

WESTERN AUSTRALIAN GOVERNMENT Gazette

3921



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The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

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

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- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

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

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2003 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.80

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$50.85

Other articles in Public Notices Section—\$50.85 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$10.15

Bulk Notices—\$189.20 per page

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

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

PUBLISHING ALTERATIONS

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

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

PROCLAMATIONS

AA101*

ACTS AMENDMENT (AUSTRALIAN DATUM) ACT 2000

54 OF 2000

PROCLAMATION

WESTERN AUSTRALIA
John Sanderson,
Governor.
[L.S.]} By His Excellency Lieutenant General John Murray
Sanderson, Companion of the Order of Australia,
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Acts Amendment (Australian Datum) Act 2000*, and with the advice and consent of the Executive Council, fix 8 November 2003 as the day on which sections 3 and 6 of that Act come into operation.

Given under my hand and the Public Seal of the State on 19 August 2003.

By Command of the Governor,

N. D. GRIFFITHS, Minister for Land Information.

GOD SAVE THE QUEEN !

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Home Building Contracts Act 1991

Home Building Contracts Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Home Building Contracts Amendment Regulations 2003*.

2. The regulations amended

The amendments in these regulations are to the *Home Building Contracts Regulations 1992**.

[* Reprinted as at 7 June 2002.

For amendments to 7 May 2003 see *Gazette 8 April 2003*.]

3. Regulation 4 repealed

Regulation 4 is repealed.

4. Regulation 4A repealed

Regulation 4A is repealed.

5. Schedule 1 replaced

Schedule 1 is repealed and the following Schedule is inserted instead —

“

Schedule 1

[r. 3]

Home Building Contracts Act 1991

NOTICE FOR THE HOME OWNER

This notice

A builder must give a copy of this notice to you, as the owner, before you sign a contract for home building work that is covered by the *Home Building Contracts Act 1991*.

This notice explains relevant provisions of that Act as required by section 4(2). The Act itself should be referred to for the exact text. A copy of the Act can be obtained from the State Law Publisher (check the White Pages for the current address).

Who are “owners” and “builders”?

In this notice “owner” means the person for whom the home building work is to be done and “builder” means the person who, in the course of business, is to do the work or arrange for it to be done.

What the Act covers

The Act deals with contracts for home building work where the contract price is above \$6 000 and below \$200 000. The Act also applies to contracts, within that price range, for associated work (e.g. swimming pools, carports and landscaping) and for alterations. It makes some provisions that are implied in all contracts, and also states what is not allowed in any contract.

Under the Act a builder must not do anything in connection with a contract that is “unconscionable, harsh or oppressive”. Furthermore, neither you nor the builder may do anything that is “misleading or deceptive”.

The Act deals with “cost plus” contracts only to a limited extent — see later in this notice under “**Special rules for cost plus contracts**”.

You may seek appropriate redress through the Building Disputes Tribunal for breaches of the contract and the Act, including for unconscionable or misleading conduct — see later in this notice under “**Disputes**”. The builder’s rights are similar, but do not extend to any unconscionable behaviour by you.

A person can be prosecuted or fined for not complying with some provisions of the Act. Some of these provisions apply to owners as well as builders.

Rights conferred by the Act cannot be taken away, diminished or waived and it is forbidden to make any agreement or arrangement to by-pass the Act.

Home indemnity insurance

It is compulsory for all home building work except associated work alone (e.g. swimming pools, carports, pergolas and landscaping), the cost of which is above \$12 000, to be covered by home indemnity insurance.

Home indemnity insurance is also compulsory for associated work if that work is performed under a contract that includes construction or renovation of a residence and the total cost of all the building work is above \$12 000.

Before commencing work or demanding any payment (including a deposit) from you, the builder must take out home indemnity insurance and give you a certificate confirming the existence of the insurance cover.

There may be periods when a builder is exempt from the requirement to take out home indemnity insurance. During, and in some circumstances after, one of these periods a builder must give you a notice in a prescribed form.

Home indemnity insurance will protect you and any successive owners against financial loss due to the insolvency, death or disappearance of the builder that results in —

- (a) loss of deposit (up to a limit of \$13 000);
- (b) the non-completion of the building work; or
- (c) the failure to rectify faulty or unsatisfactory building work.

Home indemnity insurance generally does not cover an owner for any money paid in advance other than a deposit. In any event it is a breach of the Act for a builder to request and receive such a payment — see later in this notice under “**Provisions that are not allowed**”.

Note that, with building work carried out under a cost plus contract, the builder is required to take out home indemnity insurance to cover only the risk specified in (c) above — see later in this notice under “**Special rules for cost plus contracts**”.

Claims may be made under a home indemnity insurance policy at any time before the end of a period of 6 years after the day of practical completion of the building work.

Some home building work is exempt from the requirement to obtain home indemnity insurance. If your work is exempt your builder should give you a notice informing you that this is so. Either the Builders' Registration Board or the Department of Consumer and Employment Protection can provide you with further information in this respect.

Contract — steps to be followed

Everything agreed to between you and the builder must be set out in a written contract. The contract must be dated and signed by both you and the builder or your respective representatives. If this is not done you may terminate the contract — see later in this notice under **“Termination of contract”**.

You must be given a copy of the contract as soon as is practicable after it has been signed and before the building work starts.

It is the builder’s duty to see that all these steps are taken.

Special rules for cost plus contracts

A “cost plus” contract is one under which the builder is entitled to recover actual costs incurred plus an extra amount for profit. A costs plus contract —

- (a) must be headed “cost plus contract”; and
- (b) must contain a statement in which both you and the builder acknowledge that it is a cost plus contract and that the Act does not apply to it, except in relation to the requirement for a builder to take out home indemnity insurance in the situation explained just below.

If the contract does not comply with these requirements you may terminate the contract — see later in this notice under **“Termination of contract”**.

As mentioned above, the Act does not in general apply to a cost plus contract. However, if you have a complaint about the building work carried out under such a contract, you can apply to the Building Disputes Tribunal under the Builders’ Registration Act for an order that the builder rectify the work or pay a sum of money for failing to rectify the work — see later in this notice under **“Disputes”**.

The builder is required to take out home indemnity insurance in relation to a cost plus contract to cover you and any successive owner against financial loss where an order made by the Building Disputes Tribunal under the Builders’ Registration Act is not enforceable due to the insolvency, death or disappearance of the builder.

Provisions that are not allowed

The builder cannot include in a contract a requirement for you to make a payment other than —

- (a) a deposit before the work begins of no more than 6.5% of the contract price; and
- (b) progress payments after the work begins for work done or goods supplied.

If any such provision is included you may terminate the contract — see later in this notice under **“Termination of contract”**.

The builder may also be prosecuted and fined for demanding, or receiving, any payment after the work begins other than a progress payment as set out in (b) above.

The builder must not include provisions in the contract that are “unconscionable, harsh or oppressive”. If you think this has occurred, you may refer the matter to the Building Disputes Tribunal — see later in this notice under **“Disputes”**.

Prime cost/Provisional sum

Where a contract refers to “prime costs” it means fittings or equipment that may vary in price (e.g. bathroom tiles). The builder must estimate the cost of such items at or above the lowest amount that they could reasonably cost and the cost must not be understated in the contract. If it is, the builder may be prosecuted and fined. This also applies to estimates for “provisional sums” such as site works.

Contract price must be fixed

A contract must not contain a “rise and fall” clause. A rise and fall clause allows the builder to pass on price increases for labour or materials that occur after the contract is signed.

However, the builder can include a clause in the contract that allows for a price increase to cover an increase in actual costs that results from —

- (a) government taxes or charges increasing after the contract is signed;
- (b) the builder having to comply with a State or Commonwealth law; or
- (c) work not starting within 45 working days after the contract is signed if the delay is not caused by the builder.

If (c) applies and the price rise is more than 5%, you may terminate the contract within 10 working days of receiving written notice of the increase — see later in this notice under “**Termination of contract**”. You can also choose to apply to the Building Disputes Tribunal within this period to assess whether the price rise is justified.

Varying the contract*1. Steps to be followed*

All changes to the building work to be carried out under a contract, including the cost of the change, must be put in writing and be dated and signed by both you and the builder or your respective representatives.

A copy must be given to you as soon as is possible after both you and the builder have signed, and before the start of the work that results from the change.

The builder must ensure that these steps are taken.

2. Exceptions

Certain changes may be made without these steps being taken, namely —

- (a) changes resulting from directions given by a building surveyor or other person acting under a written law;
- (b) changes arising from unforeseen circumstances (but this does not include unforeseen labour or material cost increases).

Note also the changes by way of price increase that are referred to above under the heading “**Contract price must be fixed**” and below under the heading “**Where approvals are delayed**”.

3. *Protection that you have as an owner*

If any change referred to in paragraph (a) or (b) immediately above occurs, the builder must give you certain information in writing — see section 8(1), (2) and (3) of the Act. Note that, if you and the builder have a dispute about whether particular circumstances are “unforeseen circumstances” and you wish to apply to the Building Disputes Tribunal, you must do so within 10 working days after this information is given to you.

Where approvals are delayed

A contract is conditional on —

- (a) a building licence and the Water Corporation’s approval being obtained within 45 working days from the date of the contract; and
- (b) the written acceptance within that period by both you and the builder of any condition attached to the building licence or the Water Corporation approval that will vary the contract.

Note that contracts that are only for associated work (e.g. swimming pools, carports and landscaping) are not subject to these conditions.

Both you and the builder must do what you reasonably can to ensure that these conditions are met. If they are not met, the rights of the parties depend on whose fault it was that the condition was not met within the 45 day period.

Builder at fault	Owner at fault or neither or both parties at fault
Contract remains in force on the same terms and conditions unless you and the builder agree otherwise.	Contract remains in force on the same terms and conditions until you and the builder agree otherwise but — <ul style="list-style-type: none"> (i) the builder may by written notice increase the contract price; (ii) if the increase exceeds 5% you may terminate the contract within 10 working days after receiving the notice provided you compensate the builder for all reasonable costs incurred up to the date of termination — see below under “Termination of contract”; (iii) you may apply, within 10 working days after receiving the notice, to have the increase reviewed by the Building Disputes Tribunal.

Defects - making good

Any defect in work done or materials supplied under a contract must be made good by the builder if the builder is notified of the defect within 4 months (or a greater period if provided for in the contract) after practical completion of the building work.

However, you and the builder may agree in the contract that particular defects are excluded from this provision.

Inspection

A builder must not prevent you (or a person authorised in writing to represent you) or your lending institution from inspecting the building work as allowed by the contract or by regulations under the Act. A contract cannot restrict inspections except by limiting them to normal working hours or forbidding inspections that would unreasonably impede or interfere with the building work.

Termination of contract

In various places above it is stated that you can terminate the contract for a particular reason. To do this you must give notice in writing to the builder before the building work is finished.

If a contract is terminated, the Building Disputes Tribunal can make financial adjustments between you and the builder.

Disputes*1. Contracts generally*

Disputes between owners and builders about contracts that fall within the Act can be referred to the Building Disputes Tribunal for a legally binding determination. Such an application to the Tribunal must be made within 3 years from when you became entitled to take legal action.

The Act also imposes a monetary limit on the Tribunal's powers. The Tribunal cannot (unless the parties agree to it doing so) order work to be done exceeding \$100 000 in value, or order the making of a payment above that amount.

2. Standard of work

Where a remedy is sought for below-standard building work, an application to the Tribunal must be made under the *Builders' Registration Act 1939* and not the *Home Building Contracts Act 1991*.

Please note that disputes can be brought before the Tribunal under the *Builders' Registration Act 1939* within 6 years from the time the building work is completed. The building work is completed when the building to which the work relates becomes fit for occupation in a free and uninterrupted manner. There is no monetary limit on the orders the Tribunal can make under that Act.

3. Procedure

Before you or the builder apply to the Building Disputes Tribunal, a notice in the prescribed form must be given to the other party outlining the complaint and asking that it be put right or that a settlement be agreed to. You must keep a copy of that notice to give to the Tribunal at the time of making an application.

Parties to proceedings before the Tribunal must represent themselves except as set out in section 45A of the *Builders' Registration Act 1939*.

Advice on how a dispute may be placed before the Building Disputes Tribunal and related matters may be obtained from the staff of the Tribunal.

”.

6. Schedules 2 to 8 repealed

Schedules 2, 3, 4, 5, 6, 7 and 8 are repealed.

By Command of the Governor,

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

PUBLIC TRANSPORT AUTHORITY

PX301

RAIL FREIGHT SYSTEM ACT 2000

Rail Freight System (Corridor Land Cancellation) Order No. 2/2003

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 No. 2/2003*.

2. Designation of certain land as corridor land cancelled

The designation as corridor land of land identified in the last column of Schedule 1 is cancelled.

Schedule—Land ceasing to be corridor land

Designation Identification	Railway line Identification	Railway Identification Plan Number	Description of Land
11.024.7	East Perth-Cockburn North Line 11	Plan 11-02	All that land depicted as 'A' on Deposited Plan 34379 is cancelled. Total Area of 5233 square metres

Dated this 28th day of August 2003.

ALANNAH MacTIERNAN, MLA, Minister for Planning and Infrastructure.

PX302

RAIL FREIGHT SYSTEM ACT 2000

Rail Freight System (Corridor Land Cancellation) Order No. 3/2003

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 No. 3/2003*.

2. Designation of certain land as corridor land cancelled

The designation as corridor land of land identified in the last column of the Schedule is cancelled.

Schedule—Land ceasing to be corridor land

Designation Identification	Railway line Identification	Railway Identification Plan Number	Description of Land
71.041, 71.041.2, 71.041.3	Brunswick Junction-Narrogin Line 71	Plan 71	Land identified as (A), (B) and (C) and coloured green on Deposited Plan 35872.
71.040.2	Brunswick Junction-Narrogin Line 71	Plan 71	Land identified as (A) and coloured green on Deposited Plan 35873.

Dated this 28th day of August 2003.

ALANNAH MacTIERNAN, MLA, Minister for Planning and Infrastructure.

PX303**RAIL FREIGHT SYSTEM ACT 2000**

Rail Freight System (Corridor Land Cancellation) Order No. 4/2003

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 No. 4/2003*.

2. Designation of certain land as corridor land cancelled

The designation as corridor land of land identified in the last column of the Schedule is cancelled.

Schedule—Land ceasing to be corridor land

Designation Identification	Railway line Identification	Railway Identification Plan Number	Description of Land
6.003.2	Midland-Kwinana	Plan 01	Land identified as 'A' and 'B' and highlighted green on Deposited Plan 34781. Total area 5155m ²

Dated this 28th day of August 2003.

ALANNAH MacTIERNAN, MLA, Minister for Planning and Infrastructure.

— PART 2 —

AGRICULTURE

AG401*

AGRICULTURAL PRODUCE COMMISSION ACT 1988

ESTABLISHMENT OF A PRODUCERS' COMMITTEE FOR THE BEEKEEPERS INDUSTRY IN WESTERN AUSTRALIA

Pursuant to Section 11.1 of the Agricultural Produce Commission Act 1988, the Agricultural Produce Commission announces that it has resolved to establish a producers' committee for the beekeepers producing industry in Western Australia.

The producers' committee will be able to raise funds from beekeepers' within Western Australia to provide any of the service functions listed (b), (c), (d), (h), (l), (la) and (m) under Section 12.1 of the Agricultural Produce Commission Act 1988.

Nominations for appointment are invited. Beekeepers in Western Australia are invited to nominate themselves for appointment by the Commission to the APC Beekeepers Producers' Committee. Nominations close; 5:00pm, Thursday 25 September 2003, with; Max Crake, Executive Officer, Agricultural Produce Commission, Sort Bin 3, 3 Baron-Hay Court, South Perth WA 6151. Inquiries; phone 9368 3127.

H. MORGAN, AM, Chairman, Agricultural Produce Commission.

CEMETERIES

CC401*

CEMETERIES ACT 1986

GERALDTON CEMETERY BOARD

Fees and Charges

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Geraldton Cemetery Board hereby records having resolved on the 13th August 2003 that the following fees and charges shall apply from 1 October 2003.

Schedule of Fees and Charges

Includes 10% Goods and Services Tax except where shown exempt

GENERAL CEMETERY

A: BURIAL FEES—including registration and tablet fee	
Adult Interment, 13 years and over.....	\$640.00
Child interment, under 13 years of age—including stillborn in ground not set aside for such purpose.....	\$490.00
Interment of any stillborn child in ground set aside for that purpose.....	\$140.00
Interment in a brick grave.....	\$755.00
B: LOT FEES	
A 'Grant or Right of Burial' (25 year tenure) being issued for each Lot and shall be additional to those fees prescribed in paragraph (A) above	
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery.....	\$675.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep where directed by cemetery (child under 13 years of age).....	\$265.00
Pre-need purchase—land selected by applicant or land reserved in advance.....	\$805.00
C: EXTRA CHARGES	
Interment without due notice.....	\$340.00
For each interment on a Saturday.....	\$380.00
For each interment not in usual hours.....	\$340.00
For late arrival of a funeral at cemetery gates.....	\$80.00

For late departure of funeral from cemetery gates	\$80.00
For exhumation	\$765.00
For re-burial after exhumation.....	\$640.00

LAWN CEMETERY

A: BURIAL FEES —including registration and tablet fee	
Adult Interment, 13 years and over.	\$680.00
Child interment, under 13 years of age—including stillborn in ground not set aside for such purpose	\$490.00
Interment in a brick grave.....	\$790.00
B: LOT FEES	
A 'Grant or Right of Burial' (25 year tenure) being issued for each Lot and shall be additional to those fees prescribed in paragraph (A) above	
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery.....	\$950.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep where directed by cemetery (child under 13 years of age).....	\$265.00
Pre-need purchase—land selected by applicant or land reserved in advance.....	\$1,050.00
C: EXTRA CHARGES	
Interment without due notice	\$340.00
For each interment on a Saturday.....	\$380.00
For each interment not in usual hours.....	\$340.00
For late arrival of a funeral at cemetery gates	\$80.00
For late departure of funeral from cemetery gates.....	\$80.00
For exhumation	\$1,075.00
For re-burial after exhumation.....	\$680.00

CREMATORIUM

A: CREMATION FEES	
Adult Cremation, 13 years and over.....	\$740.00
Child cremation, under 13 years of age.....	\$415.00
Cremation of stillborn without memorial service	\$180.00
Cremation of stillborn with memorial service.....	\$380.00
Pre-need cremation	\$850.00
B: EXTRA CHARGES	
Cremation without due notice	\$340.00
Cremation not in usual hours.....	\$340.00
Cremation on a Saturday.....	\$380.00
Late arrival/commencement penalty fee	\$80.00
C: DISPOSAL OF ASHES —tenure on all cremation memorials shall be 25 years from date of receipt of scheduled fee	
Kerbing placement including 152 x 152mm bronze plaque	\$335.00
Garden placement including 229 x 229mm bronze plaque.	\$595.00
Garden placement including 380 x 280mm single bronze plaque.....	\$651.00
Garden placement including 380 x 280mm double bronze plaque with one plate.....	\$835.00
—second interment including second plate	\$140.00
Interment in Single Niche:	
Brick including 150 x 140mm bronze plaque	\$297.00
Tile including 150 x 140mm bronze plaque	\$316.00
Marble including 150 x 140mm bronze plaque	\$337.00
Interment in Double Niche:	
Brick including 320 x 130mm bronze plaque and first plate	\$605.00
Tile including 320 x 130mm bronze plaque and first plate.....	\$676.00
Marble including 320 x 130mm bronze plaque and first plate.....	\$751.00
Second interment and second plate.....	\$140.00
Other memorials.....	poa
Reserve pre need memorial position or niche	\$140.00
Scatter ashes to winds, with issue of certificate	\$80.00
Scatter ashes in memorial gardens, with issue of certificate.....	\$80.00
Interment of ashes in a family grave.....	\$115.00
Post ashes overseas	\$75.00
Post ashes within Australia.....	\$40.00
Hold ashes in safe custody after six months (per month).....	\$10.00
Collection of ashes for cremations performed prior 1.10.02	\$80.00

MISCELLANEOUS CHARGES

PERMITS—

For permit to erect a headstone, monument or rail in General cemetery	\$210.00 exempt
For permit to place a plaque in Lawn Cemetery One.	\$125.00 exempt
For permit to place a monument in Lawn Cemetery Two	\$180.00 exempt
For permit to renovate or add to a monument all areas	\$60.00 exempt
For permit to add inscription to a monument all areas	\$40.00 exempt
Monuments commissioned by Office of Australian War Graves—permit fee waived	—
Single Funeral Permit (Funeral Directors's only)	\$115.00 exempt
Single Funeral Permit (Other than Funeral Directors)	\$315.00 exempt

LICENCES—

Funeral Director's Annual Licence Fee	\$245.00 exempt
Monumental Mason's Annual Licence Fee	\$205.00 exempt
Single Monumental Mason's Work Licence (permit fee also payable)	\$115.00 exempt

OTHER—

Purchase of small raised headstone	\$100.00
Purchase of large raised headstone.....	\$190.00
Copy of Grant or Right of Burial.	\$55.00
Transfer of Grant or Right of Burial	\$55.00
Copy of By-laws and regulations.....	\$25.00
Refund of an unexpired grant of right of burial or prepaid cremation not to exceed the amount originally paid less an administration fee of.....	\$80.00

RESEARCH SERVICES

Location query per name.	\$2.00 exempt
Photocopy of cemetery records per page.	\$1.00

The fees and charges in the above schedule were set by resolution at a duly convened meeting of the Geraldton Cemetery Board held on 13th August 2003.

MAX CORREY, Chairman.

JENNIFER HALL, Administrator/Secretary.

EDUCATION

ED401

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911

AMENDING STATUTE

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 33 of the *University of Western Australia Act 1911*, has approved Amending Statute No. 1 of 2003 as set out in the attached schedule.

ALAN CARPENTER MLA, Minister for Education and Training.

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

University of Western Australia Act 1911

Office of the Minister for Education,
Perth 2003.

His Excellency the Governor in Executive Council, acting pursuant to the provisions of Section 33 of the *University of Western Australia Act 1911*, has been pleased to approve the Statute made by the Senate of The University of Western Australia which is set out in the schedule hereunder.

Minister for Education.

Schedule
AMENDING STATUTE NO.1 OF 2003

1. STATUTE 19—ACADEMIC BOARD

Clause 3 is replaced by the following—

3. The Board, after receiving reports from a faculty or other body as appropriate,
- (a) recommends to the Senate the making, amending and repealing of regulations relating to courses, scholarships, prizes and other awards and to all other academic-related matters; and
 - (b) approves rules specifying the course requirements, structures and policies applying to courses for degrees, diplomas and certificates.

The Common Seal of The University of Western Australia was hereto affixed by authority of the Senate—

Attested by—

ALAN ROBSON, Acting Vice-Chancellor.

By Command of the Governor—

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

ED402

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911

AMENDMENTS TO BY-LAWS

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 16B of the *University of Western Australia Act 1911*, has approved amendments to Part 2 of the First Schedule of The University of Western Australia Lands By-Laws as set out in the attached schedule.

ALAN CARPENTER MLA, Minister for Education and Training.

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

The University of Western Australia

THE UNIVERSITY OF WESTERN AUSTRALIA LANDS BY-LAWS

The University of Western Australia, in pursuance of the *University of Western Australia Act 1911*, hereby makes the following amendments to The University of Western Australia Lands By-Laws, for the purpose of regulating the terms and conditions under which those lands may be visited or used and the conduct of persons when on those lands—

FIRST SCHEDULE

PART 2 is amended—

- (a) by replacing existing 15 with the following—

7 FAIRWAY

15. Portion of Swan Location 268 and being Lot 12 on Deposited Plan 31055 and being comprised in Certificate of title Volume 2223, Folio 194.
- (b) by deleting existing 37;
- (c) by renumbering existing 38 as 37 and amending it to read as follows—

4 BROADWAY/1 STIRLING HIGHWAY

37. Portion of Swan Location 268 and being Lot 10 on Deposited Plan 31055 comprised in Certificate of Title Volume 2223, Folio 192.
- (d) by renumbering existing 39 as 38 and by placing a comma before “Folio”; and
- (e) by renumbering existing 40 as 39.

The Common Seal of the University of Western Australia was hereto affixed by authority of the Senate attested by—

Professor DERYCK M. SCHREUDER, Vice-Chancellor and President.

By Command of the Governor—

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

HEALTH

HE401**HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) ACT 2000****HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) ORDER (No. 1) 2003**

Made by the Minister for Health pursuant to section 6 of the *Health Professionals (Special Events Exemption) Act 2000*.

Citation

1. This order may be cited as the *Health Professionals (Special Events Exemption) Order (No. 1) 2003*.

Declaration of Special Event

2. The event specified in the Schedule is declared to be a special event for the purposes of the Act.

Exemption period

3. The period in which the exemptions under the Act have effect in respect of the special event specified in the Schedule commences on 22 September 2003 and ends on 24 October 2003.

Procedure for notification

4. For the purposes of section 6(3)(b) of the Act, persons intending to provide health care services to visitors in Western Australia as visiting health professionals are required to provide written notice to—

Mr Babu Simon
Office of the Chief Medical Officer
Health Department of Western Australia
189 Royal Street
East Perth WA 6000

SCHEDULE

- Rugby World Cup 2003

Dated this 27th day of August 2003.

JIM MCGINTY MLA, Minister for Health.

LOCAL GOVERNMENT

LG401**SHIRE OF NORTHAM****AUTHORISED OFFICER**

It is hereby notified for public information that Mr Darren Stanley Andrews has been appointed as an authorised officer for the following purposes—

1. Local Government (Miscellaneous Provisions) Act 1960
2. Control of Off Road Vehicles Act 1978

A. J. MIDDLETON, Chief Executive Officer.

LG402***BUSH FIRES ACT 1954****BUSH FIRE CONTROL OFFICERS***City of Swan*

It is hereby advised that the following are appointed as Bush Fire Control Officers for the City of Swan.

Chief Bush Fire Control Officer—Grant Olsen (CFM-Swan)

Acting Chief Bush Fire Control Officer—Wayne Cooke (A/CFM-Swan)

Deputy Chief Bush Fire Control Officers—

- (1) Greg Dunstan, (City of Swan)
- (2) John Shaw (West Swan VBFB)
- (3) Les Swannell (East Swan VBFB)
- (4) Kerry Lovett (West Swan VBFB)

BUSHFIRE CONTROL OFFICERS—

Ian Robinson (Senior Ranger)	Phillip Corbin (East Gidgegannup VBFB)
Kevin Richardson (Ranger)	Vince Pullella* (East Gidgegannup VBFB)
Gavin Eva (Ranger)	Sean Corbin (East Gidgegannup VBFB)
Geoff Packer* (Ranger)	John Eva (West Gidgegannup VBFB)
Steve Cameron* (Ranger)	Brian White* (West Gidgegannup VBFB)
Anthony Jackson* (Ranger)	Peter Taylor (West Gidgegannup VBFB)
Rob Hop* (Ranger)	Peter Liddle (East Swan VBFB)
Gray Godfrey* (Customer Advocate)	Mark Collins* (East Swan VBFB)
Lance Smith* (Customer Advocate)	John Hill *(East Swan VBFB)
Neill Barry* (Customer Advocate)	Mick Walker (Bullsbrook VBFB)
Claire White* (Customer Advocate)	Phillip Burke (Bullsbrook VBFB)
Michael Teraci (CFM-Wanneroo)	Eric Vickers* (Bullsbrook VBFB)
Michael Scott (CFM-Mundaring)	Kellsey Hemmings (West Swan VBFB)
	Warwick Kilworth* (West Swan VBFB)

* refers to restricted role as BFCO

() denotes brigade represented.

CANCELLATIONS: All other previous appointments.

By order of the Council

E. W. T. LUMSDEN, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

PETROLEUM ACT, 1967

SECTION 47(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 Minister for State Development by virtue of an instrument of delegation dated 1 March 2001 and published in the *Government Gazette* of Western Australia on 13 March 2001, declare the following blocks to be a location for the purpose of Part III of the Act.

Hamersley Range Map Sheet		
Blocks	Field	Location No.
6659	Rivoli	1/03-4
6731		

These blocks are the subject of Exploration Permit No. EP 325 held by—

Victoria Petroleum NL

Amity Oil Limited

Sun Resources NL

Dated at Perth on this 27th day of August 2003.

W. L. TINAPPLE, Director, Petroleum Division.

OPTOMETRISTS REGISTRATION BOARD

OX401

OPTOMETRISTS ACT 1940

ELECTION OF THREE (3) OPTOMETRISTS BY THE REGISTERED OPTOMETRISTS

You are advised that, pursuant to Part II of the Rules under the Optometrists Act 1940, three (3) registered Optometrists are now to be nominated by the registered Optometrists for appointment to the Optometrists Registration Board, for a period of three (3) years, commencing on 1 December 2003.

An advertisement to the foregoing effect appeared in the Public Notices Column of the Western Australian newspaper on Saturday 30 August 2003 and will also appear in the *Government Gazette* on Tuesday 2 September 2003.

Every person desiring and being qualified to become a member of the Board, shall, not later than 12 o'clock on Friday 12 September 2003, lodge with the Registrar, notice of his/her intention to seek election, countersigned by at least two (2) persons entitled to vote.

Should the number of candidates exceed the number three (3) requiring to be elected to the Board, a ballot to decide those Optometrists to be elected will be necessary, and ballot papers will be sent to all registered Optometrists at least ten (10) days before the date of the election, which will be held on Thursday 9 October 2003.

COLIN EMMOTT, Registrar.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.12

(No. 24 of 2003)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to Otis Elevator Company Pty Ltd from the requirement of Regulation 4.2(1) of the *Occupational Safety and Health Regulations 1996* for passenger lift No. 12 located at the Woodside building at 240 St Georges Terrace Perth to be design registered in accordance with AS 1418 for use as a hoist designed to lift people during construction of the building at the said address. This exemption is subject to the following conditions—

- the lift control system must be modified to ensure the lift cannot run on automatic; and
- the lift must be operated by a person holding a certificate of competency (in accordance with NOHSC: 1006 (2001)) for personnel and materials hoist operation (Certificate Class HP).

This exemption is valid until 13 March 2004.

Dated this 27th day of August 2003.

BRIAN THOMAS BRADLEY, WorkSafe
Western Australia Commissioner.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962
DECEASED ESTATES
Notice to Creditors and Claimants

Estate of the late William Henry Darlington, in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 1962 relates) in respect of the Estate of the abovenamed deceased who died on 6 May 2003 are required to send particulars of their claims to the Executor (details below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

C/- RSM Bird Cameron, Chartered Accountants, 8 St George's Terrace, Perth WA 6000.

Telephone: (08) 9261 9100

Reference: S. Oates

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State Law Publisher

Telephone: 9321 7688

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