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

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— PART 1 —

PROCLAMATIONS

AA101*

DANGEROUS GOODS SAFETY ACT 2004

No. 7 of 2004

PROCLAMATION

Western Australia

By His Excellency

*Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Dangerous Goods Safety Act 2004* section 2 and with the advice and consent of the Executive Council, fix 1 March 2008 as the day on which the provisions of that Act come into operation.

Given under my hand and the Public Seal of the State on 26 February 2008.

By Command of the Governor,

JON FORD, Minister for Employment Protection.

Note: The following regulations come into operation on the day on which the *Dangerous Goods Safety Act 2004* comes into operation under this proclamation—

Dangerous Goods Safety (Explosives) Regulations 2007;

Dangerous Goods Safety (General) Regulations 2007;

Dangerous Goods Safety (Goods in Ports) Regulations 2007;

Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007;

Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007;

Dangerous Goods Safety (Security Risk Substances) Regulations 2007;

Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995**DOG ACT 1976***Shire of Dowerin*

DOGS LOCAL LAW 2008

Under the powers conferred by the *Dog Act 1976* and by other powers enabling it, the Council of the Shire of Dowerin resolved on 19 February 2008 to make the following local law.

PART 1—PRELIMINARY**1.1 Citation**

This local law may be cited as the *Shire of Dowerin Dogs Local Law 2008*.

1.2 Definitions

In this local law unless the context otherwise requires—

“Act” means the *Dog Act 1976*;

“**authorized person**” means a person authorized by the local government to perform all or any of the functions conferred on an authorized person under this local law;

“**CEO**” means the Chief Executive Officer of the local government;

“**local government**” means the Shire of Dowerin;

“**pound keeper**” means a person authorized by the local government to perform all or any of the functions conferred on a “pound keeper” under this local law;

“**Regulations**” means the *Dog Regulations 1976*;

“**thoroughfare**” has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and

“**town planning scheme**” means a town planning scheme made by the local government under the *Town Planning and Development Act 2005* which applies throughout the whole or a part of the district.

1.3 Application

This local law applies throughout the district.

PART 2—IMPOUNDING OF DOGS

2.1 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16—6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the Chief Executive Officer.

2.3 Release of impounded dog

(1) A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the Chief Executive Officer.

(2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence—

- (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
- (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

2.4 No breaking into or destruction of pound

A person who—

- (a) unless he or she is the pound keeper or a person authorized to do so, releases or attempts to release a dog from a pound; or
- (b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof—
 - (i) any pound; or
 - (ii) any vehicle or container used for the purpose of catching, holding or conveying a seized dog,

commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

(1) An occupier of premises on which a dog is kept must—

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;

- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
 - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been—
- (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act—
- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or
 - (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.

PART 4—APPROVED KENNEL ESTABLISHMENTS

4.1 Interpretation

In this Part and in Schedule 2—

“**licence**” means a licence to keep an approved kennel establishment on premises;

“**licensee**” means the holder of a licence;

“**premises**”, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

“**transferee**” means a person who applies for the transfer of a licence to her or him under clause 4.14.

4.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with—

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (d) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (e) the fee for the application for a licence referred to in clause 4.10(1).

4.3 Notice of proposed use

(1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged—

- (a) once in a newspaper circulating in the district; and
- (b) to the owners and occupiers of any premises adjoining the premises.

(2) The notices in subclause (1) must specify that—

- (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
- (b) the application and plans and specifications may be inspected at the offices of the local government.

(3) Where—

- (a) the notices given under subclause (1) do not clearly identify the premises; or
- (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

4.4 Exemption from notice requirements

Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a—

- (a) permitted use; or
- (b) use which the local government may approve subject to compliance with specified notice requirements,

under a town planning scheme, then the requirements of clauses 4.2(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.

4.5 When application can be determined

An application for a licence is not to be determined by the local government until—

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

4.6 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 4.7;
- (b) any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

4.7 Where application cannot be approved

The local government cannot approve an application for a licence where—

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

4.8 Conditions of approval

(1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.

(2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

4.9 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: Where a dog involved in the contravention is a dangerous dog, \$2,000 and a daily penalty of \$200; otherwise \$1,000 and a daily penalty of \$100.

4.10 Fees

(1) On lodging an application for a licence, the applicant is to pay a fee to the local government.

(2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.

(3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.

(4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16—6.19 of the *Local Government Act 1995*.

4.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.12 Period of licence

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the fee referred to in clause 4.10(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

4.13 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence—
 - (a) on the request of the licensee;
 - (b) following a breach of the Act, the Regulations or this local law; or
 - (c) if the licensee is not a fit and proper person.
- (3) The date a licence is cancelled is to be, in the case of—
 - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
 - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

4.14 Transfer

- (1) An application for the transfer of a valid licence from the licensee to another person must be—
 - (a) made in the form determined by the local government;
 - (b) made by the transferee;
 - (c) made with the written consent of the licensee; and
 - (d) lodged with the local government together with—
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

4.15 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.13(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.13(2), which notice is to be given in accordance with section 27(6) of the Act.

4.16 Inspection of kennel

With the consent of the occupier, an authorized person may inspect an approved kennel establishment at any time.

PART 5—DOGS IN PUBLIC PLACES

5.1 Places where dogs are prohibited absolutely

- (1) Subject to section 8 of the *Dog Act 1976* and section 66J of the *Equal Opportunity Act 1984*, dogs are prohibited absolutely from entering or being in any of the following places—
 - (a) a public building, unless permitted by a sign;

- (b) a theatre or picture gardens;
- (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993*;
- (d) a public swimming pool; and
- (e) the following reserves—
 - (i) Reserves 36704, 16798 and 4243, Tin Dog Creek Bird Hide and Reserve, Redding Road, Dowerin;
 - (ii) Portions of Reserve 10614 comprising Town Oval and Hockey Field, Memorial Ave, Dowerin;
 - (iii) Reserve 24127, school site, Memorial Avenue & East Street, Dowerin; and
 - (iv) Reserve 16736, Cemetery, Cemetery Road, Dowerin.

(2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

5.2 Places which are dog exercise areas

(1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following is a dog exercise area—

- (a) North East portion (approximately 5 hectares) of Reserve 10614 as signposted, Memorial Ave, Dowerin.
- (2) Subclause (1) does not apply to—
- (a) land which has been set apart as a children's playground;
 - (b) an area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
 - (c) a car park.

PART 6—MISCELLANEOUS

6.1 Offence to excrete

- (1) A dog must not excrete on—
- (a) any thoroughfare or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: \$200.

(3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 7—ENFORCEMENT

7.1 Interpretation

In this Part—

“**infringement notice**” means the notice referred to in clause 7.3; and

“**notice of withdrawal**” means the notice referred to in clause 7.6(1).

7.2 Modified penalties

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if—
- (a) the dog is not a dangerous dog; or
 - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

7.3 Issue of infringement notice

Where an authorized person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 7 of the First Schedule of the Regulations.

7.4 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

7.5 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

7.6 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorized person may withdraw an infringement notice by sending a notice in the form of Form 8 of the First Schedule of the Regulations.
- (2) A person authorized to issue an infringement notice under clause 7.3 cannot sign or send a notice of withdrawal.

7.7 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

SCHEDULE 1

(clause 4.2)

Shire of Dowerin Dogs Local Law 2008

Application for a licence for an approved kennel establishment

I/we (full name).....

of (postal address).....

(telephone number).....

(facsimile number).....

(E-mail address).....

Apply for a licence for an approved kennel establishment at (address of premises).....

.....

For (number and breed of dogs)

* (insert name of person) will be residing at the premises on and from (insert date)

* (insert name of person) will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at

..... (insert address of residence)

on and from (insert date).

Attached are—

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside—
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as, in the keeping of dogs at the proposed kennel establishment.

Signature of applicant

Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months—section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on [insert date].

SCHEDULE 2

(clause 4.8(1))

Conditions of a licence for an approved kennel establishment

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than—
 - (i) 25 m from the front boundary of the premises and 5 m from any other boundary of the premises;
 - (ii) 10 m from any dwelling; and
 - (iii) 25 m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be—
 - (i) at least 100 mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
- (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75 mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50 mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of—
 - (i) 2 m; or
 - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorized person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;

- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
- (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

SCHEDULE 3

(clause 7.2)

Offences in respect of which modified penalty applies

Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
2.4(a)	Attempting to or causing the unauthorized release of a dog from a pound	200	400
2.4(b)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs	200	
3.1	Failing to provide means for effectively confining a dog	50	200
4.9	Failing to comply with the conditions of a licence	100	200
5.1(2)	Dog in place from which prohibited absolutely	200	400
6.1(2)	Dog excreting in prohibited place	40	

Dated: 19th February 2008.

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

DALE ELLIS METCALF, President.
LESLIE PHILLIP CRICHTON, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995**HEALTH ACT 1911***City of Perth***CITY OF PERTH AMENDMENT LOCAL LAW 2007**

Under the powers conferred by the Health Act 1911, the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Perth resolved on 29 January 2008 to make the City of Perth Amendment Local Law 2007 as follows—

ARRANGEMENT

PART 1—PRELIMINARY

PART 2—HEALTH LOCAL LAW

PART 3—FENCING LOCAL LAW

PART 4—PUBLIC TRADING LOCAL LAW

PART 5—LOCAL GOVERNMENT PROPERTY LOCAL LAW

PART 6—THOROUGHFARES AND PUBLIC PLACES LOCAL LAW

PART 7—ALFRESCO DINING LOCAL LAW

PART 8—SIGNS LOCAL LAW

PART 1—PRELIMINARY**Title**

1.1 This local law may be cited as the *City of Perth Amendment Local Law 2007*.

Commencement

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

Purpose and effect

1.3 (1) The purpose of this local law is to amend various clauses in the Health, Fencing, Public Trading, Local Government Property, Thoroughfares and Public Places, Alfresco Dining and Signs local laws to ensure information is current with prevailing legislation and better clarify the requirements of the local laws.

(2) The effect of this local law is to provide local laws that are clear in their intent, support other legislation and meet the needs of the community and the City of Perth.

PART 2—HEALTH LOCAL LAW**Amendment**

2 The City of Perth Health Local Law 2000 published in the *Government Gazette* on 5 June 2001, is hereby amended in the following manner—

- 2.1 amend clause 1 by deleting “The City of Perth Health Local Law 2000” and inserting instead “the City of Perth Health Local Law 2000”;
- 2.2 amend clause 3 by deleting “1918” and inserting instead “1984”;
- 2.3 amend clause 4(1) by inserting in the correct alphabetical position the following definition—
 ““**valid**” in relation to an approval, consent, registration or licence under this local law means current and for which all the associated fees have been paid in full.”;
- 2.4 amend clause 10(a) by deleting “,” and inserting instead “.”;
- 2.5 delete clause 10(b) and insert instead the following—
 “(b) A person who undertakes temporary work at any place shall at the conclusion of the work or at an earlier time, remove the temporary toilet in accordance with the direction for an Environmental Health Officer and is to ensure the site is left clean.”;
- 2.6 amend clause 11(2)(a) by deleting “,” after “and”;
- 2.7 amend clause 19(3)(a) by deleting “Office of Energy” and inserting instead “Director of Energy Safety appointed pursuant to the provisions of Section 5 of the Energy Coordination Act 1994”;
- 2.8 amend clause 20(m) by deleting “Office of Energy” and inserting instead “Director of Energy Safety appointed pursuant to the provisions of Section 5 of the Energy Coordination Act 1994”;
- 2.9 amend clause 25(3)(a) by deleting “AS3666—1989” and inserting instead “AS/NZS 3666.2”;
- 2.10 amend clause 25 by inserting after subclause 25(5) the following—
 “(6) The owner or occupier of a dwelling house shall make provision for sub-floor ventilation by ensuring that air bricks and other openings are kept clear of refuse, vegetation, building materials, dirt and the like.”;
- 2.11 amend clause 27(c) by inserting “and” after “.”;
- 2.12 delete the title “**Registration of Morgues**” above clause 32 and insert instead the title “**Licensing of Morgues**”;
- 2.13 amend clause 32(1) by deleting “registered” and inserting instead “licensed”;
- 2.14 amend clause 32(2) by deleting “registration” and inserting instead “licensing”;
- 2.15 amend clause 32(3) by deleting “registration” and inserting instead “licensing”;
- 2.16 amend clauses 32(4) and 32(5) by deleting “Certificate of Registration” and inserting instead “licence”;
- 2.17 amend clause 32(4) by deleting “registration” and inserting instead “licence”;
- 2.18 delete the title “Revocation of Registration” above clause 34 and insert instead the title “Revocation of licence”;
- 2.19 amend clause 34 by deleting “registration” in all instances throughout the clause and inserting instead “licence”;

- 2.20 amend clause 34(1) by deleting “,” after “reason” and inserting “,” after “which”;
- 2.21 amend clause 34(2) by—
- (a) deleting “and” in paragraph (c);
 - (b) deleting “.” in paragraph (d) and inserting instead “; and”; and
 - (c) inserting the following paragraph after paragraph (d)—
 - “(e) the non-payment, within the time specified by the Council or the CEO, of any fee associated with the licence.”;
- 2.22 amend clause 35 by deleting the conjunction “and” at the end of the definition of “liquid refuse”;
- 2.23 amend clause 36(c) by deleting “duly authorised” and inserting instead “approved”;
- 2.24 amend clause 108 by inserting after subclause (4) the following—
- “(5) Subject to subclause (6), the Council may, at any time and for any reason, revoke the consent granted under subclause (3).
 - (6) Before revoking a consent given under subclause (3), the Council shall give notice to the person keeping bees allowing him or her, within the time specified in the notice, to show cause why the consent should not be revoked.
 - (7) Where the Council revokes a consent under this clause, it shall give the person keeping bees notice of the revocation and the consent shall be revoked as from the date on which the notice is given to the bee keeper.
 - (8) The person keeping bees must, at his or her own expense, remove or destroy in an appropriate manner, all the bees and hives on the lot within 14 days of being given the notice referred in subclause (7).”;
- 2.25 amend clause 129(2) by—
- (a) deleting the word “or” in sub-paragraph (b)(ii);
 - (b) deleting “.” in sub-paragraph (b)(iii) and inserting instead “; or”; and
 - (c) inserting after sub-paragraph (b)(iii) the following—
 - “(iv) not paid, within the time specified by the Council or the CEO, any fee associated with the registration.”;
- 2.26 amend clause 145(b) by deleting “for more than 48 consecutive hours”;
- 2.27 delete “PART 5—DELEGATION” immediately above clause 189 and inserting instead “PART 11—DELEGATION”;
- 2.28 insert after Part 11 the following—
- “PART 12—PAYMENT OF FEES**
- Payment of fees**
190. A person shall pay, within the time specified by the Council or the CEO, all fees associated with the obtaining or renewal of any approval, consent, registration or licence under this local law.
- Late fees**
191. (1) A person who pays a fee due under this local law after the time specified by the Council or the CEO for the payment of that fee, may be required by the Council or CEO to pay an additional late fee as fixed from time to time by the Council under section 344C of the Act.
- (2) A person shall pay the additional late fee within the time specified by the Council or Chief Executive Officer.
- No action without payment of fee**
192. Notwithstanding any other provisions in this local law, a person shall not commence or continue to do anything that requires an approval, consent, registration or licence under this local law unless that person has a valid approval, consent, registration or licence (as applicable).”;
- 2.29 delete “Schedule 8” and insert instead “Schedule 8” as follows—

“Schedule 8

(Clause 32)

CITY OF PERTH

Health Act 1911

APPLICATION FOR LICENCE OF A MORGUE

To: Chief Executive Officer
City of Perth

I.....
(Full name in block letters)

of
.....

(Residential Address)

apply to licence the premises listed below as a Morgue

Address of Premises:

Name of Premises:

Dated this day of 20.....

(Signature of applicant);

2.30 delete “Schedule 9” and insert instead “Schedule 9” as follows—

“Schedule 9

(Clause 32)

CITY OF PERTH

Health Act 1911

CERTIFICATE OF LICENCE OF A MORGUE

This is to certify the following premises is licensed as a Morgue from the

day of until

Address of Premises:

Name of Premises:

Dated this day of 20.....

Chief Executive Officer
City of Perth”.

PART 3—FENCING LOCAL LAW

Amendment

3 The City of Perth Fencing Local Law 2005 published in the *Government Gazette* on 14 July 2005, is hereby amended in the following manner—

- 3.1 amend clause 6 by deleting “an” in the definition of “Building Code” and inserting instead “any”;
- 3.2 delete clause 8 from the local law;
- 3.3 amend clause 31(1) by deleting “a court of petty sessions” and inserting instead “the Magistrates Court”;
- 3.4 delete clause 31(2) from the local law;
- 3.5 amend clause 1(1) of the First Schedule by inserting “or steel sheeting” after “sheeting”;
- 3.6 delete clause 17(1) and inserting instead the following—

“17 (1) Front fences or boundary fences that are adjacent to a vehicle access point or a thoroughfare shall be truncated with the minimum dimension of the truncation being 1.5 metres or the fence reduced in height to no more than 0.75 metres, unless—

- (a) the fence is an open fence that does not obscure the lines of vision of a motorist using the vehicle access point or thoroughfare; or
- (b) there is a distance of 3.5 metres between the fence and a carriageway or footpath.”;

PART 4—PUBLIC TRADING LOCAL LAW

Amendment

4 The City of Perth Public Trading Local Law 2005 published in the *Government Gazette* on 12 December 2005, is hereby amended in the following manner—

- 4.1 amend clause 2.13(5) by deleting “subclause (5)” and inserting instead “subclause (6)”.

PART 5—LOCAL GOVERNMENT PROPERTY LOCAL LAW**Amendment**

5 The City of Perth Local Government Property Local Law 2005 published in the *Government Gazette* on 14 July 2005, is hereby amended in the following manner—

- 5.1 amend clause 6 by inserting the definition in the correct alphabetical order as follows—

“aircraft” has the meaning as given to it in Section 3 of the Civil Aviation Act 1988;”;
- 5.2 amend clause 45 by—
 - (a) deleting “Dangerous Goods Regulations 1992” and inserting instead “Explosives and Dangerous Goods (Dangerous Goods Handling and Storage) Regulations 1992”; and
 - (b) deleting “Explosive Regulations 1963” and inserting instead “Explosives and Dangerous Goods (Explosives) Regulations 1963”;
- 5.3 amend clause 29(1) by—
 - (a) deleting the word “or” as it appears the second time in sub-paragraph (s);
 - (b) deleting “.” in sub-paragraph (t) and inserting instead “; or”; and
 - (c) inserting after sub-paragraph (t) the following—

“(u) launch an aircraft from, or land an aircraft onto, local government property.”;
- 5.4 amend clause 7 of the Second Schedule by deleting “on” as it appears the second time and inserting instead “or”.

PART 6—THOROUGHFARES AND PUBLIC PLACES LOCAL LAW**Amendment**

6 The City of Perth Thoroughfares and Public Places Local Law 2007 published in the *Government Gazette* on 2 March 2007, is hereby amended in the following manner—

- 6.1 delete clause 2.1(a) and inserting instead the following—

“(a) plant any plant other than lawn on a thoroughfare within 6 metres of an intersection;”;
- 6.2 amend clause 2.1(h) by—
 - (a) deleting “, intimidate”; and
 - (b) deleting “or intending to use”;
- 6.3 delete clause 4.1(6);
- 6.4 amend clause 4.4 by inserting after subclause (2) the following—

“(3) A bond required under subclause (1) shall be returned to the permit holder if the City is satisfied that the activity has not caused damage to the public place or local government property used for the activity.”;
- 6.5 amend clause 5.1(1) by—
 - (a) deleting “or” as it appears the second time in paragraph (b);
 - (b) deleting “,” in paragraph (c) and inserting instead “; or”;
 - (c) inserting after paragraph (c) the following—

“(d) use the proceeds of a bond under clause 7.2(2),”;
- 6.6 amend clause 7.2(2) by deleting “or any loss of income estimated or”;
- 6.7 delete all cross-referencing “Notes” that make reference to other legislation as they appear in the local law as published in the *Government Gazette* on 2 March 2007.

PART 7—ALFRESCO DINING LOCAL LAW**Amendment**

7 The City of Perth Alfresco Dining Local Law 2000 published in the *Government Gazette* on 10 November 2000, is hereby amended in the following manner—

- 7.1 amend clause 1.4 by—
 - (a) reformatting the definition of “**Health Act**” so that it is not in italics;
 - (b) deleting “.” after “eating-house” in the definition of “**proprietor**” and inserting instead “;”;
 - (d) deleting “and” after “City property,” in the definition of “**public place**”;
 - (e) deleting “.” after “purpose” in the definition of “**utility**” and inserting instead “;” and

- (f) inserting in the correct appropriate alphabetical position the following definition—
 “**valid licence**” means a licence which is valid in accordance with clause 2.5 of this local law and for which all fees due in relation to the licence have been paid in full.”;
- 7.2 amend clause 2.9(1)(a) by deleting “is valid and current” and inserting instead “is a valid licence”;
- 7.3 delete clause 4.3(4) and inserting instead the following—
 “(4) For the purposes of this local law—
 (a) an infringement notice given under section 9.16 of the Act in respect of a prescribed offence against this local law is to be in accordance with Form 2 of Schedule 1 of the Local Government (Functions and General) Regulations 1996;
 (b) a notice sent under section 9.20(1) of the Act withdrawing an infringement notice given in respect of an offence alleged to have been committed against this local law is to be in accordance with Form 3 of Schedule 1 of the Local Government (Functions and General) Regulations 1996.”;
- 7.4 delete Schedule 2 and Schedule 3 from the local law.

PART 8—SIGNS LOCAL LAW

Amendment

8 The Signs Local Law 2005 published in the *Government Gazette* on 12 December 2005, is hereby amended in the following manner—

- 8.1 amend clause 1.6 by inserting the definition in the correct alphabetical order as follows—
 “**hand held sign**” means a sign held or carried by a person but does not include an election sign.”;
- 8.2 insert after clause 4.4 the following—
 “**Hand held signs**
 4.5 A person shall not display a hand held sign on local government property or a public place unless approved by the City or associated with an event approved by the City.”.

Dated this 1st day of February 2008.

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

LISA SCAFFIDI, The Rt Hon The Lord Mayor.
 FRANK EDWARDS, Chief Executive Officer.

Consented to Part 2 amending the City of Perth Health Local Law 2000—

JIM DODDS, delegate of Executive Director,
 Public Health.

Dated this 18th day of 2008.

LG303*

LOCAL GOVERNMENT ACT 1995

Town of Kwinana

STANDING ORDERS AMENDMENT LOCAL LAW 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Kwinana resolved on 12 December 2007 to make the following local law.

The *Town of Kwinana Local Law—Standing Orders* as published in the *Government Gazette* of 10 January 2000 is referred to as the principal local law. The principle local law is amended as follows—

1. Delete the whole of clause 6.2 and substitute ‘6.2 The Council shall resolve each year the days and times when ordinary Council meetings shall be held.’.
2. In clause 6.4 insert ‘electronically,’ before the words ‘or otherwise left’.
3. In clause 6.6(2) insert ‘and accompanied by an officer report’ after ‘purpose of the meeting’.

4. In clause 8.2, delete the last sentence and substitute 'The last page of the minutes shall be signed and dated by the person presiding over the meeting.'
5. Delete clause 8.4.
6. Rename clause 9.1 from 'Ordinary Meetings of Council' to 'Ordinary and Special Meetings'.
7. Delete clause 9.1 and replace with 'The Order of Business at meetings of Council and Committees shall include two question times for the public, a question time for Councillors and Committee members and Councillors reports, unless altered by a Council or Committee resolution to that effect and shall be in the order in which that business stands in the agenda of the meeting'.
8. Delete clause 9.2.
9. Renumber clause 9.3 to '9.2' and replace the words 'Notwithstanding sub-clause (1), the' with 'The'.
10. In clause 12.1, delete subclause (2) and substitute '(2) deleted'.
11. In clause 12.2, delete subclause (1) and substitute '(1) If a question asked by a member of the public or a Councillor cannot be answered at the meeting, the question will be taken on notice and responded to in writing. A summary of the response to the question is to be included in the agenda of the next meeting of the Council or Committee as the case requires'.
12. In clause 14.3, delete 'question' and substitute 'motion'.
13. In clause 15.4(1), paragraph b), insert 'in consultation with the mover' after 'due form'.
14. In clause 16.1 delete 'or committee'.
15. Delete clause 16.6.
16. Renumber clause 16.7 to '16.6' and in subclause (2) replace 'The following meetings shall be tape recorded' with 'A vocal recording will be made of the following meetings'.
17. In clause 16.6, delete subclause (3) and renumber subclauses (4), (5), (6) and (7) to (3), (4), (5) and (6) respectively.
18. In clause 16.6, subclauses (3) and (5), replace 'tape' with 'vocal' where it occurs.
19. In clause 16.6(4) replace 'tape' with 'vocal recording'.
20. In clause 16.6(6) delete 'not' and replace 'nor' with 'silent or off and cannot be'.
21. Delete clause 17.4, and renumber clauses 17.5, 17.6, 17.7, 17.8 and 17.9 to 17.4, 17.5, 17.6, 17.7 and 17.8 respectively.
22. In clause 17.4, delete 'ten (10)' and substitute 'five (5)'.
23. In clause 17.5 delete 'question' and substitute 'motion'.
24. In clause 17.8, delete 'without debate' and substitute, 'and call for speakers'.
25. In clause 18.2, delete 'change' and substitute 'amend'.
26. In the heading for clause 18.4, delete 'Questions' and substitute 'Motions'.
27. In clause 18.4, delete 'question' and substitute 'motion'.
28. In clause 18.5, paragraph (f) delete 'for' and substitute 'against'.
29. In clause 18.5, paragraph (g), delete 'against and for' and substitute 'for and against'.
30. In the heading for clause 18.7, delete 'Question' and substitute 'Motion'.
31. In clause 18.7, delete 'question' and substitute 'motion'.
32. In clause 18.18 delete 'question' and substitute 'motion'.
33. In clause 19.1, delete 'question' and substitute 'motion' where it appears.
34. In the heading for clause 20.2, delete 'Question' and substitute 'Motion'.
35. In clause 20.2(1), delete 'question' and substitute 'motion'.
36. Delete clause 20.2(2) and substitute '(2) If the motion is carried at a meeting of the Council, the names of members who have spoken on the matter are to be recorded in the minutes.'
37. In the heading for clause 20.4, delete 'Question' and substitute 'Motion'.
38. In clause 20.4, delete 'question' and substitute 'motion'.
39. In clause 20.7, delete subclause (2) and substitute '(2) Meetings, or parts of meetings, may only be closed to the public in accordance with section 5.23(2) of the Act.'
40. In clause 20.7, delete subclause (3) and renumber subclauses (4) and (5) to (3) and (4) respectively.
41. In the heading for clause 21.1, delete 'Question' and substitute 'Motion'.

42. In clause 21.1, delete 'question' and substitute 'motion' where it occurs.
43. In the heading for clause 21.2, delete 'Question' and substitute 'Motion'.
44. In clause 22(3), delete '; without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change'.
45. In clause 22(3), insert at the end of paragraph (a), 'without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change'.
46. In clause 23.9, delete subclause (2) and substitute '(2) Where debate of a motion is interrupted by an adjournment under sub-clause (1), in the case of a Council meeting, the names of the members who have spoken in the matter prior to the adjournment are to be recorded.'
47. Delete clause 25 and renumber clauses 26, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 27, 27.1 and 27.2 to 25, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 26, 26.1 and 26.2 respectively.
48. In clause 25.1, paragraph (a) insert 'or position' after 'the names'.
49. In clause 25.3, delete 'the person presiding' and substitute 'a simple majority of the Committee'.
50. Delete clause 25.8 and substitute '25.8 Where not otherwise specifically provided, these Standing Orders apply generally to the proceedings of Committees, except for clause 17.1, in respect of the requirement to rise.'
51. Delete clauses 28 and 29.

Dated this 12th day of December 2007.

The Common Seal of the Town of Kwinana was hereunto affixed in the presence of—

C. ADAMS, Mayor.
N. HARTLEY, Chief Executive Officer.

MINERALS AND PETROLEUM

MP301*

Mines Safety and Inspection Act 1994

Mines Safety and Inspection Amendment Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mines Safety and Inspection Amendment Regulations 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

- (b) the rest of the regulations, on the later of —
 - (i) the day on which the *Dangerous Goods Safety Act 2004* comes into operation; and
 - (ii) the day after the day on which these regulations are published in the *Gazette*.

3. The regulations amended

The amendments in these regulations are to the *Mines Safety and Inspection Regulations 1995*.

4. Regulation 1.3 amended

Regulation 1.3 is amended as follows:

- (a) by deleting the definition of “Chief Inspector of Explosives”;
- (b) in the definition of “dangerous goods” by deleting “*Explosives and Dangerous Goods Act 1961*,” and inserting instead —
“ *Dangerous Goods Safety Act 2004*; ”;
- (c) by deleting the definition of “inspector of explosives”.

5. Regulation 2.21 amended

(1) Regulation 2.21(1) is amended as follows:

- (a) by deleting the full stop after the definition of “applicant” and inserting instead a semicolon;
- (b) by inserting in the appropriate alphabetical position the following definition —

“

“**mining law**” means —

- (a) the Act and these regulations; and
- (b) the *Dangerous Goods Safety Act 2004*, and regulations made under it, in so far as they apply to explosives.

”.

(2) Regulation 2.21(2)(b) is amended by deleting “the Act and these regulations;” and inserting instead —

“ mining law; ”.

6. Regulation 2.22 amended

Regulation 2.22(2)(b) is amended by deleting “the Act and these regulations;” and inserting instead —

“ mining law, as that term is defined by regulation 2.21(1); ”.

7. Regulation 2.23 amended

(1) Regulation 2.23(1) is amended as follows:

- (a) by deleting the full stop after the definition of “applicant” and inserting instead a semicolon;

- (b) by inserting in the appropriate alphabetical position the following definition —

“

“**mining law**” has the meaning given to that term by regulation 2.21(1).

”.

- (2) Regulation 2.23(4) is repealed.

8. Regulation 2.24 amended

- (1) Regulation 2.24(1) is amended as follows:

- (a) by deleting the full stop after the definition of “applicant” and inserting instead a semicolon;
- (b) by inserting in the appropriate alphabetical position the following definition —

“

“**mining law**” has the meaning given to that term by regulation 2.21(1).

”.

- (2) Regulation 2.24(4) is repealed.

9. Regulation 2.25 amended

Regulation 2.25(3)(b) is deleted and the following paragraph is inserted instead —

“

- (b) mining law, as that term is defined by regulation 2.21(1).

”.

10. Regulation 7.20 amended

Regulation 7.20 is amended as follows:

- (a) by deleting the definition of “Australian Code for the Transport of Dangerous Goods by Road and Rail” and inserting instead —

“

“**ADG Code**” means the *Australian Code for the Transport of Dangerous Goods by Road and Rail*, Seventh edition, 2007, published by the Commonwealth of Australia (ISBN 1 921168 57 9) including (for the avoidance of doubt) its appendices;

”.

- (b) in the definition of “container” by deleting “or bulk container as defined in the Australian Code for the Transport of Dangerous Goods by Road and Rail;” and inserting instead —

“ as defined in the ADG Code; ”.

11. Regulation 8.1 amended

Regulation 8.1 is amended as follows:

- (a) by inserting in the appropriate alphabetical position the following definition —

“

“**bulk AN-based explosive**” has the meaning given to that term by the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 3;

”;

- (b) in the definition of “butt” or “socket” by deleting “or blasting agent, or both,”;
- (c) in the definition of “charge” by deleting “or blasting agent, or both,”.

12. Regulation 8.1A inserted

Before regulation 8.2 the following regulation is inserted in Part 8 Division 2 —

“

8.1A. Explosives, requirements in relation to

Each responsible person at a mine must ensure that the manufacture, storage, transport, supply, use and disposal of any explosive at the mine is in accordance with the *Dangerous Goods Safety Act 2004* and regulations made under it.

Penalty: See regulation 17.1.

”.

13. Regulation 8.3 repealed

Regulation 8.3 is repealed.

14. Regulation 8.4 repealed

Regulation 8.4 is repealed.

15. Regulation 8.5 amended

- (1) Regulation 8.5(1) is amended as follows:

- (a) by deleting “main”;
- (b) by inserting after each of paragraphs (a), (b), (c) and (d) —
“ and ”;
- (c) by deleting “; and” after paragraph (e) and inserting instead a full stop;
- (d) by deleting paragraph (f).

- (2) Regulation 8.5(2) and (3) are repealed.

16. Regulation 8.6 repealed

Regulation 8.6 is repealed.

17. Regulation 8.7 amended

- (1) Regulation 8.7(2) is amended by deleting “main”.
- (2) Regulation 8.7(4) is amended by deleting “main”.

18. Regulation 8.8 repealed

Regulation 8.8 is repealed.

19. Regulation 8.9 repealed

Regulation 8.9 is repealed.

20. Regulation 8.10 amended

Regulation 8.10 is amended by deleting “or blasting agents”.

21. Regulation 8.11 amended

Regulation 8.11 is amended by deleting “, blasting agent, detonating fuse, or detonators”.

22. Regulation 8.12 repealed

Regulation 8.12 is repealed.

23. Regulation 8.13 amended

- (1) Regulation 8.13(1) is amended by deleting “, blasting agent, detonating fuse, detonator, initiating system or blasting accessory,” and inserting instead —
“ or initiating system ”.
- (2) Regulation 8.13(2) is repealed.

24. Regulation 8.14 amended

- (1) Regulation 8.14(1) is repealed.
- (2) Regulation 8.14(2) is amended by deleting “or blasting agent” in the 2 places where it occurs.
- (3) Regulation 8.14(3) is amended by deleting “or blasting agent”.
- (4) Regulation 8.14(4) is repealed.
- (5) Regulation 8.14(6) is amended by deleting “or blasting agent”.

25. Regulation 8.15 repealed

Regulation 8.15 is repealed.

26. Regulation 8.16 amended

Regulation 8.16 is amended as follows:

- (a) in paragraph (a) by deleting “and blasting agents”;
- (b) in paragraph (b) by deleting “main magazine or a working party’s”;

- (c) in paragraph (b) by deleting “or blasting agent” in the 2 places where it occurs.

27. Regulation 8.18 repealed

Regulation 8.18 is repealed.

28. Regulation 8.22 amended

Regulation 8.22(2) is amended by deleting “or blasting agent”.

29. Regulation 8.25 amended

- (1) Regulation 8.25(1) is amended by deleting “of explosive or blasting agent, or both,”.
- (2) Regulation 8.25(3) is amended by deleting “of explosive or blasting agent”.

30. Regulation 8.26 amended

Regulation 8.26(1) is amended by deleting “of explosive or blasting agent, or both,”.

31. Regulation 8.27 amended

- (1) Regulation 8.27(1) is amended by deleting “of explosive or blasting agent”.
- (2) Regulation 8.27(2) is amended by deleting “of explosive or blasting agent”.

32. Regulation 8.28 amended

- (1) Regulation 8.28(1) is amended by deleting “of explosive or blasting agent”.
- (2) Regulation 8.28(3) is amended by deleting “of explosive or blasting agent”.
- (3) Regulation 8.28(6) is amended by deleting “of explosive or blasting agent”.

33. Regulation 8.33 amended

- (1) Regulation 8.33(1) is amended by deleting “of a type approved by the Chief Inspector of Explosives” and inserting instead —
“
designed for that purpose and is approved by the
manager of the mine
”.
- (2) Regulation 8.33(3) is amended as follows:
 - (a) by deleting paragraph (a) and “and” after it and inserting instead —
“
(a) which has been tested within the preceding
24 hours with a milliammeter which itself has,

within the previous 12 months, been checked and calibrated to the satisfaction of and approved by the manager of the mine; and

”.

- (b) in paragraph (b) by inserting before “has” —
“ which ”.

34. Regulation 8.34 amended

Regulation 8.34(2) is repealed.

35. Regulation 8.39 amended

Regulation 8.39(1)(d) is amended by deleting “the authorised shotfirer on” and inserting instead —

“ a shotfirer authorised by the manager of the mine for ”.

36. Regulation 8.40 repealed

Regulation 8.40 is repealed.

37. Regulation 8.41 amended

- (1) Regulation 8.41(1) is amended by deleting “ammonium nitrate blasting agent” and inserting instead —

“ bulk AN-based explosive ”.

- (2) Regulation 8.41(3) is amended by deleting “ammonium nitrate blasting agent” and inserting instead —

“ bulk AN-based explosive ”.

- (3) Regulation 8.41(4) is amended as follows:

- (a) by deleting “ammonium nitrate blasting agent” in the first place where it occurs and inserting instead —

“ bulk AN-based explosive ”;

- (b) by deleting “ammonium nitrate blasting agent” in the second place where it occurs and inserting instead —

“ explosive ”.

- (4) Regulation 8.41(5) is amended by deleting “ammonium nitrate blasting agent” and inserting instead —

“ bulk AN-based explosive ”.

38. Regulation 8.42 amended

Regulation 8.42 is amended by deleting “of explosive or blasting agent”.

39. Regulation 8.43 amended

Regulation 8.43(c) is amended by deleting “or blasting agent” in the 2 places where it occurs.

40. Regulation 8.47 amended

Regulation 8.47(2) is amended by deleting “blasting agent —” and inserting instead —

“ bulk AN-based explosive — ”.

41. Regulation 8.49 amended

Regulation 8.49 is amended by deleting “or blasting agent”.

42. Regulation 8.50 amended

Regulation 8.50(1) is amended by deleting “of explosive or blasting agent”.

43. Regulation 8.53 replaced

Regulation 8.53 is repealed and the following regulation is inserted instead —

“

8.53. Interpretation of r. 8.54 to 8.56

In regulations 8.54, 8.55 and 8.56 —

“**relevant procedure**”, in relation to the blasting referred to in that regulation, means a written procedure for the blasting —

- (a) that has been developed in conjunction with the manufacturer or supplier of the explosives, or an explosives consultant or other expert authority; or
- (b) that is set out in a blast plan that complies with the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 130.

”.

44. Part 8 Division 3 repealed

Part 8 Division 3 is repealed.

45. Regulation 9.32A amended

- (1) Regulation 9.32A(5)(a) is amended by deleting “a dangerous substance;” and inserting instead —

“ dangerous goods; ”.

- (2) Regulation 9.32A(6)(a) is amended by deleting “a dangerous substance;” and inserting instead —

“ dangerous goods; ”.

- (3) Regulation 9.32A(12) is amended by deleting the definition of “dangerous substance”.

46. Regulation 10.60 amended

Regulation 10.60(1) is repealed and the following subregulation is inserted instead —

“

(1) The manager of an underground mine must ensure that if any liquid that is a flammable liquid or combustible liquid under AS 1940 is taken underground in the mine, the liquid —

- (a) is taken underground in a container that does not leak; and
- (b) is transported in a secure manner.

Penalty: See regulation 17.1

”

By Command of the Governor,

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

POLICE

PO301*

Weapons Act 1999

Weapons Amendment Regulations 2008

Made by the Governor in Executive Council under section 10 of the Act.

1. Citation

These regulations are the *Weapons Amendment Regulations 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette* (“**Gazettal day**”);
- (b) the rest of the regulations — on the day after Gazettal day.

3. The regulations amended

The amendment in these regulations is to the *Weapons Regulations 1999*.

4. Regulation 11 inserted

After regulation 10 the following regulation is inserted —

“

11. Exception for WADSA blow pipe use

(1) In this regulation —

“**exempt event**” means a recreational event, training session or sporting competition, organised and supervised by the WA Disabled Sports Association (Inc.) or one or more of the WA Disabled Sports Association (Inc.) member clubs;

“**participant**” includes a person assisting a participant;

“**possess**” in relation to a blow pipe includes having access to a blow pipe while it is being stored;

“**WA Disabled Sports Association (Inc.) member**” includes a member of one of the WA Disabled Sports Association (Inc.) member clubs.

(2) A person does not commit an offence under section 6 of the Act if that person —

- (a) carries or possesses a blow pipe; or
- (b) attempts to carry or possess a blow pipe,

if the person does so as a participant in an exempt event.

(3) A WA Disabled Sports Association (Inc.) member does not commit an offence under section 6 of the Act if that person —

- (a) brings or sends a blow pipe into the State; or
- (b) carries or possesses a blow pipe; or
- (c) purchases, sells or supplies a blow pipe; or
- (d) manufactures a blow pipe,

or attempts to do any of those things, if that member does one or more of those things as a part of the organisation, control or supervision of an exempt event.

”

By Command of the Governor,

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

TRANSPORT

TR301*

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 4) 2008**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 4) 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. The regulations amended

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

4. Regulation 9 amended

- (1) Regulation 9(1a) is amended by deleting “ten penalty units (10 PU)” in the 2 places where it occurs and inserting instead in both places —

“

the number of penalty units that could be imposed as a modified penalty for the particular offence

”.

- (2) Regulation 9(2) is amended by deleting “twenty penalty units (20 PU)” and inserting instead —

“ twenty-four penalty units (24 PU) ”.

5. Regulation 17 amended

- (1) The Table to regulation 17(1) is amended in the column headed “Modified Penalty” as follows:

- (a) in paragraph (c) by deleting “5 PU” in the 2 places where it occurs and inserting instead in both places —

“ 6 PU ”;

- (b) in paragraph (d) by deleting “7 PU” in the 2 places where it occurs and inserting instead in both places —
“ 14 PU ”.
- (2) The Table to regulation 17(2) is amended in the column headed “Modified Penalty” as follows:
 - (a) in paragraph (c) by deleting “7 PU” in the 2 places where it occurs and inserting instead in both places —
“ 8 PU ”;
 - (b) in paragraph (d) by deleting “10 PU” in the 2 places where it occurs and inserting instead in both places —
“ 17 PU ”.

6. Regulation 232 amended

Regulation 232(1) is amended by deleting the penalty provisions at the foot of that subregulation and inserting instead —

“ Points and modified penalty: *see regulation 235A.* ”.

7. Regulation 233 amended

- (1) Regulation 233(1) is amended by deleting “but is under 16 years of age”.

Note: The heading to regulation 233 will be altered to read “**Driver to ensure that passenger wears seat belt**”.

- (2) Regulation 233(1) is amended by deleting the penalty provisions at the foot of that subregulation and inserting instead —
“ Points and modified penalty: *see regulation 235A.* ”.
- (3) Regulation 233(2)(b) is amended by deleting the full stop at the end of that paragraph and inserting instead —
“
; or
(c) the motor vehicle was a taxi and the passenger had reached 16 years of age.
”.

8. Regulation 234 amended

Regulation 234(1) is amended by deleting the penalty provisions at the foot of that subregulation and inserting instead —

“ Points and modified penalty: *see regulation 235A.* ”.

9. Regulation 235A inserted

In Part 16 Division 2, after regulation 235, the following regulation is inserted —

“

235A. Penalties for seatbelt offences by driver

- (1) The following points and modified penalties apply for the offences in this Division that refer to this regulation for their penalty, where the driver is not wearing a properly adjusted and securely fastened seatbelt.

Table

Description	Points	Modified Penalty
r. 232(1)		
Driver not wearing a seatbelt (appropriately restrained passengers or no passengers) —		
(a) during a holiday period	8	10 PU
(b) other than a holiday period	4	10 PU
r. 232(1) with r. 233(1) or 234(1)		
Driver not wearing a seatbelt with one unrestrained passenger —		
(a) during a holiday period	8	12 PU
(b) other than a holiday period	4	12 PU
r. 232(1) with r. 233(1) or 234(1)		
Driver not wearing a seatbelt with 2 unrestrained passengers —		
(a) during a holiday period	8	14 PU
(b) other than a holiday period	4	14 PU
r. 232(1) with r. 233(1) or 234(1)		
Driver not wearing a seatbelt with 3 unrestrained passengers —		
(a) during a holiday period	8	16 PU
(b) other than a holiday period	4	16 PU
r. 232(1) with r. 233(1) or 234(1)		
Driver not wearing a seatbelt with 4 or more unrestrained passengers —		
(a) during a holiday period	8	18 PU
(b) other than a holiday period	4	18 PU

- (2) The following points and modified penalties apply for the offences in this Division that refer to this regulation for their penalty where the driver is wearing a properly adjusted and securely fastened seatbelt.

Table

Description	Points	Modified Penalty
r. 233(1) or 234(1) Driver wearing a seatbelt with one unrestrained passenger —		
(a) during a holiday period	8	10 PU
(b) other than a holiday period	4	10 PU
r. 233(1) or 234(1) Driver wearing a seatbelt with 2 unrestrained passengers —		
(a) during a holiday period	8	12 PU
(b) other than a holiday period	4	12 PU
r. 233(1) or 234(1) Driver wearing a seatbelt with 3 unrestrained passengers —		
(a) during a holiday period	8	14 PU
(b) other than a holiday period	4	14 PU
r. 233(1) or 234(1) Driver wearing a seatbelt with 4 or more unrestrained passengers —		
(a) during a holiday period	8	16 PU
(b) other than a holiday period	4	16 PU

”.

10. Regulation 258 amended

Regulation 258(1), (2), (3), (4) and (6) are amended by deleting “defendant” and inserting instead —

“ accused ”.

11. Regulation 265 amended

Regulation 265(1) is amended in the penalty provision at the foot of that subregulation by deleting “Modified penalty: 2 PU” and inserting instead —

“ Modified penalty: 5 PU ”.

12. Regulation 272 amended

Regulation 272(2) is amended as follows:

- (a) by deleting “complaint” and inserting instead —
“ prosecution notice ”;
- (b) by deleting “defendant” and inserting instead —
“ accused ”.

13. Regulation 274 amended

Regulation 274(2) is amended by deleting “complaint,” and inserting instead —

“ an application ”.

14. Regulation 285 amended

Regulation 285 is amended in the Table to subregulation (2) after the item “Regulation 232 (Driver to wear seat belt)” by inserting the following items —

“

Regulation 233 (Driver to ensure that passenger wears seatbelt)
Regulation 234 (Driver to ensure that passenger occupies position with seat belt if available)

”.

By Command of the Governor,

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

TR302*

Public Transport Authority Act 2003

Public Transport Authority Amendment Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Public Transport Authority Amendment Regulations 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. The regulations amended

The amendments in these regulations are to the *Public Transport Authority Regulations 2003*.

4. Regulation 43 amended

Regulation 43 is amended as follows:

- (a) after paragraph (g) the following paragraph is inserted —

“

- (ga) the person is in or on Authority property, without reasonable excuse, in contravention of a prohibition order given to the person under regulation 43A(4); or

”;

- (b) after each of paragraphs (a) to (g) by inserting —

“ or ”.

5. Regulations 43A and 43B inserted

After regulation 43 the following regulations are inserted —

“

43A. Prohibiting people from being on or in a conveyance or facility

- (1) For the purposes of this regulation, an offence is a relevant offence if it is an offence specified in subregulation (2).
- (2) The specified offences are —
- (a) an offence under *The Criminal Code* section 313, 317 or 318(1)(d) or (g) committed on or in a conveyance or facility;
 - (b) an offence under *The Criminal Code* section 444 committed in relation to Authority property, a conveyance or a facility;
 - (c) an offence under the *Government Railways Act 1904* section 43(5) committed on or in a conveyance or facility and involving behaving in a violent or offensive manner to the annoyance of others;
 - (d) an offence under regulation 40;
 - (e) an offence under regulation 42 committed when regulation 41(g) was the paragraph relevant to the belief on the grounds of which the offender was advised.
- (3) If the chief executive officer proposes to give a person a prohibition order under subregulation (4), the chief executive officer must, by written notice, give the offender 14 days beginning on the date of the notice to show cause —
- (a) why the order should not be given to the offender; and

- (b) why the order should specify circumstances (an **“exception”**) in which the offender may be on or in a conveyance or facility despite the person being prohibited from being on or in a conveyance or facility for the period specified in the order.
- (4) If a person has been found guilty of or pleaded guilty to —
- (a) at least 2 relevant offences committed within a period of 12 months beginning on the day on which the first offence was committed; or
 - (b) 3 or more relevant offences committed within a period of 18 months beginning on the day on which the first offence was committed,
- and the offences do not arise from the same acts or circumstances, the chief executive officer may give the person (the **“offender”**) an order (a **“prohibition order”**), in a form approved in writing by the chief executive officer, prohibiting the offender from being on or in a conveyance or facility for the period and subject to any exception specified in the order.
- (5) The period specified in the order —
- (a) must not exceed one month if the offender has been found guilty of or pleaded guilty to not more than 2 relevant offences committed within a period of 12 months beginning on the day on which the first offence was committed; and
 - (b) must not exceed 3 months if the offender has been found guilty of or pleaded guilty to more than 2 relevant offences committed within a period of 18 months beginning on the day on which the first offence was committed.
- (6) On the application of an offender the subject of a prohibition order, the chief executive officer may —
- (a) revoke the order; or
 - (b) make the order subject to an exception; or
 - (c) amend any exception to which the order is subject.

43B. Contravention of prohibition order

A person who, without reasonable excuse, contravenes a prohibition order given to the person under regulation 43A(4) commits an offence.

Penalty: a fine of \$2 000.

”.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

PLANT DISEASES ACT 1914
APPOINTMENT

Department of Agriculture and Food,
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914* hereby appoint Barbara Jean as an Authorised Inspector pursuant to Section 7A of the *Plant Diseases Act 1914* to carry out all the functions authorised to be performed by an Inspector.

KIM CHANCE MLC, Minister for Agriculture and Food.

CONSUMER AND EMPLOYMENT PROTECTION

CE401

DANGEROUS GOODS SAFETY ACT 2004
INTERPRETATION ACT 1984
DANGEROUS GOODS SAFETY APPOINTMENT
NOTICE 2008

Made by the Minister under section 25(2) of the *Dangerous Goods Safety Act 2004* and sections 25 and 53 of the *Interpretation Act 1984*.

1. Citation

This notice may be cited as the *Dangerous Goods Safety Appointment Notice 2008*.

2. Chief Dangerous Goods Officer Appointed

I designate the holder of the office of Executive Director of the Resources Safety Division of the Department of Consumer and Employment Protection to be a Chief Dangerous Goods Officer as from and including the date on which this notice is published in the *Government Gazette*.

MICHELLE ROBERTS, Minister for Consumer and Employment Protection.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994
SOUTH-WEST COAST SALMON FISHERY MANAGEMENT PLAN AMENDMENT 2008

FD 172/07 [853]

Made by the Minister under section 54.

1. Citation

This instrument is the *South-West Coast Salmon Fishery Management Plan Amendment 2008*.

2. Management plan amended

The amendments in this instrument are to the *South-West Coast Salmon Fishery Management Plan 1982**.

3. Clause 3A replaced

Clause 3A is repealed and the following is inserted instead—

“ **Geographe Bay Closures 2008 and 2009**

3A. A person authorised to fish in the Fishery must not fish for salmon at any time in any waters of Geographe Bay within 800 metres of the high water line in the area beginning at the intersection of 33° 37.56' south latitude and 115° 23.62' east longitude (the end of the easternmost groyne of the Port Geographe marina) thence south easterly along the eastern side of the groyne to the intersection with the high water line and then following the high water line in a generally westerly and then northerly direction to the intersection of the high water line and 115° 00.09' east longitude (Cape Naturaliste) during the periods specified in the Table to this clause with each period commencing on the date specified in Column 1 and ending on the date specified in Column 2 opposite that commencement date.

Table

Commencement date	End date
1 March 2008	3 March 2008
21 March 2008	24 March 2008
12 April 2008	13 April 2008
19 April 2008	20 April 2008
25 April 2008	28 April 2008
31 May 2008	2 June 2008
27 September 2008	29 September 2008
25 December 2008	28 December 2008
1 January 2009	1 January 2009
24 January 2009	26 January 2009
27 February 2009	2 March 2009
10 April 2009	13 April 2009
18 April 2009	19 April 2009
25 April 2009	27 April 2009
30 May 2009	1 June 2009.

Geographe Bay Closure from 1 July 2009

3B. A person authorised to fish in the Fishery must not fish for salmon at any time after 30 June 2009 in any waters of Geographe Bay within 800 metres of the high water line in the area beginning at the intersection of 33° 37.56' south latitude and 115° 23.62' east longitude (the end of the easternmost groyne of the Port Geographe marina) thence south easterly along the eastern side of the groyne to the intersection with the high water line and then following the high water line in a generally westerly and then northerly direction to the intersection of the high water line and 115° 00.09' east longitude (Cape Naturaliste). “.

4. Clause 13 Amended

Clause 13 is amended by inserting after “3A” the following—

“, clause 3B”.

[*Published in the Gazette of 31 December 1982. 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 the Regulations.]

Dated this 25th day of February 2008.

JON FORD, Minister for Fisheries.

HOUSING AND WORKS

HW401*

HOUSING ACT 1980

DETERMINATION OF STANDARD RATES OF INTEREST

Department of Housing and Works,
(The Housing Authority), Perth, March 2008

Pursuant to Sections 33 and 42 being loans under Section 36 of the Housing Act 1980, The Housing Authority by this determination which was approved by the Honourable Minister for Housing and Works fixes the following maximum standard rates of interest to apply in respect of the various classes of loan granted by it.

1. Keystart Loans, Income Based Loans, Shared Equity (including First Start Realstart, Goodstart, Access, and the Aboriginal Schemes), pre 1985 Variable Interest Schemes and Wisechoice under Sections 33 and 36 to 8.74per annum.

2. In respect of Shared Equity 1997 (GoodStart—Subsidised Rate) Loans the standard rate of interest shall be 6.5% fixed per annum, until the borrower's income exceeds Homeswest maximum rental income eligibility limits. The rate will then move to the Commonwealth Bank's standard home loan variable interest rate subject to a minimum interest rate of 6.5% per annum.

This determination is effective from 1 April 2008.

JOHN COLES, Act. Director General.
Department of Housing and Works

HW402*

ARCHITECTS REGULATIONS 2005
ARCHITECTS BOARD OF WESTERN AUSTRALIA
Elected Persons

At the Board meeting of 4 September 2007, the Architects Board of Western Australia has by resolution declared Mr Bruce Callow re-elected as Board members as the number of nominees did not exceed the number of vacancies. Mr Callow's term is for a nineteen month period until 30 June 2009.

At the Board meeting of 13 November 2007, the Architects Board of Western Australia ratified the decision of the architect members of the Board to elect Ms Sally Matthews to fill the elected member vacancy. Ms Matthew's term is for a nineteen month period until 30 June 2009.

HW403*

COUNTRY HOUSING ACT 1998
STANDARD RATE OF INTEREST

Notice is hereby given, in accordance with Section 40 of the *Country Housing Act 1998* that the standard rate of interest to apply for assistance provided under this act is 8.6% effective from April 10, 2008.

INDUSTRY

IT401*

INDUSTRY AND TECHNOLOGY DEVELOPMENT ACT 1998
DECLARATION OF TECHNOLOGY PARK

Pursuant to section 27 of the *Industry and Technology Development Act 1998*, I, the Minister of the Crown to whom the administration of that Act is for the time being committed by the Governor, declare as a technology park the following areas of land—

Certificate of Title			
Volume	Folio	Lot No.	Diagram
1286	611	21	3465
1782	711	22	“
1865	570	23	“
2078	22	26	“
1898	171	27	“
1782	712	29	“
1537	871	32	“
2214	442	33	“
1537	875	34	“
1782	713	35	“
1120	781	37	“
1018	549	41	“
2150	220	46	“
1890	187	47	“

Certificate of Title			
Volume	Folio	Lot No.	Diagram
LR3131	533	4897	DP36951
LR3112	62	4436	DP193598
1704	494	500	67827
2078	21	501	91348
2046	450	1	89129
1186	460	2	19874
2036	264	4	29056
1350	662	5	42913
1350	663	6	42913
1350	664	7	42913
1865	568	7	26363
1865	569	8	26363
1498	737	10	53923
1498	738	27 & 28	27105
1550	397	159	DP226071
2578	579	502	DP40643
2578	580	503	DP40643

Dated the 29th day of January 2008.

FRANCIS MICHAEL LOGAN, MLA, Minister for Industry and Enterprise.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENT

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—

Rodney Michael Peake of Lot 554 Packsaddle Road, Kununurra

RAY WARNES, Executive Director, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

Shire of Wongan-Ballidu

APPOINTMENT OF AUTHORISED PERSONS

It is hereby notified for public information that the following persons—

Stuart Taylor
 Robert White
 James Rendell
 Trevor Walker
 Edward Bell
 Wayne Smith

have been authorised in accordance with the following legislation—

Dog Act 1976 and Regulations

Litter Act 1979 and Regulations

Local Government Act 1995 Part 3—Functions of Local Government, Part 9—Miscellaneous Provisions

Local Government Act (Miscellaneous Provisions) 1960 Part XX (Ranger/Poundkeeper)
 Caravan Parks and Camping Grounds Act
 Shire of Wongan-Ballidu Local Laws

The following persons have been authorised as Registration Officers in accordance with the Dog Act 1976 and Regulations—

Stuart Taylor
 James Rendell
 Robert White
 Trevor Walker
 Irene Myring
 Renae Millstead
 Beverly Pomfret
 Edward Bell
 Sandra Hartley
 Marian Schindler
 Kylie Booth
 Wayne Smith

All previous appointments are hereby cancelled.

STUART TAYLOR, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

Shire of Wyndham East Kimberley

FIREBREAK ORDER AND BUSHFIRE INFORMATION 2008/2009

(This is a summary of the Order adopted by the Shire of Wyndham East Kimberley under Section 33 of the Bush Fires Act 1954).

In accordance with the provisions of this Order, landowners are required to carry out fire prevention work on land they own or occupy.

Details of work required to be completed are contained in this Order. Work must be completed by 1 June each year.

PERSONS WHO FAIL TO COMPLY WITH THE REQUIREMENTS OF THE ORDER MAY BE ISSUED WITH AN INFRINGEMENT NOTICE (PENALTY \$250) OR PROSECUTED WITH AN INCREASED PENALTY UP TO (\$1000). IN ADDITION, THE SHIRE MAY CARRY OUT THE REQUIRED WORK AT COST TO THE OWNER OR OCCUPIER OF THE LAND.

There may be instances where it is considered to be impractical to clear firebreaks or remove flammable materials as required by this Order, due to—

- The aggravation of soil erosion;
- The identification of a more effective system of fire prevention; or
- Firebreaks being rendered unnecessary by natural features existing on the land.

In this instance, application may be made to Council not later than 1 April for permission to provide firebreaks in alternative positions or to take alternative action to reduce fire hazards on the land.

If Council permission is not forthcoming, then you will be required to comply with the provisions of this Order.

Firebreaks are used primarily to gain access to and provide an area to work from when controlling a fire. They will not stop all fires, and removal of unnecessary flammable material prior to the fire season is your best safeguard against fire threat.

If the requirements of this Order are fulfilled by burning off, then the burning must be carried out in accordance with the relevant provisions of the Bush Fires Act 1954.

1. Ord River Irrigation Project Area

Firebreaks for all land within the Ord Irrigation Area must be—

- Not less than three (3) metres wide inside and along and as close as possible to external boundaries; and
- Not less than six (6) metres wide and within three (3) metres of the perimeter of all buildings and/or haystacks and groups of buildings.

NOTE: This requirement need not be met if the property is being worked, and provided the irrigation channels are in use.

2. Pastoral Lands

Firebreaks are required to be a distance of not less than six (6) metres wide and within three (3) metres of buildings and/or haystacks or groups of buildings.

3. Townsite Land

Where the area is 2 000m² or less, all inflammable material (with the exception of standing live trees) shall be removed from the whole of the land by clearing or slashing.

Where the area of the land is greater than 2 000m², a firebreak of not less than six (6) metres in width immediately surrounding any buildings, or not less than three (3) metres in width inside and along the whole of the external boundaries of the land is required.

4. Rural Lands

Land outside townsites which is not under a pastoral lease requires firebreaks of—

- Not less than four (4) metres wide inside, along and within ten (10) metres of external boundaries; or
- Not less than six (6) metres wide and within three (3) metres of the perimeter of all buildings and/or haystacks or groups of buildings.

5. Rubbish Sites

All rubbish sites for pastoral stations and communities require firebreaks not less than three (3) metres wide and within three (3) metres of the perimeter of the rubbish site.

6. Fuel Dumps and Depots

Flammable material must be removed from all land where fuel drum ramps or dumps are located and where fuel drums (whether containing fuel or not) are stored, to a distance of at least fifteen (15) metres outside the perimeter of any drum, ramp or stack of drums.

The acts referred to in paragraphs 1 to 6 herein must be performed to the satisfaction of the duly authorised person appointed by the Shire of Wyndham East Kimberley.

If it is impractical for any reason to clear firebreaks or to remove flammable material from the land as required by this Order, you may apply to Council or its duly authorised officer by not later than 1 April for permission to provide firebreaks in alternative positions, or to take alternative positions or to take alternative action to abate fire hazards on the land.

RESTRICTED BURNING PERIOD

1 April to 1 January Each Year

The Restricted Burning Period now includes Kununurra and Wyndham Townsites, the Ord Irrigation Area and pastoral areas.

Permits to Burn

1. Permits to burn are required for the whole of the Restricted Period, and must be obtained from one of the Fire Control Officers identified for your area (see overleaf).
2. Any special conditions imposed by the Fire Control Officer when issuing permits must be strictly adhered to.
3. The permit holder shall give notice of his intention to burn to—
 - a. The Shire's Kununurra Administration Centre by no later than 24 hours prior to the day when the burning is to take place. Weekend burning must be notified by 4.00pm, Friday.
 - b. The owner or occupier of adjoining land.
 - c. The nearest Department of Environment and Conservation (DEC) office if the land is situated within three (3) kilometres of State Forest land, National Park, Nature Reserve or other DEC lands.
4. The period of notice to neighbours prior to burning cannot be more than twenty eight (28) days or less than four (4) days, although lesser notice may be determined by mutual agreement of all neighbours.
5. Your attention is drawn to Items 5, 6 and 7 as listed on the back of the permit.
6. Burning under permit is permitted during the Restricted Burning Period on Sundays and Public Holidays.
7. All landowners and occupiers who suffer a bush fire have an obligation to assist each Area Fire Control Officer to compile a Fire Report Form.
8. Garden refuse (excluding GREEN clippings) burnt on the ground may be lit only between 6.00pm and 11.00pm, and must be completely extinguished with water or earth by midnight. All flammable matter is to be cleared within five (5) metres of all points of the site of the fire, and a person must be in attendance during the whole time the fire is lit.
9. Any incinerator used to burn rubbish must be properly constructed—an open drum (with or without a lid) is not an appropriate incinerator.
10. With reference to Item 8 and 9 of this summary, burning may not take place if the Fire Weather Warning for the day is "Very High", or "Extreme".

PETER STUBBS, Chief Executive Officer.

Shire of Wyndham East Kimberley

Authorised Bush Fire Control Officers

NAME	AREA OF RESPONSIBILITY	CONTACT NO.
Gary King (CBFCO)	Shire of Wyndham East Kimberley	0409 687 841 9168 1798 (Fax)
John Koeyers (Deputy CBFCO)	Stations on Gibb river and Kalumburu Roads	91614326 (Home) 9161 4326 (Fax)
Lindsay Middap	Wyndham Port to 12 Mile (Wyndham & adjoining areas)	9161 2964 (Work/Fax) 0417 995 246
Allan Thompson	Properties adjoining Fish Farm and Crossing Falls Roads	9168 2276 (Home) 9166 4100 (Work)
Peter Lacey	Stations on Gibb River and Kalumburu Roads (Kalumburu South Area)	9191 4644 (Work/Fax)
Bruce Pontin	Argyle Diamond Mine	9167 1418 9167 1452 (Emerg)
David Hasted	Ivanhoe	9168 1388 (Home) 9168 1399 (Fax)
Mike Moore	Packsaddle	9168 1749 (Home) 9168 2970 (Fax)
Limited Permit Issuing Authority		
Greg Cummings	Ord Irrigation Area—Cane Fires and Cane Trash, and Agricultural Crop Trash	9168 1400 (Work) 9168 1517 (Fax) 0419 953 331

FIRE SERVICES

TOWN—000

WEABER PLAIN—000

PACKSADDLE—000

CROSSING FALLS—000

IVANHOE—000

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982**NAVIGABLE WATERS REGULATIONS 1958**

AQUATIC EVENTS AND WATER SKI AREA

Mandurah Crab-Fest 2008

Department for Planning and Infrastructure
Fremantle WA, 29 February 2008.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, the department by this notice revokes Notice TR401 as published in the *Government Gazette* on 27 July 1999 relating to the 8 knot speed limit on the Mandurah Estuary in the following waters only—

Mandurah Estuary

All the waters north of the Old Mandurah Bridge to a line drawn north—northwest from the northern most point of Hall Park to a point on the opposite foreshore, 130 metres south east of the southern entrance groyne of the Mandurah Ocean Marina. Providing that this revocation will apply only between 1100 hrs and 1830 hrs on Saturday 8th March 2008 and between 1000 hrs and 1700 hrs on Sunday 9th March 2008.

Furthermore, pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, that the above navigable waters will become a Boating Prohibited area that will apply to all vessels, other than bona fide vessels competing in approved aquatic events during Crab Fest 2008.

Furthermore, that subject to Regulation 48 (a), (b), (c), (d) and (e) Navigable Waters Regulations 1958, all the above navigable waters may be used for water skiing by bona fide vessels competing in approved aquatic events during Crab Fest 2008 being held by the City of Mandurah.

DAVID HARROD, General Manager, Marine Safety
Department for Planning and Infrastructure.

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
PROHIBITED SWIMMING AREA
Mandurah Estuary

Department for Planning and Infrastructure
Fremantle WA, 29 February 2008.

Acting pursuant to the powers conferred by Regulation 10A(b) of the Navigable Waters Regulations 1958, I hereby close all of the following waters to swimming, between 8.30 PM and 9.30 PM on Saturday 8 March 2008 for the duration of the Crab Fest pyrotechnics display—

Mandurah Estuary

All the waters within an 70 metre radius of the firing point, located on the southern foreshore (adjacent to the War Memorial), at the entrance to Mandurah Canals.

DAVID HARROD, General Manager, Marine Safety
Department for Planning and Infrastructure.

MINERALS AND PETROLEUM

MP401*

PETROLEUM ACT 1967
GRANT OF EXPLORATION PERMIT

Exploration Permit No. EP460 and EP461 has been granted to Rough Range Oil Pty Ltd to have effect for a period of six (6) years from 21 February 2008.

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

MP402*

PETROLEUM (SUBMERGED LANDS) ACT 1967
(Section 119)

PROHIBITION OF ENTRY INTO A SAFETY ZONE

I, William Lee Tinapple, the Director Petroleum and Royalties Division of the Department of Industry and Resources of the said State by instrument of delegation dated 25 July 2007, and pursuant to section 119 of the above Act, hereby prohibit all vessels other than vessels under control of the registered holders of Production Licence WA-28-L, vessels operated by authorised persons who are exercising powers under Division 6A of Part III section 140 (A) (1) of the above Act and Australian Customs Vessels defined as Commonwealth ships under the *Australian Customs Act 1901* from entering or remaining in the area of the safety zone without the consent in writing of the Director, Petroleum and Royalties Division.

This safety zone extends to a distance of five hundred metres, measured from each point of the outer edge of the drilling vessel/facility known as—

The production well Woollybutt 4 (latitude 20° 57' 16.17" South, longitude 114° 52' 6.15" East.*)

*note: the above are GDA94 coordinates

The Safety Zone remains in force for the duration of the operational activities.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated this 25th day of February 2008.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

WILLIAM LEE TINAPPLE, Director Petroleum and Royalties Division.

MP403*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry
and Resources, Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act, 1978 for non-payment of rent.

G. BENN, Warden.

To be heard by the Warden at Leonora on 15 April 2008

MOUNT MARGARET MINERAL FIELD

Mount Malcolm District

Prospecting Licences

P37/6594—Cool Sand Supplies Pty Ltd
 P37/6596—Cool Sand Supplies Pty Ltd
 P37/6597—Cool Sand Supplies Pty Ltd
 P37/6598—Cool Sand Supplies Pty Ltd
 P37/6620—Cool Sand Supplies Pty Ltd
 P37/6621—Cool Sand Supplies Pty Ltd
 P37/6623—Cool Sand Supplies Pty Ltd
 P37/6663—Cool Sand Supplies Pty Ltd
 P37/6678—Cool Sand Supplies Pty Ltd
 P37/6679—Cool Sand Supplies Pty Ltd
 P37/6681—Cool Sand Supplies Pty Ltd
 P37/6714—Cool Sand Supplies Pty Ltd
 P37/6715—Cool Sand Supplies Pty Ltd
 P37/6716—Cool Sand Supplies Pty Ltd
 P37/6717—Cool Sand Supplies Pty Ltd
 P37/6718—Cool Sand Supplies Pty Ltd
 P37/6719—Cool Sand Supplies Pty Ltd
 P37/6720—Cool Sand Supplies Pty Ltd
 P37/6721—Cool Sand Supplies Pty Ltd
 P37/6722—Cool Sand Supplies Pty Ltd
 P37/6723—Cool Sand Supplies Pty Ltd
 P37/6725—Cool Sand Supplies Pty Ltd
 P37/6726—Cool Sand Supplies Pty Ltd
 P37/6727—Cool Sand Supplies Pty Ltd
 P37/6749—Cool Sand Supplies Pty Ltd
 P37/6750—Cool Sand Supplies Pty Ltd
 P37/6751—Cool Sand Supplies Pty Ltd
 P37/6752—Cool Sand Supplies Pty Ltd
 P37/6753—Cool Sand Supplies Pty Ltd
 P37/6754—Cool Sand Supplies Pty Ltd
 P37/6787—Halloran: Wayne Vincent
 P37/6788—Halloran: Wayne Vincent

MP404*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and
Resources, Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act, 1978 for failure to lodge a report within the prescribed period.

G. BENN, Warden.

To be heard by the Warden at Leonora on 15 April 2008

EAST MURCHISON MINERAL FIELD

Lawlers District

Prospecting Licence

P36/1522—Terrandra Pty Ltd

MOUNT MARGARET MINERAL FIELD

Mount Malcolm District

Prospecting Licence

P37/5679—Mindex Australia Pty Ltd; Andrei, Frederick
 P37/6790—Archimedes Mining Pty Ltd
 P37/6923—Mazzelli Holdings Pty Ltd
 P37/6924—Mazzelli Holdings Pty Ltd
 P37/6925—Mazzelli Holdings Pty Ltd
 P37/6926—Mazzelli Holdings Pty Ltd
 P37/6927—Mazzelli Holdings Pty Ltd
 P37/6928—Mazzelli Holdings Pty Ltd
 P37/6929—Mazzelli Holdings Pty Ltd
 P37/6930—Mazzelli Holdings Pty Ltd

Mount Morgans District

Prospecting Licence

P39/2836—Parker, Ronald Thomas; Parker, Beverley Patricia; Wanbanna Pty Ltd

NORTH COOLGARDIE MINERAL FIELD

Niagara District

Prospecting Licence

P40/1120—Drake Resources Limited
 P40/1121—Drake Resources Limited
 P40/1122—Drake Resources Limited
 P40/1123—Drake Resources Limited
 P40/1129—Drake Resources Limited

MP406*

MINING ACT 1978
 CANCELLED FORFEITURE

Dept of Industry and Resources
 Perth WA 6000.

In accordance with section 97A(8) of the *Mining Act 1978*, I hereby cancel the forfeiture on the undermentioned mining lease previously declared forfeited for breach of covenant, being non-compliance with the annual expenditure commitment.

FRANCIS LOGAN, MLA, Minister for Energy; Resources; Industry and Enterprise.

NUMBER	HOLDER	MINERAL FIELD
27/145	Kanowna Mining Ltd	North East Coolgardie

MP405*

MINING ACT 1978
 APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry
 and Resources, Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act, 1978 for failure to comply with the prescribed expenditure conditions.

G.BENN, Warden.

To be heard by the Warden at Leonora on 15 April 2008

MOUNT MARGARET MINERAL FIELD

Mount Margaret District

Prospecting Licences

P38/2448—Austwhim Resources Pty Ltd
 P38/2449—Austwhim Resources Pty Ltd
 P38/2450—Austwhim Resources Pty Ltd
 P38/2451—Austwhim Resources Pty Ltd
 P38/2452—Austwhim Resources Pty Ltd

MOUNT MARGARET MINERAL FIELD

Mount Morgans District

Prospecting Licences

P39/3135—Barrick (Granny Smith) Pty Ltd

P39/3136—Barrick (Granny Smith) Pty Ltd

MP407***MINING ACT 1978**

FORFEITURES

Department of Industry and Resources
Perth WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the *Mining Act 1978* that the undermentioned exploration licence is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure condition.

FRANCIS LOGAN, MLA, Minister for Energy; Resources; Industry and Enterprise.

NUMBER	HOLDER	MINERAL FIELD
31/602	Jindalee Resources Ltd	North Coolgardie

PLANNING AND INFRASTRUCTURE

PI401***PLANNING AND DEVELOPMENT ACT 2005**

METROPOLITAN REGION SCHEME AMENDMENT 1142/57

Forrestdale Stage 3

Approved Amendment

File: 833-2-22-67

The Minister for Planning and Infrastructure has approved, as modified, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission plan 3.2091/1 and is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday 29 February 2008 to Friday 28 March 2008 at the following locations—

- Western Australian Planning Commission, Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal offices of the cities of Gosnells and Armadale

Documents are also available from the WAPC's website www.wapc.wa.gov.au.

MOSHE GILOVITZ, Secretary, Western Australian Planning Commission.

PI402***PLANNING AND DEVELOPMENT ACT 2005**

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Geraldton-Greenough

Town Planning Scheme No. 4 (Greenough)—Amendment No. 118

Ref: 853/3/7/6/Pt118

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 City of Geraldton-Greenough local planning scheme amendment on 14 February 2008 for the purpose of—

- 1 Rezoning and reclassifying Lot 51 Goulds Road, Narngulu from 'General Farming' and 'Important Regional Road' to 'General Industry';

- 2 Reclassifying portion of Lot 12649 from 'General Farming' to 'Important Regional Road';
- 3 Inserting the following into Appendix VII Interpretations of the Scheme Text—
 "Open Storage/Stockpile—means the temporary storage of raw or manufactured materials for a given purpose in an enclosed or open environment."
- 4 (a) Inserting the following into Part II of the Scheme Text—General Industry Zoning and Development Table—

Permitted Uses			Other Requirements
25	Open Storage/ Stockpiling	PS	Development shall comply with the requirements of the Department of Environment and Conservation Landscaping requirement to be doubled

- 4 (b) Inserting the following into Part II of the Scheme Text—Noxious and Hazardous Industry Zoning and Development Table—

Permitted Uses			Other Requirements
20	Open Storage/ Stockpiling	PS	Development shall comply with the requirements of the Department of Environment and Conservation Landscaping requirement to be doubled

- 5 Amending the Scheme Map accordingly.

PI403*

ARMADALE REDEVELOPMENT ACT 2001

ARMADALE REDEVELOPMENT AUTHORITY

Amendment 1 to the Brookdale Redevelopment Scheme 2005 to introduce the Wungong Urban Water Redevelopment Scheme 2007

Approval

In accordance with section 35 of the Act, it is hereby notified for public information that Amendment 1 to the Brookdale Redevelopment Scheme 2005 to introduce the Wungong Urban Water Redevelopment Scheme 2007 has been approved by the Minister for Planning and Infrastructure under section 33 of the Act.

A copy of the redevelopment scheme may be inspected at the office of the Armadale Redevelopment Authority, at Unit 5, 210-220 Jull Street, Armadale. Copies of the redevelopment scheme can be viewed on the ARA website www.ara.wa.gov.au and can also be purchased at the Authority's office.

JOHN ELLIS, Executive Director.

POLICE

PO401*

ROAD TRAFFIC ACT 1974

TEMPORARY SUSPENSION OF REGULATIONS

I, Martin Paul Bond, Inspector, being the delegated officer of the Minister for Transport under Section 83(6) of the *Road Traffic Act 1974*, pursuant to the powers conferred by Section 83(1) of that Act, and the consent of the Local Authorities having been obtained and nominated for the purposes of:

A Christ Church Run-Foot Race by members/entrants of the West Australian Marathon Club on 20 January 2008 between the hours of 07:00 hrs and 09:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the following route: Start in car park at end of Broadway (adjacent to the Nedlands Rugby Club), left into Esplanade to Tawarri Lodge, onto path up to old Sunset, left onto shared path, onto Jutland Parade (on river side of carriageway) continuing into Victoria Avenue, turn at Jetty Road and return to Sunset, onto shared path along Birdwood Parade to path down to Esplanade just past Gallop House, onto Esplanade to Perth Flying Squadron Yacht Club, left onto shared path (Edward Bruce Foreshore Path) follow path back to finish on Charles Court Reserve adjacent to Nedlands Rugby Club, in the City of Nedlands and the Town of Claremont.

A Cycle Criterium Race by members/entrants of the Peel District Cycling Club (Inc) on 3 February 2008 between the hours of 08:00 hrs and 12:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Smeaton Way, Pickard Avenue and Beale Way, Rockingham.

A Cycle Time Trial Race (47 Km) by members/entrants of the Australian Time Trials Association on 20 January 2008 between the hours of 07:00 hrs and 11:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Chittering Road, Lower Chittering Road and Muchea East Road, in City of Swan and Shire of Chittering .

All participants to wear approved head protection at all times.

A Triathlon by members/entrants of the Albany Triathlon Club on 27 January 2008 between the hours of 08:00 hrs and 10:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Cunningham St, Boongarrie Street, Mermaid Avenue, Emu Point Drive, Troode Street, Lower King Road, turnaround at Rae Road and return, in the City of Albany.

All participants to wear approved head protection at all times for the cycle event.

A Cycle Hill Climb Time Trial Race (3 Kms) by members/entrants of the Australian Time Trials Association on 3 February 2008 between the hours of 07:30 hrs and 10:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Clifton Street 40 metres north of Canning Mills Road, left into Canning Mills Road and finish 3 kilometres up hill near Tower Road, Kelmscott.

All participants to wear approved head protection at all times.

A Swan Twilight Run-Foot Race by members/entrants of the West Australian Marathon Club on 2 March 2008 between the hours of 18:00 hrs and 19:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: From Burswood Water Sports Centre, dual use footpath go under Windan Bridge then go up onto bridge, cross river turn right and go under bridge on footpath to children's playground, right across grass to path on north side of Brown Street, turn right on path to east side of Jewell Lane, go on to Goongoonup Bridge, cross bridge and follow path back to start, from Burswood to East Perth and returning to Burswood.

A Triathlon by members/entrants of the Albany Triathlon Club on 10 February 2008 between the hours of 08:00 hrs and 10:30 hrs, 16 March 2008 between the hours of 08:00 hrs and 10:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Start at Yacht Club, Chipana Drive, Frenchman Bay Road, Quaranup Road, Mistaken Island Carpark and return, in the City of Albany.

A Triathlon by members/entrants of the Albany Triathlon Club on 16 March 2008 between the hours of 08:00 hrs and 10:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Start at Yacht Club, Chipana Drive, Frenchman Bay Road, Quaranup Road, Mistaken Island Carpark and return, in the City of Albany.

All participants to wear approved head protection at all times for the cycle event.

A Triathlon by members/entrants of the Albany Triathlon Club on 17 February 2008 between the hours of 08.00 Hrs and 10.30 Hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Whalers Cove Carpark, Quaranup Road to Shoal Bay Retreat and return, in the City of Albany.

All participants to wear approved head protection at all times for the cycle event.

A Triathlon-Albany Classic by members/entrants of the Albany Triathlon Club on 2 March 2008 between the hours of 07:00 hrs and 10:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Cycle: Middleton Beach Road, Golf Links Road, Troode Street, Lower King Road and return Run: Flinders Parade and return in Albany

All participants to wear approved head protection at all times for the cycle event.

A Triathlon by members/entrants of the Katanning Tri-Sport Association on 16 March 2008 between the hours of 07:00 hrs and 12:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Childrens Event: Multiple circuits of Park Street from Adam Street to Daping Street Adults Event: Park Street, Daping Street, Drove Street and Adam Street, in Katanning.

All participants to wear approved head protection at all times for the cycle event.

A Bike It To Ballidu by members/entrants of the Ballidu Primary School P&C Assoc. on 14 March 2008 between the hours of 15:00 hrs and 23:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Start at Wongan Hills Tourist Information Centre along Northam-Pithara Road in the Shire of Wongan-Ballidu, to Ballidu Park, Alpha Street and Federation Street, Ballidu.

All participants to wear approved head protection at all times.

Soapbox racing by members/entrants of the Albany Soapbox Club Inc on 10 February 2008 between the hours of 08:30 hrs and 14:00 hrs, 17 February 2008 between the hours of 08:30 hrs and 14:00 hrs, 24 February 2008 between the hours of 08:30 hrs and 14:00 hrs, 2 March 2008 between the hours of 08:30 hrs and 14:00 hrs, 16 March 2008 between the hours of 08:30 hrs and 14:00 hrs, 11 May 2008 between the hours of 08:30 hrs and 14:00 hrs, 18 May 2008 between the hours of 08:30 hrs and 14:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to full carriageway on: Apex Drive, Mount Clarence in the City of Albany.

Soapbox racing by members/entrants of the Albany Soapbox Club Inc on 25 May 2008 between the hours of 08:30 hrs and 14:00 hrs, 1 June 2008 between the hours of 08:30 hrs and 14:00 hrs, 15 June 2008 between the hours of 08:30 hrs and 14:00 hrs, 22 June 2008 between the hours of 08:30 hrs and 14:00 hrs, 29 June 2008 between the hours of 08:30 hrs and 14:00 hrs, 27 July 2008 between the hours of 08:30 hrs and 14:00 hrs, 3 August 2008 between the hours of 08:30 hrs and 14:00 hrs, 10 August 2008 between the hours of 08:30 hrs and 14:00 hrs, 17 August 2008 between the hours of 08:30 hrs and 14:00 hrs, 24 August 2008 between the hours of 08:30 hrs and 14:00 hrs, 31 August 2008 between the hours of 08:30 hrs and 14:00 hrs, 14 September 2008 between the hours of 08:30 hrs and 14:00 hrs, 21 September 2008 between the hours of 08:30 hrs and 14:00 hrs, 28 September 2008 between the hours of 08:30 hrs and 14:00 hrs, 19 October 2008 between the hours of 08:30 hrs and 14:00 hrs, 26 October 2008 between the hours of 08:30 hrs and 14:00 hrs, 16 November 2008 between the hours of 08:30 hrs and 14:00 hrs, 23 November 2008 between the hours of 08:30 hrs and 14:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to full carriageway on: Apex Drive, Mount Clarence in the City of Albany.

Albany National Championship by members/entrants of the Albany Soapbox Club Inc on 22 March 2008 between the hours of 05:30 hrs and 18:00 hrs, 23 March 2008 between the hours of 05:30 hrs and 18:00 hrs, 24 March 2008 between the hours of 05:30 hrs and 18:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to full carriageway on: Apex Drive, Mount Clarence in the City of Albany.

A Toodyay-Gidgegannup Cycle Time Trial Race by members/entrants of the Australian Time Trials Association on 10 February 2008 between the hours of 07:30 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Stirling Terrace Toodyay (start near Community Centre), travel south-eastwards on Toodyay Road to Gidgegannup, finishing adjacent Public Gazebo next to Shell Service Station.

All participants to wear approved head protection at all times.

A Matilda Bay-Foot Race-Nedlands-City of Nedlands by members/entrants of the West Australian Marathon Club on 17 February 2008 between the hours of 07:30 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Broadway Avenue Foreshore, Esplanade, Beaton Park, Footpath cross Australia II Drive, footpath to UWA Boat Club, Hackett Drive and the Avenue in the City of Nedlands.

A Community Bridges Fun Run by members/entrants of the Mandurah City Rotary Club on 9 March 2008 between the hours of 08:00 hrs and 09:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Mary Street carpark, Mary Street, left onto Old Coast Road, left onto Leisure Way onto footpath up onto bridge underpass walkway, down walkway onto Waterside Drive, left onto Leslie Street Pathway, left into Winjan Place, right onto Foreshore around right into carpark and along footpath over Old Bridge, right into Mary Street carpark, in the City of Mandurah.

A 40 Miler and Relay Foot Race by members/entrants of the West Australian Marathon Club on 24 March 2008 between the hours of 18:30 hrs and 19:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: start on track west of Seabourne Street, stay on track, cross Stoneville Road, Sexton Road, Sawyers Road, Lion Street, Elliott Road and the Old Northam Road, stop and turn on track just before Ash Road and return along the same route to the start.

A Womens' Classic-Foot Race by members/entrants of the West Australian Marathon Club on 27 April 2008 between the hours of 08:00 hrs and 10:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Cyclepath around the Swan River, starting and finishing at McCallum Park, along the South Perth and Perth foreshore.

A Cycle Time Trial Race (27Kms) by members/entrants of the Australian Time Trials Association on 17 February 2008 between the hours of 07:00 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Northcote Street, Old Northam Road, Werribee Road, Needham Road, Mayo Road, Breeze Road and Lilydale Road in the City of Swan and the Shire Of Mundaring.

All participants to wear approved head protection at all times.

A 40Km & 20Km Time Trial Championship Race by members/entrants of the Albany Cycling Club Inc on 23 February 2008 between the hours of 06:30 hrs and 10:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Lower Denmark Road in the City of Albany.

All participants to wear approved head protection at all times.

A Road Cycling Race/Criterium by members/entrants of the Albany Cycling Club Inc on 8 March 2008 between the hours of 13:00 hrs and 17:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Stead Road, Sanford Road, Graham Street, Barker Road and Stead Road in the City of Albany.

All participants to wear approved head protection at all times.

A Triathlon-19th Annual Corporate Teams by members/entrants of the Sports Performance and Management on 30 March 2008 between the hours of 04:45 hrs and 10:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the full carriageway on: Marine Terrace, from Cliff Street to Dourdo Road in the City of Fremantle.

All participants to wear approved head protection at all times for the cycle event.

A Half Marathon & 10Km Road Race by members/entrants of the Albany Athletics Club Inc on 1 June 2008 between the hours of 08:30 hrs and 11:00 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Start Hassell Street, Lower Denmark Road, Elleker, Grasmere Road, Lower Denmark Road, to finish Hassell Street, Elleker, in the City of Albany.

A Foot Race-Darlington Half Marathon by members/entrants of the West Australian Marathon Club on 13 April 2008 between the hours of 07:00 hrs and 09:30 hrs do hereby approve the temporary suspension of the Regulations made under such act on the carriageway(s) mentioned hereunder.

Racing to be confined to the left of the carriageway on: Pine Terrace, Owen Road, Brook Road, Harold Street, Burkinshaw Road, Tillbrook Street, Glen Forrest Drive, Hardey Road Thomas Road, Charles Road, Jacoby Street and return in the Shire of Mundaring .

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* 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 & Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
12242	Flipside Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in North Fremantle and known as Mrs Brown Bar	31/03/2008
12231	Foo Win Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Fu Restaurant	24.03.08
12233	Curtin University Wesley Sports Association Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Bentley and known as Curtin University Wesley Sports Club Inc	14.03.08

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i>			
12226	Franklin Joel Tate	Application for the grant of a Wholesale licence in respect of premises situated in Subiaco and known as FJ & HMJ Tate	11.03.08
APPLICATIONS FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
31661	Warren John Mead	Application for the grant of an extended trading permit—liquor without a meal, in respect of premises situated in South Perth and known as Oyster Bar on the Foreshore	11.03.08
31448	Dainford Holdings Pty Ltd	Application for the grant of an extended trading permit—liquor without a meal, in respect of premises situated in Collie and known as Henri's Restaurant	14.03.08

This notice is published under section 67(5) of the Act.

Dated: 27 February 2008.

B. A. SARGEANT, Director of Liquor Licensing.

WORKCOVER

WC401*

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981

APPROVED MEDICAL SPECIALISTS ORDER (NO. 1) 2008

Made by WorkCover WA under section 146F(1) of the Act.

1. Citation

This order is the *Approved Medical Specialists Order (No. 1) 2008*.

2. Approved medical specialists

The following medical practitioners are designated as approved medical specialists under section 146F(1) of the Act—

Dr Tony Hochberg

Dr Peter Hoffman

Dr John Fletcher

ADRIAN WARNER, Chief Executive Officer.
Workcover WA.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984

OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996

EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 1 of 2008)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Rimwest Pty Ltd t/a De Jong Hoists (WA) from the requirements of Regulation 4.3(2)(c) of the *Occupational Safety and Health Regulations 1996* in relation to the requirement for verification to be provided that the designs of the De Jong Men & Materials Hoist model number PT1500 and the De Jong Men & Materials Hoist model number PT2000 comply with Clause 4.5.13(b) of Australian Standard AS1418.7-1999.

Dated this 22nd day of February 2008.

NINA LYHNE, WorkSafe Western Australia Commissioner.

WS402*

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

(No. 2 of 2008)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Diploma Construction Pty Ltd in relation to the Durack II office development at 259-262 Adelaide Terrace, Perth and a requirement of regulation 4.56(1)(a)(i) of the Occupational Safety and Health Regulations 1996 that the lift operating system for the three lifts must comply with Clause 29.6.5.1(f) of Australian Standard AS1735.2-2001.

Dated this 15th day of February 2008.

NINA LYHNE, WorkSafe Western Australia Commissioner.

WS403*

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

(No. 3 of 2008)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Ms Narelle Simpson 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 suspended from a crane to be accommodated in a workbox. This exemption relates to the use of a crane to suspend an aerial performer during a rehearsal and four performances at the Wagin Woolorama, Wagin Showgrounds, Wagin on 7 and 8 March 2008.

I also grant an exemption from the requirements of Regulation 4.54(3) in relation to the use of a crane in the above-mentioned rehearsal and performances.

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

- notwithstanding that Section 6.18.2 of Australian Standard AS 2550.1 refers to use of a workbox, from which requirement Ms Simpson is exempted, the requirements for the crane listed in clauses (a) to (h) of Section 6.18.2 shall still apply;
- the crane operator shall remain at the controls of the crane at all times during the performance;
- the only crane motion permitted while the performer is suspended from the crane hook is hoist up or down at slow speed;
- a means of lowering the performer in the event of an emergency or failure of the power supply to the crane is provided;
- a certificated dogger or rigger oversees the attachment of the lifting gear to the crane hook; and
- a full site-specific risk assessment must be conducted and, where necessary, control measures implemented.

This exemption is valid on 7 and 8 March 2008 only.

Dated this 26th day of February 2008.

NINA LYHNE, WorkSafe Western Australia Commissioner.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
 DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Edgars Neimanis, late of Ningana Nursing Home, Bentley, Retired Human Resources, 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 the 29th day of September 2007, are required by

the personal representative Andrew James Dean of care of Macdonald Rudder 3/109 James Street, Northbridge WA to send particulars of their claim to him within one month from the date of publication of this notice after which date he may convey or distribute the assets having regard only to the claims of which he then has had notice.

Dated this 29th day of February 2008.

MACDONALD RUDDER LAWYERS.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of Rhoda Pearl Walton, late of 41 Butcher Street, Bruce Rock in the State of Western Australia, deceased.

Creditors and other persons who have claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovementioned deceased who died on 14 October 2007 at Glengarry Hospital, Duncraig in the State of Western Australia are required by the Executrix of her estate, Janette Thompson, to send particulars of their claims to her care of Bostock & Ryan, PO Box 200, Victoria Park WA 6979 by 27 March 2008 after which date the Executor may convey or distribute the assets, having regard only to the claims of which she has notice.

Dated this 25th day of February 2008.

BOSTOCK & RYAN, Solicitors for the Executrix,
Suite 3, 20 Twickenham Road,
Burswood WA 6100.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Howard James Nader McQuillan, late of Regents Gardens Four Seasons, 495 Marmion Street, Booragoon, Western Australia, Merchant, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovenamed deceased who died on the 12th day of January 2008 are required by the personal representatives Gloria Joy Nader McQuillan of 9 Cargen Crescent, Floreat, Western Australia, Diana Rosemary Nader van Straalen of 7 Gilroy Way, Lesmurdie, Western Australia and Stephen Howard Nader McQuillan of 52 Ruby Street, North Perth, Western Australia to send particulars of their claims to their solicitors HHG Legal Group of Post Office Box 1363, West Perth, Western Australia 6872 by the 4th day of April 2008 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Howard James Nader McQuillan, late of Regents Gardens Four Seasons, 495 Marmion Street, Booragoon, Western Australia, Merchant, deceased.

Persons having claims as beneficiaries (to which Section 66 of the *Trustees Act 1962*, relates) in respect of the estate of the abovenamed deceased who died on the 12th day of January 2008 are required by the personal representatives Gloria Joy Nader McQuillan of 9 Cargen Crescent, Floreat, Western Australia, Diana Rosemary Nader van Straalen of 7 Gilroy Way, Lesmurdie, Western Australia and Stephen Howard Nader McQuillan of 52 Ruby Street, North Perth, Western Australia to send particulars of their claims to their solicitors HHG Legal Group of Post Office Box 1363, West Perth, Western Australia 6872 by the 4th day of May 2008 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX405***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 28 March 2008 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Dhu, Gavin Wayne, late of 147 Kennedy Street, South Hedland, died 30.07.2007 (DE33060212EM27)
 Freind, Dorothy Catherine, late of 15 Pinaster Street, Coolbinia, died 3.12.2007 (DE19733931EM23)
 Fry, Iris Melva, late of 28 Kathleen Street, Yokine, died 2.02.2008 (DE33054640EM15)
 Green, Nigel Willan, late of 18 Floreat Street, Bunbury, died 8.01.2008 (DE19862292EM213)
 Grizaard, Mark Isaac, late of C/- Keith Simpson Masonic Village, Unit 15/47 Renegade Way, Kingsley, died 8.01.2008 (DE19953343EM37)
 Hardensen, John Bernard, late of St Vincent Nursing Home, 224 Swan Street, Guildford, died 10.02.2008 (DE30289546EM27)
 Long, Patricia Anne, late of Osboine Nursing Home, 39 Newton Street, Bayswater, died 1.02.2008 (DE19903053EM35)
 Lutter, Charles Lloyd Donnithorne, late of Raafa Estate Gordon Lodge, 48 Bullcreek Drive, Bullcreek, died 28.01.2008 (DE19921506EM38)
 Masters, Kathleen Merle, late of Brightwater Aged Care Facility, 150 Dundas Road, Inglewood, died 30.01.2008 (DE33011901EM110)
 Rosier, Johannes Anthonie, late of 27 Second Avenue, Bassendean, died 16.12.2007 (DE33030566EM17)
 Sear, Robert John, late of 10 Ranmere Way, Langford, died 22.06.2007 (DE33032151EM22)
 Sharpe, Ida May, late of Rivergardens, 89 Clifton Street, Kelmscott, died 3.02.2008 (DE19724113EM37)
 Sheldon, Samuel James Eric, late of 15 Trink Street, Cloverdale, died 7.02.2008 (DE19916556EM15)
 Swinson, Phyllis Anne, late of 10b Ballard Mews, Success, died 29.01.2008 (DE19701768EM26)
 Winmar, Sandra Lee, late of 10 Queen Street, Northam, died 20.05.2006 (DE33060958EM110)

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

ZX406**PUBLIC TRUSTEE ACT 1941****ADMINISTERING OF ESTATES**

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

Dated at Perth the 29th day of February 2008.

JOHN SKINNER, Public Trustee,
 565 Hay Street, Perth WA 6000.

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

Callen, Lionel George (DE33014366EM37); Tuohy Nursing Home, 22 Morrison Road, Midland; 11/11/2007; 26/02/2008.

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