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CONTENTS

PART 1

	Page
Armadale Redevelopment Act 2001—Armadale Redevelopment Amendment Regulations (No. 2) 2006.....	5893
Building and Construction Industry Training Levy Act 1990—Building and Construction Industry Training Levy Repeal Regulations 2006 .....	5880
East Perth Redevelopment Act 1991—East Perth Redevelopment Amendment Regulations (No. 2) 2006 .....	5894
Electricity Industry Act 2004—Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2006.....	5881
Environmental Protection Act 1986—Environmental Protection (Regional Power Stations Noise Emissions) Exemption Order 2006.....	5886
Fair Trading Act 1987—Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2006.....	5879
Fish Resources Management Act 1994—Fish Resources Management Amendment Regulations (No. 7) 2006 .....	5888
Grain Marketing Act 2002—Grain Marketing Amendment Regulations 2006.....	5868
Health Act 1911—Registration, Enforcement and Discharge of Local Authority Charges on Land Amendment Regulations 2006.....	5905
Hope Valley-Wattleup Redevelopment Act 2000—Hope Valley-Wattleup Redevelopment Amendment Regulations 2006.....	5895
Land Administration Act 1997—Land Administration Amendment Regulations (No. 3) 2006 .....	5896
Land Information Authority Act 2006—Land Information Authority (Policy Instruments) Regulations 2006 .....	5897
Licensed Surveyors Act 1909—Licensed Surveyors (Guidance of Surveyors) Amendment Regulations (No. 2) 2006.....	5899
Licensed Surveyors Act 1909—Licensed Surveyors (Transfer of Land Act 1893) Amendment Regulations 2006.....	5900
Mental Health Act 1996—Mental Health (Authorisation of Public Hospitals) Amendment Order 2006 .....	5892
Midland Redevelopment Act 1999—Midland Redevelopment Amendment Regulations 2006.....	5903
Perry Lakes Redevelopment Act 2005—Perry Lakes Redevelopment Amendment Regulations 2006.....	5904
Proclamations—	
Parole and Sentencing Legislation Amendment Act 2006—No. 41 of 2006 .....	5867
Working with Children (Criminal Record Checking) Act 2004—No. 65 of 2006.....	5867
Professional Standards Act 1997—Professional Standards Amendment Regulations 2006.....	5873
Public Sector Management Act 1994—Public Sector Management (General) Amendment Regulations 2006 .....	5920
Racing and Wagering Western Australia Act 2003—RWWA Rules of Greyhound Racing 2005.....	5925
Road Traffic Act 1974—Road Traffic Code Amendment Regulations (No. 3) 2006.....	5921
Sentence Administration Act 2003—Sentence Administration Amendment Regulations 2006.....	5869
Standard Survey Marks Act 1924—Standard Survey Marks Amendment Regulations 2006.....	5911
Strata Titles Act 1985—Strata Titles General Amendment Regulations (No. 5) 2006 .....	5913
Subiaco Redevelopment Act 1994—Subiaco Redevelopment Amendment Regulations (No. 2) 2006.....	5914
Swan River Trust Act 1988—	
Swan River Trust Amendment Regulations (No. 2) 2006 .....	5885
Swan River Trust Amendment Regulations 2006.....	5884
Transfer of Land Act 1893—	
Transfer of Land Amendment Regulations (No. 2) 2006.....	5915
Transfer of Land (Surveys) Amendment Regulations 2006 .....	5916
Valuation of Land Act 1978—Valuation of Land Amendment Regulations 2006 .....	5917
War Service Land Settlement Scheme Act 1954—War Service Land Settlement Scheme Amendment Regulations 2006.....	5918
Working with Children (Criminal Record Checking) Act 2004—Working with Children (Criminal Record Checking) Amendment Regulations (No. 4) 2006.....	5876

PART 2

Consumer and Employment Protection.....	5926
Deceased Estates.....	5940
Environment.....	5926
Fisheries.....	5927
Justice.....	5927
Land.....	5928
Local Government .....	5928
Minerals and Petroleum .....	5931
Parliament .....	5931
Planning and Infrastructure.....	5932
Premier and Cabinet .....	5937
Racing, Gaming and Liquor .....	5937
Regional Development.....	5938
Treasury and Finance .....	5939
WorkSafe.....	5939

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## GOVERNMENT GAZETTE

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Wednesday 27 December 2006 at 12 noon

Friday 29 December 2006 at 12 noon



# — PART 1 —

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## PROCLAMATIONS

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AA101\*

### WORKING WITH CHILDREN (CRIMINAL RECORD CHECKING) ACT 2004

No. 65 of 2004

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comninos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMNINOS MICHAEL  
Governor

I, the Governor, acting under the *Working with Children (Criminal Record Checking) Act 2004* section 2 and with the advice and consent of the Executive Council, fix 1 January 2007 as the day on which sections 50, 51 and 52 come into operation.

Given under my hand and the Public Seal of the State on 5 December 2006.

By Command of the Governor,

D. TEMPLEMAN, Minister for Community Development.

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AA102\*

### PAROLE AND SENTENCING LEGISLATION AMENDMENT ACT 2006

No. 41 of 2006

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comninos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMNINOS MICHAEL  
Governor

I, the Governor, acting under the *Parole and Sentencing Legislation Amendment Act 2006* section 2 and with the advice and consent of the Executive Council, fix 28 January 2007 as the day on which the provisions of that Act, other than sections 71, 74, 75 and 95(3), come into operation.

Given under my hand and the Public Seal of the State on 5 December 2006.

By Command of the Governor,

JIM MCGINTY, Attorney General.

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**AGRICULTURE**

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AG301\*

Grain Marketing Act 2002

**Grain Marketing Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Grain Marketing Amendment Regulations 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Grain Marketing Regulations 2002\**.

[\* *Published in Gazette 30 October 2002, p. 5353-7.*  
*For amendments to 7 December 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

**3. Regulation 7 replaced**

Regulation 7 is repealed and the following regulation is inserted instead —

“

**7. Annual fee for special export licence**

- (1) In this regulation —  
“**licence year**” in respect of a special export licence means a year beginning on the day the special export licence was granted or an anniversary of that day.
- (2) A person who holds a special export licence must pay to the Authority for each licence year for the whole or part of which the licence is held an annual fee of \$500.
- (3) A fee under subregulation (2) must be paid upon the grant of the licence and, during the term of the licence, at the beginning of each licence year after the licence is granted.

”

By Command of the Governor,

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

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**AUDITOR GENERAL**

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AU301\*

Sentence Administration Act 2003

**Sentence Administration Amendment  
Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Sentence Administration Amendment Regulations 2006*.

**2. Commencement**

- (1) These regulations, other than regulation 5, come into operation on the day on which the *Parole and Sentencing Legislation Amendment Act 2006* Part 2 comes into operation.
- (2) Regulation 5 comes into operation on —
  - (a) the day mentioned in subregulation (1); or
  - (b) if the day on which the *Prisons and Sentencing Legislation Amendment Act 2006* section 29 comes into operation is later, that day.

**3. The regulations amended**

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

[\* *Published in Gazette 29 August 2003, p. 3842-50.*  
*For amendments to 30 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

**4. Part 1A inserted**

After regulation 3 the following Part is inserted —

“

**Part 1A — General matters****Division 1 — Prescribed terms and times****3A. Prescribed term (definition of “prisoner” s. 11A)**

For the purposes of the definition of “prisoner” in section 11A(1) of the Act —

- (a) in relation to a prisoner sentenced before 31 August 2003 — a fixed term of 14 years is prescribed; and

- (b) in relation to a prisoner sentenced on or after 31 August 2003 — a fixed term of 9 years is prescribed.

**3B. Prescribed time (s. 13)**

For the purposes of section 13(2) of the Act, the prescribed time in the sentence of a prisoner is no later than 2 years before the day on which the first report about the prisoner under section 12A(2) of the Act is due.

**3C. Prescribed time (s. 14)**

For the purposes of section 14(2) of the Act, the prescribed time in the sentence of a prisoner is no earlier than 2 years before the day on which the prisoner is eligible for release (whether under a parole order or not).

**5. Part 1A Division 2 inserted**

After Part 1A Division 1 the following Division is inserted —

“

**Division 2 — Re-socialisation programmes**

**3D. Commencement of re-socialisation programme**

The implementation of a re-socialisation programme approved under section 13 or 14 of the Act for a prisoner is not to commence until the period remaining to the day on which the prisoner is eligible for release (whether under a parole order or not) is equal to or less than the period determined in accordance with the formula —

$x + y$

where —

x = the duration of the re-socialisation programme; and

y = the period of —

- (i) in the case of a sentence described in column 1 of the Table to section 12A of the Act — 3 months; and
- (ii) in the case of a fixed term sentence — one month.

**3E. Structure of a re-socialisation programme**

- (1) A re-socialisation programme is to be structured so as to ensure a particular prisoner's successful re-integration into the community.

- (2) Without limiting subregulation (1), a re-socialisation programme is to address —
  - (a) the risks associated with the prisoner's re-integration into the community; and
  - (b) the needs of the prisoner in re-integrating into the community.

### **3F. Content of a re-socialisation programme**

- (1) A re-socialisation programme is to comprise activities that contribute to the rehabilitation of a prisoner and the prisoner's successful re-integration into the community.
- (2) Without limiting subregulation (1), a re-socialisation programme is to include activities that —
  - (a) help the prisoner acquire knowledge and skills that will assist the prisoner to adopt a law abiding lifestyle on release; and
  - (b) establish, maintain and strengthen the prisoner's relationships with supportive family and any relevant cultural or community groups; and
  - (c) help the prisoner make reparation for the prisoner's offence; and
  - (d) promote the prisoner's health and wellbeing.
- (3) Without limiting subregulation (1), an activity comprising a re-socialisation programme may —
  - (a) involve absences from prison under the *Prisons Act 1981* section 83 intended to facilitate the rehabilitation and successful reintegration of prisoners into the community; and
  - (b) be subject to conditions regulating or preventing the prisoner's contact with the victim of the prisoner's offence; and
  - (c) where the prisoner is eligible for a re-entry release order, include participation in a re-entry release order.

### **3G. CEO to monitor and report on prisoner's progress**

- (1) The CEO must monitor the progress of a prisoner participating in a re-socialisation programme and give a written report to the Board of that progress —
  - (a) while the prisoner is participating in the programme — if the CEO has any concerns about the prisoner's ability to complete the programme or if the Board requests the written report; and
  - (b) when the prisoner completes the programme.

- (2) A report under subregulation (1)(b) is to address any considerations relating to the release of the prisoner under a parole order or otherwise.

**3H. Suspension of a re-socialisation programme**

- (1) The CEO or the Board may, at any time during a prisoner's participation in a re-socialisation programme and for any reason, suspend the programme in relation to the prisoner.
- (2) If the CEO suspends a programme under subregulation (1) the CEO must, within 3 working days after the suspension, give written notice of the suspension to the Board.

**3I. Reinstatement of a suspended re-socialisation programme**

The Board may reinstate a re-socialisation programme suspended under regulation 3H if the Board is satisfied that the CEO is able to facilitate the reinstatement.

**3J. Cancellation of a re-socialisation programme**

- (1) The Board may, at any time during a prisoner's participation in a re-socialisation programme and for any reason, cancel the programme in relation to the prisoner, irrespective of whether the programme was approved by the Board or the Governor.
- (2) The Board must, as soon as practicable after a cancellation under subregulation (1), give written notice of the cancellation to the Minister if the re-socialisation programme and the prisoner's participation in it were approved by the Governor under section 13 of the Act.

**3K. Reviewable decisions (s. 115A)**

For the purposes of section 115A(3) of the Act —

- (a) a decision by the CEO or the Board under regulation 3H to suspend a re-socialisation programme in relation to a prisoner; or
- (b) a decision by the Board under regulation 3J to cancel a re-socialisation programme in relation to a prisoner,

is a reviewable decision.

”.

By Command of the Governor,

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



AU302\*

Professional Standards Act 1997

## Professional Standards Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Professional Standards Amendment Regulations 2006*.

### 2. The regulations amended

The amendments in these regulations are to the *Professional Standards Regulations 1998\**.

[\* Reprint 1 as at 7 May 2004.]

### 3. Regulation 3 amended

(1) Regulation 3(1) is amended as follows:

- (a) by deleting “under section 20(2) or (3) of the Act,” and inserting instead —

“

for approval of a scheme, or an amendment to or revocation of a scheme,

”.

- (b) by deleting the subregulation designation “(1)”.

(2) Regulation 3(2) is repealed.

Note: The heading to regulation 3 will be altered by deleting “under section 20”.

### 4. Regulation 4 replaced

Regulation 4 is repealed and the following regulation is inserted instead —

“

#### 4. Annual fee for occupational associations subject to a scheme

(1) In this regulation —

“**scheme year**”, in respect of a scheme in force under the Act, means a year beginning on the day the scheme begins or on an anniversary of that day.

- (2) This regulation applies to any occupational association whose members are subject to a scheme in force under the Act.
- (3) In each scheme year of a scheme an occupational association must pay to the Council a fee of \$50 for each of those members of the association who are ordinarily resident in the State and who are subject to the scheme at any time during the year.
- (4) Except as provided in subregulation (5), the association must pay the fee —
  - (a) if the scheme commences during the period of 3 months ending on 31 March in any year — not later than 31 March in each year;
  - (b) if the scheme commences during the period of 3 months ending on 30 June in any year — not later than 30 June in each year;
  - (c) if the scheme commences during the period of 3 months ending on 30 September in any year — not later than 30 September in each year;
  - (d) if the scheme commences during the period of 3 months ending on 31 December in any year — not later than 31 January of each following year.
- (5) If, after the occupational association pays the fee the scheme becomes applicable to an additional member of the association who is ordinarily resident in the State the association must pay the amount relevant to the additional member under subregulation (2) —
  - (a) if the scheme becomes applicable to that member during the period of 3 months ending on 31 March in any year — not later than 31 March;
  - (b) if the scheme becomes applicable to that member during the period of 3 months ending on 30 June in any year — not later than 30 June;
  - (c) if the scheme becomes applicable to that member during the period of 3 months ending on 30 September in any year — not later than 30 September;
  - (d) if the scheme becomes applicable to that member during the period of 3 months ending on 31 December in any year — not later than 31 January of the following year.

”.

**5. Regulations 5 and 6 inserted**

After regulation 4 the following regulations are inserted —

“

**5. Remissions of amounts payable**

- (1) The Council may, if it considers that there are special reasons for doing so in a particular case, remit the whole or any part of a fee payable under regulation 3 or 4.
- (2) The Council may delegate its power to remit payment of a fee to a person holding the position of executive officer of the Council.
- (3) The maximum amount the person may remit under the delegation in a particular case is \$250.

**6. Notification of limitation of liability**

- (1) For the purposes of section 45(2) of the Act, the following form of statement is prescribed —

“

Liability limited by a scheme approved under Professional Standards Legislation.

”

- (2) The statement must be printed in a size not less than the face measurement of Times New Roman typeface in 8 point.

”

By Command of the Governor,

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

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**COMMUNITY DEVELOPMENT**

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CX301\*

Working with Children (Criminal Record Checking)  
Act 2004

## **Working with Children (Criminal Record Checking) Amendment Regulations (No. 4) 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Working with Children (Criminal Record Checking) Amendment Regulations (No. 4) 2006*.

### **2. Commencement**

These regulations come into operation on 1 January 2007.

### **3. The regulations amended**

The amendments in these regulations are to the *Working with Children (Criminal Record Checking) Regulations 2005\**.

[\* *Published in Gazette 21 December 2005, p. 6189-214.*  
*For amendments to 30 November 2006 see Gazette 28 February and 1 March 2006.*]

### **4. Regulation 3 amended**

Regulation 3 is amended by inserting in the appropriate alphabetical position —

“

“**member of the College**” has the meaning given to that term in the *Western Australian College of Teaching Act 2004* section 3(1);

”.

### **5. Regulation 11 amended**

- (1) After regulation 11(1) the following subregulations are inserted —

“

- (1a) Unless otherwise approved, despite subregulation (1)(b), a person carrying out child-related work cannot make an application for an assessment notice sooner than 1 January 2009 if the applicant for the notice is a person registered as a teacher under the

*Western Australian College of Teaching Act 2004*

who —

- (a) carries on a child-related business specified in regulation 23(3) immediately before 1 January 2007; or
  - (b) is employed in child-related employment specified in regulation 23(3) immediately before 1 January 2007.
- (1b) Subregulation (1)(b) does not apply to a person who is provisionally registered as a teacher, holds a limited authority to teach or is an associate member of the College under the *Western Australian College of Teaching Act 2004* carrying out child-related work and who —
- (a) carries on a child-related business specified in regulation 23(3) immediately before 1 January 2007; or
  - (b) is employed in child-related employment specified in regulation 23(3) immediately before 1 January 2007.

- (2) Regulation 11(2) is amended by deleting “Subregulation (1) does” and inserting instead —

“ Subregulations (1) and (1a) do ”.

**6. Regulation 23 inserted**

After regulation 22 the following regulation is inserted —

“

**23. Members of the Western Australian College of Teaching immediately before 1 January 2007 (s. 57(1) and 60(2))**

- (1) For the purpose of section 57(1), section 24(b) applies to a person —
- (a) who is a member of the College immediately before 1 January 2007; and
  - (b) who carries on a child-related business specified in subregulation (3),

from —

- (c) the day on which the person ceases to be a member of the College because his or her registration or provisional registration as a teacher, limited authority to teach or associate membership of the College, as the case may be, under the *Western Australian College of Teaching Act 2004* expires; or
- (d) 1 January 2011,

whichever is the earlier.

- (2) For the purpose of section 60(2), sections 22(6) and 24(a) apply in relation to a person —
- (a) who is a member of the College immediately before 1 January 2007; and
  - (b) who is employed in child-related employment specified in subregulation (3),
- from —
- (c) the day on which the person ceases to be a member of the College because his or her registration or provisional registration as a teacher, limited authority to teach or associate membership of the College, as the case may be, under the *Western Australian College of Teaching Act 2004* expires; or
  - (d) 1 January 2011,
- whichever is the earlier.
- (3) Subregulations (1) and (2) apply in relation to child-related work —
- (a) referred to in section 6(1)(a)(ii) in connection with a community kindergarten registered under the *School Education Act 1999* Part 5; or
  - (b) referred to in section 6(1)(a)(iii) in connection with an educational institution for children; or
  - (c) referred to in section 6(1)(a)(iv) in connection with a coaching or private tuition service of any kind, but not including an informal arrangement entered into for private or domestic purposes; or
  - (d) referred to in section 6(1)(a)(xv) in connection with an overnight camp, regardless of the type of accommodation or how many children are involved, arranged by community kindergarten registered under the *School Education Act 1999* Part 5, an educational institution for children or a service referred to in paragraph (c).

”.

## 7. Schedule 1 amended

Schedule 1 Division 2 clause 13 is deleted.

By Command of the Governor,

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

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## CONSUMER AND EMPLOYMENT PROTECTION

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CE301\*

Fair Trading Act 1987

### Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Fair Trading (Product Safety Standard) Regulations 2001\**.

[\* *Reprint 1 as at 7 October 2005.*

*For amendments to 27 November 2006 see Gazette 21 March and 20 October 2006.]*

**3. Regulation 38 amended**

Regulation 38(4) is amended as follows:

- (a) by inserting after “apply to” —  
“ the following ”;
- (b) after paragraph (c) by deleting “and”;
- (c) after paragraph (d) by deleting the full stop and inserting —  
“  
;  
”;
- (e) medical shields especially designed for use by vision impaired persons.

**4. Part 21 inserted**

After Part 20 the following Part is inserted —

“

#### Part 21 — Objects intended to hold or decorate candles

**54. Interpretation**

In this Part —

“**candle accessory**” means an object intended to hold or decorate a candle.

”.

**55. Product safety standard for candle accessories**

- (1) The product safety standard for a candle accessory consists of the requirements set out in this regulation.
- (2) A candle accessory, when subjected to flame or heat emanating from a candle being held or decorated by it, must not ignite and continue to flame for a period of 5 seconds or more after ignition.

”.

By Command of the Governor,

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

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**EDUCATION AND TRAINING**

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**ED301\***

Building and Construction Industry Training Levy Act 1990

**Building and Construction Industry Training  
Levy Repeal Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Building and Construction Industry Training Levy Repeal Regulations 2006*.

**2. Commencement**

These regulations come into operation on 1 January 2007.

**3. Regulations repealed**

The *Building and Construction Industry Training Levy Regulations 2001* are repealed.

By Command of the Governor,

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



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**ENERGY**


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EN301\*

Electricity Industry Act 2004

## Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2006*.

### 2. The regulations amended

The amendments in these regulations are to the *Electricity Industry (Wholesale Electricity Market) Regulations 2004\**.

[\* *Published in Gazette 30 September 2004, p. 2169-77.*  
*For amendments to 29 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 31 March 2006.*]

### 3. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) by inserting before the item relating to clause 2.13.14 the following item —

“

cl. 2.13.13	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
-------------	---	--

”;

- (b) in the item relating to clause 2.13.14 by deleting “2.13.14” and inserting instead —

“ 2.13.14(a) ”;

- (c) by inserting after the item relating to clause 2.29.8 the following item —

“

cl. 2.30C.4	B	first contravention: \$15 000 subsequent contraventions: \$30 000
-------------	---	--

”;

(d) by deleting the item relating to clause 3.6.6 and inserting instead —

“

cl. 3.6.6B	C	first contravention: \$50 000 subsequent contraventions: \$100 000
------------	---	---

”;

(e) by inserting after the item relating to clause 3.8.2(c) the following item —

“

cl. 3.11.7A	C	first contravention: \$50 000 subsequent contraventions: \$100 000
-------------	---	---

”;

(f) by deleting the item relating to clause 3.16.8 and inserting the following item instead —

“

cl. 3.16.8A	B	first contravention: \$25 000 plus a daily amount of \$5 000 subsequent contraventions: \$50 000 plus a daily amount of \$10 000
-------------	---	---

”;

(g) by inserting after the item relating to clause 3.21.4 the following items —

“

cl. 3.21A.2	C	first contravention: \$40 000 subsequent contraventions: \$80 000
cl. 3.21A.6	C	first contravention: \$30 000 subsequent contraventions: \$60 000
cl. 3.21A.12	C	first contravention: \$30 000 subsequent contraventions: \$60 000
cl. 3.21A.13	C	first contravention: \$30 000 subsequent contraventions: \$60 000
cl. 3.21B.1	C	first contravention: \$30 000 subsequent contraventions: \$60 000
cl. 3.21B.2	C	first contravention: \$30 000 subsequent contraventions: \$60 000

”;

(h) by deleting the items relating to clauses 6.1.1, 6.4.4, 6.5.1, 6.8.7 and 6.8.9 and inserting instead —

“

cl. 6.5.1A	B	first contravention: \$20 000 subsequent contraventions: \$40 000
cl. 6.6.3	C	first contravention: \$100 000 subsequent contraventions: \$100 000
cl. 6.7.3	C	first contravention: \$40 000 subsequent contraventions: \$80 000
cl. 6.7.4	C	first contravention: \$40 000 subsequent contraventions: \$80 000

”;

- (i) by inserting after the item relating to clause 6.19.9 the following items —

“

cl. 7.5.5	C	first contravention: \$50 000 subsequent contraventions: \$100 000
cl. 7.6A.2(g)	C	first contravention: \$30 000 subsequent contraventions: \$60 000
cl. 7.6A.3(c)	C	first contravention: \$30 000 subsequent contraventions: \$60 000
cl. 7.6A.5(e)	B	first contravention: \$15 000 plus a daily amount of \$500 subsequent contraventions: \$30 000 plus a daily amount of \$1 000
cl. 7.6A.6	B	first contravention: \$25 000 subsequent contraventions: \$50 000

”;

- (j) by deleting the item relating to clause 7.9.11(a) and inserting instead —

“

cl. 7.9.12(a)	C	first contravention: \$30 000 subsequent contraventions: \$60 000
---------------	---	--

”;

- (k) by inserting after the item relating to clause 7.10.6 the following item —

“

cl. 7.10.6A	C	first contravention: \$30 000 subsequent contraventions: \$60 000
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”;

- (l) by deleting the item relating to clause 10.1 and inserting instead —

“

cl. 10.1.2	B	first contravention: \$25 000 subsequent contraventions: \$50 000
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”.

#### 4. Schedule 2 amended

Schedule 2, the Table to clause 1, is amended as follows:

- (a) by deleting “cl. 2.3.7” and inserting instead —  
“ cl. 2.3.8 ”;
- (b) by deleting “cl. 4.16.1” and inserting instead —  
“ cl. 4.15.1 ”.

By Command of the Governor,

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

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**ENVIRONMENT**

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EV301\*

Swan River Trust Act 1988

**Swan River Trust Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Swan River Trust Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

The amendment in these regulations is to the *Swan River Trust Regulations 1989*\*.

[\* Reprinted as at 10 September 2004.]

**4. Schedule 2 amended**

Schedule 2 Form 1 is amended in item 4(a) by deleting “Titles Office Description”.

By Command of the Governor,

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

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EV302\*

Swan River Trust Act 1988

## Swan River Trust Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Swan River Trust Amendment Regulations (No. 2) 2006*.

### 2. The regulations amended

The amendments in these regulations are to the *Swan River Trust Regulations 1989\**.

[\* *Reprint 1 as at 10 September 2004.*]

### 3. Regulation 4 amended

(1) Regulation 4(1) is amended by inserting after “shall not” —  
“ , except with the approval of the Trust, ”.

(2) Regulation 4(2) is amended by inserting after “the Act” —  
“  
or under the *Metropolitan Region Scheme* clause 30A  
”.

### 4. Regulation 5 amended

Regulation 5(2) is amended by inserting after “the Act” —  
“  
or under the *Metropolitan Region Scheme* clause 30A  
”.

By Command of the Governor,

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

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EV303\*

Environmental Protection Act 1986

## **Environmental Protection (Regional Power Stations Noise Emissions) Exemption Order 2006**

Made by the Minister for the Environment with the approval of the Governor under section 6 of the Act.

### **1. Citation**

This order is the *Environmental Protection (Regional Power Stations Noise Emissions) Exemption Order 2006*.

### **2. Commencement**

This order comes into operation on —

- (a) if it is published in the *Gazette* on or before 1 January 2007 — 1 January 2007; or
- (b) if it is published in the *Gazette* after 1 January 2007 — the day on which it is published in the *Gazette*.

### **3. Interpretation**

In this order —

“**EP (Noise) Regulations**” means the *Environmental Protection (Noise) Regulations 1997*;

“**Regional Power Corporation**” means the body corporate established under the *Electricity Corporations Act 2005* section 4(1)(d);

“**regional power station**” means premises owned or operated by the Regional Power Corporation for the purposes of electrical power generation and located in or near a townsite specified in Schedule 1 column 1.

### **4. Application**

(1) In this clause —

“**former RPC land**” means land that is or premises that are —

- (a) owned by the Regional Power Corporation on the day on which this order comes into operation; and
- (b) sold or leased after that day.

- (2) This order applies to each of the regional power stations located in or near a townsite specified in Schedule 1 column 1.
- (3) This order ceases to apply to a regional power station in or near a townsite specified in Schedule 1 column 1 on the date specified opposite that townsite in Schedule 1 column 2.
- (4) Nothing in this order applies in respect of noise received on former RPC land after the day on which the former RPC land is sold or leased by the Regional Power Corporation.

**5. Declaration of exemption and requirement to comply**

- (1) The provisions of Part V of the Act and the EP (Noise) Regulations do not apply to noise emitted from the operation of a regional power station to which this order applies.
- (2) In subclause (1) the reference to “noise emitted from the operation of a regional power station” does not include a reference to noise emitted from the following —
  - (a) the operation of vehicles on the premises;
  - (b) any construction work, as defined in the EP (Noise) Regulations regulation 13(1), on the premises;
  - (c) safety warning devices fitted to motor vehicles or buildings on the premises;
  - (d) audible alarms on the premises.
- (3) The exemption under subclause (1) is subject to clause 4(4) and the conditions specified in Schedule 2.
- (4) The Regional Power Corporation must comply, or ensure compliance, with the conditions specified in Schedule 2.

**Schedule 1 — Location and cessation dates**

[cl. 2, 3]

<b>Column 1 Townsite</b>	<b>Column 2 Cessation of order</b>
Hopetoun	June 30 2007
Broome	December 31 2007
Camballin	December 31 2007
Derby	December 31 2007
Fitzroy Crossing	December 31 2007
Halls Creek	December 31 2007
Carnarvon	December 31 2008
Marble Bar	December 31 2008
Nullagine	December 31 2008

## Schedule 2 — Conditions of exemption

[cl. 4]

### 1. Excessive noise to be reduced where practicable

- (1) Noise emissions from the operation of regional power stations to which this order applies are to be reduced as far as is reasonably practicable.
- (2) Measures which have been introduced to control noise emissions are to be maintained so that their effectiveness in reducing noise emissions is not impaired.
- (3) It is not a breach of this order if a reasonably practicable measure is identified, provided that the measure is implemented in the shortest reasonably practicable time after it is identified.

### 2. The Regional Power Corporation to report progress with compliance programme

The Regional Power Corporation must provide a report to the Director of the Environmental Management Division, Department of Environment and Conservation, every 6 months after the coming into operation of this order, giving details of —

- (a) the progress with the replacement of regional power stations to which this order applies during the previous 6 months; and
- (b) the implementation of any noise reduction measures in respect of those power stations during the previous 6 months.

ALANNAH MacTIERNAN, Minister for the Environment.

Approved by the Governor,

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

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## FISHERIES

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FI301\*

Fish Resources Management Act 1994

## Fish Resources Management Amendment Regulations (No. 7) 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 7) 2006*.



**2. The regulations amended**

The amendments in these regulations are to the *Fish Resources Management Regulations 1995\**.

[\* *Reprint 6 as at 6 October 2006.*

*For amendments to 6 December 2006 see Gazette 10 November 2006.]*

**3. Regulation 3 amended**

Regulation 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**marron trophy waters**” means the waters of —

- (a) Harvey Weir; and
- (b) Lake Navarino (Waroona Dam) and its tributaries; and
- (c) Hutt River;

”.

**4. Regulations 16N and 16NA replaced by regulation 16N**

Regulations 16N and 16NA are repealed and the following regulation is inserted instead —

“

**16N. Possession limit — marron**

- (1) For the purposes of section 51(1) of the Act the maximum quantity of marron that a person may be in possession of —
  - (a) on marron trophy waters or within 500 m of the high water mark of marron trophy waters, is 5 marron; and
  - (b) at any other place, is 20 marron.
- (2) The possession limits prescribed by subregulation (1) do not apply during the non-possession period as defined in regulation 38O.
- (3) The possession limit prescribed by subregulation (1)(b) does not apply to a person who is on private land owned or occupied by the person.
- (4) It is a defence in proceedings against a person under section 51(2) of the Act in respect of the possession of marron —
  - (a) that the marron had been sold by retail to the public; or
  - (b) that the marron were in the person’s possession at a place for the purpose of being —
    - (i) sold by retail to the public; or
    - (ii) served as meals to the public, in, on or from that place; or

- (c) that the marron were in the person's possession —
    - (i) at a place specified in a fish processor's licence under section 83(2) of the Act; and
    - (ii) for the purpose of being processed in accordance with that licence.
- ”.

**5. Regulation 38G amended**

Regulation 38G is amended in the definition of “closed season” by deleting “16” and inserting instead —

“ 23 ”.

**6. Regulation 38I amended**

Regulation 38I(2) is amended as follows:

- (a) by deleting paragraphs (a), (b) and (f);
- (b) by inserting after each of paragraphs (c) to (e) —  
“ and ”.

**7. Regulation 38L amended**

- (1) Regulation 38L is amended by inserting before “A person” the subregulation designation “(1)”.
- (2) At the end of regulation 38L the following subregulation is inserted —

“

- (2) Subregulation (1) does not apply to a person using a boat in the waters of the Donnelly River downstream of the boat ramp at the termination of Boat Landing Road at 34° 27' south latitude (Boat Landing).

”.

**8. Regulation 38O amended**

- (1) Regulation 38O(1) is amended by deleting “closed season” and inserting instead —

“ non-possession period ”.

- (2) After regulation 38O(2) the following subregulation is inserted —

“

- (3) In this regulation —  
“**non-possession period**”, in any year, means the closed season in that year other than the first 12 hours after the end of the 23 days referred to in the definition of “closed season” in regulation 38G.

”.

**9. Regulation 64S amended**

- (1) Regulation 64S(1) is amended by deleting “Subject to regulation 64U, a” and inserting instead —  
“ A ”.
- (2) Regulation 64S(2)(a) is deleted.
- (3) Regulation 64S(4) is amended as follows:
- (a) by deleting paragraphs (a), (b) and (f) and “or” after paragraph (f);
  - (b) after paragraph (g) by deleting the full stop and inserting instead —  
“  
; or  
(h) of Big Brook Dam, Drakes Brook Dam, Glen Mervyn Dam, Logue Brook Dam and Lake Navarino (Waroona Dam).  
”;
  - (c) after each of paragraphs (c) to (e) by inserting —  
“ or ”.

**10. Regulation 64U repealed**

Regulation 64U is repealed.

**11. Part 4B Division 3 Subdivision 4 replaced**

Part 4B Division 3 Subdivision 4 is repealed and the following Subdivision is inserted instead —

“

**Subdivision 4 — Bag limit for marron in marron trophy waters**

**64ZH. Bag limit for marron in marron trophy waters**

For the purposes of section 50 of the Act, the bag limit in respect of marron taken from marron trophy waters is 5 marron.

”.

**12. Part 4B Division 3 Subdivision 7 repealed**

Part 4B Division 3 Subdivision 7 is repealed.

**13. Schedule 2 amended**

Schedule 2 Part 2 Division 5 is amended by deleting the item for “Marron” and inserting the following item instead —

“

Marron —	
(a) when taken from marron trophy waters ...	90
(b) in any other case .....	80

”.

**14. Schedule 12 amended**

Schedule 12 Part 2 item 5 is amended by deleting “64U.”.

By Command of the Governor,

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

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**HEALTH**


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HE301\*

Mental Health Act 1996

## **Mental Health (Authorisation of Public Hospitals) Amendment Order 2006**

Made by the Governor in Executive Council under section 21 of the Act.

**1. Citation**

This order is the *Mental Health (Authorisation of Public Hospitals) Amendment Order 2006*.

**2. The order amended**

The amendments in this order are to the *Mental Health (Authorisation of Public Hospitals) Order 2002\**.

[\* *Published in Gazette 24 September 2002, p. 4768-70.*  
*For amendments to 27 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

**3. Schedule 1 amended**

Schedule 1 is amended by deleting item 6 and inserting the following item instead —

“

- |   |   |  |
|---|---|--|
| 6 | Graylands<br>Selby-Lemnos and<br>Special Care<br>Hospital | Area hatched yellow on —<br>Plan MH1A entitled “Graylands<br>Hospital Site Plan November 2006”;<br>and<br>Plan No. MH1 entitled “Selby<br>Complex 30 November 2001”. |
|---|---|--|

”.

By Command of the Governor,

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

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**LAND**

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LA301\*

Armadale Redevelopment Act 2001

**Armadale Redevelopment Amendment  
Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Armadale Redevelopment Amendment Regulations (No. 2) 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

The amendment in these regulations is to the *Armadale Redevelopment Regulations 2003*\*.

[\* *Published in Gazette 29 August 2003, p. 3834-9.*  
*For amendments to 5 December 2006 see Western Australian Legislation Information Tables for 2005, Table 4.*]

**4. Schedule 1 amended**

Schedule 1 Form 1 is amended in item 6 by deleting "Titles Office".

By Command of the Governor,

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

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LA302\*

East Perth Redevelopment Act 1991

## East Perth Redevelopment Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *East Perth Redevelopment Amendment Regulations (No. 2) 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendment in these regulations is to the *East Perth Redevelopment Regulations 1992\**.

[\* *Reprint 1 as at 9 January 2004.*

*For amendments to 5 December 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

### 4. Schedule 1 amended

Schedule 1 Form 1 is amended in item 6 by deleting "Titles Office".

By Command of the Governor,

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

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LA303\*

Hope Valley-Wattleup Redevelopment Act 2000

## Hope Valley-Wattleup Redevelopment Amendment Regulations 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Hope Valley-Wattleup Redevelopment Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

The amendment in these regulations is to the *Hope Valley-Wattleup Redevelopment Regulations 2000*\*.

[\* *Published in Gazette 29 December 2000, p. 7953-63.*]

**4. Schedule 1 amended**

Schedule 1 Form 1 is amended in item 6 by deleting "Titles Office".

By Command of the Governor,

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

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LA304\*

Land Administration Act 1997

## Land Administration Amendment Regulations (No. 3) 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Land Administration Amendment Regulations (No. 3) 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the *Land Administration Regulations 1998*\*.

[\* Reprint 2 as at 9 June 2006.]

### 4. Regulation 3B amended

Regulation 3B is amended as follows:

- (a) by deleting paragraph (ba) and inserting instead —

“

- (ba) the Minister responsible for the administration of the *Transfer of Land Act 1893*;

”;

- (b) in paragraph (c) by deleting “appointed” and inserting instead —

“ designated ”;

- (c) by deleting paragraph (d) and inserting instead —

“

- (d) officers of the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5.

”.

By Command of the Governor,

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



LA305\*

## Land Information Authority Act 2006

**Land Information Authority (Policy Instruments) Regulations 2006**

Made by the Governor in Executive Council with the Treasurer's concurrence.

**1. Citation**

These regulations are the *Land Information Authority (Policy Instruments) Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which the Act, other than Part 1, comes into operation.

**3. Content of strategic development plan**

Section 53(2) of the Act requires the Authority's strategic development plan to include each of the following matters —

- (a) strategic objectives to be achieved during the forecast period;
- (b) productivity levels;
- (c) service efficiency and effectiveness;
- (d) charging for goods and services, according to the kinds of recipients and uses referred to in section 16 of the Act;
- (e) investment strategy;
- (f) financial requirements;
- (g) personnel requirements;
- (h) capital expenditure;
- (i) strategies for asset management;
- (j) sales and revenue projections;
- (k) customer service arrangements;
- (l) the nature and extent of commercial and competitive strategies;
- (m) relevant government policy.

**4. Content of statement of corporate intent**

Section 61(2) of the Act requires the Authority's statement of corporate intent to include each of the following matters —

- (a) an outline of major initiatives for achieving strategic objectives;

- (b) proposed arrangements to facilitate achievement of objectives that do not involve making a profit;
- (c) how major initiatives might impact on —
  - (i) the integrity of the registers and other records that the Authority or a member of its staff is required by law to keep about interests in land and the valuation of land; or
  - (ii) the extent to which the land information needs of the State government can be satisfied; or
  - (iii) the extent to which the requirements of participants in the land information industry within the State can be satisfied;
- (d) major achievements that are planned;
- (e) an outline of capital expenditure and borrowing requirements;
- (f) the nature and scope of functions that are to be performed;
- (g) performance targets and measures;
- (h) estimates of income and expenditure;
- (i) the dividend policy for the financial year or the provision proposed to be made for dividends;
- (j) the types of information that the Authority is to give to the Minister in an annual or half-yearly report or otherwise;
- (k) accounting policies that apply to the preparation of accounts;
- (l) the nature and extent of community service obligations that are to be performed;
- (m) how the performance of community service obligations is to be costed and funded, and arrangements to be made to make adjustments for the performance of those obligations;
- (n) the ways in which, and the extent to which, compensation will be made for performing community service obligations.

By Command of the Governor,

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

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LA306\*

Licensed Surveyors Act 1909

## Licensed Surveyors (Guidance of Surveyors) Amendment Regulations (No. 2) 2006

Made by the Land Surveyors Licensing Board with the approval of the Governor in Executive Council.

### 1. Citation

These regulations are the *Licensed Surveyors (Guidance of Surveyors) Amendment Regulations (No. 2) 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961*\*.

[\* Reprinted as at 2 August 2002.

For amendments to 8 December 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 10 February 2006*.]

### 4. Regulation 4 amended

- (1) Regulation 4(2) is amended by deleting “from the relevant Departments.” and inserting instead —

“

from —

- (a) the department of the Public Service principally assisting in the administration of the *Land Administration Act 1997*; and
- (b) the department of the Public Service principally assisting in the administration of the *Mining Act 1978*; and
- (c) the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5.

”

- (2) Regulation 4(3) is repealed.

**5. Regulation 48 amended**

Regulation 48 is amended by deleting “Department within the meaning of the *Transfer of Land Act 1893*” and inserting instead —

“ Western Australian Land Information Authority ”.

**6. Regulation 55 amended**

Regulation 55 is amended by inserting before the full stop —

“

or the Western Australian Land Information Authority,  
as the case requires

”.

Made by the Land Surveyors Licensing Board

RICHARD BROWNE, Secretary,  
Land Surveyors Licensing Board.

Approved by the Governor,

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

LA307\*

Licensed Surveyors Act 1909

## **Licensed Surveyors (Transfer of Land Act 1893) Amendment Regulations 2006**

Made by the Land Surveyors Licensing Board with the approval of the Governor in Executive Council.

**1. Citation**

These regulations are the *Licensed Surveyors (Transfer of Land Act 1893) Amendment Regulations 2006*.

## 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

## 3. The regulations amended

The amendments in these regulations are to the *Licensed Surveyors (Transfer of Land Act 1893) Regulations 1961*\*.

[\* Reprinted as at 15 February 2002.]

## 4. Regulation 1A amended

Regulation 1A is amended as follows:

- (a) in the definition of “Inspector of Plans and Surveys” by deleting “Department within the meaning of the *Transfer of Land Act 1893*,” and inserting instead —  
“ Western Australian Land Information Authority ”;

- (b) by inserting after the definition of “surveyor” —

“

“**Western Australian Land Information Authority**”  
means the Western Australian Land Information  
Authority established by the *Land Information  
Authority Act 2006* section 5.

”;

- (c) by deleting the full stop at the end of the definition of “surveyor” and inserting instead a semicolon.

## 5. Regulation 1B amended

Regulation 1B is amended by deleting “Department within the meaning of the *Transfer of Land Act 1893*” in both places where it occurs and inserting instead —

“ Western Australian Land Information Authority ”.

## 6. Regulation 4 amended

- (1) Regulation 4(1) and (2) are each amended by deleting “the relevant Departments” and inserting instead —

“ the relevant bodies ”.

- (2) Regulation 4(3) is amended by deleting the definition of “the relevant Departments” and inserting instead —

“

“**the relevant bodies**” means —

- (a) the department of the Public Service principally assisting in the administration of the *Land Administration Act 1997*; and

- (b) the department of the Public Service principally assisting in the administration of the *Mining Act 1978*; and
- (c) the Western Australian Land Information Authority.

”.

**7. Regulation 6 amended**

Regulation 6 is amended by deleting “at the Department within the meaning of the *Transfer of Land Act 1893*” and inserting instead —

“ by the Western Australian Land Information Authority ”.

**8. Regulation 7 amended**

Regulation 7 is amended by deleting “at the Department within the meaning of the *Transfer of Land Act 1893*.” and inserting instead —

“ with the Western Australian Land Information Authority. ”.

**9. Regulation 8 amended**

Regulation 8(1) is amended by deleting “at the Department within the meaning of the *Transfer of Land Act 1893*.” and inserting instead —

“ with the Western Australian Land Information Authority. ”.

**10. Regulation 12 amended**

Regulation 12 is amended by deleting “in the Department within the meaning of the *Transfer of Land Act 1893*.” and inserting instead —

“

in the records of the Western Australian Land Information Authority.

”.

**11. Regulation 21 amended**

Regulation 21 is amended by deleting “either in the Department within the meaning of the *Land Administration Act 1997* or Department within the meaning of the *Transfer of Land Act 1893*” and inserting instead —

“

held in the records of the Western Australian Land Information Authority

”.

**12. Regulation 43 amended**

Regulation 43 is amended by deleting “departmental” and inserting instead —

“ Western Australian Land Information Authority’s ”.

Made by the Land Surveyors Licensing Board

RICHARD BROWNE, Secretary,  
Land Surveyors Licensing Board.

Approved by the Governor,

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

LA308\*

Midland Redevelopment Act 1999

## **Midland Redevelopment Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Midland Redevelopment Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

The amendment in these regulations is to the *Midland Redevelopment Regulations 2000*\*.

[\* *Published in Gazette 28 April 2000, p. 2041-6.*]

**4. Schedule 1 amended**

Schedule 1 Form 1 is amended in item 6 by deleting "Titles Office".

By Command of the Governor,

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

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LA309\*

Perry Lakes Redevelopment Act 2005

## **Perry Lakes Redevelopment Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Perry Lakes Redevelopment Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

The amendments in these regulations are to the *Perry Lakes Redevelopment Regulations 2006*\*.

[\* *Published in Gazette 31 October 2006, p. 4603-6.*]



**4. Regulation 2 amended**

Regulation 2(2) is amended by deleting “department of the Public Service that principally assists with the administration of the *Transfer of Land Act 1893*.” and inserting instead —

“

Western Australian Land Information Authority  
established by the *Land Information Authority  
Act 2006* section 5.

”.

By Command of the Governor,

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

LA310\*

Health Act 1911

## **Registration, Enforcement and Discharge of Local Authority Charges on Land Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Registration, Enforcement and Discharge of Local Authority Charges on Land Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the regulations made under the *Health Act 1911*\* relating to the registration, enforcement and discharge, under section 372 of that Act, of charges on land of expenses incurred by local authorities.

[\* Reprinted as authorised 5 March 1968.]

### 4. Regulation 1 amended

Regulation 1(1) is amended by deleting “of the office of Land Titles, the Registry of Deeds or the Department of Lands and Surveys, as the case may be,” and inserting instead —

“

of the Western Australian Land Information Authority  
established by the *Land Information Authority  
Act 2006* section 5

”.

### 5. Regulation 2 amended

- (1) Regulation 2(1) is amended by deleting “, the Registrar of Deeds or the Under Secretary for Lands,” and inserting instead —

“ or the Registrar of Deeds and Transfers, ”.

- (2) Regulation 2(2)(c) is amended as follows:

- (a) by deleting “, or the *Land Act 1933*”;
- (b) by deleting “in the Registry of Deeds.” and inserting instead —

“ under the *Registration of Deeds Act 1856*. ”.

### 6. Regulation 3 amended

- (1) Regulation 3(1) is amended as follows:

- (a) in paragraph (a), by deleting “or the *Land Act 1933*, the Registrar of Titles or the Under Secretary for Lands, as the case may be,” and inserting instead —

“ the Registrar of Titles ”;

- (b) in paragraph (b), by deleting “or the *Land Act 1933*, the Registrar of Deeds” and inserting instead —

“ the Registrar of Deeds and Transfers ”.

- (2) Regulation 3(2) is amended by deleting “, or the Under Secretary for Lands, or the Registrar of Deeds” in both places where it occurs and inserting instead —

“ or the Registrar of Deeds and Transfers ”.

**7. Regulation 6 amended**

- (1) Regulation 6(1) is amended by deleting “, the Registrar of Deeds or the Under Secretary for Lands” and inserting instead —  
“ or the Registrar of Deeds and Transfers ”.
- (2) Regulation 6(2)(b) is amended as follows:
  - (a) by deleting “, or the *Land Act 1933*”;
  - (b) by deleting “in the Registry of Deeds.” and inserting instead —  
“ under the *Registration of Deeds Act 1856*. ”.
- (3) Regulation 6(3)(a) is amended by deleting “or the *Land Act 1933*, the Registrar of Titles or the Under Secretary for Lands, as the case may be,” and inserting instead —  
“ the Registrar of Titles ”.
- (4) Regulation 6(3)(b) is amended as follows:
  - (a) by deleting “or the *Land Act 1933*, the Registrar of Deeds” and inserting instead —  
“ the Registrar of Deeds and Transfers ”;
  - (b) by deleting “in the Registry of Deeds” and inserting instead —  
“ under the *Registration of Deeds Act 1856*. ”.
- (5) Regulation 6(4) is amended as follows:
  - (a) by deleting “or the Under Secretary for Lands, or the Registrar of Deeds” and inserting instead —  
“ or the Registrar of Deeds and Transfers ”;
  - (b) by deleting “or the Under Secretary for Lands or the Registrar of Deeds” and inserting instead —  
“ or the Registrar of Deeds and Transfers ”.

**8. Regulation 9 amended**

- (1) Regulation 9(1) is amended by deleting “, the Registrar of Deeds, or the Under Secretary for Lands, as the case may be require” and inserting instead —  
“  
or the Registrar of Deeds and Transfers, as the case may require,  
”.
- (2) Regulation 9(2)(b) is amended as follows:
  - (a) by deleting “or the *Land Act 1933*”;
  - (b) by deleting “in the said Registry of Deeds.” and inserting instead —  
“ under the *Registration of Deeds Act 1856*. ”.

- (3) Regulation 9(3)(a) is amended by deleting “or the *Land Act 1933*, the Registrar of Titles or the Under Secretary for Lands, as the case may be,” and inserting instead —  
“ the Registrar of Titles ”.
- (4) Regulation 9(3)(b) is amended by deleting “or the *Land Act 1933*, the Registrar of Deeds” and inserting instead —  
“ the Registrar of Deeds and Transfers ”.

**9. Regulation 10 amended**

- (1) Regulation 10(a) is amended by deleting “upon search in the Office of Titles, or the Registry of Deeds, or the Department of Lands and Surveys appears” and inserting instead —  
“  
appears from the records of the Western  
Australian Land Information Authority  
established by the *Land Information Authority  
Act 2006* section 5  
”.
- (2) Regulation 10(d)(ii) is amended by deleting “, the Registrar of Deeds or the Under Secretary for Lands,” and inserting instead —  
“ or the Registrar of Deeds and Transfers, ”.

**10. Regulation 11 amended**

- (1) Regulation 11(a) is amended as follows:
- (a) by deleting “or the *Land Act 1933*,”;
  - (b) by deleting “or the Under Secretary for Lands” in the first place where it occurs;
  - (c) by deleting “or the Under Secretary for Lands as the case may be”.
- (2) Regulation 11(b) is amended as follows:
- (a) by deleting “or the *Land Act 1933*,”;
  - (b) by deleting “Registrar of Deeds” and inserting instead —  
“ Registrar of Deeds and Transfers ”.

**11. Regulation 14 amended**

Regulation 14 is amended by deleting “Commissioner for Public Health” and inserting instead —  
“ CEO ”.

**12. Regulation 19 amended**

Regulation 19 is amended by deleting “, or the *Land Act 1933*, as the case may require”.

**13. Regulation 20 amended**

Regulation 20 is amended as follows:

- (a) by deleting “and the Under Secretary for Lands in the case of land not under the said Act and under the *Land Act 1933*,”;
- (b) by deleting “or the Under Secretary for Lands, as the case may be,”.

**14. Appendix amended**

- (1) The Appendix is amended in Form A, in footnote (h), by deleting “Titles, or Registry of Deeds or Department of Lands and Surveys, as the case may be.” and inserting instead —  
“ the Western Australian Land Information Authority. ”.
- (2) The Appendix is amended in Form C, in footnote (a), by deleting “the Registrar of Deeds or the Under Secretary for Lands” and inserting instead —  
“ Registrar of Deeds and Transfers ”.
- (3) The Appendix is amended in Form D, in footnote (a), by deleting “Registrar of Deeds or Under Secretary for Lands” and inserting instead —  
“ Registrar of Deeds and Transfers ”.
- (4) The Appendix is amended in Form E as follows:
  - (a) by deleting “Registrar of Deeds, or Under Secretary for Lands” and inserting instead —  
“ Registrar of Deeds and Transfers ”;
  - (b) in footnote (f), by deleting “or Under Secretary”.
- (5) The Appendix is amended in Form G, in footnote (a), by deleting “Registrar of Deeds or Under Secretary for Lands” and inserting instead —  
“ Registrar of Deeds and Transfers ”.
- (6) The Appendix is amended in Form I, in footnote (a), by deleting “Registrar of Deeds or Under Secretary for Lands” and inserting instead —  
“ Registrar of Deeds and Transfers ”.
- (7) The Appendix is amended in Form K as follows:
  - (a) in ground (3), by deleting “Titles (or the Registry of Deeds, or the Department of Lands and Surveys)” and inserting instead —  
“  
the Western Australian Land Information Authority  
”;

(b) in footnote (g), by deleting “of all the persons who upon search in the Office of Titles or Registry of Deeds or the Department of Lands and Surveys appear to have any estate or interest in the land.” and inserting instead a full stop.

- (8) The Appendix is amended in Form M by deleting “Commissioner for Public Health” and inserting instead —  
“ CEO ”.

**15. Various references to Commissioner of Public Health changed to CEO**

- (1) Each provision listed in the Table to this subregulation is amended by deleting “Commissioner of Public Health” in each place where it occurs and inserting instead —  
“ CEO ”.

**Table**

r. 1(1)	Appendix Form F
r. 2(1)	(5 occurrences)
r. 4(1)	Appendix Form G
r. 8	(5 occurrences)
r. 10	Appendix Form H
r. 18	(2 occurrences)
Appendix Form A	Appendix Form I
(2 occurrences)	Appendix Form J
Appendix Form B	(3 occurrences)
Appendix Form C	Appendix Form K
(3 occurrences)	(3 occurrences)
Appendix Form D	Appendix Form L
(2 occurrences)	(2 occurrences)
Appendix Form E	Appendix Form M
	(4 occurrences)

- (2) Each provision listed in the Table to this subregulation is amended by deleting “Commissioner” (other than where “Commissioner” occurs as part of the expression “Commissioner of Public Health”) in each place where it occurs and inserting instead —

“ CEO ”.

**Table**

r. 1(1) (2 occurrences), (2) and (3) (3 occurrences)	r. 10(a) (2 occurrences), (b), (c) (2 occurrences) and (d) (2 occurrences)
r. 2(1) (2 occurrences) and (2) (4 occurrences)	r. 18
r. 3(1)	Appendix Form C
r. 4(1) (2 occurrences), (2), (4) (2 occurrences) and (6)	Appendix Form F Appendix Form H

r. 5 (2 occurrences)	Appendix Form J
r. 6(1) and (3)	Appendix Form K
r. 8 (2 occurrences)	Appendix Form L

By Command of the Governor,

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

LA311\*

Standard Survey Marks Act 1924

## Standard Survey Marks Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Standard Survey Marks Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the *Standard Survey Marks Regulations\**.

[\* *Published in Gazette 1 February 1935, p. 200-1.*]

### 4. Regulation 1A inserted

Before regulation 1 the following regulation is inserted —

“

#### 1A. Interpretation

In these regulations —

“**Authority**” means the Western Australian Land Authority established by the *Land Information Authority Act 2006* section 5.

”

**5. Regulation 4 amended**

Regulation 4 is amended by deleting “Departmental” and inserting instead —

“ Authority’s ”.

**6. Regulation 10 amended**

Regulation 10 is amended by deleting “Surveyor General” in the first place where it occurs and inserting instead —

“ Authority ”.

**7. Regulation 13 amended**

Regulation 13 is amended by deleting “Under Secretary for Public Works,” and inserting instead —

“

the chief executive officer of the department  
principally assisting in the administration of the *Public Works Act 1902*,

”.

**8. Regulation 16 amended**

Regulation 16 is amended by deleting “lodged in the Department of Lands and Surveys, and on the certified copies supplied to the Registrar of Titles, the Under Secretary for Public Works,” and inserting instead —

“

retained by the Authority and on the certified copies  
supplied to the Registrar of Titles, the chief executive  
officer of the department principally assisting in the  
administration of the *Public Works Act 1902*,

”.

By Command of the Governor,

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

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LA312\*

Strata Titles Act 1985

## **Strata Titles General Amendment Regulations (No. 5) 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Strata Titles General Amendment Regulations (No. 5) 2006*.

### **2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### **3. The regulations amended**

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

[\* *Reprint 4 as at 21 April 2004.*

*For amendments to 5 December 2006 see Gazette 7 July and 1 September 2006.]*

### **4. Regulation 8 amended**

Regulation 8(1)(b) is amended by deleting “on public record in the department principally assisting the Minister in the administration of the Act.” and inserting instead —

“ held by the Authority. ”.

### **5. Regulation 12 amended**

Regulation 12(1) is amended by deleting “in the office of” and inserting instead —

“ with ”.

### **6. Regulation 14 amended**

Regulation 14(b) is amended by deleting “keep” and inserting instead —

“ cause to be kept ”.

**7. Regulation 18 amended**

Regulation 18(b) is amended by deleting “by the proper officer of the department of the Public Service principally assisting the Minister in the administration of the Act.” and inserting instead a full stop.

By Command of the Governor,

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

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LA313\*

Subiaco Redevelopment Act 1994

## **Subiaco Redevelopment Amendment Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Subiaco Redevelopment Amendment Regulations (No. 2) 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

The amendment in these regulations is to the *Subiaco Redevelopment Regulations 1994\**.

[\* *Reprint 1 as at 16 January 2004.*]

**4. Schedule 1 amended**

Schedule 1 Form 1 is amended in item 6 by deleting “Titles Office”.

By Command of the Governor,

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

LA314\*

Transfer of Land Act 1893

## **Transfer of Land Amendment Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Transfer of Land Amendment Regulations (No. 2) 2006*.

**2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

**3. The regulations amended**

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

[\* *Reprint 1 as at 3 November 2006.*]

**4. Regulation 3 amended**

Regulation 3(1) is amended by deleting “Department” and inserting instead —

“ Registrar ”.

By Command of the Governor,

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

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LA315\*

Transfer of Land Act 1893

## Transfer of Land (Surveys) Amendment Regulations 2006

Made under section 181(2) by the Registrar of Titles with the approval of the Governor in Executive Council and after consultation with the Land Surveyors Licensing Board.

### 1. Citation

These regulations are the *Transfer of Land (Surveys) Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the *Transfer of Land (Surveys) Regulations 1995\**.

[\* Reprint 1 as at 16 February 2004.]

### 4. Regulation 2 amended

Regulation 2 is amended as follows:

- (a) in the definition of “Inspector of Plans and Surveys” by deleting “Department” and inserting instead —  
“ Authority ”;
- (b) in the definition of “plan” by deleting “Department” and inserting instead —  
“ Registrar ”.

By the Registrar of Titles with the approval of the Governor in Executive Council and after consultation with the Land Surveyors Licensing Board,

B. G. ROBERTS.

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

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LA316\*

Valuation of Land Act 1978

## Valuation of Land Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Valuation of Land Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the *Valuation of Land Regulations 1979*\*.

[\* Reprinted as at 15 October 1999.]

### 4. Regulation 2 amended

Regulation 2 is amended as follows:

- (a) by deleting the definition of “Valuer-General”;
- (b) by deleting the semicolon at the end of the definition of “Act” and inserting instead a full stop.

By Command of the Governor,

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

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LA317\*

War Service Land Settlement Scheme Act 1954

## War Service Land Settlement Scheme Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *War Service Land Settlement Scheme Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### 3. The regulations amended

The amendments in these regulations are to the *War Service Land Settlement Scheme Regulations 1954*\*

[\* Reprinted as at 6 July 2001.

For amendments to 5 December 2006 see *Western Australian Legislation Information Tables for 2005, Table 4.*]

### 4. Regulation 10 amended

Regulation 10(1) is amended by deleting “Department of Lands and Surveys, Perth,” and inserting instead —

“

office of the department principally assisting in the administration of the *Land Administration Act 1997*,

”

### 5. Regulation 24 amended

Regulation 24(2)(b) is amended by deleting “Department of Lands and Surveys” and inserting instead —

“

department principally assisting in the administration of the *Land Administration Act 1997*

”

### 6. Regulation 25 amended

Regulation 25 is amended by deleting “Lands and Surveys Department,” and inserting instead —

“

department principally assisting in the administration of the *Land Administration Act 1997*,

”

**7. Regulation 31 amended**

Regulation 31 is amended by deleting “Department of Lands and Surveys, Perth.” and inserting instead —

“

office of the department principally assisting in the administration of the *Land Administration Act 1997*.

”

**8. Regulation 36 amended**

Regulation 36 is amended by deleting “, Lands Department, Perth.” and inserting instead —

“

at the office of the department principally assisting in the administration of the *Land Administration Act 1997*.

”

**9. Regulation 40 amended**

Regulation 40 is amended by deleting “Lands and Surveys Department” and inserting instead —

“

department principally assisting in the administration of the *Land Administration Act 1997*

”

**10. Regulation 45 amended**

Regulation 45 is amended by deleting “the Department of Lands and Surveys, Perth, or at any District Land Office” and inserting instead —

“

at any office of the department principally assisting in the administration of the *Land Administration Act 1997*

”

**11. Second Schedule amended**

The Second Schedule is amended by deleting “Department of Lands and Surveys, Perth” and inserting instead —

“

*[insert departmental address]*

”

By Command of the Governor,

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

LA318\*

Public Sector Management Act 1994

## **Public Sector Management (General) Amendment Regulations 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Public Sector Management (General) Amendment Regulations 2006*.

### **2. Commencement**

These regulations come into operation on the day on which the *Land Information Authority Act 2006* comes into operation.

### **3. The regulations amended**

The amendments in these regulations are to the *Public Sector Management (General) Regulations 1994\**.

[\* *Reprint 2 as at 25 July 2003.*

*For amendments to 5 December 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

### **4. Regulation 5 amended**

- (1) Regulation 5 is amended by deleting the semicolon at the end of paragraph (d) and all of the regulation after it and inserting instead a full stop.
- (2) Regulation 5 is amended by inserting after each of paragraphs (b) and (c) —  
“ and ”.

By Command of the Governor,

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

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**PLANNING AND INFRASTRUCTURE**

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PI301\*

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations  
(No. 3) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic Code Amendment Regulations (No. 3) 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Road Traffic Code 2000\**.

[\* *Reprint 1 as at 27 August 2004.*

*For amendments to 30 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

**3. Regulation 3 amended**

Regulation 3(1) is amended as follows:

- (a) by inserting in the appropriate alphabetical positions —

“

“**motor vehicle**” does not include a motorised scooter;

“**motorised scooter**” means a scooter that is propelled by one or more electric motors (whether the motors are a part of the scooter or attached to the scooter) and complies with the requirements of paragraph (e) in the definition of “scooter”;

“**scooter**” means a device that —

- (a) has 2 or more wheels and a footboard supported by those wheels; and
- (b) is steered by handlebars; and
- (c) is designed to be used by a single person; and
- (d) is propelled by any one or more of the following —
  - (i) gravity;
  - (ii) the user pushing a foot against the ground;

- (iii) an electric motor or motors;
- and
- (e) if it is fitted with an electric motor or motors, satisfies the following criteria —
  - (i) its maker certifies (either by means of a plate attached to the motor or on each motor, or by means of engraving on the motor or each motor) the ungoverned power output of the motor, or each motor;
  - (ii) the maximum power output of the motor, or the combined maximum power output of the motors, is not more than 200 watts;
  - (iii) when propelled only by the motor, or motors, the scooter is not capable of going faster than 10 km/h on level ground;

”;

- (b) in the definition of “wheeled toy” by inserting after “scooter” —

“ (other than a motorised scooter) ”.

#### 4. Regulation 206 amended

After regulation 206(2) the following subregulation is inserted —

“

- (3) A person travelling in or on a wheeled recreational device, motorised scooter or wheeled toy must not travel past a “no wheeled recreational devices, scooters or toys” sign.

Modified penalty: 1 PU



*No wheeled recreational devices, scooters or toys signs*

”.

**5. Regulation 209A inserted**

After regulation 209 the following regulation is inserted —

“

**209A. Protective helmets to be worn on motorised scooters**

(1) In this regulation —

“**protective helmet**” means a helmet that is, or is of a standard or type that is, approved by the Director General, for the purposes of regulation 222, by notice in the *Gazette*.

(2) A person shall not travel on a motorised scooter on a road or any path unless that person is wearing a protective helmet securely fastened on his or her head.

Modified penalty: 1 PU

”

**6. Regulation 210A inserted**

After regulation 210 the following regulation is inserted in Part 14 Division 2 —

“

**210A. Proper control of motorised scooters**

A person shall not on any road or path —

(a) travel on a motorised scooter while under the influence of alcohol, drugs or alcohol and drugs to such an extent as to be incapable of having proper control of the motorised scooter; or

(b) travel on a motorised scooter recklessly or without due care and attention.

Modified penalty: 2 PU

”

**7. Schedule 2 amended**

Schedule 2 is amended by inserting after the sign entitled “No U turn sign (Variable illuminated message sign)” —

“



”

**8. References to “motorised scooter” added**

- (1) Regulation 3(1) is amended in paragraph (c) of the definition of “pedestrian” by inserting after “wheeled recreational device” —  
“ or a motorised scooter ”.
- (2) Regulation 203(6) is amended by inserting after “wheeled recreational device” —  
“ , a motorised scooter ”.
- (3) Regulation 204(2)(a)(ii) is amended by inserting after “rollerskates” —  
“ , a motorised scooter ”.
- (4) The heading to Part 14 Division 2 is amended by inserting after “wheeled recreational devices” —  
“ , **motorised scooters** ”.
- (5) Regulation 206(1) is amended by inserting after “wheeled recreational device” —  
“ , motorised scooter ”.

- (6) Regulation 206(2) is amended by inserting after “wheeled recreational device,” —  
“ motorised scooter ”.
- (7) Regulation 207 is amended by inserting after “wheeled recreational device” —  
“ , motorised scooter ”.
- (8) Regulation 208 is amended by inserting after “wheeled recreational device” in both places where it occurs —  
“ , motorised scooter ”.
- (9) Regulation 209(1) and (2) are amended by inserting after “roller skates,” —  
“ a motorised scooter ”.
- (10) Regulation 210(1), (2) and (3) are amended by inserting after “wheeled recreational device” —  
“ , motorised scooter ”.

By Command of the Governor,

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

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## **RACING, GAMING AND LIQUOR**

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RG301

**RACING AND WAGERING WESTERN AUSTRALIA  
ACT 2003**

**RWWA RULES OF GREYHOUND RACING 2005**

In accordance with Section 45(1)(c) of the Racing and Wagering Western Australia Act 2003, notice is hereby given that the Board of Racing and Wagering WA on 22 December 2006 resolved to amend Schedule 2 of the RWWA Rules of Greyhound Racing 2005 with effect from 15 January 2007 and subsequently 1 July 2007.

Copies of the amended Schedule may be obtained during office hours from the Western Australian Greyhound Racing Association, Cnr. Albany Highway & Station Street, Cannington, WA or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

JOHN A. ZUCAL.

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## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

#### CHARITABLE COLLECTIONS ACT 1946

##### REVOCATION OF LICENCES

I, Patrick Walker, being the officer delegated by the Minister administering the Charitable Collections Act 1946, and acting in the exercise of the powers conferred by subsection (3) of section 12 of the Act, hereby give notice that I have revoked the licence of the organisations listed below—

- Bassendean Senior Citizens' Welfare Association Inc
- National Police Memorial
- Uniting Church in Australia Property Trust (WA)—Mofflyn

Dated this 19th day of December 2006.

PATRICK WALKER, Commissioner for Consumer Protection.

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### ENVIRONMENT

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EV401\*

#### CONTAMINATED SITES ACT 2003

(Section 97)

##### NOTICE OF THE MAKING, AMENDMENT OR REVOCATION OF GUIDELINES

In accordance with the *Contaminated Sites Act 2003*, section 97(4), notice is hereby given that the documents listed below, published by the Department of Environment and Conservation or its predecessors, are guidelines for the purposes of the *Contaminated Sites Act 2003*, section 97.

Guidelines for the purposes of section 97(1)(a)—

*Bioremediation of Hydrocarbon Contaminated Soils in Western Australia*. Contaminated Sites Management Series (Department of Environment, October 2004)

*Development of Sampling and Analysis Programs*. Contaminated Sites Management Series (Department of Environmental Protection, December 2001)

*Reporting on Site Assessments*. Contaminated Sites Management Series (Department of Environmental Protection, December 2001)

*The Use of Risk Assessment in Contaminated Site Assessment and Management: Guidance on the Overall Approach*. Contaminated Sites Management Series (Department of Environment and Conservation, November 2006)

*Use of Monitored Natural Attenuation for Groundwater Remediation*. Contaminated Sites Management Series (Department of Environment, April 2004)

Guidelines for the purposes of section 97(1)(b)—

*Potentially Contaminating Activities, Industries and Landuses*. Contaminated Sites Management Series (Department of Environment, October 2004)

*Reporting of Known or Suspected Contaminated Sites*. Contaminated Sites Management Series (Department of Environment and Conservation, November 2006)

*Site Classification Scheme*. Contaminated Sites Management Series (Department of Environment and Conservation, November 2006)

Guidelines for the purposes of section 97(1)(c)—

*Community Consultation Guideline*. Contaminated Sites Management Series (Department of Environment and Conservation, November 2006)

All the above guidelines are available, free of charge, from [www.dec.wa.gov.au/contaminatedsites](http://www.dec.wa.gov.au/contaminatedsites).

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## FISHERIES

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FI401\*

**FISH RESOURCES MANAGEMENT ACT 1994**  
**SHARK BAY SNAPPER MANAGEMENT PLAN AMENDMENT 2006**

FD 2392/00 [779]

Made by the Minister under section 54.

**1. Citation**This instrument is the *Shark Bay Snapper Management Plan Amendment 2006*.**2. Management Plan amended**The amendments in this instrument are to the *Shark Bay Snapper Management Plan 1994\**.**3. Clause 12 replaced**

Clause 12 is repealed and the following clause inserted instead—

**“ Capacity of the Fishery**

12. (1) The capacity of the Fishery for any year commencing on 1 September is 338,250 kilograms of snapper (whole weight).
- (2) Notwithstanding subclause (1), the capacity of the Fishery at any time on or before 31 March 2007 is 225,500 kilograms of snapper (whole weight). ”.

**4. Various references to “Executive Director” amended**

Each provision specified in the Table to this clause is amended by deleting “Executive Director” in each place where it occurs and inserting instead—

“ CEO ”.

**Table**

Clause 2  
 Clause 7A  
 Clause 8B  
 Clause 8D  
 Clause 9B  
 Clause 11  
 Clause 13  
 Clause 14  
 Clause 17  
 Clause 17B

*[\*Published in the Gazette of 22 July 1994. For amendments to 16 November 2006 see Notice No. 656 published in the Gazette of 8 November 1994, Notice No. 718 published in the Gazette of 27 June 1995, the Shark Bay Snapper Management Plan Amendment 1998 published in the Gazette of 7 August 1998, the Shark Bay Snapper Fishery Management Plan Amendment 2000 published in the Gazette of 29 December 2000, the Shark Bay Snapper Fishery Management Plan Amendment 2000 correction published in the Gazette of 10 September 2002, the Shark Bay Snapper Fishery Management Plan Amendment 2003 published in the Gazette of 26 August 2003, the Shark Bay Snapper Management Plan Amendment 2004 published in the Gazette of 28 May 2004, and the Shark Bay Snapper Management Plan Amendment (No.2) 2004 published in the Gazette of 27 July 2004.*

*See regulation 183 of the Fish Resources Management Regulations 1995 concerning the citation of notices made under the Fisheries Act 1905 immediately before the commencement of those regulations.]*

Dated this 18th day of December 2006.

JON FORD, Minister for Fisheries.

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## JUSTICE

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JU401\*

**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**  
**PERMIT DETAILS**

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

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Eravanan	Mike	CS7-057	18/12/2006	11/12/2006	30/07/2008

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Stemp	Paul James	CS6-091	20/12/2006

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

TERENCE SHEARD, A/ CSCS Contract Manager.

## JU402\*

### JUSTICES OF THE PEACE ACT 2004

#### APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the office of Justice of the Peace for the State of Western Australia—

Dennis Joseph Shaw of 59 Darlot Street, Meekatharra  
 Stefan Christopher Tomasz of 11 Macaulay Crescent, Inglewood  
 Barry Stephen Wroth of Lot 3 McLean Road, Esperance

ROBERT M. CARTER, A/Executive Director,  
 Court and Tribunal Services.

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## LAND

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### LA401

#### PUBLIC SECTOR MANAGEMENT ACT 1994

##### ABOLISHMENT

Pursuant to section 35(2) of the *Public Sector Management Act 1994*, notice is hereby given that the Governor has—

under section 35(1)(c) of the *Public Sector Management Act 1994*, abolished the Department of Land Information, with effect on and from 1 January 2007.

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

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## LOCAL GOVERNMENT

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### LG101\*

#### LOCAL GOVERNMENT ACT 1995

##### *City of Rockingham*

#### PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2006

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 19 December 2006 to make the City of Rockingham Parking and Parking Facilities Amendment Local Law 2006.

#### 1. Citation

This local law may be cited as the *City of Rockingham Parking and Parking Facilities Amendment Local Law 2006*.

#### 2. Principal local law

In this local law, the *City of Rockingham Parking and Parking Facilities Local Law 2004* published in the *Government Gazette* on 20 December 2004 is the principal local law.



**3. Principal local law amended**

The principal local law is amended as follows—

**Clause 10.1 Offences and Penalties**

Subclause (3) of clause 10.1 is deleted and the following substituted—

“(3) Any person who commits an offence under this Local Law shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued”

**Schedule 2**

Schedule 2 is deleted and the following substituted—

**SCHEDULE 2—PRESCRIBED OFFENCES**  
PARKING AND PARKING FACILITIES LOCAL LAW 2004

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to pay fee for metered space	65
2	2.3	Parking in excess of period shown on metered space	65
3	2.4	Parking when meter has expired	65
4	2.6(1)	Failure to park wholly within metered space	65
5	2.6(3)	Parking outside metered zone	65
6	2.7	Non-permitted insertion in parking meter	65
7	2.8	Failure to display ticket clearly in metered zone	65
8	2.9	Parking or attempting to park a vehicle in a metered space occupied by another vehicle	65
9	2.10	Parking contrary to a meter hood	65
10	3.2	Failure to park wholly within parking stall	65
11	3.2(4)	Failure to park wholly within parking area	65
12	3.3	Failure to pay parking station fee	65
13	3.5	Leaving without paying parking station fee	65
14	3.7	Failure to display ticket clearly in parking station	65
15	3.8(1)(a)	Causing obstruction in parking station	65
16	3.8(1)(b)	Parking contrary to sign in parking station	65
17	3.8(1)(c)	Parking contrary to directions of Authorized Person	65
18	3.8(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	65
19	4.1(1)(a)	Parking wrong class of vehicle	65
20	4.1(1)(b)	Parking by persons of a different class	65
21	4.1(1)(c)	Parking during prohibited period	65
22	4.1(3)(a)	Parking in no parking area	65
23	4.1(3)(b)	Parking contrary to signs or limitations	65
24	4.1(3)(c)	Parking vehicle in motor cycle only area	65
25	4.1(4)	Parking motor cycle in stall not marked ‘M/C’	65
26	4.1(5)	Parking without permission in an area designated for ‘Authorised Vehicles Only’	65
27	4.2(1)(a)	Failure to park on the left of two-way carriageway	65
28	4.2(1)(b)	Failure to park on boundary of one-way carriageway	65
29	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	65
30	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	65
31	4.2(1)(d)	Parking closer than 1 metre from another vehicle	65
32	4.2(1)(e)	Causing obstruction	65
33	4.3(b)	Failure to park at approximate right angle	65
34	4.4(2)	Failure to park at an appropriate angle	65
35	4.5(2)(a) and 7.2	Double parking	65
36	4.5(2)(b)	Parking on or adjacent to a median strip	65
37	4.5(2)(c)	Denying access to private drive or right of way	65
38	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	65
39	4.5(2)(e)	Parking within 10 metres of traffic island	65
40	4.5(2)(f)	Parking on footpath/pedestrian crossing	65

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
41	4.5(2)(g)	Parking contrary to continuous line markings	65
42	4.5(2)(h)	Parking on intersection	65
43	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	65
44	4.5(2)(j)	Parking within 3 metres of public letter box	65
45	4.5(2)(k)	Parking within 10 metres of intersection	65
46	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	65
47	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	65
48	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	65
49	4.6	Parking contrary to direction of Authorized Person	65
50	4.7(2)	Removing mark of Authorized Person	65
51	4.8	Moving vehicle to avoid time limitation	65
52	4.9(a)	Parking in thoroughfare for purpose of sale	65
53	4.9(b)	Parking unlicensed vehicle in thoroughfare	65
54	4.9(c)	Parking a trailer/caravan on a thoroughfare	65
55	4.9(d)	Parking in thoroughfare for purpose of repairs	65
56	4.10(1) or (2)	Parking on land that is not a parking facility without consent	65
57	4.10(3)	Parking on land not in accordance with consent	65
58	4.11	Driving or parking on reserve	65
59	5.1(1)	Stopping contrary to a 'no stopping' sign	65
60	5.1(2)	Parking contrary to a 'no parking' sign	65
61	5.1(3)	Stopping within continuous yellow lines	65
62	6.1	Stopping unlawfully in a loading zone	65
63	6.2	Stopping unlawfully in a taxi zone or bus zone	65
64	6.3	Stopping unlawfully in a mail zone	65
65	6.4	Stopping in a zone contrary to a sign	65
66	7.1	Stopping in a shared zone	65
67	7.3	Stopping near an obstruction	65
68	7.4	Stopping on a bridge or tunnel	65
69	7.5	Stopping on crests/curves etc	65
70	7.6	Stopping near fire hydrant	65
71	7.7	Stopping near bus stop	65
72	7.8	Stopping on path, median strip or traffic island	65
73	7.9	Stopping on verge	65
74	7.10	Obstructing path, a driveway etc	65
75	7.11	Stopping near letter box	65
76	7.12	Stopping heavy or long vehicles on carriageway	65
77	7.13	Stopping in bicycle parking area	65
78	7.14	Stopping in motorcycle parking area	65
79	7.15	Stopping in disabled parking area	120
80	8.3	Failure to remove permit when residence changed	65
81	9.6	Leaving vehicle so as to obstruct a public place	65
82		All other offences not specified	65

#### Schedule 4

The following is inserted into Schedule 4—

##### “Parking Station No. 5

**Warnbro Fair Shopping Centre**—all the area of land bounded by Warnbro Sound Avenue, Halliburton Avenue, Royal Palm Avenue and Palm Springs Boulevard being more specifically the land on which the Warnbro Fair Shopping Centre is located being lots 909 and 913.”

Dated this 20th day of December 2006.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

B. W. SAMMELS, Mayor.  
G. G. HOLLAND, Chief Executive Officer.

LG401\*

**BUSH FIRES ACT 1954**  
*Shire of Donnybrook-Balingup*  
**RESIGNATION AND APPOINTMENT**  
Fire Control Officer

It is hereby notified for public information, in accordance with Section 38 of the *Bush Fires Act 1954* (as amended) that the Shire of Donnybrook-Balingup has cancelled the appointment of Mr Kevin Whyte and Mr Jeff Heath as Fire Control Officers for the Kirup Brazier Bush Fire Brigade effective from 8 December 2006.

JOHN R. ATTWOOD, Chief Executive Officer.

LG402\*

*SHIRE OF MEEKATHARRA*  
APPOINTMENTS

The Shire of Meekatharra advises for public information the appointment of Stephen Kelly as authorised officer to operate within the Shire of Meekatharra to enforce the following Acts, Regulations and Local Laws effective immediately—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976
- Litter Act 1976
- Bush Fires Act 1954 and Regulations
- Bush Fires (Infringements) Regulations 1978
- Control of Off Road Vehicles (Off Road Areas) Act 1978 and Regulations
- Caravan Parks and Camping Grounds Act and Regulations 1997
- Shire of Meekatharra Local Laws

All previous appointments are hereby cancelled.

ROY McCLYMONT, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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MP401\*

Commonwealth of Australia  
**PETROLEUM (SUBMERGED LANDS) ACT 1967**  
RENEWAL OF EXPLORATION PERMIT

Renewal of Exploration Permit No.WA-205-P R3 has been granted to Chevron Australia Pty Ltd, Chevron (TAPL) Pty Ltd and Shell Development (Australia) Pty Ltd to have effect for a period of 5 (5) years from 21 December 2006.

W. F. MASON, Acting Director,  
Petroleum and Royalties Division.

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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 First Session of the Thirty-Seventh Parliament.

Short Title of Bill	Date of Assent	Act No.
Water Efficiency Labelling and Standards Bill 2006	20 December 2006	74 of 2006
Auditor General Bill 2006	21 December 2006	75 of 2006
Financial Management Bill 2006	21 December 2006	76 of 2006
Financial Legislation Amendment and Repeal Bill 2006	21 December 2006	77 of 2006

Dated 22 December 2006.

PETER McHUGH, Acting Clerk of the Parliaments.

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## PLANNING AND INFRASTRUCTURE

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Kalamunda*

District Planning Scheme No. 2—Amendment No. 235

Ref: 853/2/24/16 Pt 236

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Kalamunda local planning scheme amendment on 15 November 2006 for the purposes of—

1. Modifying Clause B.1.10(c) of Appendix B to read as follows—

The following uses are not permitted unless specific approval is granted by the Council (AA): Reception Centre, Restaurants, Indoor Recreation, Public Amusement, Trade Display and Child Care Premises.

2. Modifying Appendix A to include the following definition—

**Child Care Premises**—has the same meaning as in the *Community Services (Child Care) Regulations 1988*.

E. TAYLOR, Shire President.  
D. E. VAUGHAN, Chief Executive Officer.

PI402\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

*Shire of Northam*

Town Planning Scheme No. 3—Amendment No. 1

Resolved that Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) amend the Town Planning Scheme by—

1. Rezoning Avon Locations 3686, 7134 and 7325 from “Agriculture – Local” to “Rural Small Holding”.
2. Adding to Schedule 11 provisions relating to the zone.

Dated this 14th day of July 2005.

A. J. MIDDLETON, Chief Executive Officer.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

*Shire of Northam*

Town Planning Scheme No. 3—Amendment No. 1

The Shire of Northam under and by virtue of the powers conferred on it in that behalf by the Town Planning and Development Act, 1928 (as amended), hereby amends the above Town Planning Scheme by—

1. Rezoning Avon Locations 3686, 7134 and 7325 from “Agriculture—Local” to “Rural Small Holding”.

2. Adding to Schedule 11—"Rural Small Holdings"—Conditions relating to other requirements in accordance with 5.20.1 of above Town Planning Scheme as follows—

No.	Description of land	Conditions
5	Avon Locations 3686, 7134 and 7325	<p>Subdivision shall generally be in accordance with the Development Guide Plan adopted by Council and endorsed by the Chief Executive Officer, and adopted by the Western Australian Planning Commission.</p> <p>Clearing of land including Remnant Vegetation is not permitted other than in accordance with clauses 5.14 and 5.20.4.</p> <p>If, in the opinion of Council, over-grazing by livestock is causing degradation to the landscape or land degradation that may lead to soil erosion, Council may issue an order to the property owner requiring a reduction in the number, or total removal, of the livestock,</p> <p>Within the Vegetation Management Area shown on the Development Guide Plan it is the objective of Council that the revegetation within the area is protected from fire and excessive grazing. The following management provisions will apply—</p> <ul style="list-style-type: none"> <li>(i) the area is to be maintained as a low fuel area as a precaution against the destruction by fire of the revegetation within the area;</li> <li>(ii) where the Vegetation Management Area falls within a lot it is to be fenced from the balance of lot;</li> <li>(iii) at the discretion of Council controlled grazing within the Vegetation Management Area to reduce the fire hazard resulting from heavy fuel loads may be permitted providing damage to the revegetation is minimised;</li> <li>(iv) where fuel loads are not reduced by grazing the landowner is required to reduce the fire hazard by mechanical means.</li> <li>(v) these provisions are to be the subject of a notification under Section 70A of the Transfer of Land Act 1893 endorsed on the Certificate of Title.</li> </ul>

SCHEME AMENDMENT REPORT  
SHIRE OF NORTHAM TOWN PLANNING SCHEME 3

## 1.0 LAND DESCRIPTION

### 1.1 Location

The subject land is 70 kilometres from Perth via the Great Eastern Highway, south of the Bakers Hill townsite, and within the area identified in the Local Planning Strategy in which subdivision may be possible. It is serviced by Cook and Anderson Roads and surrounded by other private property.

### 1.2 Title Detail and Ownership.

Location No.	C/T Volume	Folio	Area (hectares)
Avon Loc. 3686	2228	836	40.529
Avon Loc. 7134	2228	835	64.768
Avon Loc. 7325	2228	834	79.896

Proprietor: Dival Nominees Pty Ltd, PO Box 11, Toodyay WA.

### 1.3 Existing Zoning

Agriculture—Local.

### 1.4 Existing Landuse

Grazing and residence

## 2.0 LAND FORM AND SITE DESCRIPTION

### 2.1 Topography

The area proposed for rezoning is a gentle valley with slopes not exceeding 7% apart from a rocky outcrop on the northern boundary. In the valley floor there are Pindalup landforms with some areas subject to waterlogging and salinization. Some surface rock exists in the Yalanbee landform of the lateritic upland, but elsewhere very little rock is evident.

### 2.2 Vegetation

Most of the property had been parkland cleared, and pasture established for grazing livestock. Small areas of jarrah and marri woodland occur on the lateritic uplands. Replanting has taken place in several areas—mostly in the valley floor

### 3.0 LAND CAPABILITY ASSESSMENT

For land capability assessment purposes the soil types found on the site can be considered as one mapping unit, as the soil characteristics vary in capability rating only in terms of fertility and soil moisture availability. Neither of these factors have a significant bearing on the principal land use. An exception to the single mapping unit, however, is a small area of land at the head of the valley floor that is subject to waterlogging.

The following land qualities have been assessed using the Department of Agriculture guide-line for "Land Capability Assessment for Local Rural Strategies" as a basis—

Ease of excavation	high (>2m)
Waterlogging hazard	low
Foundation stability	high
Soil absorption ability	moderate to high
Water pollution hazard	low
Water erosion hazard	moderate
Wind erosion hazard	low
Flood hazard	nil
Soil salinity	low
Soil fertility status	moderate to low
Soil moisture availability	moderate to high
Water availability	low to moderate
Rooting conditions	good
Soil trafficability	good
Bushfire hazard	low to moderate

This assessment indicates a high capability for the proposed rural residential use, with some physical limitations that could be controlled with standard management procedures. Similarly, grazing and cropping, and limited annual and perennial horticulture could be undertaken with the usual precautions against erosion.

### 4.0 SCHEME PROVISIONS

The Shire of Northam Town Planning Scheme 3 states at 2.1 that Scheme determinations are to conform with the Local Planning Strategy (LPS). At 5.8 the LPS states for Bakers Hill—

*It is considered that subdivision may be possible within a 5 kilometre radius from the centre of Bakers Hill as illustrated on the Local Planning Strategy map. It is further proposed that smaller size rural residential lots (i.e. 1ha to 2ha) be considered within a 2 kilometre radius of the town centre, that larger size rural residential lots (i.e. 2ha to 5ha) be considered within a 2 to 4 kilometre radius of the town centre, and that larger rural smallholding type lots (i.e. 5ha to 20ha) be considered from 4 to 5 kilometres from the town centre.*

It further states under *Rezoning and Subdivision Criteria* that—

*The local government will not support the subdivision of land surrounding the Wundowie, Bakers Hill, Clackline and Grass Valley townsites for rural residential/rural smallholding purposes until such land is appropriately zoned. Proponents of subdivision within these areas are therefore required to make all necessary arrangements with regard to a suitable zoning classification in Town Planning Scheme No.3 prior to submission of a formal subdivision application.*

*Any proposal for rezoning and subdivision for rural residential/rural smallholding purposes around these settlements will only be supported by the local government where it is able to satisfy the following criteria—*

- (i) Where it is located within the Rural Townsite Precinct Boundaries as depicted on the Local Planning Strategy map;*
- (ii) Where it avoids areas required for the future logical urban expansion of existing townsites;*
- (iii) Where it is not located on land identified as having significant agricultural potential;*
- (iv) Where it will not reduce or conflict with the long-term agricultural potential of adjoining land;*
- (v) Where safe and efficient road access can be provided;*
- (vi) Where essential services are capable of being provided and maintained efficiently and at reasonable cost;*
- (vii) Where the scenic landscape, conservation and heritage attributes of an area will not be compromised including scenic vistas along major roads;*
- (viii) Where bush fire risk can be suitably managed;*
- (ix) Where natural primary resources including prospective areas for mineralisation and basic raw materials, water catchments and areas of environmental significance are protected;*
- (x) Where it is not located within any defined floodplain;*
- (xi) Where the risk of land and water degradation are minimal, development will not lead to any adverse impacts in terms of flooding, soil erosion, landslip or any other form of environmental impact and environmental protection and repair are promoted;*

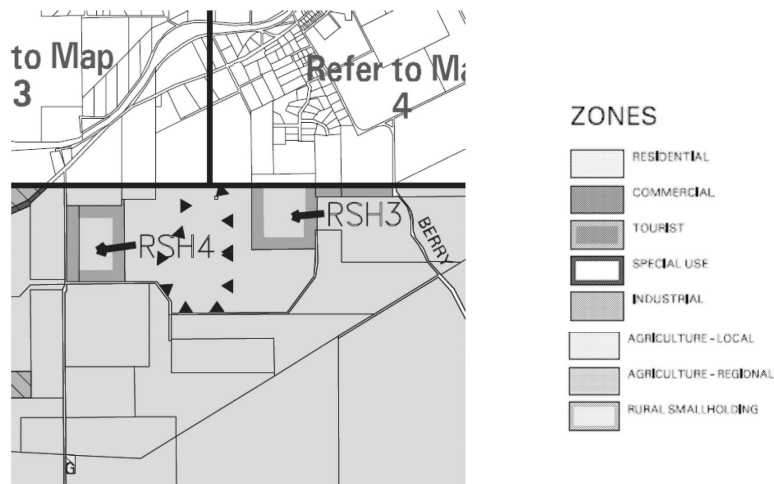
(xii) *Where a detailed site analysis and assessment has been undertaken which demonstrates that the land is of fair to very high capability of sustaining the proposed development and use.*

This proposal is able to meet these criteria and is well located to minimise the impact of the development on the rural character and amenity of the locality.

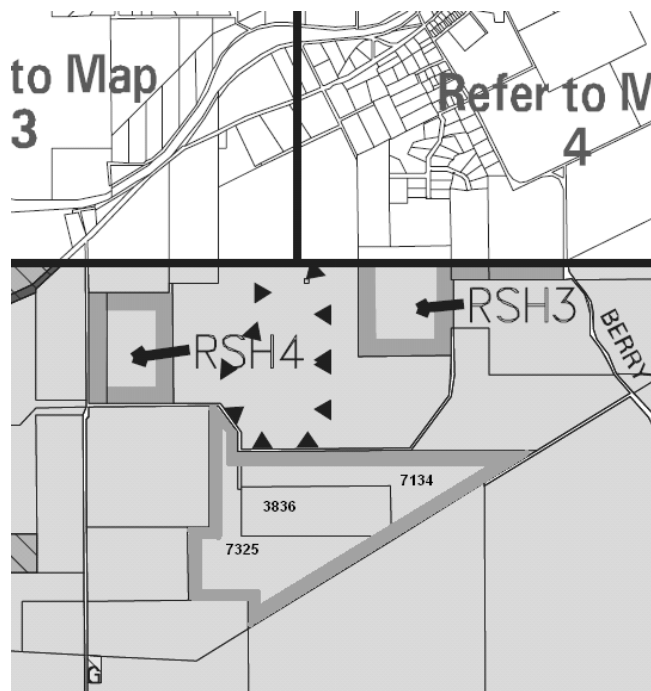
**5.0 GUIDE PLAN**

The design provides for 66 lots averaging 2.59 hectares and observes as far as practical the graduated nature of the minimum lot sizes referred to in relation to the distance from the town centre. A proposed Vegetation Management Area is shown on the plan which identifies a low lying area of replanted vegetation which will have specific fire hazard management objectives imposed on it.

SHIRE OF NORTHAM  
TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 1



EXISTING SCHEME MAP



SCHEME AMENDMENT MAP

**ADOPTION**

Adopted by resolution of the Council of the Shire of Northam at the meeting of Council held on the 14th day of July 2005.

A. W. LLEWELLYN, President.  
A. J. MIDDLETON, Chief Executive Officer.

**FINAL APPROVAL**

Adopted for final approval by resolution of the Council of the Shire of Northam at the meeting held on the 9th day of February 2006 and the Common Seal of the Shire of Northam was hereunto affixed by the authority of a resolution in the presence of—

A. W. LLEWELLYN, President.  
A. J. MIDDLETON, Chief Executive Officer.

Recommended/Submitted for final approval.

Delegated under S. 16 of the Planning and Development Act 2005.

**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Shire of Murray*  
Town Planning Scheme No.4—Amendment No. 201

Ref: 853/6/16/7 Pt 201

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Murray local planning scheme amendment on 15 November 2006 for the purpose of—

1. Rezoning Lot 1362 Scarp Road, North Dandalup from “Rural” to “Hills Landscape Protection”.
2. Amending the Scheme Map accordingly.
3. Amending Schedule 9 by incorporating the following into the Scheme text.

(A)	(B)
Specified Land	Special Provisions Relating to (A)
Lot 1362 Scarp Road, North Dandalup	Subdivision shall be generally in accordance with the Subdivision Guide Plan forming part of the Amendment documentation.  Each lot shall contain a building envelope, the area of which shall not exceed 2,000m <sup>2</sup> in area.  No further subdivision of the new lots depicted on the Subdivision Guide Plan will be permitted.  Council shall adopt a Fire Management Plan for the subject land. All owners shall manage their property in accordance with the plan and any development which would conflict with or impede bushfire management in accordance with the plan, shall not be permitted or undertaken.

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

**PI701\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**METROPOLITAN REGION SCHEME AMENDMENT NO. 1138/41**  
*East Leighton*

Call For Public Submissions

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme (MRS) for land in the local governments of Fremantle and Mosman Park and is seeking public comment.

The amendment seeks to transfer lots, reserves and portions of reserves in North Fremantle, from the Parks and Recreation reservation to the Urban zone.

The plans showing the proposed change and the Commission's *Amendment Report* which explains the proposal, will be available for public inspection from Friday 29 December 2006 to Friday 13 April 2007 at each of the following places—

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Western Australian Planning Commission</li> <li>Wellington Street, Perth</li> <li>• J S Battye Library</li> <li>Level 3, Alexander Library Building</li> <li>Perth Cultural Centre</li> </ul> | <ul style="list-style-type: none"> <li>• City of Perth</li> <li>• City of Fremantle</li> <li>• Town of Mosman Park</li> <li>• Town of East Fremantle</li> </ul> |
|--|---|

Documents are also available from the Commission's internet site [www.wapc.wa.gov.au](http://www.wapc.wa.gov.au).



**Submissions**

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a Form 41. This submission form is available from the display locations, the *Amendment Report* and the Internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, PERTH WA 6000; on or before 5.00pm Friday, 13 April 2007.

Late submissions will not be considered.

MOSHE GILOVITZ, Secretary,  
Western Australian Planning Commission.

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## PREMIER AND CABINET

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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 Federal State Relations; Trade; Innovation; Science; Public Sector Management in the absence of the Hon A. J. Carpenter MLA for the periods 23 December 2006 to 14 January 2007 and 14 to 24 February 2007 (all dates inclusive).

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

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## RACING, GAMING AND LIQUOR

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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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
11782	Food From Europe Wholesalers Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Donnybrook and known as Food From Europe	28/12/2006
11785	Emma Cafe Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in East Victoria Park and known as Vencia	09/01/2007
11786	Vasili Vasilas	Application for the grant of a Restaurant licence in respect of premises situated in West Perth and known as Club Zero Caffè	28/12/2006
11787	Kali Dixon and Tim Dixon	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Yallingup and known as Yallingup Lodge	14/01/2007
11791	David Andrew Hancock	Application for the grant of a Hotel Restricted licence in respect of premises situated in Northbridge and known as Hotel Bambu	15/01/2007
11783	Qantas Flight Catering Limited	Application for the grant of a Wholesaler's licence in respect of premises situated in Perth Airport and known as Qantas Flight Catering Ltd	03/01/2007

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i></b>			
11771	ESS Gumala Pty Ltd	Application for the grant of a Special Facility-Canteen licence in respect of premises situated in Newman and known as Yandi Accommodation Village Wet Canteen	02/01/2007
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
29243	Ellise Michelle Drage	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Horrocks and known as Horrocks Beach General Store	10/01/2007
<b>APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
269148	Wendy Harbeck	Application to add, vary or cancel a condition of the Restaurant licence in respect of premises situated in Mt Barker and known as The Grapevine- Fine Wine & Coffee Bar	09/01/2007

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

Dated: 20 December 2006.

P. MINCHIN, Director of Liquor Licensing.

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## REGIONAL DEVELOPMENT

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### RD401

#### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

##### APPOINTMENTS

It is hereby notified for general information that the Minister for the South West has approved the following appointments in accordance with Part 3 of the *Regional Development Commissions Act 1993*.

#### SOUTH WEST DEVELOPMENT COMMISSION

##### Board of Management

- Mr Stan Liaros as Chairman and ministerial representative for a 3-year term expiring 31 October 2009.
- Ms Sonja Mitchell appointed as a ministerial representative for a 3-year term expiring 31 October 2009.
- Cr Stephen Harrison as a local government representative for a 3-year term expiring 31 October 2009.
- Cr Helen Shervington as a local government representative for a 3-year term expiring 31 October 2009.

MARK McGOWAN MLA, Minister for the South West.

### RD402

#### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

##### APPOINTMENTS

It is hereby notified for general information that the Minister for Peel and the South West has approved the appointment of the following as board members in accordance with Part 3 of the *Regional Development Commissions Act 1993*.

#### PEEL DEVELOPMENT COMMISSION

##### Board of Management

- Ms Elizabeth Hoek appointed as a Ministerial Member for a term expiring on 31 October 2009;
- Ms Christine Germain appointed as a Community Member and Deputy Chairperson for a term expiring on 31 October 2009;
- Councillor Noel Nancarrow appointed as a Local Government Member for a term expiring on 31 October 2009.

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## TREASURY AND FINANCE

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TF401

**FINANCIAL ADMINISTRATION AND AUDIT ACT 1985**

Department of Treasury and Finance  
Perth, 29 December 2006.

It is notified for general information that, pursuant to section 58 of the *Financial Administration and Audit Act 1985*, the Treasurer has issued the following amended Treasurer's Instructions to be effective from the date this notice is published in the *Government Gazette*.

Treasurer's Topic  
Instruction

1101 Application of Australian Accounting Standards and Other Pronouncements  
1102 Income Statements

The full suite of Financial Administration Legislation (including the Treasurer's Instructions) may be purchased from the State Law Publisher and is also available for download from the Department of Treasury and Finance's homepage [www.dtf.wa.gov.au](http://www.dtf.wa.gov.au) and click on Financial Legislation—FAAA & Tis under the item Treasury.

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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. 20 of 2006)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to High Performance Ltd T/A Skadada (hereafter known as Skadada) from the requirements of the following regulations of the Occupational Safety and Health Regulations 1996—

- Regulation 4.53(2)(a) through to Regulation 4.53(2)(e), inclusive; and
- Regulation 4.54(4)(c) insofar as it relates to the requirements of Section 6.18 of AS 2550.1—2002

insofar as the above require a person or persons suspended from a crane to be accommodated in a workbox. This exemption relates to the use of two cranes for single and multi-crane hoisting to suspend aerial performers during a rehearsal and two performances at the Ascot Race Course on 1 January 2007.

I further grant an exemption from Regulation 4.54(7)(b) in relation to the trapeze acts and the use of two cranes for multi-crane hoisting to suspend persons between the cranes during the abovementioned rehearsal and performances.

I also grant an exemption from the requirements of Regulation 4.54(3) in relation to the use of the two cranes in the abovementioned rehearsal and performances.

The following conditions shall apply with respect to use of the cranes—

- notwithstanding that Section 6.18.2 of Australian Standard AS 2550.1 refers to use of a workbox, from which requirement Skadada is exempted, the requirements for the cranes listed in clauses (a) to (h) of 6.18.2 shall still apply;
- the crane operators shall remain at the controls of the crane at all times during the performance;
- the only crane motion permitted whilst a person is suspended from the crane hooks is hoist up or down at slow speed;
- a means of lowering the persons in the event of an emergency or failure of the power supply to the cranes is provided;
- a certificated dogger or rigger oversees the attachment of the lifting gear to the crane hooks;
- the trapeze acts must not exceed the rated capacities for dual crane lift restrictions; and
- a full site-specific risk assessment must be conducted and, where necessary, control measures implemented.

This exemption is valid on 1 January 2007 only.

Dated this 22nd day of December 2006.

NINA LYHNE, WorkSafe Western Australia Commissioner.

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**DECEASED ESTATES**

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**ZX101\***

*CORRECTION*  
**TRUSTEES ACT 1962**  
DECEASED ESTATES

Notice to Creditors and Claimants

An error occurred in notice ZX403 published under the above heading on page 5832 of the *Government Gazette* No. 231 dated 22 December 2006 and is corrected as follows.

In the first paragraph delete "15th January 2007" and insert "22nd January 2007".

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**ZX401**

**TRUSTEES ACT 1962**  
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Will of Nancy Grace Perry, late of 22 Genevieve Court, Halls Head in the State of Western Australia, School Teacher (in the will Widow), 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 24th November 2006 are required by the personal representative, Phillip Richard Perry to send particulars of their claims to him care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 10th February 2007, after which date the personal representative may convey or distribute the assets having regard to the claims of which he then has notice.

CLEMENT & CO, as solicitors for the personal representative.

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**ZX402\***

**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 29th January 2007 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Barker, Katharine Lilian, late of Unit 7 Townshend Gardens, 189 Townshend Road, Subiaco, died 13/12/2006, (DE19752580EM32)

Howard, June Eloise, late of RSL Retirement Village, 82 Oakmont Avenue, Mandurah, died 11/12/2006, (DE20010834EM26)

Irwin, Katrina St John, late of Unit 8/10 Clarence Street, Tuart Hill, died 27/11/2006, (DE19722764EM13)

Phillips, Marjorie Purdom, late of Third (East) Avenue, Maylands, died 24/10/2006, (DE19762646EM32)

Slade, Thomas Alan, late of Amaroo Village Buckley Caring Centre, 60 Stalker Road, Gosnells, died 11/11/2006, (DE19720990EM17)

Stark, Phyllis Agnes, late of Kensington Park Nursing Home, 62 Gwentyfred Road, Kensington, died 30/8/2006, (DE19740218EM15)

JOHN SKINNER, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone 9222 6777.

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