 22 January 1988 at pp. 156-57, 28 June 1991 at pp. 3114-16, 29 May 1992 at p. 2179, 12 February 1993 at pp. 1207-08, 29 September 1995 at pp. 4652-53 and an Amendment Order approved by Executive Council on 16 December 1997 {refer to Department of Agriculture reference: 881724V03P00}).

3. Clause 2 deleted

Clause 2 of the principal order is deleted

4. Clause 6 deleted and replaced

Clause 6 of the principal order is deleted and replaced with the following—

6. Constitution of committee

- (1) It is determined, on the recommendation of the Minister, after consultation with the Shire of Merredin, that the district committee is to comprise 15 members, of whom—
 - (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
 - (b) the others are to be appointed by the Commissioner.

- (2) Of the members appointed under subclause (1)(b)—
 - (a) one is to be appointed on the nomination of the Shire of Merredin;
 - (b) three are to be appointed under subclause (3);
 - (c) 10 are to be persons actively engaged in, affected by or associated with, land use in the district.
- (3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, three persons whose names appear on the panel are to be appointed by the Commissioner.
- (4) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).
- (5) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

5. Clause 7 deleted and replaced.

Clause 7 of the principal order is deleted and replaced with the following—

7. Proceedings of the committee

To the extent that they are not provided for under the Soil and Land Conservation Act 1945 or Part VII of the Interpretation Act 1984, the committee may determine its own procedures.

By His Excellency's Command,

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

AG403*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENTS

Pursuant to section 23(2b)(c) of the Soil and Land Conservation Act 1945, on the nomination of the Western Australian Farmers Federation, Lyndon Charles Henning of Koorda and Craig Anthony Strahan of Koorda are appointed members of the Koorda Land Conservation District (*the Committee was established by an Order in Council, published in the Gazette of 21 June 1985 at p. 2267 and amended in the Gazettes of 2 June 1989 at pp. 1632-33, 7 June 1991 at pp. 2805-07, 14 November 1995 at pp. 5281-82, an Amendment Order approved by Executive Council on 23 March 1999 {Department of Agriculture reference: 881729V03P0E} and amended in the Gazette of 17 January 2003 at pp.116-17*). The appointment is for a term ending on 30 September 2004.

DAVID HARTLEY, Commissioner of Soil
and Land Conservation.

Dated this day 26th of March 2003.

AG404*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 of the Soil and Land Conservation Act 1945, the following person is appointed a member of the District Committee for the Ravensthorpe Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette of 18 April 1986 at pp. 1457-59 and amended in the Gazettes of 17 August 1990 at pp. 4063-65, 17 May 1994 at p. 2066 and Amendment Orders approved by Executive Council on 10 March 1998 and 29 June 1999 {refer to Department of Agriculture reference: 881752V04P0I}*.

- (1) pursuant to Section 23 (2b) (b) of the Act, Ian Malcolm Goldfinch of Jerdacuttup is appointed a member of the Committee on the nomination of the Shire of Ravensthorpe. The appointment being for a term ceasing on the 30 September 2003.
- (2) delete Greyham Cedric Lee of Hopetoun from representing the Shire of Ravensthorpe.

DAVID HARTLEY, Commissioner of Soil
and Land Conservation.

Dated this day 26th of March 2003.

AG405***SOIL AND LAND CONSERVATION ACT 1945**
APPOINTMENT

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Lisa Leaver of Wyalkatchem is appointed a member of the Wyalkatchem Land Conservation District (*the Committee was established by an Order in Council, published in the Gazette of 18 January 1985 at p. 266 and amended in the Gazettes of 2 June 1989 at pp. 1633-34, 13 November 1992 at p. 5533, 7 May 1993 at p. 2340 and an Amendment Order approved by Executive Council on 27 January 1999 (Department of Agriculture reference: 881734V03P0Q)*). The appointment is for a term ending on 30 September 2004.

DAVID HARTLEY, Commissioner of Soil
and Land Conservation.

Dated this day 26th of March 2003.

AG406***SOIL AND LAND CONSERVATION ACT 1945****YORK LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE)**
INSTRUMENT 2003

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *York Land Conservation District (Appointment of Members) Instrument 2003*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the Soil and Land Conservation (York Land Conservation District) Order 1990*, the following members are appointed to the land conservation district committee for the York Land Conservation District—

- (a) on the nomination of the Shire of York: Denese Eileen Smythe of York and Alan John Genoni of York;
- (b) to represent the Western Australian Farmers Federation (Inc): Kevin Binning of York and John Stanley Muncckton of York; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Bruce Robert McGregor of York
 - (ii) Adelphe King of York
 - (iii) Raymond Wilfred Lawrance of York
 - (iv) Eric John Ayling of York
 - (v) Patricia Margaret McGregor of York
 - (vi) Malcolm Mallaby of York
 - (vii) Nicola Bessell-Browne of York
 - (viii) Laurie John Fairclough of York
 - (ix) Joan Seabrook of York

(*Published in the Gazette of 6 July 1990 at pp. 3266-68 and amended in the Gazettes of 1 March 1991 at p. 967, 2 September 1994 at p 4524 and an Amendment Order approved by Executive Council on 26 August 1997 (Department of Agriculture reference: 881819V02P0P)).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 March 2006.

DAVID HARTLEY, Commissioner of Soil
and Land Conservation.

Dated this day 1st of April 2003.

HEALTH

HE401

HEALTH ACT 1911 APPOINTMENTS

Health Department of WA,
Perth, 31 March 2003.

In accordance with the provisions of section 28 of the *Health Act 1911*, the appointment of the following persons as Environmental Health Officers is approved.

Environmental Health Officer	Date Effective	Local Government
John Cameron Mitchell	4 March 2003	Shire of Bruce Rock
Warren Bow	24 March—11 April 2003	Shire of Trayning
Andrew Watts	14 March 2003	Shire of Kent
Emma Lambert	18 March—12 September 2003	City of Rockingham
Timothy Young	14 March 2003	Shire of Leonora
Ana Tadic	21 March—30 April 2003	City of Stirling

Dr MARGARET STEVENS, Executive Director,
Public Health.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

NOTICE OF ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Chinatown Conservation Area - The 'Chinatown' area of Broome & adjacent closely related Ptns of land; bounded by the southern & western registered curtilage of Old Broome Lockup and Boab Tree, due north to Short St, the adjacent section of Short St to the western boundaries of the Paspaley Plaza carparks, Morgan's Camp & west along a boundary 400 metres north of Gray St, east to a point sixty metres offshore, & along the shore of Roebuck Bay sixty metres from the high tide line (& taking in the interim listed curtilage on the water sides of Streeter's Jetty) to a point west of the eastern end of Frederick St, west along the line of Frederick St eastwards to the registered curtilage of Old Broome Lockup and Boab Tree;

Those Ptns of:

Broome Lt 2074 C/T V 2016 F 656; Broome Lt 2075, C/T V 2016 F 655; Broome Lt 2076, C/T V 2016 F 654; Broome Lt 2077, C/T V 2016 F 653; Broome Lt 2078, C/T V 2016 F 659; Broome Lt 2079, C/T V 2016 F 658; & Broome Lt 2080, C/T V 2016 F 657.

Lt 3 on D 56582, C/T V 2148 F 369; Lt 4 on D 56582, C/T V 2148 F 370; Lt 5 on D 56582, C/T V 2148 F 371; Lt 6 on D 56582, C/T V 2148 F 372; Lt 8 on D 56582, C/T V 2148 F 373; Lt 9 on D 56582, C/T V 2148 F 374; Lt 10 on D 56582, C/T V 2148 F 375; Lt 11 on D 56582, C/T V 2148 F 376; Lt 12 on D 56582, C/T V 2148 F 377; Lt 21 on D 84481, C/T V 1971 F 999; Lt 61 on D 79029, C/T V 1903 F 218; Broome Lt 43, C/T V 1525 F 105; Ptn of Broome Tn Lt 42, C/T V 1203 F 88; Broome Tn Lt 50 C/T V 1182 F 142; & Broome Lt 623, C/T V 1903 F 298.

Lt 45 on D 85819, C/T V 2010 F 940; Lt 12 on D 48097, C/T V 1400 F 692; Ptn of Broome Tn Lt 8, C/T V 1497 F 982; Broome Tn Lt 7, C/T V 1625 F 537; Broome Lt 10, C/T V 1658 F 190; Ptn of each of Broome Tn Lts 8 & 9, C/T V 1658 F 191; Lt 15 on D 48097, C/T V 1717 F 268; Lt 21 on D 35917, C/T V 1776 F 862; &

Broome Lot 478, CLT V 3002 F 890; Broome Lot 491, CLT V 3090 F 868; Broome Lot 447, being CLT V 3002 F 878; Broome Lot 448, CLT V 3002 F 879; Broome Town Lot 622, CLT V 3002 F 323; Broome Lot 470, CLT V 3002 F 887; Broome Lot 2645 on LAD 89212, CLT V 3004 F 482; Broome Lot 2644 on LAD 89212, CLT V 3004 F 480; Broome Lot 2643 on L 89212, CLT V 3004 F 478; & Unallocated Crown Land in the townsite of Broome.

Lt 201 on D 97706, C/T V 2190 F 861; Broome Lt 435, C/T V 1859 F 473; & Broome Lt 3067, C/T V 2036 F 315.

Lt 71 on D 80008, C/T V 1911 F 980; & Lt 72 on D 80008, C/T V 1911 F 981.

Broome Lt 427, C/T V 1996 F 86 & Broome Lt 443, C/T V 1996 F 87. Lt 100 on D 77893, C/T V 1878 F 55. Ptn of Broome Tn Lt 4, C/T V 1884 F 173; & Ptn of Broome Tn Lt 3, C/T V 1881 F 430.

Ptn of Broome Tn Lt 1, C/T V 1719 F 033; & Lt 20 on D 84481, C/T V 1971 F 1000.

Ptn of Broome Lt 1317, being pt of CR 8176 & CLRV 3002 F 447.

The fabric of Streeter's Jetty.

Lt 1 on D 37628, C/T V 1760 F 445; &

Broome Lt 375, C/T V 1952 F 932. The whole of SP 42970. The whole of SP 42969. Lt 76 on DP 25483, C/T V 2208 F 560. Lt 74 on D 93089, C/T V 2106 F 297. Lt 1 on D 90609, C/T V 2069 F 768. Lt 2 on D 90609, C/T V 2069 F 769. Ptn of Broome Tn Lt 17, C/T V 2062 F 410. Lt 46 on D 85819, C/T V 2010 F 941. Broome Lt 437, C/T V 1971 F 54. Ptn of Broome Tn Lt 2, C/T V 1934 F 718. Ptn of Broome Tn Lt 2, C/T V 1934 F 496. Lt 70 on D 80008, C/T V 1911 F 979. Lt 102 on D 78009, C/T V 1878 F 588. Lt 101 on D 78009, C/T V 1878 F 587. Lt 101 on D 77893, C/T V 1878 F 56. Broome Tn Lt 392, C/T V 1806 F 880. Ptn of Broome Lt 12, C/T V 1653 F 870. Broome Tn Lt 389, C/T V 1526 F 985. Broome Lt 18, C/T V 1504 F 723. Lt 4 on D 44754, C/T V 1364 F 606. Ptn of Broome Lt 12, C/T V 1301 F 951. Broome Tn Lt 14, C/T V 1203 F 179. Broome Tn Lt 387, C/T V 1111 F 671. Broome Tn Lt 390, C/T V 1094 F 634. Ptn of Broome Tn Lt 3, C/T V 820 F 172. Ptn of Broome Tn Lt 4, C/T V 720 F 111. Broome Tn Lt 391, C/T V 238 F 33A.

Lt 20 on D 35917, C/T V 282 F 42A. Ptn of Broome Tn Lt 9, C/T V 1819 F 900. Broome Lt 1772, C/T V 1686 F 008. Broome Lt 1771, C/T V 1654 F 250. Broome Lt 484, C/T V 1346 F 828. Broome Tn Lt 388, C/T V 1112 F 855. Broome Lt 2213, C/T V 1952 F 943. Lt 60 on D 79029, C/T V 1903 F 217; Lt 1 on SP 40948 C/T V 2219 F 514 Lt 2 on SP 40948 C/T V 2219 F 515. Lt 3 on SP 40948 C/T V 2219 F 516. Lt 4 on SP 40948 C/T V 2219 F 517. Lt 5 on SP 40948 C/T V 2219 F 518. Lt 6 on SP 40948 C/T V 2219 F 519. Lt 7 on SP 40948 C/T V 2219 F 520. Lt 8 on SP 40948 C/T V 2219 F 521. Common Property on SP 40948. Lt 3092 on DP 193873, being CR 45619 & CLR V 3111 F 766.

That Ptn of the Port of Broome extending 60 metres from the high water mark but including the curtilage of Streeter's Jetty as depicted in the HCWA Survey No 4553 as together are defined in HCWA survey No 0291 by Steffanoni Ewing & Cruickshank Pty Ltd.

8 April 2003.

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

JUSTICE

JU401

PRISONS ACT 1981

PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Director General of the Department of Justice has issued the following persons with Permits to do High-Level Security Work.

Surname	First Names	Permit No.	Issue Date
Finlay	Brett	AP 0280	19 March 2003
Wells	John	AP 0279	19 March 2003

This notice is published under section 15P of the *Prisons Act 1981*.

BRIAN LAWRENCE, Manager, Prison Services Contracts.

3 April 2003.

JU402

PRISONS ACT 1981

REVOCATIONS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Director General of the Department of Justice has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Issue Date
Urjadko	Viktor John	AP 0002	28 March 2003

This notice is published under section 15P of the *Prisons Act 1981*.

BRIAN LAWRENCE, Manager, Prison Services Contracts.

3 April 2003.

LAND ADMINISTRATION

LA401

TRANSFER OF LAND ACT 1893
APPLICATION H423371

Take notice that Ada Clarke of 12 Molloy Street, Bunbury has made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at the corner of Molloy and Ivey Streets Bunbury, being Lot 113 on Deposited Plan 35676 also known as the southern moiety of Bunbury Town Lot 113 on Crown Survey Plan Bunbury 24 and being the land described in Memorial Book 28 Number 241.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 29 April 2003 a caveat forbidding the land being brought under the operation of the Act.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995
Shire of Wyndham-East Kimberley

APPOINTMENT OF AUTHORISED OFFICERS AND INSPECTORS

It is hereby notified for public information that the following have been appointed as Registration Officers in accordance with the Dog Act 1976;

Leanne Wattchow, Sarah Parker, Tammy McCoy, Bree Burrows, Hayley McKeen, Fiona Dent, Graham Gould, Lee-Anne Jones, Melanie King, Dacre Alcott, Jennine Brown, Tizi Bonora, David Burt and Chris Adams.

The following have been appointed as Authorised Persons under the Provisions of the Dog Act 1976; Chris Adams, David Burt, Melanie King, Tizi Bonora, Greer Ashby, and Leanne Wattchow.

The following have been appointed Authorised Officers under the provisions of the Local Government Act 1995; Chris Adams, David Burt, Brian Wall, Melanie King, David Goodwin, Tizi Bonora, Craig Dunster, Sharon McLachlan, Greer Ashby, Wendy Cooke, Peter Royce, Jon Jones, and Leanne Wattchow.

The following have been appointed as Authorised Persons under the provisions of the Control of Off Road Vehicles (Off Road Areas) Act 1978 and Regulations; Jon Jones, Peter Royce and Kevin Lipscombe.

The following have been appointed as Authorised Officer under the provisions of the Caravan Parks and Camping Grounds Act 1995; Marius Olsen and Brian Bateman.

The following have been appointed as Authorised Persons and Inspector under the provisions of the Environmental Protection Act, Sections 87 and 88; Greer Ashby and Marius Olsen.

All previous appointments are hereby cancelled.

CHRIS ADAMS, Chief Executive Officer.

1st April 2003

MINERALS AND PETROLEUM

MP401*

COMMONWEALTH OF AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT 1967

SECTION 37(1)

Declaration of a Location

I, William Lee Tinapple, Director Petroleum Division of the Department of Industry and Resources for the State of Western Australia, delegate of the Designated Authority, in respect of the area specified as being adjacent to the State of Western Australia by virtue of an instrument of delegation dated 31 May 2001 and published in the *Government Gazette* of Western Australia on 12 June 2001, declare the following blocks to be a location for the purpose of Part III of the Act.

Cloates Map Sheet

Block Nos.	Field	Location No.
1366 & 1367	Laverda	3SL/02-3

These blocks are the subject of Exploration Permit No. WA-271-P held by:

Woodside Energy Ltd.

Dated at Perth on this 3rd day of April 2003.

W. L. TINAPPLE, Director Petroleum Division.

PHARMACEUTICAL COUNCIL OF WA

PX401

PHARMACY ACT REGULATIONS 1976

(Regulation 14)

ELECTED MEMBERS

The Pharmaceutical Council, of Western Australia.

The following persons have been elected members of the Pharmaceutical Council of Western Australia—

Kevin Thomas James McAnuff
5 Orana Crescent, Brentwood WA 6153
John Lionel Harvey
11 Trafford Street, Beaconsfield WA 6162
Anne Ramshaw
55 Central Avenue, Rossmoyne WA 6155

The following persons have been elected to the offices shown—

President—	Kevin Thomas James McAnuff 5 Orana Crescent, Brentwood WA 6153
Deputy President—	Zoe Lenette Mullen 3 Haig Road, Attadale WA 6156

R. J. BRENNAN, Registrar.

POLICE

PO501*

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892-1992, unclaimed found and stolen property and bicycles will be sold by public auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Saturday 3rd May 2003 at 10.00am.

The auction is to be conducted by Mr Grant Walton.

B. MATTHEWS, Commissioner of Police, Western Australia Police Service.

PO502*

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892-1992, unclaimed found and stolen property and bicycles will be sold by public auction at Esperance Police Station, 100 Dempster Street, Esperance on Saturday April 12, 2003 at 10.00am.

The auction is to be conducted by Mr Peter Pelliccione.

B. MATTHEWS, Commissioner of Police, Western Australia Police Service.



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