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## ADVERTISING RATES AND PAYMENTS

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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2004 AND NEW YEAR HOLIDAY PERIOD 2005

*NOTE: Due to Tuesday 28th December being a public holiday there will not be a gazette published on that day*

#### Publishing Dates and times

Friday 31 December 2004 at 3.30 pm

Tuesday 4 January 2005 at 3.30 pm

#### Closing Dates and Times for copy

Wednesday 29 December 2004 at 12 noon

Friday 31 December 2004 at 12 noon



# — PART 1 —

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## JUSTICE

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JU301\*

District Court of Western Australia Act 1969

### District Court Amendment Rules 2004

Made by the District Court Judges.

**1. Citation**

These rules are the *District Court Amendment Rules 2004*.

**2. The rules amended**

The amendments in these rules are to the *District Court Rules 1996\**.

[\* Reprinted as at 3 November 2000.  
For amendments to 17 November 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 82.*]

**3. Order 1B inserted**

After Order 1A the following Order is inserted —

“

**Order 1B — Electronic transactions by and with the Court**

**1. Certain documents may be lodged electronically**

- (1) This rule does not apply to lodging a document by fax.
- (2) The Principal Registrar is to publish a website address for the Court.
- (3) Subject to the requirements of the Court's website and this rule, a person may lodge a document electronically by lodging an electronic version of it by means of the Court's website.

- (4) If these rules of court or the *Rules of the Supreme Court 1971* require a document to be signed by a person who is not, or who is not acting on behalf of, the person lodging it, the document cannot be lodged electronically unless it is an affidavit.
- (5) If these rules of court or the *Rules of the Supreme Court 1971* require a document, before it is lodged, to be signed by or on behalf of the person lodging it and the document is being lodged electronically —
  - (a) the document need not be signed by that person; and
  - (b) the person lodging the document electronically must ensure that the electronic version of the document, instead of showing a signature at any place where a signature is required, states the name of the person whose signature is required at the place.
- (6) A person who lodges an affidavit electronically must —
  - (a) ensure that the electronic version of it, instead of showing a signature at any place where a signature appears in the paper version, states the name of the person whose signature it is; and
  - (b) lodge an undertaking that the person —
    - (i) has possession of the paper version signed according to law; and
    - (ii) will retain the paper version subject to any order of the Court.
- (7) A document lodged electronically at a registry is to be taken to have been lodged —
  - (a) if the whole document is received before 4.00 pm on a day when the registry is open for business, on that day;
  - (b) otherwise, on the next day when the registry is open for business.
- (8) A document that is sent electronically to a registry but not in accordance with the requirements of the Court's website and this rule is to be taken not to have been lodged at the registry.
- (9) The Court may at any time, on the application of a party or on its own initiative, order a person who has lodged a document electronically to lodge the paper version of the document.

## 2. Court's seal applied electronically, effect of

If the Court issues a document in an electronic form that bears a facsimile of the Court's seal, the sealed document as it appears electronically, or as it appears when printed on paper, is to be taken to have the same effect as if the Court's seal had been lawfully applied to it by hand by an officer of the Court, unless there is evidence that the document was not issued by the Court.

”

Dated: 14 December 2004.

Judges' signatures:

A. KENNEDY	S. M. DEANE
P. J. HEALY	P. D. BLAXELL
J. CRISFORD	W. G. GROVES
H. J. WISBEY	R. A. MAZZA
A. D. FENBURY	P. M. NISBET
V. J. FRENCH	R. A. MACKNAY
P. D. MARTINO	J. A. CHANEY
P. J. WILLIAMS	M. A. YEATS
C. J. O'BRIEN	D. J. REYNOLDS
M. D. F. O'SULLIVAN	P. R. EATON

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

*Shire of Dardanup*

#### AMENDMENTS TO THE PROPERTY LOCAL LAW 2003

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Dardanup resolved on the 7<sup>th</sup> December 2004 to amend the Shire of Dardanup Property Local Law 2003 of which the gazettal by reference was published on the 17th April 2003 in accordance with Section 3.12 of the *Local Government Act 1995*, as follows—

#### 1. Clause 1.5 Repeal

The reference to the Shire of Moora Local Laws has been deleted, and as the Property Local Law 2003 is a new Local Law for the Shire of Dardanup, there is no Local Law to repeal.

#### 2. As a result of clause deletions, Part 5 has been renumbered

In Part 5, "Division 3", has been re-numbered as "Division 1" and Clauses "5.2" and "5.3" have been re-numbered "5.1" and "5.2" respectively.

#### 3. Re-numbering Parts 7 -10, Not required

Part 7 – Jetties and Bridges, was shown as deleted in the Proforma Gazettal by Reference by the Shire of Moora, this was however reversed and "Part 7", was included in the Model Local Laws Gazettal by Reference – Property Local Law, therefore the re-numbering of Parts "7", "8", "9" and "10" to meet the inclusion of Part "7" is not required.

Dated this 10th day of December 2004.

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

MICHAEL T. BENNETT, Shire President.  
MARK L. CHESTER, Chief Executive Officer.

LG302\*

**BUSH FIRES ACT 1954***Shire of Dardanup*

## AMENDMENTS TO THE BUSH FIRE BRIGADES LOCAL LAW 2003

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on the 7th December 2004 to amend the Shire of Dardanup Bush Fire Brigades Local Law 2003 of which the gazettal by reference was published on the 17th April 2003 in accordance with Section 3.12 of the *Local Government Act 1995*, as follows—

**1. Clause 1.3—Repeal, should read as follows—**

“The Local Law for the establishment, Maintenance and Equipment of Bushfire Brigades for any part of the Shire of Dardanup gazetted 8th December 1998 is repealed”.

**2. Clause 2.4—Applications for membership**

The clause heading contained a spelling error, has been corrected from “Applications for membership” to “Applications for membership”.

Dated this 10th day of December 2004.

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

MICHAEL T. BENNETT, Shire President.  
MARK L. CHESTER, Chief Executive Officer.

LG303\*

**LOCAL GOVERNMENT ACT 1995***City of South Perth*

## REPEAL LOCAL LAW 2004

Under the powers conferred by the *Local Government Act 1995*, the Council of the City of South Perth resolved on 23rd day of November 2004 to make the following Local Law—

**Part 1—Preliminary****Title**

1.1 This Local Law may be cited as the *City of South Perth Repeal Local Law 2004*.

**Commencement**

1.2 This Local Law comes into operation on the 14th day after the day on which it is published in the *Government Gazette*.

**Content and Intent**

- 1.3 (1) This Local Law repeals an outdated Local Law.; and  
(2) This Local Law is intended to result in more efficient and effective Local Government by removing an outdated Local Law.

**Part 2—Substance of this Law****Repeal**

2.1 The Local Law described in the following table, as amended, is repealed.

Local Law	Adoption Date	Date of Publication in the Government Gazettal	Date of Publication of Amendment in the Government Gazette
Local Law Relating to Signs, Blinds, Awnings, Advertisement Hoardings and Bill Postings	27 August 1954	6 April 1959	1 August 1960 5 May 1967 7 May 1968

LG304\*

**LOCAL GOVERNMENT ACT 1995***City of South Perth***LOCAL LAW RELATING TO SPECIAL EVENTS**

In pursuance of the powers conferred under *Local Government Act 1995* and of all other powers enabling it, the Council of the City of South Perth resolved on 23rd day of November 2004 to make the following Local Law:

**Citation**

1. This Local Law may be cited as the *City of South Perth Special Events Local Law 2005*.
2. The Local Law comes into operation on the first day of January 2005.

**Object and Intent**

3. The object and intent of this Local Law is to provide for the control of the possession and consumption of liquor and the possession and use of certain large objects and sound equipment during special events held in public places in the City of South Perth.

**Inconsistency**

4. In any circumstances where there is an inconsistency between this Local Law and any other City of South Perth Local Law, to the extent of any inconsistency, this Local Law prevails.

**Interpretation**

5. In this Local Law, the following definitions apply—

“alcohol free location” means an alcohol free location as adopted by resolution of Council under clause 15.

“large object” includes—

- (a) a lounge chair;
- (b) a couch;
- (c) a bed;
- (d) a mattress;
- (e) a refrigerator;
- (f) a spa;
- (g) a swimming pool;
- (h) a wading pool;
- (i) a table with any dimension greater than 1.2 metres;
- (j) an esky or box with any dimension greater than 1 metre; or
- (k) another object with any dimension greater than 1.5 metres.

“licensed premises” has the meaning given to it by the *Liquor Licensing Act (WA) 1988*

“liquor” has the meaning given to it by the *Liquor Licensing Act (WA) 1988* and includes liquor enclosed in a sealed container.

“Local Law” means, unless the context requires otherwise, this City of South Perth Special Events Local Law 2005.

“loud stereo” means electronic sound equipment with—

- (a) any speaker that, when amplified, has a sound output of greater than 40 watts root mean square; or
- (b) any combination of speakers that, when amplified, have a total sound output of greater than 60 watts root mean square.

“penalty unit” means the amount prescribed by the City as a standard penalty unit in the City of South Perth Penalty Units Local Law.

“public place” includes public property, thoroughfares and any place that is on private property that the public are allowed to use but does not include an al fresco dining area or licensed premises.

“public property” means anything whether land or not, which belongs to, or is vested in, or under the care, control or management of the City.

“special event day” means a special event day as adopted by a resolution of Council under clause 15 and includes 26 January 2005 and 27 January 2005.

“special event location” means a special event location as adopted by a resolution of Council under clause 15 and, on 26 January 2005 and 27 January 2005, includes the location specified in schedule 1.

“thoroughfare” has the meaning given to it by the *Local Government Act 1995 (WA)*.

**Possession of Liquor**

6. A person shall not possess liquor in a public place within an alcohol free location on a special event day unless the person—

- (a) is transporting the liquor to private property or a licensed area; or
- (b) has the prior written permission of the City.

Modified Penalty: 30 penalty units

**Possession of Large Objects**

7. A person shall not possess or use a large object in a public place within a special event location on a special event day unless the person—

- (a) is transporting the large object to private property or a licensed area; or
- (b) has the prior written permission of the City of South Perth.

Modified Penalty: 30 penalty units

**Use of Loud Stereos**

8. A person shall not use a loud stereo in a public place within a special event location on a special event day.

Modified Penalty: 30 penalty units

**Possession of Loud Stereos**

9. A person shall not possess a loud stereo in a public place within a special event location on a special event day unless the person—

- (a) is transporting the loud stereo to a private property or in a licensed area; or
- (b) has the prior written permission of the City of South Perth.

Modified Penalty: 30 penalty units

**Contraventions that Can Lead to Impounding**

10. For the purpose of section 3.39 of the *Local Government Act (WA) 1995* and regulation 29 of the *Local Government (Functions and General) Regulations (WA) 1996* a contravention of any clause of this local law is a contravention that can lead to impounding.

**Penalties**

11. Each offence under this Local Law is a prescribed offence for the purpose of section 9.16 of the *Local Government Act (WA) 1995*.

12. A person who commits an offence under this local law may be liable to a modified penalty.

13. Where an offence under this local law is subject to a modified penalty then the amount of the modified penalty, expressed in penalty units, is shown in bold print directly after the prescription of the offence.

14. The contravention of any provision of this local law is an offence punishable on conviction by a fine not exceeding \$1000.

**Special Event Location and Special Event Day**

15. Council may resolve, by absolute majority, to establish alcohol free locations, special event locations and special event days.

16. Before resolving to establish an alcohol free location, a special event location or a special event day Council must—

- (a) give local public notice of its intention to establish an alcohol free location, a special event location or a special event day for a period of seven days seeking submissions on the proposal; and
- (b) consider any submissions that are made.

17. The City must give local public notice in advance of alcohol free locations, special event locations and special event days.

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**LG305\***

**LOCAL GOVERNMENT ACT 1995**

*City of South Perth*

**PARKING AND AMENDMENTS LOCAL LAW 2004**

Under the powers conferred by the *Local Government Act 1995*, the Council of the City of South Perth resolved on 23rd day of November 2004 to make the following Local Law:

**Citation**

1. This Local Law may be cited as the *City of South Perth Parking and Amendments Local Law 2004*.
2. The Local Law comes into operation on the first day of January 2005.



**Object and Intent**

3. The object and intent of this Local Law is to—
- (a) amend the Parking Local Law 2003 to control the parking of service vehicles in the City;
  - (b) amend the Parking Local Law 2003 to provide for the control of parking within “General No Parking Zones” in the City; and
  - (c) make other minor and drafting amendments to the City’s Local Laws.

**Service Vehicles**

4. The City of South Perth Parking Local Law is amended by deleting clause 10.7 and in its place inserting the following clause—

**“10.7 Service Vehicles**

A driver must not park a service vehicle in a public place for more than two hours unless the service vehicle is actively engaged in a commercial purpose other than advertising.”

**General No Parking Zones**

5. The City of South Perth Parking Local Law is amended by inserting the following new clause 7.4 between clause 7.3 and Part 8.

**“7.4 General No Parking Zones**

- (a) The City may establish a general no parking zone.
- (b) Where the City establishes a general no parking zone, the City must erect a sign at entry points to the general no parking zone indicating—
  - (i) the area that is a general no parking zone; and
  - (ii) the dates and times during which the area is a general no parking zone.
- (c) Where the City establishes a general no parking zone and erects signs at each entry point to the general no parking zone then it is an offence to park on any road or nature strip, other than in a parking stall or metered space, within the general no parking zone.
- (d) A driver must not park a vehicle on the road or a nature strip in a general no parking zone, other than in a parking stall or metered space.
- (e) A driver commits an offence under this clause notwithstanding the fact that there are no signs in the immediate vicinity of the area in which the driver parked the vehicle indicating that the area in which the driver parked the vehicle is a general no parking zone.”

**Minor Amendments to the Parking Local Law**

6. The City of South Perth Parking Local Law is amended by—
- (a) deleting the number “11742.11-1989” in the definition of ‘symbol’ in clause 1.4 and in its place inserting the number “11742.11-1999”;
  - (b) deleting the words “Schedule 4” in clause 1.7.2(b) and in their place inserting the words “Schedule 3”;
  - (c) deleting the words “indicating the vehicle is permitted park” in clause 3.2.1(c) and in their place inserting the words “indicating the vehicle is permitted to park”;
  - (d) deleting the words “where it if not visible” in clause 3.3.2(g) and in their place inserting the words “where it is not visible”;
  - (e) deleting the words “clause XX” in clause 10.5.1(d) and in their place inserting the words “clause 8.1”;
  - (f) deleting the words “schedule X” in clause 10.5.1(e) and in their place inserting the words “Schedule 3”;
  - (g) deleting the date “first day of January 2004” in clause 1.1 and in its place inserting the date “fourteenth day of January 2004”; and
  - (h) deleting subclause (s) of clause 3.2.2 and in its place inserting the following subclause:  
“within 20 metres of the approach side or 10 metres of the departure side of a pedestrian crossing”.

**Minor Amendment relating to Vehicles advertised for Lease or otherwise used for advertising.**

7. The City of South Perth Parking Local Law is amended by deleting clause 10.4 and in its place inserting following new clause 10.4:

**“10.4 No parking of vehicles exposed for sale and in other circumstances**

A driver must not park a vehicle in a parking facility—

- (a) for the purpose of advertising it for sale or lease;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle;

(d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a parking facility; or

(e) if the vehicle is being used solely for the purpose of advertising.”

#### Minor Amendment relating to Vehicles parked to far from the curve

8. The City of South Perth Parking Local Law is amended by inserting the following new clause 10.8 between clause 10.7 and Part 11.

#### “10.8 Parking Too Far from the Kerb

A driver must not park a vehicle in a thoroughfare more than 750 millimetres from the kerb unless the vehicle is parked in a parking stall or a marked space.”

#### Modified Penalties

9. Schedule 2 of the City of South Perth Parking Local Law is amended by—

(a) deleting row 25 of the table and in its place inserting the following row—

25.	3.2.2(s)	Parking too close to a pedestrian crossing	5
-----	----------	--	---

(b) deleting row 69 of the table and in its place inserting the following row—

69.	10.7	Parking a commercial vehicle longer than permitted.	8
-----	------	---	---

(c) inserting into the table the following new row 70—

70.	7.4	Parking in a General No Parking Zone	8
-----	-----	--------------------------------------	---

(d) deleting row 60 of the table and in its place inserting the following row—

60.	7.1	Parking in an easy access zone without a permit	12
-----	-----	---	----

(e) inserting into the table the following new row 71—

71.	10.8	Parking more than 750 mm from the kerb	8
-----	------	--	---

(f) deleting row 60 of the table and in its place inserting the following row—

66.	10.4	Parking a vehicle for advertising or whilst under repair	8
-----	------	--	---

#### Interpretation

10. Clause 1.4 of the City of South Perth Parking Local Law is amended by inserting the following definition after the definition of ‘footpath’ and before the definition of ‘GVM’.

‘general no parking zone’ means a temporary zone established by the City in accordance with clause 7.4 in which it is an offence to park on the road or a nature strip, other than in a parking stall or metered space.

#### Minor Amendments to the Penalty Units Local Law Amendments 2003

11. The Penalty Units Local Law Amendments 2003 is amended by deleting the words “schedule 2” and in their place inserting the words “schedule 1.”

LG306\*

### LOCAL GOVERNMENT ACT 1995

*City of Perth*

#### AIR CONDITIONING UNITS LOCAL LAW 2004

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on 7 December 2004 to make the Air Conditioning Units Local Law 2004, as set out below.

#### ARRANGEMENT

PART 1—PRELIMINARY	Clauses 1 - 6
PART 2—INSTALLATION	Clauses 7 - 8
PART 3—OFFENCES AND PENALTIES	Clauses 9 - 15
FIRST SCHEDULE	

#### PART 1—PRELIMINARY

##### Title

1 This local law may be cited as the *Air Conditioning Units Local Law 2004*.

##### Commencement

2 This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**Purpose and Intent**

3 (1) The purpose of this local law is to provide for the regulation, management and control of the installation of air conditioning units to buildings within the City of Perth.

(2) The effect of this local law is to control the installation of air conditioning units to a specified standard within the City of Perth.

**Repeal**

4 The following by-law of the City of Perth—

By-law No. 74—By-law Relating to Air Conditioning Units as published in the *Government Gazette*—8 July 1964 and amendments;

is repealed on the day that this local law comes into operation.

**Application**

5 This local law applies throughout the district.

**Definitions**

6 In this local law unless the context requires otherwise—

“Act” means the Local Government Act 1995;

“air conditioning unit” means any, or any part of any, machine, device, equipment or plant which constitutes or is part of any mechanical system of ventilation or air conditioning;

“authorised person” means the CEO and any other person authorised by the City under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

“CEO” means the Chief Executive Officer of the City;

“chemicals” includes biocides and other chemicals added to water, other than by a licensed water service operator, to inhibit growth of biological organisms and to reduce corrosion or scaling;

“City” means the local government of the City of Perth;

“licensed water service operator” means a corporation licensed by the government of Western Australia to supply a reticulated supply of potable water;

“person” means any person, company, employer and includes an owner, occupier and licensee;

“street” means any highway, thoroughfare or land, otherwise used for vehicular or pedestrian traffic, and includes all the land lying between property lines, including the street verge and footpath.

**PART 2—INSTALLATION****Placement**

7 A person must not, unless authorised by the City, allow an air conditioning unit:-

(a) to project over any street unless water discharged from the air conditioning unit is disposed of into a suitable stormwater drainage system or in the case of water to which chemicals have been added, disposed of into a suitable sewerage system;

(b) to be installed lower than 2.75 metres above any street;

(c) to project more than 300 millimetres over any street less than 10 metres in width; and

(d) to project more than 450 millimetres over part of a street more than 10 metres in width.

8 A person must not allow an air conditioning unit to be installed under a verandah, balcony or awning, which projects over a street, to exhaust the foul or vitiated air into the street.

**PART 3—OFFENCES AND PENALTIES****Offences**

9 (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(3) An offence against a clause specified in the second column of the table in the First Schedule of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

**Modified Penalty**

10 The amount appearing in the final column of the table in the First Schedule is the modified penalty prescribed for the purposes of section 9.17 of the Act.

### **Infringement Notices and Withdrawal of Infringement Notices**

11 An infringement notice served under section 9.16 of the Act in respect of a prescribed offence under this local law shall be in accordance with Form 2 of Schedule 1 of the Local Government (Functions and General) Regulations 1996.

12 A notice sent under section 9.20(1) of the Act withdrawing an infringement notice served in respect of an offence alleged to have been committed against this local law shall be in accordance with Form 3 of Schedule 1 of the Local Government (Functions and General) Regulations 1996.

13 Unless expressly stated otherwise by the City, a person appointed by the City to be an authorised person for the purposes of this local law is deemed to have also been appointed by the City to be an authorised person for the purposes of sections 9.13 and 9.16 of the Act in relation to offences against this local law.

### **Notices**

14 (1) Where a person installs, uses or maintains, or permits to be installed, used or maintained, an air conditioning unit in breach of the provisions of this local law, the City may give to the person a written notice requiring the person to do anything, to the satisfaction of the City, which the City considers is reasonably necessary to cease or remove the breach.

(2) If a person does not comply with a notice under subclause (1) within—

(a) the time specified in the notice; or

(b) within 14 days of the dismissal of any appeal or objection against the notice, the City or its employees or agents may, in accordance with section 3.28 of the Act, enter the land on which the breach is occurring or has occurred, and give effect to the requisitions in the notice, and the City may, in a court of competent jurisdiction, recover the expenses of doing so from the person on whom the notice has been served.

(3) A person who fails to comply with a notice given to him or her under subclause (1) commits an offence.

### **Objections and Appeals**

15 A decision by the City to give a notice under clause 14 of this local law, or in relation to the type or requisitions to impose on such a notice, is one to which Division 1 of Part 9 of the Act and regulations 33 and 34 of the Local Government (Functions and General) Regulations 1996 apply, and the person affected by the decision is an affected person for the purposes of Division 1 of Part 9 of the Act.

FIRST SCHEDULE  
CITY OF PERTH  
AIR CONDITIONING UNITS LOCAL LAW 2004  
OFFENCES AND MODIFIED PENALTIES

<b>Item No</b>	<b>Clause No</b>	<b>Nature of Offence</b>	<b>Modified Penalty \$</b>
1	7(a)	Air conditioning unit not discharging water into a storm water drainage system or in the case of water to which chemicals have been added, disposed of into a suitable sewerage system	250
2	7(b)	Air conditioning unit being lower than 2.75 metres above any street	100
3	7(c)	Air conditioning unit projecting more than 300 millimetres over a street less than 10 metres in width	100
4	7(d)	Air conditioning unit projecting more than 450 millimetres over part of a street more than 10 metres in width	100
5	8	Air conditioning unit installed under a verandah, balcony or awning which exhausts the foul or vitiated air into the street	100
6	14(3)	Failure to comply with notice	100

Dated this 10th day of December 2004.

The Common Seal of the City of Perth was hereunto affixed in the presence of—

Dr. PETER NATTRASS, The Rt Hon the Lord Mayor.  
FRANK EDWARDS, Chief Executive Officer.

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**POLICE**

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PO301\*

Police Act 1892

**Police Force Amendment Regulations  
(No. 2) 2004**

Made by the Commissioner of Police, with the approval of the Minister for Police and Emergency Services under section 9.

**1. Citation**

These regulations are the *Police Force Amendment Regulations (No. 2) 2004*.

**2. The regulations amended**

The amendments in these regulations are to the *Police Force Regulations 1979\**.

[\* Reprinted as at 15 June 2001.

For amendments to 12 November 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 293.*]

**3. Regulation 502 amended**

Regulation 502(1)(a) is deleted and the following paragraph is inserted instead —

“

(a) he is —

- (i) an Australian citizen, or a permanent resident, within the meaning of the *Australian Citizenship Act 1948* of the Commonwealth; or
- (ii) the holder of a temporary visa within the meaning of the *Migration Act 1958* of the Commonwealth and is authorised by that temporary visa to engage in relevant work in Australia;

”

Date: 18 November 2004.

Signed: K. J. O'CALLAGHAN,  
Commissioner of Police.

Approved: MICHELLE ROBERTS,  
Minister for Police and Emergency Services.

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## RACING, GAMING AND LIQUOR

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RG301

### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003 RWWA RULES OF HARNESS RACING 2004

In accordance with Section 45(1)(b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 8 December 2004 resolved that the RWWA Rules of Harness Racing 2004 be amended as follows—

#### RWWA RULES OF HARNESS RACING 2004

##### Amendment to Local Rules:

Insert New Local Rules LR201, LR252AA, LR252AB

Amend Local Rule 252E(c) by deleting “and LR 252C”.

Repeal/Delete Local Rule LR252 C

A copy of the above rules may be obtained during office hours from the Western Australian Trotting Association or Racing and Wagering Website, [www.rwwa.com.au](http://www.rwwa.com.au).

R. B. BENNETT, Chief Executive Officer.

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## ROTTNEST ISLAND AUTHORITY

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RX301\*

Rottnest Island Authority Act 1987

### Rottnest Island (Restricted Areas) Notice 2004

Made by the Rottnest Island Authority under regulation 38B of the *Rottnest Island Regulations 1988*.

#### 1. Citation

This is the *Rottnest Island (Restricted Areas) Notice 2004*.

#### 2. Interpretation

In this notice —

“**Area A**” means the area of water defined in Schedule 1;

“**length**” has the meaning given to that term in the *Rottnest Island Regulations 1988*;

“**line**” means a line traversing the surface of the earth by the shortest route between 2 points;

“**registrable vessel**” has the meaning given to that term in the *Navigable Waters Regulations*;

“**specified vessel**” means —

- (a) a vessel that is a registrable vessel other than a tender;

- (b) a vessel for which there is a certificate of survey under the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* regulation 12; or
- (c) a vessel that is exempt under the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* regulation 10 or 10A.

“**tender**” means a vessel that —

- (a) is auxiliary to a parent vessel; and
- (b) does not exceed 5 metres in length;

“**vessel**” has the meaning given to that term in the *Rottneest Island Regulations 1988*;

“**Zone 1**” means the waters of the Island within the area defined in Schedule 2;

“**Zone 1.1**” means the waters of the Island within the area defined in Schedule 3;

“**Zone 1.2**” means the waters of the Island within the area defined in Schedule 4.

### 3. Geodetic Datum of Australia

- (1) Where for the purposes of this notice it is necessary to determine the position on the surface of the earth of a point, line or area, that position is to be determined by reference to the Geodetic Datum of Australia (“**GDA**”).
- (2) The reference ellipsoid for the GDA is the Geodetic Reference System 1980 (“**GRS80**”) ellipsoid with a semi-major axis of 6 378 137 m exactly and an inverse flattening (1/f) of 298.257 222 101.
- (3) The reference frame for the GDA is realised by the coordinates of the Australian Fiducial Network geodetic stations that are set out in the Table to this clause referred to the GRS80 ellipsoid determined within the International Earth Rotation Service Terrestrial Reference Frame 1992 (ITRF92) at the epoch of 1994.0 —

**Table**

No.	Name	South Latitude	East Longitude	Ellipsoidal Height
AU 012	Alice Springs	23° 40' 12.44592"	133° 53' 07.84757"	603.358 m
AU 013	Karratha	20° 58' 53.17004"	117° 05' 49.87255"	109.246 m
AU 014	Darwin	12° 50' 37.35839"	131° 07' 57.84838"	125.197 m
AU 015	Townsville	19° 20' 50.42839"	146° 46' 30.79057"	587.077 m
AU 016	Hobart	42° 48' 16.98506"	147° 26' 19.43548"	41.126 m
AU 017	Tidbinbilla	35° 23' 57.15627"	148° 58' 47.98425"	665.440 m

No.	Name	South Latitude	East Longitude	Ellipsoidal Height
AU 019	Ceduna	31° 52' 00.01664"	133° 48' 35.37527"	144.802 m
AU 029	Yaragadee	29° 02' 47.61687"	115° 20' 49.10049"	241.291 m

**4. Periods during which this notice applies**

This notice applies each year from 30 December until 12.00 noon the next 1 January.

**5. Area A set aside for tenders and specified vessels**

Area A is set aside for the purposes of tenders and specified vessels.

**6. Conditions on the use of tenders in Zone 1**

- (1) It is a condition of the use of a tender in Zone 1 that while the tender is in Zone 1 it is not beached, anchored or beach-anchored.
- (2) Sub-clause 1 does not apply to the use of a tender if it is beached or beach-anchored on a beach in Zone 1.1 or 1.2.
- (3) It is a condition of the use of a tender in Zone 1 that while the tender is in Zone 1 it is used to transport a person as quickly as is practicable at a speed of under 5 knots and on as direct a route as is practicable —
  - (a) between its parent vessel and Zone 1.1;
  - (b) between its parent vessel and Zone 1.2; or
  - (c) between its parent vessel and a jetty in Zone 1.

**7. Conditions on the use of specified vessels in Zone 1**

- (1) It is a condition of the use of a specified vessel in Zone 1 that while the vessel is in Zone 1 it is not beached, anchored or beach-anchored.
- (2) It is a condition of the use of a specified vessel in Zone 1 that while the vessel is in Zone 1 it is used to transport a person as quickly as is practicable at a speed of under 5 knots and on as direct a route as is practicable —
  - (a) from the point at which it enters Zone 1 to a jetty in Zone 1;
  - (b) from the point at which it enters Zone 1 to a mooring in Zone 1 to which it is authorised to be secured under regulation 15(4), 26(1), 27(2) or 31(2);
  - (c) from a jetty in Zone 1 to a point on the boundary of Zone 1; or
  - (d) from a mooring in Zone 1 to which it is authorised to be secured under regulation 15(4), 26(1), 27(2) or 31(2) to a point on the boundary of Zone 1.



## 8. Cancellation of 2003 notice

The *Rottnest Island (Restricted Areas) Notice 2003* is cancelled.

### Schedule 1 — Area A defined

The area constituted by the waters of the Island except those waters specified in the Notice issued under the *Western Australian Marine Act 1982* section 66 and published in the *Gazette* on 27 January 1995.

### Schedule 2 — Area containing Zone 1

The area (except any waters specified in the Notice issued under the *Western Australian Marine Act 1982* section 66 and published in the *Gazette* on 27 January 1995) bounded by —

a line between coordinates 32° 00' 05.29" latitude 115° 32' 59.39" longitude and 31° 59' 55.72" latitude 115° 33' 4.25" longitude;

a line between coordinates 31° 59' 55.72" latitude 115° 33' 4.25" longitude and 31° 59' 45.71" latitude 115° 32' 50.14" longitude;

a line between coordinates 31° 59' 45.71" latitude 115° 32' 50.14" longitude and 31° 59' 43.62" latitude 115° 31' 31.96" longitude;

a line between coordinates 31° 59' 43.62" latitude 115° 31' 31.96" longitude and 31° 59' 40.13" latitude 115° 32' 29.24" longitude;

a line between coordinates 31° 59' 40.13" latitude 115° 32' 29.24" longitude and 31° 59' 39.19" latitude 115° 32' 29.33" longitude;

a line between coordinates 31° 59' 39.19" latitude 115° 32' 29.33" longitude and 31° 59' 39.52" latitude 115° 32' 26.81" longitude;

a line between coordinates 31° 59' 39.52" latitude 115° 32' 26.81" longitude and 31° 59' 50.14" latitude 115° 32' 31.13" longitude;

a line between coordinates 31° 59' 50.14" latitude 115° 32' 31.13" longitude and 32° 00' 2.13" latitude 115° 32' 44.93" longitude;

a line between coordinates 32° 00' 2.13" latitude 115° 32' 44.93" longitude and 32° 00' 00" latitude 115° 32' 47.09" longitude; and

a line between coordinates 32° 00' 00" latitude 115° 32' 47.09" longitude and 32° 00' 5.29" latitude 115° 32' 59.39" longitude

### Schedule 3 — Zone 1.1 defined

The area bounded by —

a line between coordinates 31° 59' 44.12" latitude 115° 32' 29.58" longitude and 31° 59' 50.14" latitude 115° 32' 31.13" longitude;

a line between coordinates 31° 59' 50.14" latitude 115° 32' 31.13" longitude and 31° 59' 49.34" latitude 115° 32' 32.64" longitude;

a line between coordinates 31° 59' 49.34" latitude 115° 32' 32.64" longitude and 31° 59' 43.62" latitude 115° 32' 31.96" longitude; and

a line between coordinates 31° 59' 43.62" latitude 115° 32' 31.96" longitude and 31° 59' 44.12" latitude 115° 32' 29.58" longitude.

### Schedule 4 — Zone 1.2 defined

The area bounded by —

a line between coordinates 31° 59' 40.13" latitude 115° 32' 29.24" longitude and 31° 59' 39.19" latitude 115° 32' 29.33" longitude;

a line between coordinates 31° 59' 39.19" latitude 115° 32' 29.33" longitude and 31° 59' 39.52" latitude 115° 32' 26.81" longitude;

a line between coordinates 31° 59' 39.52" latitude 115° 32' 26.81" longitude and 31° 59' 40.51" latitude 115° 32' 26.81" longitude; and

a line between coordinates 31° 59' 40.51" latitude 115° 32' 26.81" longitude and 31° 59' 40.13" latitude 115° 32' 29.24" longitude.

The Common Seal of the  
Rottneest Island Authority  
is affixed hereto in the presence of:

}

LAURIE O'MEARA,  
Acting Chairman.

PAOLO AMARANTI,  
Chief Executive Officer.

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## TREASURY AND FINANCE

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TF301\*

Taxation Administration Act 2003

### Taxation Administration Amendment Regulations (No. 3) 2004

Made by the Governor in Executive Council.

**1. Citation**

These are the *Taxation Administration Amendment Regulations (No. 3) 2004*.

**2. Commencement**

These regulations come into operation on 1 January 2005.

**3. The regulations amended**

The amendments in these regulations are to the *Taxation Administration Regulations 2003*\*.

[\* *Published in Gazette 27 June 2003, p. 2419-22.*

*For amendments to 23 November 2004 see Gazette 7 May and 13 August 2004.]*

**4. Regulation 10 replaced**

Regulation 10 is repealed and the following regulation is inserted instead —

“

**10. Exemption from requirement to keep tax records (section 91)**

For the purposes of section 91(1) of the Act tax records are not required to be kept —

- (a) by a company that has gone into liquidation and been wound up; or
- (b) by a financial institution (as defined in the *Stamp Act 1921*) in relation to stamp duty paid on a cheque.

”

By Command of the Governor,

M. TRAVERS, Clerk of the Executive Council.

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**WATER**

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WA301\*

Country Areas Water Supply Act 1947


## **Kununurra Water Reserve Order 2004**

Made by the Governor in Executive Council under section 9(1) of the Act.

**1. Citation**

This order may be cited as the *Kununurra Water Reserve Order 2004*.

**2. Kununurra Water Reserve boundary altered**

The boundary of the Kununurra Water Reserve is altered so that the boundary is as shown bordered  on Department of Environment Plan WRC3195-01.

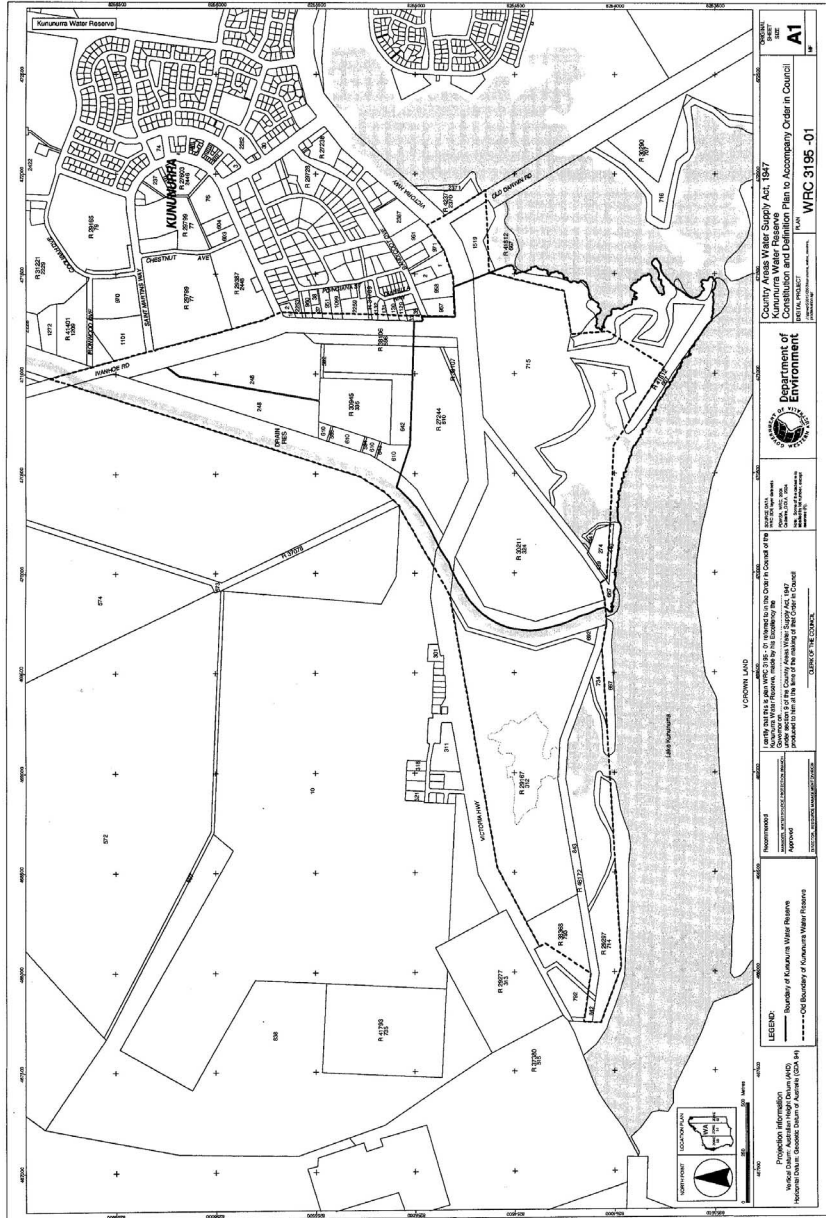
**3. Information plan of the Kununurra Water Reserve**

The former boundary of the Kununurra Water Reserve (described as the “Old Boundary of the Kununurra Water

Reserve”) and the boundary of the Kununurra Water Reserve as altered by this order are shown for information purposes in the plan in Schedule 1.

### Schedule 1 — Kununurra Water Reserve

[cl. 3]



By Command of the Governor,

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

# — PART 2 —

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## HERITAGE

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HR401\*

### 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 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

**Beatty Park Leisure Centre & Beatty Park** at Vincent Street, Perth; Swan Loc 1618 being the whole of Res 884 & being the whole of the land contained in CLT V 3044 F 188 & ptns of Vincent St & Morriston St Road Reserves as shown on HCWA Survey No. 3553 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

**Ferniehurst** at 15 Parker Street, East Fremantle; Lots 2 & 3 on P 2356 being the whole of the land contained in C/T V 1499 F 53 & V 1499 F 54 respectively.

**John Forrest National Park** at Great Eastern Highway, Greenmount; Res 7537 comprising of Lot 68 on DP 223133; Lot 10159 on DP 215030; Lot 135 on DP 190374; Lot 69 on DP 223133; Lot 11664 on DP 217947; Lot 127 on P 12526; Lot 136 on P 20268; Lot 12521 on DP 192545 & lot 70 on DP 223133 & being the whole of the land contained in CLT V 3122 F 560, V 3120 F 340, V 3122 F 563, V 3122 F 561, V 3122 F 559, V 3094 F 330, V 3105 F 439 V 3086 F 992 & V 3122 F 562 respectively.

**Railway Hotel** at 44 Tydeman Road, North Fremantle; Lots 1, 2 & part of each of Lots 3 & 26 on P 793, being the whole of the land comprised in C/T V 1851 F 765.

**St Mary's Anglican Church, Dardanup** located between Picton-Boyanup Rd & Railway Line, Dardanup; Lot 123 on D 2505 being the whole of the land contained in C/T V 372 F 117.

Pursuant to directions from the Minister for 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 28 January 2005. The places will be entered in the Register on an interim basis with effect from today.

#### Schedule 2

##### Description of Place

**Freemasons Hotel, Bridgetown** at cnr Hampton and Steere Streets, Bridgetown; Ptn of Bridgetown Town Lot 20 & being the whole of the land contained in C/T V 1261 F 175.

**St John's Anglican Church, Capel** at cnr Forrest Road & Capel Drive, Capel; Lot 3 on D 34206 & being part of the land contained in C/T V 29 F 204A.

**Swanleigh Precinct** at Yule Avenue, Middle Swan; (Firstly) Ptn of Swan Loc 11 & being part of the land on D 1044 & (Secondly) ptn of Swan Loc 12 & being part of the land on P 2536 being the whole of the land contained in C/T V 2222 F 391 & Lot 1 on D 52804 being the whole of the land contained in C/T V 1479 F 866.

#### 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 Heritage that the places listed in Schedule 3 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 28 January 2005. 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

**Stables (fmr), 17 Lindsay Street** at 17 Lindsay Street, Perth; That ptn of Lot 1250 on DP 29662, being part of the land comprised in C/T V 2515 F 873 as is depicted on HCWA Survey No. 8723 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

**Wyalkatchem Railway and CBH Precinct** at Railway Terrace & Grace Street, Wyalkatchem; Ptn of unnumbered railway res bounded by Railway Terrace, Riches, Mitchell and Grace St. Wyalkatchem Lots 73 & 407 being the whole of Res 15439 together as defined by HCWA Survey No 15755 prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

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

17 December 2004.

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## LOCAL GOVERNMENT

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### LG401\*

#### TOWN OF PORT HEDLAND

##### Appointment of Authorised Officer

It is hereby notified for public information that Clare Fletcher has been appointed as a Ranger/Authorised Officer in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

Dog Act 1976 and Regulations  
Control of Vehicles (Off Road Areas) Act 1978 and Regulations  
Litter Act 1979 and Regulations  
Local Government Act 1995 and Regulations  
Local Government (Miscellaneous Provisions) Act 1960  
Town of Port Hedland Local Laws  
Bush Fires Act 1954 and Regulations  
Caravan Parks and Camping Grounds Act 1995 and Regulations

A. FORD, Chief Executive Officer.

### LG402\*

#### BUSH FIRES ACT 1954

##### *City of Albany*

##### FIRE CONTROL OFFICERS—2004/2005

The following persons have been appointed to the designated positions for the City of Albany in accordance with the Bush Fires Act 1954. All other appointments are hereby cancelled.

**Chief Bush Fire Control Officer**—Charlie Butcher

**Deputy Chief Bush Fire Control Officer (North East)**—John Hood

**Deputy Chief Bush Fire Control Officer (South West)**—Ken Johnson

##### **Bush Fire Control Officers—**

Stephen Gray	Perry Cusack	Lance Flett
Garry Turner	Chris Norton	Garry Haley
Joe Gimondo	Martin Vandongen	Harry Hartley
Phil Dunkley	John Bocian	Colin Daubert
Gerry Monkhurst	Ross Fenwick	Graeme Pyle
Rob Hall	Brian Davis	Brenden Warburton
Graham Ayres	Alan Hawley	Andrew Marshall
Gerry Gregson	Terry Bradshaw	Phillip Marshall
Arthur Hills	Tony Slattery	Chris Gilmour
Brian Boreham	Richard Metcalfe	Mal Fenwick
Peter Moir	Alan Lubke	Kevin Martin
Morgan Souness	Tom Collins	Kirk Bourne
Ian Smith	Brett Smoker	

##### **Fire Weather Officers—**

Peter Moir	Neil Bailey	John Hood
Andrew Marshall	John Bocian	Brian Lester

The following have been appointed as a Dual Bush Fire Control Officer for the City of Albany and the Shire of Plantagenet—

John Hood	Lance Flett	Warren Forbes
Terry Bradshaw	Chris Norton	John Russell
Tom Collins		

The following have been appointed as a Dual Bush Fire Control Officer for the City of Albany and the Shire of Denmark—

Kevin Martin	Chris Hoare
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The following have been appointed as a Dual Bush Fire Control Officer for the City of Albany and the Shire of Gnowangerup—

Peter Moir	Colin King	Graham Moir
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The following have been appointed as a Dual Bush Fire Control Officer for the City of Albany and the Shire of Jerramungup—

Peter Moir	Chris Gilmour	Anthony Thomas
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ANDREW HAMMOND, Chief Executive Officer.

#### LG403

#### **BUSH FIRES ACT 1954**

*City of Bayswater*

#### **BUSH FIRE CONTROL OFFICERS**

The following have been appointed as Bush Fire Control Officers for the City of Bayswater in accordance with the Bush Fires Act 1954. All previous appointments are hereby cancelled—

M. J. Carosella (Chief Fire Control Officer)  
B. Jarvis (Deputy Chief Fire Control Officer)

Fire Control Officers—

R. McArthur  
G. Morrison  
P. Sandow  
R. Power  
S. Chua

MARIO J. CAROSELLA, Chief Executive Officer.

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## **MINERALS AND PETROLEUM**

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#### **MP101**

*CORRECTION*

#### **MINING ACT 1978**

The notice at page 5925 of the Government Gazette dated 10 December 2004 and signed by K. H. AUTY, (SM), Warden, to be corrected as follows—

Prospecting Licence 39/4211 AXIS Consultants

To read—

Prospecting Licence 39/4211 AXIS Consultants Pty Ltd

#### **MP401\***

#### **PETROLEUM (SUBMERGED LANDS) ACT 1982**

**RENEWAL OF RETENTION LEASE TR/1 (R1)**

Retention Lease TR/1 (R1) has been granted for a period of five years to Apache Northwest Pty Ltd, Kufpec Australia Pty Ltd and Tap (Harriet) Pty Ltd to have effect from and including 9th December 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

**MP402\***

**PETROLEUM (SUBMERGED LANDS) ACT 1982**  
**RENEWAL OF RETENTION LEASE TR/2 (R1)**

Retention Lease TR/2 (R1) has been granted for a period of five years to Apache Northwest Pty Ltd, Kufpec Australia Pty Ltd and Tap (Harriet) Pty Ltd to have effect from and including 9th December 2004.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

**MP404**

**MINING ACT 1978**  
**CANCELLED FORFEITURE**

Department of Industry and Resources,  
Perth WA 6000.

In accordance with Section 97A(8) of the *Mining Act 1978*, I hereby cancel the forfeiture on the undermentioned mining lease previously declared forfeited for noncompliance with the expenditure conditions under Section 97(1) and restore the lessee to his former estate.

CLIVE BROWN MLA, Minister for State Development.

NUMBER	HOLDER	MINERAL FIELD
26/429	Nielsen; Ian Charles	East Coolgardie

**MP403\***

Commonwealth of Australia  
**PETROLEUM (SUBMERGED LANDS) ACT 1967**  
**NOTICE OF INVITATION FOR APPLICATIONS FOR EXPLORATION**  
**PERMITS (RE-RELEASE)**

I, William Lee Tinapple, the delegate of the Designated Authority in respect of the adjacent area of Western Australia, for and on behalf of the Commonwealth-Western Australia Offshore Petroleum Joint Authority, acting pursuant to Section 20(1) of the Petroleum (Submerged Lands) Act 1967, re-release area W04-10 which closed on 30 September 2004 and hereby invite applications for the grant of an exploration permit in respect of this area.

**Area W04-10****Barrow Sub-basin & Rankin Platform, Carnarvon Basin, Western Australia**

Map Sheet SF50 (Hamersley Range)

156	228	300	372
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Assessed to contain 4 graticular blocks

An information package on the release area detailing the work program bidding system outlined above and including the criteria for assessment of applications and the conditions to apply following the award of a permit, is available on the Department of Industry, Tourism and Resources Website at [www.industry.gov.au/petexp](http://www.industry.gov.au/petexp).

***Obtaining and observing the release package is essential to making an informed application for any of the areas.***

The Government will also publish on-line data about Australia's petroleum exploration opportunities. This spatial data gives key hydrocarbon well information (about hydrocarbon shows, biostratigraphic age, porosity and depositional environment) and will be released on the Geoscience Australia internet site at [www.ga.gov.au](http://www.ga.gov.au) free of charge.



**Lodgement of Applications**

Applications for area **W04-10** must be lodged before 4:00 pm on Thursday **31 March 2005**.

Applications, together with supporting data should be submitted in the following manner to—

Director Petroleum & Royalties Division  
Department of Industry and Resources  
Level 11, Mineral House  
100 Plain Street  
EAST Perth Western Australia 6004

Attention: Petroleum Applications Receiving Officer

The following special instructions should be observed—

- two copies of the application and supporting data together with the application fee should be sealed in an envelope or package, clearly marked “Application for Exploration Permit Area ... Commercial-in-Confidence”; and
- further enclosed in a plain covering envelope or package and delivered by hand or posted to the above address.

Receipts for applications (received and delivered by hand) will be issued by the Petroleum Applications Receiving Officer.

Enquiries concerning this gazettal should be referred to—

Senior Titles Officer (Releases)  
Petroleum & Royalties Division  
**Telephone:** (08) 9222 3130  
**Facsimile:** (08) 9222 3799

**MP405**

**MINING ACT 1978**  
**INTENTION TO FORFEIT**

Department of Industry and Resources,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned licences and leases is paid on or before 14 January 2005 it is the intention of the Minister for State Development under the provisions of Sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, viz, non-payment of rent.

JIM LIMERICK, Director General.

NUMBER	HOLDER	MINERAL FIELD
EXPLORATION LICENCES		
27/93	Gindalbie Gold NL	North East Coolgardie
27/175	Gindalbie Gold NL	North East Coolgardie
27/199	Great Gold Mines NL	North East Coolgardie
27/252	Great Gold Mines NL	North East Coolgardie
31/550	Great Gold Mines NL	North Coolgardie
37/730	Dickson; John Alwyn Dickson; Virginia Anne	Mt Margaret
69/1800	Hodgkinson; Craig Ian	Warburton
77/1053	Axis Consultants Pty Ltd	Yilgarn
77/1054	Axis Consultants Pty Ltd	Yilgarn
77/1055	Axis Consultants Pty Ltd	Yilgarn
77/1056	Axis Consultants Pty Ltd	Yilgarn
77/1109	Quantum Resources Ltd	Yilgarn
80/2230	Brown Dog NL; Luff; Richard Geoffrey	Kimberley
80/3082	Berkeley Resources Ltd	Kimberley
MINING LEASES		
27/187	Peninsula Minerals Ltd	North East Coolgardie
77/52	Gondwana Resources Ltd; Kings Minerals NL	Yilgarn
77/561	Barclay Holdings Ltd	Yilgarn
77/562	Barclay Holdings Ltd	Yilgarn

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## PARLIAMENT

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PA401\*

## PARLIAMENT OF WESTERN AUSTRALIA

## Royal Assent To Bills

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 dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Second Session of the Thirty-Sixth Parliament.

Short Title of Bill	Date of Assent	Act No.
Working With Children (Criminal Record Checking) Bill 2004	December 8 2004	65 of 2004
Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Bill 2004	December 8 2004	66 of 2004
Western Australian Land Authority Amendment Bill 2003	December 8 2004	67 of 2004
Mines Safety and Inspection Amendment Bill 2004	December 8 2004	68 of 2004
Firearms Amendment Bill 2003	December 8 2004	69 of 2004
Criminal Law Amendment (Simple Offences) Bill 2004	December 8 2004	70 of 2004
Criminal Procedure Bill 2004	December 8 2004	71 of 2004
Community Protection (Offender Reporting) Bill 2004	December 8 2004	72 of 2004
Higher Education Bill 2003	December 8 2004	73 of 2004
Australian Crime Commission (Western Australia) Bill 2003	December 8 2004	74 of 2004
Architects Bill 2003	December 8 2004	75 of 2004
Veterinary Preparations and Animal Feeding Stuffs Amendment Bill 2003	December 8 2004	76 of 2004
Railway and Port (The Pilbara Infrastructure Pty Ltd) Agreement Bill 2004	December 8 2004	77 of 2004
Retail Trading Hours Amendment (Referendums) Bill 2004	December 8 2004	78 of 2004
Reserves (National Parks, Conservation Parks and Other Reserves) Bill 2004	December 8 2004	79 of 2004
Criminal Code Amendment (Racial Vilification) Bill 2004	December 8 2004	80 of 2004
Loans (Co-operative Companies) Bill 2004	December 8 2004	81 of 2004
Revenue Laws Amendment (Tax Relief) Bill 2004	December 8 2004	82 of 2004
Revenue Laws Amendment (Tax Relief) Bill (No. 2) 2004	December 8 2004	83 of 2004

L. B. MARQUET, Clerk of the Parliaments.

December 13 2004.

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## PLANNING AND INFRASTRUCTURE

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PI401\*

## ARMADALE REDEVELOPMENT ACT 2001

## ARMADALE REDEVELOPMENT SCHEME 2004

## Amendment No. 1

In accordance with section 34 of the Act, it is hereby notified for public information that the Armadale Redevelopment Scheme 2004—Amendment No. 1 has been approved by the Minister for Planning and Infrastructure under section 33 of the Act.

The Armadale Redevelopment Authority advises that as a result of the Minister's approval, the amended redevelopment scheme came in to being on the 10 December 2004 and extends the Scheme Area boundary to include land that was incorporated into the Armadale Redevelopment Area by the *Armadale Redevelopment (Extension of Redevelopment Area) Regulations 2004*. The three areas subject to the Scheme Area inclusions are extensions to the existing Scheme precincts at Champion Drive, Champion Lakes and the Armadale City Centre.

The City of Armadale's Town Planning Schemes Nos. 2 and 3 and the Metropolitan Region Scheme ceased to apply within the subject areas on commencement of the amended redevelopment scheme. The Authority therefore has sole planning control of those areas covered by the amended redevelopment scheme.

A copy of Amendment No. 1 to the Armadale Redevelopment Scheme 2004 may be inspected at the office of the Armadale Redevelopment Authority, at Shop 4-5, Armadale Shopping City, Jull Street Mall, Armadale.

JOHN ELLIS, Executive Director,  
Armadale Redevelopment Authority.

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## RACING, GAMING AND LIQUOR

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RG401

**RACING PENALTIES (APPEALS) ACT 1990**

## RACING PENALTIES APPEAL TRIBUNAL

## Instrument of Appointment

I, Nicholas David Griffiths LLB MLC, being the Minister responsible for the administration of the *Racing Penalties (Appeals) Act 1990* and acting in accordance with section 5(1) of that Act, hereby appoint the Chairperson, and acting in accordance with section 6(3) of that Act hereby appoint the panel of persons who are eligible to be selected by the Chairperson to be appointed as members of a Tribunal in relation to any appeal, for terms set out in the Schedule.

## SCHEDULE

1. Term commencing on 1 January 2005 and expiring 28 February 2006.

**Chairperson**

Mr Dan Mossesson

**Panel of Persons**

Mr Patrick John Hogan

Mr John Brian Prior

Mr William James Chesnutt

and

2. Term commencing 1 March 2005 and expiring 28 February 2008.

**Panel of Persons**

Ms Karen Josephine Farley

Mr Andrew Emilio Monisse

Mr Robert John Nash

Mr Steven Leigh Pynt

Dated this 14th day of December 2004.

N. D. GRIFFITHS, Minister for Racing and Gaming.

RG402\*

**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 Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
10557	Herriot Family Nominees Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Manjimup and known as Herriot Wines	29/12/2004
10559	Cardoso Nominees Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Ellenbrook and known as Oscar's Restaurante	23/12/2004
10563	Picola Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Noranda and known as Jamocca	28/12/2004
10565	All Purpose Finance Co Pty Ltd	Application for the grant of a Hotel licence in respect of premises situated in Perth and known as Oyster Bar on the Terrace	12/01/2005
10556	Anastashia Margarita Nicholas & Shaun Nicholas	Application for the grant of a Restaurant licence in respect of premises situated in Hillarys and known as Princess of India Café and Restaurant	21/12/2004

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
22063	Australian Leisure and Hospitality Group Limited	Application for the grant of an extended trading permit in respect of premises situated in Perth and known as Belgian Beer Café Westende	10/01/2005
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ALFRESCO DINING</b>			
21983	Rox box Pty Ltd	Application for the grant of an extended trading permit in respect of premises situated in Perth and known as Box Deli	28/12/2004

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

Dated: 15 December 2004.

H. R. HIGHMAN, Director of Liquor Licensing.

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## WORKSAFE

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WS401\*

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

(No. 45 of 2004)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Downer Engineering Power Pty Ltd T/A Downer Electrical Pty Ltd from the requirements of Regulation 3.98 of the Occupational Safety and Health Regulations 1996, with respect to the need to comply with the requirement to fit flashback arrestors in circumstances in which single hose LPG gas systems are used by your company for work-related purposes.

Dated this fourteenth day of December 2004

NINA LYHNE, WorkSafe Western Australia Commissioner.

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## PUBLIC NOTICES

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ZZ207

**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 17th January 2005, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bargain, Simone, late of 29 Corring Way Parmelia, died 5/11/04, (DE19793380EM12)

Christian, Mary Dorothy, late of Carinya Annexe 41 Bristol Avenue Bicton, died 7/10/04, (DE19762860EM16)

Devlin, James Motherwell, late of 3A Wilkes Street Hamilton Hill, died 12/9/04, (DE33013067EM36)

Douthwaite, John Thomas Christopher, late of 6 Essex Street Bayswater, died 14/11/04, (DE19733518EM38)

Fiedler, Karoline also known as Karoline Lilly Fiedler, late of 19 Wallace Street Belmont formerly 81 Hanbury Street Kalgoorlie, died 13/5/04, (DE33032607EM38)

Foster, Mary Ann, late of Southern Cross Nursing Home 529 Leach Highway Bateman formerly of 27/92 Forest Street Fremantle, died 11/12/98, (DE30317187EM38)

Gorwell, Robert Alfred, late of National Hotel 98 High Street Fremantle, died 28/11/04, (DE20000255EM16)  
Hamilton, Ronald Allan Augustine, late of Unit 7/32 Cunningham Terrace Daglish, died 25/8/04, (DE33033809EM37)  
Hampton, John Henry Thomas, late of 89 Clancy Street Boulder, died 17/5/01, (DE30334554EM313)  
Henderson, Ivy, late of 23 Harvest Road North Fremantle, died 1/11/04, (DE19631914EM17)  
Jones, Dorothy Blanche, late of Unit 8/12 Short Street Joondanna, died 25/11/04, (DE19751601EM12)  
Keeley, John, late of Unit 41/24 Third Avenue Mandurah, died 17/10/04, (DE20001216EM27)  
Langan, Dorothy, late of Tandara Nursing Home 73 Jarrah Road Bentley, died 6/11/04, (DE33035629EM17)  
Lauder, Ina Verone, Windsor Park Nursing Home 110 Star Street Carlisle, died 30/11/04, (DE30231964EM23)  
Poland, Daphne Lucille, late of 64 Colville Street Waikiki, died 23/11/04, (DE19692642EM34)  
Robertson, Valda Kathrine, late of 12 Taylor Road Kalamunda, died 15/11/04, (DE19960092EM35)  
Stronach, Violet Teresa, late of 418 Walcott Street Mount Lawley, died 20/11/04, (DE19900724EM35)  
Sullivan, Daniel Allan, late of Graylands Hospital Brockway Road Mount Claremont, died 20/6/04, (DE30224637EM27)  
Urwin, Dulcie May, late of Unit 49/19 Oakleigh Drive Erskine, died 14/11/04, (DE19730482EM32)  
Woods, Clara Winifred, late of Leighton Nursing Home 40 Florence Street West Perth, died 27/10/04, (DE19722552EM26)

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

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**ZZ201****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Jacobus Cornelius Karel, late of "Apollo VI", Fremantle Sailing Club, Berth C65A, Fremantle in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on 27 June 2003 are required by the personal representative Julie Jones, to send particulars of their claims to her care of Talbot & Olivier Barristers & Solicitors, Level 10, 55 St George's Terrace, Perth by 21 January 2005 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

TALBOT & OLIVIER as Solicitors for the personal representative.

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**ZZ202****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Marjorie Olive Forrest of Bridgetown 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 above-named deceased who died on 17 August 2004 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron Chartered Accountants, 8 St George's Terrace, Perth WA 6000, 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.

S. OATES, c/- RSM Bird Cameron Chartered Accountants,  
Telephone: (08) 9261 9100.

**ZZ203****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Patricia Eve Johnson of Elanora Villas Lodge, Hastie Street, Bunbury 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 above-named deceased who died on 24 September 2004 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron Chartered Accountants, 8 St George's Terrace, Perth WA 6000, 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.

ANGELA ANN GAFFNEY and HANS PETER HANSEN,  
c/- RSM Bird Cameron Chartered Accountants,  
Telephone: (08) 9261 9100.  
Ref: 940982

**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 1962, relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claim to Part B Trustees Limited of Level 22, 108 St George's Terrace Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice—

Osborn, Sally Louise of Piggery Lane, New Norcia formerly of Baxter Road, Cunderdin, Personal Assistant, died on 26 October 2004.

Long, Laurence Edward of 16 Albatross Pass, Willetton, Retired, died 27th November 2004.

Dated this 14th day of December 2004.

SABINA SCHLINK, Manager Trustee Services.

**ZZ205****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Rita Kathleen Briggs in the state of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the abovenamed deceased who died on the 30th August 2004, are required to send particulars of their claims to the Executor, Kathryn Loughridge of 2 Calver Place City Beach WA 6015 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 the claims of which notice has been given. Telephone (08) 9385 8714.

**ZZ206****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Claims against the estate of Roy Anthony Jopson, late of 18b Mary Street, Highgate, Western Australia, Market Researcher, deceased should be sent to Sidney Jopson of Unit 27, 37 Elizabeth Street, Cloverdale WA within one (1) month of the date of publication hereof after which date the personal representative may convey or distribute the assets having regard only to any claims received.

SIDNEY JOPSON.

# SafetyLine

Workplace Safety on the Internet

**Information on solutions to work safety and health challenges has been delivered to your workplace.**

**Go to the World Wide Web on the Internet on your computer and contact <http://www.safetyline.wa.gov.au>**

**Help yourself to the information WorkSafe Western Australia has put there to help you.**

*For further information call (08) 9327 8777.*

**Go on-line to SafetyLine**

## CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER

### SUBSCRIPTION CHARGES 2005

All subscriptions are for the period from 1 January to 31 December 2005. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

#### GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically.

<b>All Gazettes</b>	\$
Within WA .....	826.10
Interstate .....	842.60
Overseas (airmail) .....	1,151.00
<b>Bound Volumes of full year</b> .....	1,098.90

<i>Gazettes on CD ROM from 1998</i> (per year).....	753.50
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#### INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA .....	359.70
Interstate .....	429.00
Overseas (airmail) .....	545.00

<i>Gazettes on CD ROM from 1998</i> (per year).....	325.60
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#### HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA .....	784.30
Interstate .....	958.10
Overseas (airmail) .....	903.00

#### Bound Volumes of Hansard

Within WA .....	773.30
Interstate .....	785.40
<i>Hansards on CD ROM from 1999</i> (per year) .....	803.00

#### STATUTES

##### Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA.....	280.50
Interstate .....	311.30
Overseas .....	288.00
Half Calf Bound Statutes .....	771.10

<i>Bound Volumes on CD ROM from 1998</i> (per year).....	279.40
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##### Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA.....	301.40
Interstate .....	311.30
Overseas (airmail).....	405.00

##### Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA .....	413.60
Interstate .....	433.40
Overseas (airmail) .....	587.00

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

