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— PART 1 —

PROCLAMATIONS

AA101*

ELECTRICITY INDUSTRY ACT 2004

No. 5 of 2004

PROCLAMATION

Western Australia

By His Excellency

*Lieutenant General John Murray Sanderson,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

JOHN SANDERSON
Governor

I, the Governor, acting under the *Electricity Industry Act 2004* section 2 and with the advice and consent of Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which Part 7, Schedule 2 and Schedule 3 Division 2 of that Act come into operation.

Given under my hand and the Public Seal of the State on 21 June 2005.

By Command of the Governor,

A. J. CARPENTER, Minister for Energy.

GOD SAVE THE QUEEN !

AA102*

ELECTRICITY LEGISLATION AMENDMENT ACT 2004

No. 33 of 2004

PROCLAMATION

Western Australia

By His Excellency

*Lieutenant General John Murray Sanderson,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

JOHN SANDERSON
Governor

I, the Governor, acting under the *Electricity Legislation Amendment Act 2004* section 2 and with the advice and consent of Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which Part 2 Division 5 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 21 June 2005.

By Command of the Governor,

A. J. CARPENTER, Minister for Energy.

GOD SAVE THE QUEEN !

ENERGY

EN301*

Electricity Corporation Act 1994

**Electricity Transmission Amendment
Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Transmission Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Electricity Transmission Regulations 1996**.

[* Reprinted as at 24 May 2002.

For amendments to 13 June 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 93.*]

3. Regulation 3 amended

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

“

“**connection point**” means an entry point or an exit point;

“**wholesale electricity market commencement**” means the time at which the first trading day (as defined in the *Wholesale Electricity Market Rules*) commences, as published by the Minister in the *Gazette*;

“**wholesale electricity market participant**” means a user who, at a time after wholesale electricity market commencement, is registered as a market generator or market customer under rule 2.28 of the *Wholesale Electricity Market Rules*.

”

- (2) Regulation 3 is amended in the definition of “Western Power” by deleting “Act.” and inserting instead —

“ Act; ”.

4. Regulation 11 amended

(1) Regulation 11(1) is amended as follows:

- (a) in paragraph (a) by deleting “making the response in respect of” and inserting instead —
“ receiving ”;
- (b) in paragraph (b) by deleting “that response” and inserting instead —
“
Western Power’s response to the applicant
under regulation 8(5)
”.

(2) Regulation 11(3)(a) is deleted.

5. Regulation 19 amended

Before regulation 19(1) the following subregulation is inserted —

- “
- (1a) This regulation does not apply to a user’s access agreement for using any part of the South West interconnected system during a period for which the user is a wholesale electricity market participant.
- ”.

6. Regulation 20 amended

Before regulation 20(1) the following subregulation is inserted —

- “
- (1a) This regulation does not apply to a user’s access agreement for using any part of the South West interconnected system during a period for which the user is a wholesale electricity market participant.
- ”.

7. Regulation 22 amended

Before regulation 22(1aa) the following subregulation is inserted —

- “
- (1a) This regulation does not apply to a user’s access agreement for using any part of the South West interconnected system during a period for which the user is a wholesale electricity market participant.
- ”.

8. Regulation 23 amended

Before regulation 23(1aa) the following subregulation is inserted —

- “
- (1a) This regulation does not apply to a user’s access agreement for using any part of the South West

interconnected system during a period for which the user is a wholesale electricity market participant.

”.

9. Regulation 25 amended

Before regulation 25(1aa) the following subregulation is inserted —

“

- (1a) This regulation does not apply to a user’s access agreement for using any part of the South West interconnected system during a period for which the user is a wholesale electricity market participant.

”.

10. Schedule 2 amended

Schedule 2 Part A is amended as follows:

- (a) in paragraph (c) by deleting “entry points and exit points” in the first place where it occurs and inserting instead —
“ connection points ”;
- (b) in paragraph (c) by deleting “entry points and exit points for” and inserting instead —
“ connection points ”;
- (c) in paragraph (e) by deleting “entry points and exit points” and inserting instead —
“ connection points ”;
- (d) in paragraph (f) by deleting “entry points” and inserting instead —
“ connection points ”;
- (e) in paragraph (g) by deleting “exit points” and inserting instead —
“ connection points ”;
- (f) in paragraphs (h), (i) and (j) by deleting “entry points and exit points” and inserting instead —
“ connection points ”.

11. Schedule 3 amended

Schedule 3 is amended in paragraph (a) by deleting “entry point and each exit point” and inserting instead —

“ connection point ”.

By Command of the Governor,

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

ENVIRONMENT

EV301*

Environmental Protection Act 1986

Environmental Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Environmental Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2005*.

2. The regulations amended

The amendments in these regulations are to the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004**.

[* *Published in Gazette 30 June 2004, p. 2587-623.*

For amendments to 9 June 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 100.]

3. Regulation 5 amended

Regulation 5(1) is amended in the Table to the subsection as follows:

- (a) in item 3 paragraph (c)(i) by deleting “12 months” and inserting instead —

“ 3 years ”;

- (b) by deleting item 11 and inserting the following item instead —

“

11 **Clearing along a fence line — Crown land**

Clearing of Crown land along a fence line to provide access to construct or maintain a fence —

The owner of the land on which the clearing is to take place.

- (a) between alienated land and Crown land — if the clearing is no more than 1.5 m from the fence line; or
- (b) between Crown land and Crown land — if the clearing is no more than 5 m from the fence line on one side and no more than 1.5 m from the fence line on the other side.

”
”

- (c) in item 13 after paragraph (a) by inserting —
“ and ”;
- (d) in item 13 after paragraph (b) by deleting “; and” and inserting a full stop;
- (e) in item 13 by deleting paragraph (c);
- (f) by deleting item 15 and inserting the following item instead —

“

15 **Clearing to maintain existing cleared areas around infrastructure etc.**

Clearing of land that was lawfully cleared within the 10 years prior to the clearing for one of the following purposes —

- (a) around a building or structure for the use of the building or structure;
- (b) for a fire risk reduction area for a building;
- (c) to maintain an area along a fence line to provide access to construct or maintain the fence;
- (d) to maintain a vehicular or walking track,

to the extent of the prior clearing.

Clearing of land that was previously lawfully cleared for one of the following purposes if the clearing does not exceed the extent specified for the purpose —

- (a) around a building or structure for the use of the building or structure — 20 m from the building or structure;
- (b) for a fire risk reduction area for a building — 20 m from the building;
- (c) to maintain an area along a fence line to provide access to construct or maintain the fence — 5 m from the fence line;
- (d) to maintain a vehicular or walking track — 5 m wide.

The owner or occupier of the land on which the clearing is to take place.

”;

- (g) in item 20, in the heading, by inserting after “low impact” —
“ or other ”;
- (h) in item 20 by inserting after “low impact” —
“ or other ”;

- (i) in items 24 and 25 by deleting “within 12 months after Part 9 of the *Environmental Protection Amendment Act 2003* comes into operation” and inserting instead —
“ before 8 January 2006 ”.

4. Regulation 8 amended

- (1) Regulation 8(2)(a) is amended by inserting after “applicant” —
“ and the period for which the permit is sought ”.
- (2) Regulation 8(3) is amended as follows:
 - (a) in paragraph (a) by deleting “and” and inserting instead —
“ or ”;
 - (b) in paragraph (b) by inserting before “on” —
“ in a newspaper circulating daily in the State or ”.

5. Schedule 1 amended

- (1) The heading to Schedule 1 is amended by inserting after “Low impact” —
“ **or other** ”.
- (2) Schedule 1 clause 2 is amended as follows:
 - (a) by inserting before “The following” the subclause designation “(1)”;
 - (b) by inserting after “low impact mineral and petroleum activities” —
“ for the purposes of item 20 ”;
 - (c) in paragraph (c)(ii) by inserting after “grid pattern and” —
“ the ”.
- (3) At the end of clause 2 the following subclauses are inserted —
“
 - (2) The following activity is a mineral or petroleum activity for the purposes of item 20, to the extent to which it is carried out under an authority granted under the *Mining Act 1978*, the *Petroleum Act 1967*, the *Petroleum Pipelines Act 1969* or the *Petroleum (Submerged Lands) Act 1982* — clearing in an authority area for any purpose, being clearing which does not, together with all other clearing carried out under this subclause in the area in the financial year in which the clearing takes place, exceed 10 ha.
 - (3) In subclause (2) —
“**authority area**” means the area in which the holder of one of the following authorities may carry out the activity or activities authorised by that authority —
 - (a) a mining tenement as defined in the *Mining Act 1978*;

- (b) a permit, drilling reservation, lease, licence, special prospecting authority or access authority, as defined in the *Petroleum Act 1967*;
- (c) a licence as defined in the *Petroleum Pipelines Act 1969*;
- (d) a permit, lease, licence, pipeline licence, special prospecting licence or access authority, as defined in the *Petroleum (Submerged Lands) Act 1982*, or a consent of the Minister under section 60 of that Act.

”

6. Schedule 2 amended

Schedule 2 clause 3(a) is deleted.

7. Schedule 3 amended

Schedule 3 clause 2(a) is deleted.

By Command of the Governor,

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

LAND

LA301*

Strata Titles Act 1985

Strata Titles General Amendment Regulations (No. 2) 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Strata Titles General Amendment Regulations (No. 2) 2005*.

2. Commencement

These regulations come into operation on 4 July 2005 or on the first Monday after the day on which they are published in the *Gazette*, whichever is the later.

3. The regulations amended

The amendments in these regulations are to the *Strata Titles General Regulations 1996**.

[* Reprinted as at 15 November 2003.

For amendments to 3 June 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 393, and Gazette 13 May 2005.*]

4. Schedule 1 amended

- (1) Schedule 1 is amended in the third column as follows:
- (a) by deleting “79” in each place it occurs and in each place inserting instead —
“ 80 ”;
 - (b) in item 1(a)(i) by deleting “165” and inserting instead —
“ 178 ”;
 - (c) in item 1(a)(ii) and (b) by deleting “112” in each place it occurs and in each place inserting instead —
“ 124 ”;
 - (d) in item 1(a) by deleting “36” and inserting instead —
“ 48 ”;
 - (e) in item 1(c) by deleting “50” and inserting instead —
“ 83 ”.
- (2) Schedule 1 item 3 is amended by deleting the scale in the item and inserting the following scale instead —

“

Scale

Number of allotments	Fee (\$)
1	160
2	195
3	215
4	255
5	295
6-10	350
11-15	400
16-20	465
21-25	530
26-30	610
31-35	685
36-40	765
41-45	840
46-50	920
51-55	985
56-60	1 075
61-65	1 155
66-70	1 230
71-75	1 300
76-80	1 390
81-85	1 455

Number of allotments	Fee (\$)
86-90	1 545
91-95	1 610
96-100	1 705
101-125	1 785
126-150	1 895
151-175	1 980
176-200	2 075
201-225	2 235
226-250	2 515
251-300	2 995
Over 300	3 520

”.

By Command of the Governor,

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

LA302*

Registration of Deeds Act 1856

Registration of Deeds Amendment Regulations 2005

Made by the Commissioner of Titles with the approval of the Governor in Executive Council.

1. Citation

These regulations are the *Registration of Deeds Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 4 July 2005 or on the first Monday after the day on which they are published in the *Gazette*, whichever is the later.

3. The regulations amended

The amendments in these regulations are to the *Registration of Deeds Regulations 2004**.

[* Published in *Gazette* 2 September 2004, p. 3822-3.]

4. Schedule 1 amended

Schedule 1 is amended in the third column by deleting “\$79” in each place it occurs and in each place inserting instead —

“ \$80 ”.

JOHN GLADSTONE
Commissioner of Titles

Approved by the Governor,

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

LA303*

Transfer of Land Act 1893

Transfer of Land Amendment Regulations (No. 3) 2005

Made by the Commissioner of Titles with the approval of the Governor in Executive Council.

1. Citation

These regulations are the *Transfer of Land Amendment Regulations (No. 3) 2005*.

2. Commencement

These regulations come into operation on 4 July 2005 or on the first Monday after the day on which they are published in the *Gazette*, whichever is the later.

3. The regulations amended

The amendments in these regulations are to the *Transfer of Land Regulations 2004**.

[* *Published in Gazette 2 September 2004, p. 3831.*

For amendments to 3 June 2005 see Gazette 27 May 2005.]

4. Regulation 5A inserted

After regulation 5 the following regulation is inserted —

“

5A. Priority processing of certain documents

- (1) If the person lodging a transfer, mortgage, discharge of mortgage, withdrawal of caveat, survivorship

application, or enduring power of attorney, pays the fee in Schedule 1 Division 7 for priority processing, the document will be given priority for attention by the Registrar over other documents that do not relate to the land to which the document relates, subject to this regulation.

- (2) A person cannot request priority processing for a document referred to in subregulation (1) if —
 - (a) more than 4 of such documents are lodged simultaneously;
 - (b) the document is connected to any land in relation to which there is a document lodged previously on which processing has not been completed;
 - (c) the document and any other lodged document connected with it relate to more than 5 lots;
 - (d) the document is lodged simultaneously with a document that is not referred to in subregulation (1); or
 - (e) the document is lodged simultaneously with an enduring power of attorney.
- (3) If the fee for priority processing is paid in respect of a document referred to in subregulation (1) and a requisition is raised on the document, the document ceases to have priority for attention unless a further fee for priority processing is paid in respect of it.

”.

5. Regulation 6 amended

- (1) Regulation 6(2c) is repealed.
- (2) Regulation 6(3) is amended by deleting “, (2b) and (2c)” and inserting instead —
“ and (2b) ”.

6. Regulation 7 amended

Regulation 7 is amended as follows:

- (a) by inserting before “The inspection” the subregulation designation “(1)”;
- (b) by inserting at the end of the regulation the following subregulation —

“

- (2) Subregulation (1) does not prevent any of the information referred to in section 239(1) of the Act that can be inspected by means of a computer from outside the business premises of the Registrar from being inspected by those means at any time.

”.

7. Schedule 1 amended

- (1) Schedule 1 is amended in the third column as follows:
- (a) by deleting “\$79” in each place it occurs and in each place inserting instead —
“ \$80 ”;
 - (b) in Division 1 item 4 by deleting “\$89” and inserting instead —
“ \$90 ”;
 - (c) in Division 1 item 4 by deleting “\$109” and inserting instead —
“ \$110 ”;
 - (d) in Division 2 items 2(a)(i) and 3(a) by deleting “\$183” in each place it occurs and in each place inserting instead —
“ \$178 ”;
 - (e) in Division 2 items 2(a)(ii), 3(b) and 4 by deleting “\$130” in each place it occurs and in each place inserting instead —
“ \$124 ”;
 - (f) in Division 2 item 2(b) by deleting “\$51” and inserting instead —
“ \$48 ”;
 - (g) in Division 2 item 5(a) and Division 3 item 2 by deleting “\$39.50” in each place it occurs and in each place inserting instead —
“ \$40 ”;
 - (h) in Division 4 item 5 by deleting “\$158” and inserting instead —
“ \$160 ”;
 - (i) in Division 6 item 22 by deleting “\$1.40” and inserting instead —
“ \$2.20 ”.
- (2) Schedule 1 Division 7 item 2 is amended by deleting “plan, diagram” and inserting instead —
“ deposited plan ”.
- (3) Schedule 1 Division 7 item 6(b) and “\$50” opposite it are deleted and the following is inserted instead —
“
- (b) on any other document —
 - (i) if the requisition is complied with and this fee is paid before 5.00 p.m. on the business day following the day on which the requisition is issued \$35
 - (ii) otherwise \$60
- ”.

- (4) After Schedule 1 Division 7 item 14 the following item is inserted —

“

15. For the priority processing of a transfer, mortgage, discharge of mortgage, withdrawal of caveat, or survivorship application, or not more than 4 of such documents if lodged together, or of an enduring power of attorney, subject to regulation 5A \$30

”

- (5) Schedule 1 Division 8 is repealed.

JOHN GLADSTONE
Commissioner of Titles

Approved by the Governor,

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

LA304*

Parks and Reserves Act 1895

Parks and Reserves (Dissolution of the Recreation Camps and Reserve Board) Order 2005

Made by the Governor in Executive Council.

1. Citation

This order is the *Parks and Reserves (Dissolution of the Recreation Camps and Reserve Board) Order 2005*.

2. Commencement

This order comes into operation immediately after the *Recreation Camps and Reserve Repeal By-laws 2005* come into operation.

3. Dissolution of the Recreation Camps and Reserve Board

The Recreation Camps and Reserve Board, a body corporate constituted under section 3(4) of the Act, is dissolved under section 3(7) of the Act.

By Command of the Governor,

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

LA306*

Parks and Reserves Act 1895

Parks and Reserves (Dissolution of the Recreation Camps and Reserve Board) Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Parks and Reserves (Dissolution of the Recreation Camps and Reserve Board) Regulations 2005*.

2. Commencement

These regulations come into operation immediately after the *Parks and Reserves (Dissolution of the Recreation Camps and Reserve Board) Order 2005* comes into operation.

3. Definitions

In these regulations —

“**Board**” means the former Recreation Camps and Reserve Board established under the Act;

“**commencement**” means when these regulations come into operation;

“**Minister for Sport and Recreation**” means the Minister to whom the administration of the *Western Australian Sports Centre Trust Act 1986* is for the time being committed by the Governor.

4. Board’s property

(1) On commencement —

- (a) all property of the Board, whether within or outside the State, together with all claims, rights and remedies of the Board in respect of property, vest in the State; and
- (b) the State becomes liable to discharge all of the Board’s liabilities that are properly payable.

(2) As soon as practicable after commencement the Minister for Sport and Recreation is to take possession of all books, documents and other records, however compiled or stored, relating to the operations of the Board.

5. Legal proceedings

(1) Any legal or other proceedings begun before commencement by or against the Board and pending immediately before commencement are taken to be proceedings by or against the State.

- (2) Any legal or other proceedings or remedies that could have been taken by or against the Board immediately before commencement may be taken by or against the State.

6. Legal documents

- (1) Any legal document in existence immediately before commencement to which the Board was a party has effect on and after commencement as if the State were substituted for the Board as a party to the document.
- (2) Any legal document or written law in existence before commencement which contains a reference to the Board has effect on and after commencement as if a reference in the document or the written law to the Board were (unless the context otherwise requires) a reference to the State.

7. Final report

Section 12 of the Act continues to apply to the Board in relation to the preparation and submission of the final report required under section 70A of the *Financial Administration and Audit Act 1985*, and the department of the Public Service principally assisting the Minister for Sport and Recreation in the administration of the *Western Australian Sports Centre Trust Act 1986* is to provide the assistance and facilities required under section 65A(8) of the *Financial Administration and Audit Act 1985*.

Approved under section 16(1) of the Act —

ERIC RIPPER
Treasurer

3/6/2005
Date

By Command of the Governor,

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

LA305*

Parks and Reserves Act 1895

Recreation Camps and Reserve Repeal By-laws 2005

Made by the Recreation Camps and Reserve Board and approved by the Governor in Executive Council.

1. Citation

These by-laws are the *Recreation Camps and Reserve Repeal By-laws 2005*.

2. Commencement

These by-laws come into operation on 1 July 2005.

3. Repeal

The *Recreation Camps and Reserve By-laws 1985* are repealed.

Made by Resolution of the Recreation Camps and Reserve Board on 10th May 2005.

RON ALEXANDER
President

RONNIE HURST
Member

Approved by the Governor,

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

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Irwin

LOCAL LAWS RELATING TO SIGNS, HOARDINGS AND BILL POSTING

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Irwin resolved on 14 June 2005 to make the following local law.

Citation

1. These Local Laws may be cited as the “Shire of Irwin Local Laws Relating to Signs, Hoardings & Bill Posting.”

Incorporation by Reference

2. (i) In these Local Laws, “The Town of Port Hedland Local Laws Relating to Signs, Hoardings & Bill Posting”—
- (a) means the Town of Port Hedland Local Laws Relating to Signs, Hoardings & Bill Posting published in the *Government Gazette*, page 157, on the 3rd August 2000, and
 - (b) includes the amendment published in the *Government Gazette* on the 2nd February 2001.
- (ii) Subject to modifications set out in the Schedule, the Town of Port Hedland Local Laws Relating to Signs, Hoardings & Bill Posting (as amended) are incorporated with and form part of these Local Laws.

Schedule

Modifications to the Town of Port Hedland Local Laws Relating to Signs, Hoardings & Bill Posting

Item	Sections Affected	Description
1.	Part 1—Preliminary (Citation)	Delete Town of Port Hedland wherever it occurs and substitute Shire of Irwin. Delete the paragraph “Revocation”.

Item	Sections Affected	Description
2.	Part 2—Interpretation	Delete Town of Port Hedland wherever it occurs and substitute Shire of Irwin. After the interpretation “Town Planning Scheme” delete “...the Town of Port Hedland Town Planning Scheme No. 5...” and substitute “...the Shire of Irwin Town Planning Scheme No. 4...” Insert: “Wind Region B” has the meaning as defined by Part 3.10.1 of the Building Code of Australia.
3.	Part 3—Licences & Exemptions, Clause 3.6.3	Delete “Region D Cyclonic Areas” and substitute with “Wind Region B”
4.	Part 5—Requirements for Particular Signs, 5.17.1(a)	Delete “not at any point be within 4m of the ground” and substitute with “not at any point be within 2.75m of the ground”.
5.	Part 5—Requirements for Particular Signs 5.17.1(c), Table	Delete the first line of the table and substitute with “2.75m and under 4m—1.25m”
6.	Schedule 1	Delete Town of Port Hedland wherever it occurs and substitute Shire of Irwin
7.	Schedule 2	Delete Town of Port Hedland wherever it occurs and substitute Shire of Irwin
8.	License	Delete Town of Port Hedland wherever it occurs and substitute Shire of Irwin

Made at a meeting of the Council of the Shire of Irwin held on 14 June 2005.

The Common Seal of the Shire of Irwin was affixed by authority of a resolution of its Council.

R. J. GILLAM, Acting Shire President.
J. L. MERRICK, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995
BUSH FIRES ACT 1954

City of Melville

LOCAL LAW AMENDMENT RELATING TO FIREBREAKS

Under the powers conferred by the *Local Government Act 1995* and the *Bush Fires Act 1954* and by all other powers enabling it, the council of the City of Melville resolved on 15 March 2005 to make the following local law amendment.

The purpose of this amendment is to amend the City of Melville Local Law Relating to Firebreaks to reflect the increase to the bushfire period that the council of the City of Melville declares.

The amendment is as below.

Delete clause 3 and insert—

“3 All firebreaks must be cleared by the Owner or Occupier of Land on or before 15 November in any year, and thereafter be maintained by the Owner or Occupier clear of inflammable matter up to and including 30 April in the following year.”

Dated this the 9th day of June 2005.

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

KATHERINE JACKSON, Mayor.
JOHN McNALLY, Chief Executive Officer

MINERALS AND PETROLEUM

MP301*

Mining Act 1978

Mining Amendment Regulations (No. 4) 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations (No. 4) 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

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

[* *Reprint 5 as at 16 July 2004.*]

4. Second Schedule amended

The Second Schedule is amended as follows:

(a) in item 1 —

- (i) by deleting “37.73” and inserting instead —
“ 38.72 ”;
- (ii) by deleting “238.81” and inserting instead —
“ 244.31 ”;
- (iii) by deleting “99.00” and inserting instead —
“ 101.42 ”;
- (iv) by deleting “11.55” in each place where it occurs
and inserting instead —
“ 11.88 ”;
- (v) by deleting “13.09” in each place where it occurs
and inserting instead —
“ 13.42 ”; and
- (vi) by deleting “5.72” and inserting instead —
“ 5.83 ”;

(b) in item 2 —

- (i) by deleting “217.50” and inserting instead —
“ 220.00 ”;

- (ii) by deleting “930.00” and inserting instead —
“ 950.00 ”;
- (iii) by deleting “315.00” in each place where it occurs and inserting instead —
“ 320.00 ”;
- (iv) by deleting “212.50” and inserting instead —
“ 215.00 ”; and
- (v) by deleting “530.00” and inserting instead —
“ 540.00 ”;
- (c) in item 3 by deleting “6.30” in each place where it occurs and inserting instead —
“ 6.50 ”;
- (d) in item 3A by deleting “5.30” and inserting instead —
“ 5.40 ”;
- (e) in item 4 —
 - (i) by deleting “265.00” and inserting instead —
“ 270.00 ”;
 - (ii) by deleting “305.00” and inserting instead —
“ 310.00 ”;
 - (iii) by deleting “360.00” and inserting instead —
“ 370.00 ”; and
 - (iv) by deleting “1 800.00” and inserting instead —
“ 1 850.00 ”;
- (f) in item 5 by deleting “26.50” and inserting instead —
“ 27.00 ”;
- (g) in item 7 by deleting “80.00” and inserting instead —
“ 82.00 ”;
- (h) in item 8 —
 - (i) by deleting “\$21.00” and inserting instead —
“ \$21.50 ”; and
 - (ii) by deleting “5.30” and inserting instead —
“ 5.40 ”;
- (i) in item 10 —
 - (i) by deleting “80.00” in each place where it occurs and inserting instead —
“ 82.00 ”; and
 - (ii) by deleting “5.30” and inserting instead —
“ 5.40 ”;
- (j) in item 11 by deleting “160.00” and inserting instead —
“ 165.00 ”;

- (k) in item 11A by deleting “6.30” and inserting instead —
“ 6.50 ”;
- (l) in item 13(i) by deleting “46.50” and inserting
instead —
“ 47.50 ”.

By Command of the Governor,

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

RACING, GAMING AND LIQUOR

RG301

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

MAKING OF RULES OF RACING

1. In accordance with section 45 (1) (c) of the *Racing and Wagering Western Australia Act 2003*, the Board of Racing and Wagering WA gives notice of the making of—

- (i) Rules of Greyhound Racing 2005
2. A copy of the Rules may be obtained from—
RWWA, 14 Hasler Road, Osborne Park
RWWA website, www.rwwa.com.au
3. The RWWA Rules of Greyhound Racing 2005 shall come into operation on 1 July 2005.

R. B. BENNETT, Chief Executive Officer.

RG302

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 15 June 2005 resolved that, the RWWA Rules of Thoroughbred Racing 2004 be amended as follows with effect as of 1 July 2005.

Amendment to National Rules

Amend definition of “Prize”, “Deputy Registrar of Racehorses”, and “Manager”
Insert definitions for “Microchip”, Thoroughbred Identification Card”, “Foal Identification Card”, “Stable Return” and “National Stewards Embargo Register”
Insert AR7(s), AR81A(5), AR64B(3), AR64F(3), AR64J, AR175(v), AR209
Delete and replace AR6, AR16, AR20, AR24, AR26, AR27, AR53B, AR53C, AR59A, AR64A
Delete AR54, AR59
Amend AR157, AR15

Amendment to Local Rules

As a result of the adoption of a National Definition for “Stable Returns” the Local definition is to be deleted.

A copy of above rules may be obtained during office hours from the Western Australian Turf Club, 70 Grandstand Road, Ascot WA or Racing and Wagering Western Australia website, www.rwwa.com.au

R. B. BENNETT, Chief Executive Officer.

RG303**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 15 June 2005 resolved that, the RWWA Rules of Harness Racing 2004 be amended as follows—

RWWA RULES OF HARNESS RACING 2004**Amendments to National Rules:****Delete Rules 183A**

A copy of the above rules may be obtained during office hours from the Western Australian Trotting Association or Racing and Wagering Western Australia website, www.rwwa.com.au

R. B. BENNETT, Chief Executive Officer.

RG304***Casino Control Act 1984****Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Casino Control (Burswood Island) (Licensing of Employees) Regulations 1985**.

[* Reprinted as at 2 January 2001.

For amendments to 3 June 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 42.*]

3. Regulation 6 amended

- (1) Regulation 6(2)(b) is amended by deleting “a fee of 10% of the fee that would otherwise have been payable under subregulation (1).” and inserting instead —

“

the fee payable under subregulation (1a) in respect of an application for a renewal of that type of licence.

”

- (2) Regulation 6(3) is repealed and the following subregulation is inserted instead —

“

- (3) The Commission may at its discretion reduce, waive or refund, in whole or in part, a fee prescribed under this regulation.

”.

4. Regulation 9 amended

Regulation 9(2) is amended by deleting paragraph (b).

5. The Schedule amended

The Schedule is amended as follows:

- (a) in Forms 2 and 3 by deleting
“Signature of Licensee:”
in both forms;
- (b) in Forms 6 and 7 by deleting
“Signature of Licensee”
in both forms.

By Command of the Governor,

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

TRANSPORT

TR301*

Shipping and Pilotage Act 1967

**Ports and Harbours Amendment
Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Ports and Harbours Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *Ports and Harbours Regulations**.

[* *Reprint 1 as at 1 August 2003.*

For amendments to 1 June 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 378.]

4. Regulation 1 amended

Regulation 1 is amended by inserting after “*Regulations*” —
“ 1966 ”.

5. Regulation 14 amended

Regulation 14(3) is amended by deleting “\$3 967.69” and inserting instead —

“ \$4 054.98 ”.

6. Regulation 15 amended

Regulation 15(3) is amended by deleting “\$652.95,” and inserting instead —

“ \$667.31, ”.

7. Regulation 15A amended

- (1) Regulation 15A(1)(a) is amended by deleting “\$650.52” and inserting instead —

“ \$664.83 ”.

- (2) Regulation 15A(2)(a) is amended by deleting “\$650.52” and inserting instead —

“ \$664.83 ”.

- (3) Regulation 15A(2)(c) is amended by deleting “\$772.34” and inserting instead —

“ \$789.33 ”.

8. Regulation 15B amended

Regulation 15B is amended as follows:

- (a) by deleting “\$309.42” and inserting instead —

“ \$316.23 ”;

- (b) by deleting “\$443.43” and inserting instead —

“ \$453.19 ”;

9. Regulation 15C amended

Regulation 15C(a) is amended as follows:

- (a) by deleting “\$97.46” and inserting instead —

“ \$99.60 ”;

- (b) by deleting “\$652.95” and inserting instead —
“ \$667.31 ”;
- (c) by deleting “\$1 695.74” and inserting instead —
“ \$1 733.04 ”.

10. Regulation 16 amended

Regulation 16(d)(i) is amended by deleting “\$717.52” and inserting instead —

“ \$733.30 ”.

11. Third Schedule replaced

The Third Schedule is repealed and the following Schedule is inserted instead —

“

Third Schedule — Fees and charges

Division 1 — Pilotage at Wyndham

[r. 15]

1. The charges for pilotage of vessels between Nicholls Point and berth at the Port of Wyndham are —

Gross registered tonnage of vessel	Charges for both inward and outward pilotage
Up to 1 499	\$4 456.40
1 500 — 3 000	\$4 560.45
3 001 — 5 000	\$5 062.18
5 001 — 10 000	\$5 597.53
10 001 — 20 000	\$6 716.78
20 001 — 30 000	\$7 509.86
Exceeding 30 000	\$8 221.99

2. The charges for pilotage of vessels within the Port of Wyndham are —

- (a) for pilotage of vessel being removed from a place in the port to another place in the port not being a removal to or to near the pilot boarding ground \$554.03
- (b) for pilotage of vessel from a berth within the port to a place within that port at or near the pilot boarding ground or vice versa 50% of the applicable inward and outward pilotage charge
- (c) where a pilot boat and crew are used in connection with a removal referred to in paragraph (a) a further charge, being launch hire —
- (i) during normal hours \$316.23/hour
- (ii) during overtime hours \$453.19/hour

- | | |
|--|---|
| (d) for pilotage at the Port of Wyndham where a radio watch is required out of hours | an amount equal to the cost of the pilotage service |
|--|---|

Division 2 — Conservancy dues

[r. 18]

1. Conservancy dues payable in respect of any vessel, other than a fishing vessel or a vessel referred to in regulation 18(1)(a) to (j), on the day of first entry of that vessel —
 - (a) subject to paragraph (b), where the length of the vessel exclusive of bowsprit —
 - (i) does not exceed 6 m \$99.70
 - (ii) exceeds 6 m but does not exceed 10 m \$130.40
 - (iii) exceeds 10 m but does not exceed 20 m \$190.90
 - (iv) exceeds 20 m but does not exceed 30 m \$292.90
 - (v) exceeds 30 m but does not exceed 50 m \$446.90
 - (vi) exceeds 50 m but does not exceed 70 m \$698.30
 - (b) where vessel enters port for coal, fuel oil, supplies or orders, and not loading or unloading cargo or taking on more than 10 passengers \$88.90
2. Conservancy dues payable in advance in respect of vessels engaged in Pearl Fishing north of North West Cape —
 - (a) Storeships, for each period of 12 months ending on 31 December, in any year \$15.00
 - (b) Other Pearl Fishing Vessels, for each period of 6 months ending on 30 June and 31 December respectively, in any year \$7.00
3. Conservancy dues payable in respect of the use by a fishing vessel of —
 - the Emu Point Fishing Boat Harbour, Albany;
 - the Fishing Boat Harbour, Carnarvon;
 - the Bandy Creek Small Boat Harbour, Esperance;
 - the Fishing Boat Harbour, Fremantle;
 - the Inner Harbour, Geraldton; or
 - the Fishing Boat Harbour, Port Denison,
 for a period of 12 months ending on 30 June, where the length of the vessel exclusive of the bowsprit —
 - (a) does not exceed 6 m \$99.70

(b) exceeds 6 m but does not exceed 10 m	\$130.40
(c) exceeds 10 m but does not exceed 20 m	\$190.90
(d) exceeds 20 m but does not exceed 30 m	\$292.90
(e) exceeds 30 m but does not exceed 50 m	\$446.90
(f) exceeds 50 m	\$698.30

”.

By Command of the Governor,

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

TR302*

Transport Co-ordination Act 1966

Transport Co-ordination Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transport Co-ordination Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *Transport Co-ordination Regulations 1985**.

[* *Reprint 1 as 16 May 2003.*

For amendments to 2 June 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 414.]

4. Regulation 8A amended

Regulation 8A(d) is amended by deleting “\$1.23.” and inserting instead —

“ \$1.26. ”.

By Command of the Governor,

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

TR303*

Shipping and Pilotage Act 1967
Jetties Act 1926
Western Australian Marine Act 1982

Navigable Waters Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Navigable Waters Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *Navigable Waters Regulations**.

[* Reprint 11 as at 21 March 2003.

For amendments to 31 May 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 375.*]

4. Regulation 45B amended

- (1) The Table to regulation 45B(3a)(b) is amended as follows:
 - (a) by deleting “\$55.40” and inserting instead —
“ \$56.60 ”;
 - (b) by deleting “\$108.60” and inserting instead —
“ \$110.90 ”;
 - (c) by deleting “\$201.70” and inserting instead —
“ \$206.10 ”;
 - (d) by deleting “\$276.20” and inserting instead —
“ \$282.20 ”.
- (2) Regulation 45B(4) is amended by deleting “\$26.10.” and inserting instead —
“ \$26.60. ”.

5. Regulation 45BAA amended

Regulation 45BAA(4)(g) is amended by deleting “\$26.10” and inserting instead —

“ \$26.60 ”.

6. Regulation 45BA amended

- (1) Regulation 45BA(2) is amended as follows:
 - (a) in paragraph (a) by deleting “\$228.30” and inserting instead —
“ \$233.30 ”;
 - (b) in paragraph (b) by deleting “\$62.50” and inserting instead —
“ \$63.80 ”.
- (2) Regulation 45BA(3) is amended by deleting “\$172.00” and inserting instead —
“ \$175.50 ”.
- (3) Regulation 45BA(6a)(b) is amended by deleting “\$61.00.” and inserting instead —
“ \$63.80. ”.

7. Regulation 57 amended

Regulation 57(1) is amended by deleting “Appendix 1A of” and inserting instead —

“ Schedule 2 to ”.

By Command of the Governor,

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

TR304*

Shipping and Pilotage Act 1967
Western Australian Marine Act 1982

Mooring Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mooring Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *Mooring Regulations 1998**.

[* *Reprint 1 as at 8 August 2003.*

For amendments to 31 May 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 371.]

4. Schedule 2 amended

Schedule 2 is amended as follows:

- (a) in items 1, 3, 4, 5, 6 and 7 by deleting “\$48.70” and inserting instead —
“ \$49.70 ”;
- (b) in item 2 by deleting “\$237.70” and inserting instead —
“ \$242.90 ”.

By Command of the Governor,

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

TR305*

Western Australian Marine Act 1982

W.A. Marine (Hire and Drive Vessels) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Hire and Drive Vessels) Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *W.A. Marine (Hire and Drive Vessels) Regulations 1983**.

[* *Reprinted as at 9 March 2001.*

For amendments to 31 May 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 448.]

4. Regulation 4 amended

Regulation 4(2)(e) is amended as follows:

- (a) in substituted clause 3.1.2(1)(b) by deleting “\$291.20” and inserting instead —
“ \$297.60 ”;
- (b) in substituted clause 3.1.2(3)(b) by deleting “\$145.00” and inserting instead —
“ \$148.10 ”;
- (c) in substituted clause 3.1.3(m) by deleting “\$55.70” and inserting instead —
“ \$56.90 ”.

By Command of the Governor,

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

TR306*

Western Australian Marine Act 1982

W.A. Marine (Radiotelephony) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Radiotelephony) Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *W.A. Marine (Radiotelephony) Regulations 1981**.

[* Reprinted as at 16 February 2001.

For amendments to 31 May 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 450.*]

4. Regulation 16 amended

- (1) Regulation 16(2a) is amended by deleting “\$277.90” and inserting instead —
“ \$284.00 ”.
- (2) Regulation 16(2b) is amended by deleting “\$139.00.” and inserting instead —
“ \$142.00. ”.

By Command of the Governor,

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

TR307*

Western Australian Marine Act 1982

W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983**.

[* Reprint 2 as at 17 September 2004.

For amendments to 31 May 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 447.*]

4. Schedule 3 amended

Schedule 3 is amended as follows:

- (a) by deleting “\$55.90” in the 3 places where it occurs and inserting instead —
“ \$57.10 ”;

- (b) by deleting “\$45.40” in the 2 places where it occurs and inserting instead —
“ \$46.30 ”;
- (c) by deleting “\$34.80” and inserting instead —
“ \$35.50 ”;
- (d) by deleting “\$97.10” and inserting instead —
“ \$99.20 ”;
- (e) by deleting “\$90.70” and inserting instead —
“ \$92.60 ”;
- (f) by deleting “\$58.10” and inserting instead —
“ \$59.30 ”;
- (g) by deleting “\$5.60” and inserting instead —
“ \$5.70 ”;
- (h) by deleting “\$8.40” and inserting instead —
“ \$8.50 ”.

By Command of the Governor,

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

TR308*

Marine Navigational Aids Act 1973

Marine Navigational Aids Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Marine Navigational Aids Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *Marine Navigational Aids Regulations 1985**.

[* Reprint 2 as at 1 April 2005.]

4. Schedule amended

The Schedule is amended as follows:

- (a) by deleting “\$” in the first place where it appears;
- (b) by deleting “\$97.50” and inserting instead —
“ \$99.60 ”;
- (c) by deleting “\$127.60” and inserting instead —
“ \$130.40 ”;
- (d) by deleting “\$186.80” and inserting instead —
“ \$190.90 ”;
- (e) by deleting “\$286.60” and inserting instead —
“ \$292.90 ”;
- (f) by deleting “\$437.30” and inserting instead —
“ \$446.90 ”;
- (g) by deleting “\$683.30” and inserting instead —
“ \$698.30 ”.

By Command of the Governor,

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

TR309*

Western Australian Marine Act 1982

W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983**.

[* Reprinted as at 23 August 2002.

For amendments to 1 June 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 451.*]

4. Schedule 1 amended

- (1) Schedule 1 clause 1 is amended by deleting the Table to paragraph (a) and inserting instead —

“

Table

Length of vessel (metres)	Examination of plans (\$)	Initial survey (\$)	Subsequent surveys (\$)
Not over 5	361	507	149
Over 5 but not over 6	418	698	178
Over 6 but not over 7	455	984	217
Over 7 but not over 8	587	1 306	234
Over 8 but not over 9	724	1 702	252
Over 9 but not over 10	849	2 092	266
Over 10 but not over 11	1 046	2 515	293
Over 11 but not over 12	1 242	2 944	322
Over 12 but not over 13	1 435	3 369	352
Over 13 but not over 14	1 638	3 792	379
Over 14 but not over 15	1 835	4 217	408
Over 15 but not over 16	2 024	4 644	434
Over 16 but not over 17	2 220	5 069	464
Over 17 but not over 18	2 423	5 494	493
Over 18 but not over 19	2 611	5 918	520
Over 19 but not over 20	2 809	6 345	551
Over 20 but not over 21	3 036	6 801	592
Over 21 but not over 22	3 265	7 257	639
Over 22 but not over 23	3 493	7 713	683
Over 23 but not over 24	3 727	8 177	724
Over 24 but not over 25	3 951	8 629	765
Over 25 but not over 26	4 187	9 084	807
Over 26 but not over 27	4 409	9 541	849
Over 27 but not over 28	4 644	10 006	896
Over 28 but not over 29	4 868	10 462	937
Over 29 but not over 30	5 097	10 915	980
Over 30 but not over 31	5 357	11 406	1 038
Over 31 but not over 32	5 622	11 903	1 097
Over 32 but not over 33	5 877	12 389	1 152
Over 33 but not over 34	6 143	12 882	1 211
Over 34 but not over 35	6 403	13 370	1 268
Over 35 but not over 36	6 668	13 859	1 325
Over 36 but not over 37	6 935	14 348	1 385
Over 37 but not over 38	7 188	14 846	1 436

Length of vessel (metres)	Examination of plans (\$)	Initial survey (\$)	Subsequent surveys (\$)
Over 38 but not over 39	7 452	15 332	1 494
Over 39 but not over 40	7 713	15 822	1 552
Over 40 but not over 41	8 011	16 341	1 628
Over 41 but not over 42	8 302	16 867	1 699
Over 42 but not over 43	8 595	17 396	1 768
Over 43 but not over 44	8 891	17 909	1 842
Over 44 but not over 45	9 184	18 443	1 913
Over 45 but not over 46	9 478	18 957	1 981
Over 46 but not over 47	9 773	19 479	2 054
Over 47 but not over 48	10 065	20 007	2 125
Over 48 but not over 49	10 365	20 527	2 195
Over 49 but not over 50	10 655	21 048	2 270
Over 50	10 946	21 572	2 339

”.

- (2) Schedule 1 clause 1(b) is amended by deleting “\$109.70/hour” in the 5 places where it occurs and inserting instead —

“ \$112.10/hour ”.

- (3) Schedule 1 is amended by deleting clauses 2 to 4 and inserting instead —

“

2. Other Fees and Charges

The following fees are payable in relation to the matters set out in this item —

- | | |
|--|---------------|
| (a) issue of certificate of survey where the Department accepts a certificate of survey issued by another marine authority | \$81.90 |
| (b) extension of period of validity of certificate of survey | \$81.90 |
| (c) issue of replacement or copy of certificate of survey | \$81.90 |
| (d) pressure vessel — | |
| (i) examination of the plans (*see note 1) | \$112.10/hour |
| (ii) initial survey and test | \$112.10/hour |
| (e) crane installation on a vessel — | |
| (i) examination of the plans (*see note 1) | \$112.10/hour |
| (ii) survey and test | \$112.10/hour |

- (f) towage permit —
- | | |
|---|------------------------------------|
| (i) inspection of towage arrangement before the issue of permit | \$112.10/hour plus travel expenses |
| (ii) issue of permit | \$81.90 |
- (g) permit to operate —
- | | |
|---|------------------------------------|
| (i) inspection before the issue of a permit | \$112.10/hour plus travel expenses |
| (ii) issue of permit | \$81.90 |
- (h) permit to trial —
- | | |
|---|------------------------------------|
| (i) inspection before the issue of permit | \$112.10/hour plus travel expenses |
| (ii) issue of permit | \$81.90 |
- (i) data checking —
- | | |
|---|-----------|
| (i) Check of Vessel Stability Data categories S, T, C.4, M, C.11, C.12.7.1, C.14.1
(*see note 1) — | |
| (I) cost for first category or class | \$559.40 |
| (II) cost for each additional category or class | \$280.20 |
| (ii) Check of Vessel Stability for remaining categories
(*see note 1) — | |
| (I) cost for first category or class † | \$1679.30 |
| (II) cost for each additional category or class † | \$559.40 |

(III) cost for
each
additional
category S,
T, C.4, M,
C.11,
C.12.7.1,
C.14.1 \$280.20

† *The fees for these remaining categories will be subject to a 50% reduction if complete technical information is supplied in an electronic form compatible with the software held at the Department. (Software submission format: HYDROMAX, WOLFSON, MAST.)*

- | | | |
|-----|--|---|
| | (iii) Checking of
lightskip data | \$559.40 |
| (j) | attendance at inclining
experiment, roll period
test, authorised practical
stability test or lightskip
test | \$559.40 |
| (k) | issue of Load Line
Certificate | \$56.10/m x
length of
vessel |
| (l) | surveyor required to
attend a vessel, site or
meeting | \$112.10/hour
plus travel
expenses |
| (m) | performance of survey
or service during
overtime hours,
weekends or public
holidays (in addition to
other applicable fees,
and in lieu of other
hourly fees applicable if
performance is during
normal working hours) | 133.60/hour |
| (n) | request for information
requiring search of — | |
| | (i) printed records | \$111.50/hour,
minimum
charge
\$111.50 |
| | (ii) computer
records | \$123.20/hour,
minimum
charge
\$123.20 |
| (o) | photocopying | 90c/page |
| (p) | for a surveyor to attend a
vessel, site, meeting or
other survey or service
outside the metropolitan
area, on the request of
the owner | 80c/km
travelled
outside the
metropolitan
area by car |

- Notes:
1. The fees for examination of plans and for checking stability data [items marked (*)] allow for returning plans/data to the applicant for one amendment. If further amendment or checking is required, the fee for the surveyor's time for checking, examining and approving plans or data is \$112.10/hour.
 2. Hourly fees are charged per hour or part of an hour.
 3. Fees provided for in this item may be waived if, in the opinion of the chief executive officer —
 - (a) the service is delivered in the interest of the Commercial Safety section (e.g. extension of survey where surveyor unavailable); or
 - (b) the service is a remedy to an oversight or delay for which the regulations have not allowed (e.g. permit to operate issued if Certificate of Survey is authorised, but cannot be printed).

3. Fees for Hire and Drive Vessels

The survey fees for vessels licensed under the *W.A. Marine (Hire and Drive Vessels) Regulations 1983* are as follows —

- | | |
|--|------------------------|
| (a) power boats not exceeding 5 m in length | \$73.20 |
| (b) sailing boats other than sailboards | \$73.20 |
| (c) boats propelled exclusively by oars or paddles, and sailboards | \$45.20 |
| (d) all other boats exceeding 5 m in length (including houseboats) | fees set out in item 1 |

4. Annual exemption fee

- | | |
|---|----------|
| (1) The annual exemption fee where the length of the vessel — | |
| (a) does not exceed 5 m | \$60.40 |
| (b) exceeds 5 m but does not exceed 10 m | \$120.80 |
| (c) exceeds 10 m but does not exceed 20 m | \$223.10 |
| (d) exceeds 20 m but does not exceed 30 m | \$304.00 |
| (2) Recording of transfer of vessel | \$30.10 |

”.

By Command of the Governor,

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

TR310*

Rail Safety Act 1998

Rail Safety Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Rail Safety Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 July 2005.

3. The regulations amended

The amendments in these regulations are to the *Rail Safety Regulations 1999**.

[* *Reprint 1 as at 18 June 2004.*

For amendments to 13 June 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 326.]

4. Schedule 2 amended

- (1) Schedule 2 items 1(c)(i) and (ii), 2(b)(i) and (ii), 3(b)(i) and (ii) and 9(b)(i) and (ii) are amended by deleting “10 000 km” and inserting instead —
“ 15 000 km ”.
- (2) Schedule 2 item 2 is amended by deleting “100.14” and inserting instead —
“ 89.60 ”.
- (3) Schedule 2 item 3 is amended as follows:
 - (a) by deleting “3 hours” and inserting instead —
“ 15 hours ”;
 - (b) by deleting “100.14” and inserting instead —
“ 89.60 ”.
- (4) Schedule 2 items 5 and 7 are amended by deleting “25.9868” and inserting instead —
“ 23.8794 ”.
- (5) Schedule 2 items 6 and 8 are amended by deleting “0.0242” and inserting instead —
“ 0.0214 ”.

By Command of the Governor,

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

— PART 2 —

EDUCATION AND TRAINING

ED401

VOCATIONAL EDUCATION AND TRAINING ACT 1996 APPOINTMENT

The Minister for Education and Training acting under section 19 (a) of the *Vocational Education and Training Act 1996* has appointed Keith Spence, C/- Woodside Energy Ltd, St George's Terrace, Perth WA to be member and chairperson of the State Training Board for the period commencing 6 May 2005 and ending 30 June 2008.

Dated this 20th day of June 2005.

PAUL ALBERT, Director General,
Department of Education and Training.

HEALTH

HE401*

MEDICAL ACT 1894 THE MEDICAL BOARD OF WESTERN AUSTRALIA Orders of the Board

Inquiry No: 1987-138.

Date Heard: 26 October 2004 and 17 June 2005.

Date Delivered: 17 June 2005.

In the matter of the Medical Act 1894 and in the matter of Dr Adam Nuttall and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act.

Before: Professor B. A. R. Stokes AM MBBS FRACS FRCS (Chairman); Dr F. Jefferies MBBS; Ms A. White; Ms P. Giles BA LLB (Hons); Dr P. Wallace OAM, MBChB, FRACGP, FACRRM.

Ms M. Naylor for the Board.

Dr J. Edelman and Dr D. Smith for Dr Nuttall.

Upon hearing Ms M. Naylor, Counsel Assisting the Medical Board, and Dr J. Edelman and Dr D. Smith for Dr Adam Nuttall, on the allegations contained in the Re-Amended Notice of Inquiry issued on 12 October 2004, the Board finds Dr Nuttall guilty of infamous conduct and orders that—

1. Dr Nuttall's name is removed from the Register.
2. Dr Nuttall pay the reasonable costs of the inquiry.

Dated the 20th day of June 2005.

(Signed) Registrar.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999 PERMIT DETAILS

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Pringle	Nathan Thomas	CS5111	06/06/2005

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

BRIAN YEARWOOD, Director Contracted Services.

LOCAL GOVERNMENT

LG401

CEMETERIES ACT 1986**CEMETERIES (UPPER PRESTON CEMETERY—TRANSFER OF MANAGEMENT AND DISSOLUTION OF BOARD) ORDER 2005**

Made by the Governor in Executive Council under sections 5 and 7(4) of the Act.

1. Citation

This Order may be cited as the *Cemeteries (Upper Preston Cemetery —Transfer of Management and Dissolution of Board) Order 2005*.

2. Commencement

This Order shall come into operation as from 1 July 2005.

3. Interpretation

In this Order—

‘Board’ means the Upper Preston Cemetery Board deemed to have been established under section 7 of the Act;

‘Cemetery’ means the Upper Preston Cemetery, being the land comprising Upper Preston Cemetery (Reserve No 1385), deemed to be a cemetery under the Act;

‘Commencement’ means the commencement of the Order; and

‘Shire’ means the Shire of Donnybrook/Balingup.

4. Transfer of management of Cemetery to Shire

The care, control and management of the Cemetery is transferred from the Board to the Shire.

5. Transfer and vesting of assets and liabilities

The assets and liabilities are transferred to and vested in the Shire and the Shire has all the powers necessary to take possession of, recover and deal with such assets and discharge such liabilities.

6. Dissolution of the Board

The Board is dissolved.

7. Transitional provisions

(1) The Shire shall take delivery of all documents and records (however compiled, recorded or stored) relating to the operations of the Board.

(2) Anything lawfully commenced by or in relation to the Board may, so far as it is not contrary to the Act, be carried on and completed by or in relation to the Shire.

(3) Any agreement or instrument subsisting immediately before the commencement to which the Board was a party or which contains a reference to the Board has effect after the commencement as if—

(a) the Shire was substituted for the Board as a party to the agreement or instrument; and

(b) any reference in the agreement or instrument to the Board were, unless the context otherwise requires, a reference to the Shire.

(4) Reference to the Board in a written law as in force immediately before the commencement shall, unless because of the context it would be inappropriate so to do, be read and construed as references to the Shire.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Council.

LG402*

LOCAL GOVERNMENT ACT 1995*City of Albany*
(BASIS OF RATES)

Department of Local Government
and Regional Development
20 June 2005.

DLGRD: AL5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon John Bowler MLA, Minister for Local Government and Regional Development being charged for the time being, with the administration of

the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2005.

CHERYL GWILLIAM, Director General.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA

City of Albany

All those portions of land comprised in the schedules below—

SCHEDULE “A”

All those portions of land delineated in black and coloured green on Deposited Plan 47443.

SCHEDULE “B”

All those portions of land being Lots 35 to 48 inclusive and Lot 50 and Lot 51 as shown on Plan 13674; Lots 20 to 31 inclusive, Lot 33 and Lot 34 as shown on Plan 13512; Lot 100 as shown on Plan 22710; Lots 21 to 30 inclusive as shown on Plan 22853 and Lot 115 as shown on Plan 23099.

SCHEDULE “C”

All those portions of land being Lot 140 as shown on Diagram 100584; Lot 1 as shown on Diagram 82020; Lot 1 as shown on Diagram 19930; Lot 110 as shown on Diagram 99223; Lot 111, Lot 118 and Lot 119 as shown on Diagram 99921; Lot 116 as shown on Diagram 99203; Lot 117 as shown on Diagram 99224; Lot 2 as shown on Diagram 67010; Lot 32 as shown on Diagram 59270; Lots 52 to 54 inclusive as shown on Diagram 60857; Lots 1 to 3 inclusive as shown on Diagram 99402; Lot 5 as shown on Diagram 78114; Lots 10 to 14 inclusive and Lots 16 to 19 inclusive as shown on Diagram 60275; Lot 130 as shown on Diagram 70239; Lot 61 and Lot 62 as shown on Diagram 94316; Lot 55 as shown on Diagram 59368; Lot 1 as shown on Diagram 29874; Lot 18 and Lot 19 as shown on Diagram 96758; Lot 1 as shown on Diagram 31019; Lot 1 as shown on Diagram 46078; Lot 11 and Lot 12 as shown on Diagram 90324; Lot 1 as shown on Diagram 89593 and Lot 50 as shown on Diagram 94159;

SCHEDULE “D”

All those portions of land being Lot 103, Lot 105, Lot 111, Lot 112, Lot 116, Lot 119 and Lot 122 as shown on Deposited Plan 23989; Lot 108, Lot 109, Lot 115, Lot 127 and Lot 128 as shown on Deposited Plan 24142; Lot 110, Lot 114, Lot 117, Lot 118, Lot 121, Lot 124, Lot 125, Lot 126, Lot 130, Lot 131, Lot 132, Lot 135, Lot 137 and Lot 9003 as shown on Deposited Plan 40024; Lot 120 and Lot 123 as shown on Deposited Plan 29630; Lot 229 as shown on Deposited Plan 36283; Lot 133 and Lot 134 as shown on Deposited Plan 25656; Lots 144 to 146 inclusive and Lot 2001 as shown on Deposited Plan 39641; Lot 101, Lot 102, Lot 104 and Lot 106 as shown on Deposited Plan 44656; Lot 107 as shown on Deposited Plan 25524; Lot 113 as shown on Deposited Plan 37351; Lots 2 to 5 inclusive, Lots 25 to 31 inclusive and Lot 39 as shown on Deposited Plan 224179; Lot 2 as shown on Deposited Plan 80994; Lot 34 as shown on Deposited Plan 149329; Lot 40 as shown on Deposited Plan 191065; Lot 109, Lot 112, Lot 113 and Lot 114 as shown on Deposited Plan 39255; Lot 115 as shown on Deposited Plan 23099; Lot 3093 as shown on Deposited Plan 108765; Lot 300 and Lot 301 as shown on Deposited Plan 42034; Lots 21 to 30 inclusive as shown on Deposited Plan 22853; Lot 54 as shown on Deposited Plan 118011; Lot 350 and Lot 351 as shown on Deposited Plan 46120; Lot 66, Lot 67, Lot 69 and Lot 70 as shown on Deposited Plan 40861; Lot 65 and Lot 71 as shown on Deposited Plan 35665; Lot 68 as shown on Deposited Plan 37077; Lot 20 and Lot 21 as shown on Deposited Plan 39502; Lot 211 and Lot 212 as shown on Deposited Plan 144792; Lot 226 as shown on Deposited Plan 230722; Lot 233 as shown on Deposited Plan 170312; Lot 224 as shown on Deposited Plan 170301; Lots 142 to 149 inclusive as shown on Deposited Plan 230724; Lot 175 and Lot 176 as shown on Deposited Plan 144793; Lots 150 to 152 inclusive and Lots 154 to 162 inclusive as shown on Deposited Plan 230724; Lot 247 as shown on Deposited Plan 184492; Lot 38 as shown on Deposited Plan 164537; Lot 46 and Lot 47 as shown on Deposited Plan 190268; Lot 3 as shown on Deposited Plan 81283; Lot 6 as shown on Deposited Plan 145671; Lots 42 to 45 inclusive as shown on Deposited Plan 187712; Lots 22 to 27 inclusive as shown on Deposited Plan 145671; Lot 48 and Lot 49 as shown on Deposited Plan 190269; Lots 29 to 39 inclusive as shown on Deposited Plan 214475; Lots 43 to 46 inclusive as shown on Deposited Plan 185303; Lots 1 to 4 inclusive, Lot 14, Lot 15 and Lots 19 to 24 inclusive as shown on Deposited Plan 162026; Lot 52 as shown on Deposited Plan 188115; Lot 6456 as shown on Deposited Plan 166049; Lot 6920 as shown on Deposited Plan 170135; Lot 6936 as shown on Deposited Plan 170070; Lot 3 as shown on Deposited Plan 207344; Lot 6989 as shown on Deposited Plan 170828; Lot 1181 as shown on Deposited Plan 116375; Lot 380 as shown on Deposited Plan 251107; Lot 6937 as shown on Deposited Plan 170045; Lot 22 to 24 inclusive as shown on Deposited Plan 211284; Lots 2 to 4 inclusive as shown on Deposited Plan 44645; Lots 6 to 9 inclusive as shown on Deposited Plan 209830; Lot 35 as shown on Deposited Plan 180883; Lot 38 as shown on Deposited Plan 174857; Lot 6953 as shown on Deposited Plan 170245; Lot 6990 as shown on Deposited Plan 170829; Lot 7505 and Lot 7715 as shown on Deposited Plan 190647; Lot 4919 as shown on Deposited Plan 159795 and Lot 32 on Deposited Plan 29889.

SCHEDULE “E”

All those portions of Plantagenet Location 7442 (Reserve 878) comprising Site 2, Site 3, Sites 7 to 11 inclusive and Sites 14 to 22 inclusive being the subject of Deposited Plan 194000.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982**NAVIGABLE WATERS REGULATIONS****WATER SKI AREA**

Woody Lake

*Shire of Esperance*Department for Planning and Infrastructure,
Fremantle WA, 24 June 2005.

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

Woody Lake: - All those waters of Woody Lake, provided however that skiing is prohibited within 60 metres of the foreshore except within the designated take-off and landing area, defined as commencing at a point 33°48.9909'S, 121°54.9550'E thence south-easterly to a point on the shore 33°49.0174'S, 121°54.9781'E thence along the shore to a point 33°49.0024'S, 121°55.0016'E thence north-westerly to a point 33°48.9773'S, 121°54.9769'E and marked by signs on the foreshore. This area has been set aside for use by the Western Australian Water Ski Association (Inc) and is under the control of the Esperance Water Ski Club. It is further PROVIDED HOWEVER that public water skiing is prohibited when the water depth is less than 1.8 metres. When the water depth is between 1.8 metres and 1.4 metres the Tournament Water Ski area of 300 metres by 100 metres as marked by buoys on the water is set aside for the exclusive use of the Esperance Water Ski Club. When the water depth is less than 1.4 metres all skiing on that lake is prohibited. (All coordinates based on GDA94)

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982**NAVIGABLE WATERS REGULATIONS****PARASAIL AREA***City of Bunbury*

Back Beach

Department for Planning and Infrastructure
Fremantle WA, 24 June 2005.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the department by this notice revokes Notice TR402 as published in the *Government Gazette* on 8 August 1997.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

MX403*

WESTERN AUSTRALIAN MARINE ACT 1982**BOATING PROHIBITED AREA***City of Joondalup*

Hillarys Boat Harbour

Department for Planning and Infrastructure
Fremantle WA, 24 June 2005.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, the department by this notice revokes paragraph (31)(iv) of Notice TR402 as published in the *Government Gazette* on 27 January 1995.

GREG MARTIN, Chief Executive Officer,
Department for Planning and Infrastructure.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967**SURRENDER OF PRODUCTION LICENCE WA-19-L & WA-21-L**

The surrender of Production Licence No's. WA-19-L and WA-21-L has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

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

MP402*

COMMONWEALTH OF AUSTRALIA

PETROLEUM (SUBMERGED LANDS) ACT 1967

Section 37(1)

DECLARATION OF A LOCATION

I, William Lee Tinapple, Director Petroleum and Royalties Division of the Department of Industry and Resources for the State of Western Australia, delegate of the Designated Authority, in respect of the area specified as being adjacent to the State of Western Australia by virtue of an instrument of delegation dated 26 March 2004 and published in the *Government Gazette* of Western Australia on 2 April 2004, declare the following block to be a location for the purpose of Part III of the Act.

Block No.	Rowley Shoals Map Sheet	Field	Location No.
2910		Lambert Deep	1SL/04-5

This block is the subject of Exploration Permit No. WA248P held by—

Woodside Energy Ltd
Japan Australia LNG (MIMI) Pty Ltd
Kufpec Australia Pty Ltd

Dated at Perth on this 21st day of June 2005.

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

MP404**MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Industry and Resources,
Coolgardie WA 6430.

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

S. SHARRATT (SM), Warden.

To be heard in the Warden's Court at Coolgardie on 15th August, 2005.

COOLGARDIE MINERAL FIELD**Prospecting Licences**

15/4203—Williams, John Dennis

15/4204—Williams, John Dennis

16/2021—Allen, Royce William

MP403**MINING ACT 1978**
CANCELLED FORFEITUREDepartment 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 exploration licence forfeited for breach of covenant viz; automatic forfeiture for non payment of penalty imposed on the licence and restore the licensee to its former estate.

ALAN CARPENTER, MLA, Minister for State Development.

Number	Holder	Mineral Field
80/2459	Austar Mining Corporation NL	Kimberley

MP405**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Industry and Resources,
Coolgardie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Act 1978, notice is hereby given that the following licence is liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. failure to meet the minimum expenditure requirement.

S. SHARRATT (SM), Warden.

To be heard in the Warden's Court at Coolgardie on 15th August, 2005.

COOLGARDIE MINERAL FIELD
Prospecting Licence

15/3653—Chitty, Charles George

PLANNING AND INFRASTRUCTURE

PI401***TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Canning*

Town Planning Scheme No. 40—Amendment No. 131

Ref: 853/2/16/44 Pt 131

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Canning town planning scheme amendment on 20 June 2005 for the purpose of amending the zoning of a portion of 78-82 Vellgrove Avenue (Lot 83), Parkwood from Shopping to Residential with a Density Coding of R30.

M. S. LEKIAS, Mayor.
D. CARBONE, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 184

Ref: 853/6/16/7 Pt 184

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Murray town planning scheme amendment on 20 June 2005 for the purpose of—

1. Rezoning portion of Lot 24 Lakes Road, Nambeelup, from 'Rural' to 'Special Use—Kennels', as more clearly shown on the Scheme Amendment Map.
2. Amending Schedule 5—Special Use Zone as follows—

In Column A

Deleting the words 'Lot 25 Lakes Road, Nambeelup' and inserting 'Portion of Lot 24 and Lot 25 Lakes Road, Nambeelup'.

In Column B

Amending Special Provision No 3 by deleting the last part that reads—

- 'Boarding Kennels—

In this part "Boarding Kennels" means a place where dogs, other than those of the resident, are kept on a temporary basis.' and inserting—

- 'Canine Supply Outlet'.

Deleting Special Provision No 5 and inserting the following—

- 5 'Subdivision for portion of Lot 24 Lakes Road shall be generally in accordance the Subdivision Guide Plan dated December 2004, and subdivision for Lot 25 Lakes Road shall be generally in accordance the Subdivision Guide Plan dated September 2002, or any variation to that plan approved by the Western Australian Planning Commission.'

Deleting Special Provision No 6 and insert the following—

- 6 'Within any application for subdivision, building envelopes are to be identified for each lot setback not less than 10 metres to any boundary and positioned with the objective of protecting the maximum amount of vegetation possible. Buildings shall only be permitted within building envelopes as indicated on the subdivision guide plan.'

Deleting the first sentence of Special Provision No 9 that reads—

'Building and development (including kennels) shall be restricted to the allocated building envelopes shown on the approved subdivision plan.'

Amending Special Provision No 15 by inserting the words 'of original Lot 25' after the word '20'.

Deleting Special Provision No 17.

Amending Special Provision No 20 by inserting the words 'on original Lot 25' after the word 'envelopes'.

Amending Special Provision No 23 by adding the following words after the word 'estate'; 'including kennels, that shall be constructed in brick'.

Deleting Special Provision No 26 and inserting the following—

- 26 'Lot owners/Occupiers shall collect all dog faeces from all areas accessible by dogs for off-site disposal via a Council approved Dog Faeces Collection Service where required, or disposed of in an approved manner off site.'

Amending Special Provision No 27 by deleting the word 'alternative' and inserting the word 'appropriate'.

Adding new Special Provisions as follows—

'34 A foreshore reserve with its width based on biophysical criteria should be created for Nambeelup Brook in consultation with the Shire of Murray and the Department of Environment and ceded to the Crown free of cost and without payment of compensation as a reserve under section 20A of the Town Planning and Development Act.

35 Prior to commencement of any site works, the proponent should be required to prepare and implement a Foreshore Management Plan for Nambeelup Brook to the satisfaction of the Shire of Murray and in consultation with the Department of Environment.

36 Prior to subdivision of the land, uniform ringlock (dog proof) fencing shall be erected along all property boundaries that adjoin the proposed recreation reserve areas as identified on the Subdivision Guide Plan.

37 Preparation and Implementation of a comprehensive drainage plan in accordance with the Department of Environment Water and Sensitive Design Guidelines. The plan must show expected runoff levels, the areas and method of filtration and measures of control.

38 Prior to the commencement of any works on site—

- a site assessment shall be undertaken in accordance with the Western Australian Planning Commission guidelines (No 64) to determine whether acid sulfate solids are present on the land and, if present, their extent and severity;

- if the site is found to contain acid sulfate soils, an acid sulfate management plan shall be submitted to and approved by the Department of Environment; and
- all site works shall be carried out in accordance with the provisions of the approved management plan.'

39 No kennel shall be approved unless it is connected to on-site effluent disposal system for the disposal of kennel waste only, constructed to the satisfaction of the Shire. This system shall not be used for the disposal of any liquid waste from any residence or residential activity.

40 Dogs shall be kept in kennel buildings from sunset to sunrise.'

3. Adding a new definition Canine Supply Outlet—

'*Canine Supply Outlet*' means a building or use that provides goods or services to the canine industry.'

N. H. NANCARROW, President.
N. LEACH, Chief Executive Officer.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the Interpretation Act 1984, has approved the following temporary appointments—

Hon E. S. Ripper MLA to act temporarily in the office of Premier; Minister for Public Sector Management; Water Resources; Federal Affairs in the absence of the Hon Dr G. I. Gallop MLA for the period 3 to 9 July 2005 (both dates inclusive).

The following Minister's to act temporarily in the office of Minister for Disability Services; Sport and Recreation; Citizenship and Multicultural Interests; Seniors in the absence of the Hon R. C. Kucera MLA for the following periods (all dates inclusive)—

Hon S. M. McHale MLA—24 June to 3 July 2005

Hon L. Ravlich MLC—4 July to 10 July 2005

Hon J. C. Kobelke MLA—11 July to 17 July 2005.

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

PUBLIC SECTOR MANAGEMENT

PS401

PUBLIC SECTOR MANAGEMENT ACT 1994

EXEMPTION IN ACCORDANCE WITH SECTION 25

In accordance with s.25 (1)(a) of the Public Sector Management Act 1994, I partially exempt the Department of Education and Training from the Recruitment, Selection and Appointment Standard, for the advertising of Level 7 and Level 8 positions, as specified to me, in the Education and Training Shared Service Centre during the initial recruitment of staff to the Centre.

The partial exemption allows restricted advertising for applicants for selection to an appointment pool (that will last 12 months) from which people will be appointed to the Education and Training Shared Service Centre. The exemption applies only to the advertising stage and does not apply to any other part of the selection and appointment process.

Under the partial exemption, to be eligible to apply for selection to the pool, applicants must be a permanent public sector employee whose substantive level is the same as the level of the advertised position and who—

- currently hold a substantive position in a corporate services area which includes duties in human resources or finance.
- currently holds a substantive position that is not in a corporate services area but includes some duties in human resources or finance for their agency.
- is a registered employee (redeployee).

The partial exemption only applies for the initial pool for the specified Level 7 and Level 8 positions and does not apply to any subsequent recruitment.

31 May 2005.

MAXINE MURRAY, Commissioner for Public Sector Standards.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR LICENSING ACT 1988

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
APPLICATIONS FOR THE GRANT OF A LICENCE			
10823	ESS Gumala Pty Ltd	Application for the grant of a Special Facility - Canteen licence in respect of premises situated in Tom Price and known as Nammuldi AWT Ore Project Village	20/06/2005
10811	Kenneth John Solly and Wendy Claire Solly	Application for the grant of a Producer's licence in respect of premises situated in York and known as Hope Farm Guest House.	07/07/2005
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
24103	Whitemark Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Busselton and known as The Geographe Bayview Resort	10/07/2005
23943	Indianic Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated on Rottnest Island and known as Geordie Bay Liquor Store.	12/07/2005

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

Dated: 22 June 2005.

P. MINCHIN, Acting Director of Liquor Licensing.

TRANSPORT

TR401

SHIPPING AND PILOTAGE ACT 1967

APPOINTMENTS

Office of the Minister for
Planning and Infrastructure.

It is hereby notified for general information that the Governor, in Executive Council, has approved in accordance with Section 4 of the *Shipping and Pilotage Act 1967*, the appointments of—

Captain Roger Pettman as a Pilot at the Port of Onslow.

ALANNAH MacTIERNAN, MLA, Minister for Planning and Infrastructure.

PUBLIC NOTICES

ZZ401

COMPANIES (CO-OPERATIVE) ACT 1943

ALBANY ORGANISED PRIMARY PRODUCERS

Change of Address

Notice is hereby given that the registered office of Albany Organised Primary Producers Limited (AOPP) is now situated at Suite 1, Peer House, 2 Canning Highway, South Perth and is accessible to the public as from the twelfth day of June 2005 on Wednesdays and Thursdays between the hours of 10am to 12pm and 2pm to 4pm.

F. D. O'CONNOR, Secretary.

DECEASED ESTATES

ZX401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Claims against the estate of Philip Johnson, late of 662 Sidcup Road, Perrilup, Western Australia should be lodged with the Executors, Mr G. T. Couper and Mrs M. Strike, c/- PO Box 485, Albany, Western Australia before 24 July 2005 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

ZX402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Doreen Lucy Suckling late of Silver Chain Cottage Home, 21 Wright Street, Highgate, Western Australia, Australia, Clerical Worker.

Creditors and other persons having claims (to which section 63 of the Trustee's Act 1962 relates) for the deceased's estate who died on 16th day of January 2005 are required by me the trustee, Brett Kenneth Davies, c/- Brett Davies Lawyers, 201 Adelaide Terrace, Perth WA 6000, to send particulars of your claims to me by 8 July 2005, after which date I will convey or distribute the assets having regard only to the claims of which I have notice.

ZX403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Claims against the estate of Carl Georg Von Brandenstein late of Glenn-Craig Nursing Home, Beaufort Road, Albany, Western Australia should be lodged with the Executors, c/- PO Box 485, Albany, Western Australia before 25 July 2005 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

ZX404**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 24th July 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Baldwin, Alice Mary, late of Collier Park Hostel 20 Morrison Street Como, died 25/5/05, (DE19950762EM214)

Coyne, Rose Louise, late of 45B Avery Avenue Dianella, died 14/4/05, (DE33013571EM22)

Forster, Thelma Vera, late of McDougall Nursing Home 18 Lay Street Como, died 21/5/05, (DE19800447EM36)

Gormly, William James also known as Bill Gormly, late of 48-58 Burgoyne Street Northam, died 10/1/05, (DE19963113EM37)

Gray, Allan John, late of 13 Tait Place Coolbellup, died 11/5/05, (DE19961025EM16)

Komar, Franc, late of 9 Morrit Way Parmelia, died 1/6/05, (DE33041562EM13)

Martin, Ethel Constance, late of Craigmont Nursing Home Third Avenue Maylands formerly of 215 Hartfield Road Forrestfield, died 28/5/05, (DE19784136EM38)

Pettit, Charles Leonard, late of 12B Anise Court Spearwood, died 9/4/05, (DE19700252EM16)
 Pleass, Elizabeth Elsie Mildred, late of 23 Cagney Way Lesmurdie, died 4/6/05, (DE19642100EM37)
 Van Zuilecom, Dulce Margaret, late of 78 Stafford Road Kenwick, died 8/5/05, (DE19752292EM22)
 Websdale, Phyllis Jane, late of Narrogin Nursing Home 52 Williams Road Narrogin, died 18/2/05,
 (DE33015564EM26)
 Welch, Ronald Eustace, late of 5 Barlee Way Beechboro, died 19/6/03, (DE33032415EM17)

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

ZX405

PUBLIC TRUSTEE ACT 1941
 ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the Public Trustee Act 1941 and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 22nd day of June 2005.

A. R. McLAREN, Public Trustee,
 565 Hay Street, Perth WA 6000.

Name of Deceased; Address; Date of Death; Date Election Filed.

Matthews, Brian; (DE33011234EM26); Willagee; 30/6/03; 2/6/05.

Marshall, Francis Dudley; (DE19843015EM37); Karrinyup; 22/11/04; 8/6/05.

WESTERN AUSTRALIA

FREEDOM OF INFORMATION ACT 1992

***Price: \$14.20 counter sales**
Plus postage on 188 grams

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

YOUNG OFFENDERS ACT 1994

***Price: \$35.65 counter sales**
Plus postage on 690 grams

YOUNG OFFENDERS REGULATIONS 1995

***Price \$5.15 counter sales**
Plus postage on 70 grams

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

LABOUR RELATIONS REFORM ACT 2002

**Price: \$25.85 counter sales
Plus postage on 400 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

CRIMINAL INVESTIGATION (IDENTIFYING PEOPLE) ACT 2002

**Price: \$20.95 counter sales
Plus postage on 305 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

CONSTRUCTION CONTRACTS ACT 2004

***Price: \$6.95 counter sales
Plus postage on 100 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

CANNABIS CONTROL ACT 2003

**Price: \$6.95 counter sales
Plus postage on 265 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

SENTENCE ADMINISTRATION ACT 2003

**Price: \$18.50 counter sales
Plus postage on 265 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**MINES SAFETY AND INSPECTION
ACT 1994**

**Price: \$23.40 counter sales
Plus postage on 370 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

SURVEILLANCE DEVICES ACT 1998

**Price: \$20.95 counter sales
Plus postage on 355 grams**

*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**PAWNBROKERS AND SECONDHAND
DEALERS ACT 1994**

**Price: \$18.50 counter sales
Plus postage on 280 grams**

*Prices subject to change on addition of amendments.

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 RATES FOR 2006

All subscriptions are for the period from 1 January to 31 December 2006. 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.

All Gazettes	\$
Within WA	845.90
Interstate	862.40
Overseas (airmail)	1,178.00

Bound Volumes of full year 1,098.90

Gazettes on CD ROM from 1998
(per year)..... 771.10

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	407.00
Interstate	484.00
Overseas (airmail)	558.00

Gazettes on CD ROM from 1998
(per year)..... 333.30

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	803.00
Interstate	981.20
Overseas (airmail)	924.00

Bound Volumes of Hansard

Within WA	792.00
Interstate	804.10
<i>Hansards on CD ROM from 1999</i> (per year)	821.70

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA.....	287.10
Interstate	319.00
Overseas	295.00
Half Calf Bound Statutes	789.80

Bound Volumes on CD ROM from 1998
(per year)..... 286.00

Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA.....	309.10
Interstate	319.00
Overseas (airmail).....	415.00

Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA	423.50
Interstate	444.40
Overseas (airmail)	601.00

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.

