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— PART 1 —

PROCLAMATIONS

AA101*

MAIN ROADS ACT 1930

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

MRWA 07/3802

I, the Governor, acting under Section 13 of the *Main Roads Act 1930* and on the recommendation of the Commissioner of Main Roads, declare—

- (a) that the roads or sections of roads as shown on the drawings listed in Schedule 1 to this proclamation, excluding any footpaths, shall be highways as from 3 June 2008;
- (b) that the roads or sections of roads as shown on the drawings listed in Schedule 2 to this proclamation, including any footpaths, shall be highways as from 3 June 2008;
- (c) that the roads or sections of roads as shown on the drawings listed in Schedule 3 to this proclamation shall cease be highways as from 3 June 2008;

Given under my hand and the Public Seal of the said State at Perth on 22 April 2008.

By Command of the Governor

ALANNAH MacTIERNAN, Minister for Planning and Infrastructure.

Schedule 1

MRWA Road No.	MRWA Road Name	Local Government Authority	As delineated on attached drawing number(s)
H9	South Western Highway	Shire of Donnybrook-Balingup	9422-050-1; 0793-729
H38	Thomas Road	Town of Kwinana, Shire of Serpentine-Jarrahdale	9522-003-01; 0493-196; 9522-191-02
H54	Albany Ring Road Stage 1	City of Albany	0793-730; 0793-731

Schedule 2

MRWA Road No.	MRWA Road Name	Local Government Authority	As delineated on attached drawing number(s)
H15	Kwinana Freeway	Town of Kwinana	9522-003-01; 0493-196; 0493-197
H695, H696, H698, H699, H700, H701, H702, H703, H704, H705, H706, H707, H708, H709	Kwinana Freeway Ramps	Town of Kwinana	0493-194; 0493-195; 0493-196; 0493-197

Schedule 3

MRWA Road No.	MRWA Road Name	Local Government Authority	As delineated on attached drawing number(s)
H9	South Western Highway	Shire of Donnybrook-Balingup	9422-050-1; 0793-729
H15	Kwinana Freeway	Town of Kwinana	0493-196

CONSERVATION

CO301*

Conservation and Land Management Act 1984

Shoalwater Islands Marine Park (Classified Waters) Notice 2008

Made by the Minister under section 62(1a) of the Act.

1. Citation

This notice is the *Shoalwater Islands Marine Park (Classified Waters) Notice 2008*.

2. Terms used in this notice

In this notice —

“**approved management plan**” means the management plan for the Shoalwater Islands Marine Park, called the Shoalwater Islands Marine Park Management Plan 2007-2017, approved by the Minister under the Act as notified in the *Gazette* on 30 October 2007 at p. 5886;

“**high water mark**” has the meaning given to that term in the *Land Administration Act 1997* section 3(1);

“**low water mark**” means ordinary low water mark at spring tides;

“**Shoalwater Islands Marine Park**” means all waters reserved as the Shoalwater Islands Marine Park under the Act by the Order published in the *Gazette* on 25 May 1990 at p. 2393.

3. Application of Geocentric Datum of Australia 1994

A reference in this notice to a geographic coordinate is a reference to a coordinate in accordance with the Geocentric Datum of Australia 1994 (GDA 94).

4. Classification of sanctuary areas

Waters of the Shoalwater Islands Marine Park referred to in an item in Schedule 1 are classified under section 62(1a)(c) of the Act as a sanctuary area.

5. Classification of special purpose areas

Waters of the Shoalwater Islands Marine Park referred to in an item in Schedule 2 are classified under section 62(1a)(d) of the Act as a special purpose area for the purpose set out in that item.

6. Classification of a general use area

Waters of the Shoalwater Islands Marine Park referred to in Schedule 3 are classified under section 62(1a)(b) of the Act as a general use area.

7. Declaration of activities incompatible with conservation purposes of special purpose areas

- (1) For the purposes of section 13B(5)(c), (6)(c), (7)(c) and (9)(c) of the Act, the relevant activities referred to in Table 3 of the approved management plan which are designated as activities which are not permitted in a special purpose area are declared to be incompatible with the conservation purposes described in the approved management plan for the special purpose area classified as a special purpose area under clause 5 and referred to in Schedule 2 item 1.
- (2) For the purposes of section 13B(5)(c), (6)(c), (7)(c) and (9)(c) of the Act, the relevant activities referred to in Table 3 of the approved management plan which are designated as activities which are not permitted in a special purpose area are declared to be incompatible with the conservation purposes described in the approved management plan for the special purpose area classified as a special purpose area under clause 5 and referred to in Schedule 2 item 2.

Schedule 1 — Sanctuary areas

[cl. 4]

1. Becher Point Sanctuary Zone

All that portion of the Shoalwater Islands Marine Park, contained within and bounded by a line —

- (a) commencing from the intersection of latitude 32°21'20" south with longitude 115°41'24" east; and
- (b) extending east along latitude 32°21'20" south to longitude 115°42'30" east; and
- (c) from there south along longitude 115°42'30" east to latitude 32°22'08" south; and
- (d) from there west along latitude 32°22'08" to longitude 115°41'24" east; and

- (e) from there north along longitude 115°41'24" east to the point described in paragraph (a).

2. Seal Island Sanctuary Zone

All that portion of Shoalwater Islands Marine Park, contained within and bounded by a line —

- (a) commencing from the intersection of latitude 32°17'29" south with longitude 115°41'18" east; and
- (b) extending generally east north-easterly along the geodesic to the intersection of latitude 32°17'17" south with longitude 115°41'56" east; and
- (c) from there south along longitude 115°41'56" east to latitude 32°17'50" south; and
- (d) from there west along latitude 32°17'50" south to longitude 115°41'18" east; and
- (e) from there north along longitude 115°41'18" east to the point described in paragraph (a).

3. Second Rock Sanctuary Zone

All that portion of Shoalwater Islands Marine Park, contained within and bounded by a line —

- (a) commencing from the intersection of latitude 32°18'56" south with longitude 115°41'24" east; and
- (b) extending east along latitude 32°18'56" south to longitude 115°42'00" east; and
- (c) from there south along longitude 115°42'00" east to latitude 32°19'14" south; and
- (d) from there west along latitude 32°19'14" south to longitude 115°41'24" east; and
- (e) from there north along longitude 115°41'24" east to the point described in paragraph (a).

Schedule 2 — Special purpose areas

[cl. 5]

1. Murray Reef Special Purpose Zone (Scientific Reference)

- (1) All that portion of Shoalwater Islands Marine Park, contained within and bounded by a line —
 - (a) commencing from the intersection of latitude 32°21'20" south with longitude 115°40'41" east; and
 - (b) extending east along latitude 32°21'20" south to longitude 115°41'24" east; and
 - (c) from there south along longitude 115°41'24" east to latitude 32°22'08" south; and
 - (d) from there west along latitude 32°22'08" south to longitude 115°40'41" east; and
 - (e) from there north along longitude 115°40'41" east to the point described in paragraph (a).
- (2) The purpose of this special purpose area is to provide an area primarily free of extractive activities to research and monitor ecological processes, species and habitats.

2. Shoalwater Bay Special Purpose Zone (Wildlife Conservation)

- (1) All that portion of Shoalwater Islands Marine Park, contained within and bounded by a line —
 - (a) commencing from the intersection of longitude 115°41'07.66" east with the high water mark at the westernmost point of the unnamed island west of Point Peron; and
 - (b) from there generally south-easterly and southerly along the high water mark to latitude 32°16'16.25"; and
 - (c) from there east along latitude 32°16'16.25" south to the high water mark at Point Peron that is the boundary of Marine Reserve No. 5 as shown on Department of Land Administration Miscellaneous Plan 1687; and
 - (d) from there generally south-westerly and southerly along the shoreline boundary of Marine Reserve No. 5 to Mersey Point at the intersection of the low water mark with the geodesic joining the coordinates latitude 32°18'19" south longitude 115°42'08" east and latitude 32°18'43.63" south longitude 115°41'22.38" east; and
 - (e) from there generally south-westerly along that geodesic to the low water mark on First Island; and
 - (f) from there generally westerly along the low water mark on First Island to longitude 115°41'22.38" east; and
 - (g) from there generally northerly along the geodesic to the point described in paragraph (a).
- (2) The purpose of this special purpose area is wildlife conservation.

Schedule 3 — General use area

[cl. 6]

1. Shoalwater Islands Marine Park General Purpose Zone

All that portion of Shoalwater Islands Marine Park that is not sanctuary area or special purpose area.

Date: 28 April 2008.

DAVID TEMPLEMAN, Minister for the Environment.

EDUCATION

ED301*

Vocational Education and Training Act 1996

**Vocational Education and Training Amendment
Regulations 2008**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Vocational Education and Training 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 *Vocational Education and Training Regulations 1996*.

4. Regulation 15A amended

Regulation 15A(4) is amended in the definition of “Australian resident” by deleting paragraph (b) and inserting instead —

“

- (b) holds —
 - (i) a permanent visa within the meaning of the *Migration Act 1958* of the Commonwealth; or
 - (ii) a visa of subclass 309, 310, 785, 820 or 826 within the meaning of the *Migration Regulations 1994* of the Commonwealth; or

- (iii) a visa of subclass 457 within the meaning of those regulations, other than a person who satisfied the primary criteria for that subclass of visa.

”.

By Command of the Governor,

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

JUSTICE

JU301*

Criminal Procedure Act 2004

Criminal Procedure (District Court) Rules 2008

Made by the Judges of the District Court.

1. Citation

These rules are the *Criminal Procedure (District Court) Rules 2008*.

2. Commencement

These rules come into operation as follows:

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

3. Interpretation

In these rules unless the contrary intention appears —

“**accused**” means a person who has been committed to the court for trial or sentence or who is the subject of an indictment that has been lodged in the court;

“**Chief Judge**” means the Chief Judge of the District Court;

“**court**” means the District Court;

“**CPA**” means the *Criminal Procedure Act 2004*;

“judge” means a District Court judge;
“lodge” a document, means to lodge it with the court.

4. Application

- (1) These rules must be read with the *Criminal Procedure Rules 2005*.
- (2) If a provision in these rules is inconsistent with a provision of the *Criminal Procedure Rules 2005*, the provision in these rules prevails in relation to any case in the court.

5. Consent orders

- (1) For the purpose of this rule the Chief Judge, by a practice direction, may specify —
 - (a) matters that may be the subject of an order made by written consent under this rule; and
 - (b) the form in which any written consent is to be given.
- (2) The parties to a case in the court may lodge a written consent to the making of an order in the case.
- (3) A lodged written consent must be in accordance with any practice direction made under subrule (1).
- (4) On a written consent being lodged, a judge may make the order without a hearing.

6. When indictment or discontinuance must be lodged

- (1) The Chief Judge, by a practice direction, may set the period within which an authorised officer must act under the CPA Part 4 Division 2 in respect of an accused who is committed to the court for trial or sentence on a charge.
- (2) If an authorised officer does not comply with a practice direction issued under subrule (1), the court may make an order under the CPA section 94(3).

7. Initial hearing

- (1) For the purpose of this rule, the initial hearing of a prosecution commences on the day on which the accused first appears in the court having been committed to the court for trial or sentencing.
- (2) A judge must preside at an initial hearing of a prosecution.
- (3) At an initial hearing of a prosecution the court may do any of the following —
 - (a) deal with any application under the CPA section 89, 90, 97, 118, 131, 132, 133, 134, 135, 136 or 138;
 - (b) exercise any of its powers in those sections if it can do so on its own initiative;
 - (c) exercise any of its powers in the CPA section 98 or 137;

- (d) order that a status hearing be held under the *Criminal Procedure Rules 2005* rule 33 and fix the time and place for it;
- (e) order that a pre-trial hearing be held under the *Criminal Procedure Rules 2005* rule 34 and fix the time and place for it;
- (f) fix the time and place for the trial or sentencing proceedings;
- (g) adjourn the initial hearing from time to time.

8. When request about pending charges must be lodged

The Chief Judge, by a practice direction, may set the time when a request under the *Sentencing Act 1995* section 32(1) must be lodged in the court notwithstanding the *Criminal Procedure Rules 2005* rule 44(2).

Dated: 23 May 2008.

Judges' signatures:

A. KENNEDY

M. D. F. O'SULLIVAN

M. A. YEATS

P. R. EATON

T. D. SWEENEY

B. J. H. GOETZE

C. P. STEVENSON

R. A. MACKNAY

M. J. BOWDEN

A. M. I. SCHOOMBEE

C. J. O'BRIEN

W. G. GROVES

R. E. KEEN

H. J. WISBEY

P. D. MARTINO

A. S. STAVRIANOU

J. A. WAGER

P. P. McCANN

R. A. MAZZA

LAND

LA301*

Land Administration Act 1997

**Land Administration Amendment
Regulations 2008**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Land Administration Amendment Regulations 2008*.

2. Commencement

These regulations come into operation on 1 July 2008.

3. The regulations amended

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

4. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) in item 1 by deleting “96.00” and inserting instead —
“ 100.00 ”;
- (b) in item 1A by deleting “119.00” and inserting instead —
“ 123.00 ”.

By Command of the Governor,

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

TRANSPORT

TR301*

Road Traffic Act 1974

**Road Traffic (Inspection of Vehicles)
Notice 2008**

Made by the Minister under section 29 of the Act.

1. Citation

This notice is the *Road Traffic (Inspection of Vehicles) Notice 2008*.

2. Commencement

This notice comes into operation as follows:

- (a) clauses 1 and 2 — on the day on which this notice is published in the *Gazette*;
- (b) the rest of the notice — on the day after that day.

3. Terms used in this notice

In this notice —

“**heavy vehicle**” has the meaning given in the *Road Traffic (Licensing) Regulations 1975* regulation 3(1);

“**new vehicle**” means a vehicle that has not previously been licensed or registered in this State or elsewhere, a production model of which has been approved by the Director General;

“**tractor**” means a motor vehicle that —

- (a) is designed —
 - (i) for use primarily in industry (whether in the public or private sector) including, without limiting the meaning of “industry”, agriculture, earth moving and forestry; and
 - (ii) to be driven or controlled by a person carried in or on the vehicle;

and

- (b) is not designed —
 - (i) for use primarily for the carriage on roads of passengers or goods; or
 - (ii) for hauling a semi-trailer;

“tractor plant” means a motor vehicle that —

- (a) is, or has permanently attached to it, an excavator, road roller, road grader, bulldozer, mechanical shovel, plough, rotary hoe or similar plant; and
- (b) is designed to be driven or controlled by a person carried in or on the vehicle; and
- (c) is not suitable for the carriage of any load other than accessories necessary for the operation of the vehicle.

4. Vehicles required to be inspected before grant of a licence

The grant of a vehicle licence in respect of a vehicle in respect of which this clause applies is prohibited unless —

- (a) the vehicle has been examined; and
- (b) a certificate of inspection has been issued pursuant to the Act that the vehicle —
 - (i) meets the prescribed standards and requirements referred to in section 29(1) of the Act; and
 - (ii) is fit for the purpose for which the licence is required.

5. Application of clause 4

- (1) Clause 4 is declared to apply in respect of all vehicles other than these vehicles —
 - (a) a new vehicle;
 - (b) a tractor or tractor plant;
 - (c) a vehicle, other than a vehicle in respect of which subclause (2) is declared to apply, that at the time the vehicle licence is applied for —
 - (i) is licensed or registered in the name of the applicant in another State or a Territory; and
 - (ii) is shown to the satisfaction of the Director General to have been so licensed or registered for at least 12 months.
- (2) This subclause is declared to apply in respect of these vehicles —
 - (a) a heavy vehicle;
 - (b) a motor vehicle referred to in clause 7.

6. Vehicles required to be inspected before renewal of a licence

The renewal of a vehicle licence in respect of a vehicle in respect of which this clause applies is prohibited unless —

- (a) the vehicle has been examined; and

- (b) a certificate of inspection has been issued pursuant to the Act that the vehicle —
 - (i) meets the prescribed standards and requirements referred to in section 29(1) of the Act; and
 - (ii) is fit for the purpose for which the licence is required.

7. **Application of clause 6**

Clause 6 is declared to apply in respect of these vehicles —

- (a) a motor vehicle in respect of which an omnibus licence is granted, or is to be applied for, under the *Transport Co-ordination Act 1966* Part III Division 2;
- (b) a motor vehicle in respect of which a taxi-car licence is issued, or is to be applied for, under the *Transport Co-ordination Act 1966* Part IIIB;
- (c) a motor vehicle that is, or is to be, operated as a taxi using taxi number plates issued under the *Taxi Act 1994* Part 3;
- (d) a motor vehicle that is fitted with seats for 13 or more persons, including the driver;
- (e) a motor vehicle that is, or is to be, used solely or principally for the carriage of children to and from school and is fitted with seats for 8 or more persons, including the driver;
- (f) a motor vehicle that is, or is to be, used solely or principally under a hiring agreement and is fitted with seats for 8 or more persons, including the driver;
- (g) a motor vehicle that is, or is to be, used solely or principally by a driving instructor for the purposes of the instruction of drivers and is fitted with the modifications required by the *Motor Vehicle Drivers Instructors Regulations 1964*.

8. **Clause 6 not to apply to certain short-term renewals of licence**

Clause 6 is declared not to apply in relation to the grant of a vehicle licence (the “**new licence**”) by way of the renewal of an existing vehicle licence (the “**previous licence**”) if —

- (a) when the previous licence was granted the vehicle was examined (the “**relevant examination**”) and a certificate of inspection issued pursuant to the Act; and
- (b) the new licence is to be granted for a period that expires not more than 12 months after the date of the relevant examination.

9. Notice to apply throughout Western Australia

The provisions of this notice are declared to apply throughout the State.

10. Revocations

- (1) The *Road Traffic (Inspection of Vehicles) Notice 1982* is revoked.
- (2) The *Road Traffic (Inspection of Vehicles) Notice 1997* is revoked.

A. MacTIERNAN, Minister for Planning and Infrastructure.

TR302*

Road Traffic Act 1974

Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2008

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) Part 2 — on 31 May 2008;
- (c) the rest of the regulations — on 1 July 2008.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Charges and Fees) Regulations 2006*.

Part 2 — Changes to vehicle licence charges

4. Specified day: section 28A

For the purposes of section 28A(3) of the Act, the specified day in relation to these regulations is 1 July 2008.

5. Regulation 4 amended

Regulation 4 is amended as follows:

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

“

- (2) A reference in Schedule 1 Division 1 Subdivision 3 clause 10 to a prime mover of licence class MC2, MC3, MC4 or MC5 includes a reference to a prime mover of an outgoing class.
- (3) In subregulation (2) —
 - “**outgoing class**” means, for a licence class specified in column 2 of the Table to this regulation (a “**new class**”), an old licence class specified in column 1 for which that new class is specified in column 2.
- (4) Subregulation (2) applies even if the new class referred to has not yet been prescribed as a licence class.

Table

column 1 old class	column 2 new class
MP2, 1LP2, 2LP2	MC2
MP3, 1LP3, 2LP3	MC3
MP4, 1LP4, 2LP4	MC4
MP5, 1LP5, 2LP5	MC5

”.

6. Regulation 20 amended

Regulation 20(1) is amended by deleting “\$58” in both places where it occurs and inserting instead —

“ \$60 ”.

7. Schedule 1 amended

- (1) Schedule 1 Division 1 Subdivision 2 is amended in each provision described in column 1 by deleting the amount shown in column 2 and inserting instead the amount shown in column 3.

Table — changes to fees or charges

column 1 provision	column 2 deleted	column 3 inserted
cl. 3	\$15.46	\$16.00
cl. 3	\$355.00	\$380.00
cl. 4	\$15.46	\$16.00
cl. 4	\$1 537.00	\$1 000.00
cl. 5	\$7.72	\$8.00
cl. 6(1)	\$30.93	\$32.00
cl. 6(2)	\$46.42	\$48.00
cl. 7	\$3.87	\$4.00
cl. 7	\$90.00	\$93.00

- (2) Schedule 1 Division 1 Subdivision 3 is amended by deleting the Table to clause 8 and inserting instead —

“

Table

Licence Class	Charge \$
1B2	380
2B2	380
2B3	2 087
AB3	380

”

- (3) Schedule 1 Division 1 Subdivision 3 is amended by deleting the Table to clause 9 and inserting instead —

“

Table

Licence Class	Charge \$
1R2	380
2R2	652
1R3	652
2R3	859
1R4	652
2R4	859
1R5	652
2R5	859
SR2	652
SR3	859
SR4	1 593
SR5	1 593
MR2	5 161
MR3	5 161
MR4	5 574
MR5	5 574

Licence Class	Charge \$
LR2	7 120
LR3	7 120
LR4	7 120
LR5	7 120

”.

- (4) Schedule 1 Division 1 Subdivision 3 is amended by deleting the Table to clause 10 and inserting instead —

“

Table

Licence Class	Charge \$
SP2	1 000
SP3	3 930
SP4	4 322
SP5	4 322
MC2	7 050
MC3	7 050
MC4	7 755
MC5	7 755

”.

- (5) Schedule 1 Division 1 Subdivision 3 is amended in clause 11 by deleting “\$355.00” and inserting instead —

“ \$380.00 ”.

- (6) Schedule 1 Division 1 Subdivision 3 is amended by deleting the Table to clause 12 and inserting instead —

“

Table

Licence Class	Charge \$
PSV	93
TSV	93
OSV2	310
OSV3	620
OSV4	930
OSV5	1 240
OSV6	1 550
OSV7	1 860
OSV8	2 170
OSV9	2 480

”.

Part 3 — Other provisions

8. Regulation 54 amended

Regulation 54 is amended by deleting “\$14.30.” and inserting instead —

“ \$17.10. ”.

9. Schedule 1 amended

Schedule 1 Division 2 is deleted and the following Division is inserted instead —

“

Division 2 — Fees relating to vehicle licensing

Item	Regulation No.	Service	Fee \$
1.	22	Upon establishment of premises as an authorised inspection station	167.70
		Each year for the renewal of authorisation	69.70
2.	23(1)	An initial examination of a mobile home or trailer without brakes, motor cycle, motor carrier, engine change	58.10
3.	23(1)	Subject to items 5, 7 and 8, an examination of a vehicle that is not set out in item 2	83.30
4.	23(1)	A second or subsequent examination of a vehicle referred to in item 2	45.50
5.	23(1)	A second or subsequent examination of a vehicle referred to in item 3	58.10
6.	23(3)	An examination of a licensed vehicle for the purpose of verifying the vehicle's identity and/or specifications	51.10
7.	23(4)(a)	An initial examination by the Director General of a heavy vehicle (i.e. a vehicle with an MRC exceeding 4 500 kg)	134.50
8.	23(4)(b)	A re-examination by the Director General of a heavy vehicle (i.e. a vehicle with an MRC exceeding 4 500 kg)	90.90
8A.	23A	Fee payable by a motor vehicle dealer or vehicle manufacturer for each vehicle the dealer or manufacturer wishes to licence	8.75
9.	24	For —	
		(a) searching records —	
		(i) manually, per vehicle	13.90
		(ii) by computer where a list of vehicles to be searched is supplied to the Director General on magnetic tape, per vehicle	2.80

Item	Regulation No.	Service	Fee \$
		(b) production of an extract describing the current status of ownership of a vehicle, according to the Director General's records	15.20
		(c) detailed searching of current and previous owner's records and production of supporting documentation	18.60
10.	25(1)	Recording fee for grant or renewal of vehicle licence (not heavy vehicle)	12.15
11.	25(2)	Recording fee for grant or renewal of heavy vehicle licence	12.15
12.	26	Fee for transfer of a vehicle licence	12.20
13.	27(a)	Fee for grant of permit for unlicensed vehicle	7.80
14.	27(b)(ii)	Minimum permit fee	23.00
15.	28	Fee for issue of duplicate or certified copy of a vehicle licence document	7.80
16.	29(1)	Fee for authorisation under regulation 14(3)	11.10
17.	30(1)	Fee —	
		(a) for the issue of plates (other than personalised plates, plates bearing the same characters as previous plates, or dealers plates) except where paragraph (b) applies	13.00
		(b) for the re-issue of plates which have been returned under the <i>Road Traffic (Licensing) Regulations 1975</i> regulation 22(3), (3a) or (4) (other than personalised plates, plates to replace existing plates bearing the same characters, or dealers plates)	13.00
		(c) upon application for the issue of personalised plates	104.60
		(d) upon application for the issue of plates to replace ordinary plates bearing the same characters	15.80
		(e) upon application for the issue of plates to replace personalised plates bearing the same characters without the letter "P" previously required by the <i>Road Traffic (Licensing) Regulations 1975</i>	80.50
18.	30(2)	Fee upon application for issue of name plates	798.00
19.	30(3)	Fee for transfer of right to display special plates —	
		(a) single digit numeral special plates	8 004.50
		(b) 2 digit numeral special plates	1 601.30

Item	Regulation No.	Service	Fee \$
		(c) 3 digit numeral special plates	797.20
		(d) any other number of digit special plates	159.10
		(e) unique series special plates referred to in the <i>Road Traffic (Licensing) Regulations 1975</i> regulation 24(4a)(b)	1 601.30
		(f) unique series special plates referred to in the <i>Road Traffic (Licensing) Regulations 1975</i> regulation 24(4a)(c)	69.60
20.	30(4)	Fee for transfer of right to display name plates	399.60
21.	30(5)	Fee for transfer of right to display special plates or name plates —	
		(a) pursuant to an agreement or order under the <i>Family Law Act 1975</i> of the Commonwealth	16.50
		(b) to a beneficiary by a trustee or other person in a fiduciary capacity under a trust whether express or implied	16.50
22.	30(7)	Fee upon application for the issue of special plates or name plates to replace special plates or name plates bearing the same characters —	
		(a) for premium material plates	181.40
		(b) for standard metal plates	87.90
23.	30(8)	Fee for transfer of —	
		(a) special plates or name plates by a person to another vehicle owned by that person	16.50
		(b) personalised plates by a person to another vehicle owned by that person or by a member of his or her immediate family	16.50
24.	31	Fee for storage of special plate by Director General (per year or part of a year)	16.50
25.	32(1)	Fee for assignment and issue of dealers plates —	
		(a) where the plate is issued in substitution for a plate bearing the same characters, per plate	32.60
		(b) in any other case, per set of plates	21.70
26.	32(2)	Deposit for each set of plates issued	20.00
27.	33	Annual fee for the use and possession of dealers plates	91.70
28.	34	Fee for duplicate of registration label	0.50
29.	35	Fee for duplicate tax invoice	7.80

10. Schedule 2 amended

Schedule 2 is amended in each provision described in column 1 by deleting the amount shown in column 2 and inserting instead the amount shown in column 3.

Table — changes to driver licensing fees

column 1	column 2	column 3
provision	deleted	inserted
it. 1A	19.60	17.40
it. 1B	13.10	17.40
it. 3	6.50	7.80
it. 6	24.60	19.30
it. 7	17.80	19.30
it. 8	21.00	18.40
it. 9	17.60	18.20

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

TR303*

Road Traffic Act 1974

Road Traffic (Licensing) Amendment Regulations (No. 3) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Licensing) Amendment Regulations (No. 3) 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 1 July 2008.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Licensing) Regulations 1975*.

4. Regulation 9B inserted

After regulation 9A the following regulation is inserted —

“

9B. Transitional provision for heavy vehicle licences

On the day on which the *Road Traffic (Licensing) Amendment Regulations (No. 3) 2008* regulation 5 comes into operation a vehicle licence that was, immediately before that day, of a class indicated in column 1 of the Table to this regulation and continues after that day becomes of the class indicated in column 2.

Table

column 1 old class	column 2 new class
MP2, 1LP2, 2LP2	MC2
MP3, 1LP3, 2LP3	MC3
MP4, 1LP4, 2LP4	MC4
MP5, 1LP5, 2LP5	MC5

”

5. Schedule 3 amended

Schedule 3 is amended in the Table by deleting the items for prime movers of any of classes MP2 to 2LP5 and inserting instead —

“

MC2	2	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer
MC3	3	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer
MC4	4	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer
MC5	5 or more	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer

”

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

TR304*

Rail Safety Act 1998

Rail Safety Amendment Regulations (No. 2) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Rail Safety Amendment Regulations (No. 2) 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 1 July 2008.

3. The regulations amended

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

4. Schedule 2 amended

Schedule 2 is amended as follows:

- (a) by deleting item 1(a);
- (b) in item 1(b) by deleting “5 000” and inserting instead — “ 6 000 ”;
- (c) by deleting item 2;
- (d) in item 4 by deleting “50” and inserting instead — “ 100 ”;
- (e) in item 5 by deleting “35.5442” and inserting instead — “ 40.4380 ”;
- (f) in item 6 by deleting “0.0264” and inserting instead — “ 0.0288 ”;
- (g) in item 7 by deleting “35.5442” and inserting instead — “ 40.4380 ”;
- (h) in item 8 by deleting “0.0264” and inserting instead — “ 0.0288 ”.

By Command of the Governor,

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

TR305*

Road Traffic Act 1974

Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 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 1 July 2008.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Charges and Fees) Regulations 2006*.

4. Regulation 56 amended

Regulation 56 is amended by deleting the Table to subregulation (1) and inserting instead —

“

Table

	\$
category 1 event	148.50
category 2 event	89.00
category 3 event	60.00
category 4 event	60.00

”

By Command of the Governor,

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

TR306*

Transport Co-ordination Act 1966

Transport Co-ordination Amendment Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transport Co-ordination 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 amendment in these regulations is to the *Transport Co-ordination Regulations 1985*.

4. Regulation 8BA amended

Regulation 8BA(1)(f) is amended by deleting “, if required by the Director General under this paragraph,”.

By Command of the Governor,

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

TREASURY AND FINANCE

TF301*

Land Tax Assessment Act 2002

**Land Tax Assessment Amendment
Regulations 2008**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Land Tax Assessment 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 *Land Tax Assessment Regulations 2003*.

4. Regulation 12 amended

Regulation 12(2) is amended as follows:

- (a) by deleting the full stop after paragraph (m) and inserting instead a semicolon;
- (b) by inserting after paragraph (m) the following paragraph —
 - “
 - (n) the Insurance Commission of Western Australia continued under the *Insurance Commission of Western Australia Act 1986* section 4.
 - ”

By Command of the Governor,

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

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATEMENT OF ASSOCIATION

Wonthella Progress Association

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated 23 May 2008.

ROBERT ALLEN, A/Director, Business Services for
Commissioner for Consumer Protection.

EDUCATION

ED401*

UNIVERSITY OF WESTERN AUSTRALIA ACT 1911

AMENDING STATUTES

It is hereby notified that the Lieutenant-Governor and deputy of the Governor in Executive Council, acting under the provisions of Section 33 of the *University of Western Australia Act 1911*, has approved the amendment of Statute No. 8, Statute No. 17 and Statute No. 23 as set out in the attached schedule.

MARK McGOWAN, MLA, Minister for Education and Training.
M. C. WAUCHOPE, Clerk of the Executive Council.

The proposed amendments to *Statutes 8, 17 and 23*, as set out in the attached schedule, have been approved and ratified by an absolute majority of the members of the Senate in accordance with subsection 25(1) of the *Murdoch University Act 1973 (WA)*.

The University has sealed this document in accordance with Senate resolution S/51/2007.

TERRY BUDGE, Chancellor.
JEREMY RIGG, General Counsel & University Secretary.

By Command of the Governor.

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

Statute No. 8—Interpretation

(approved 19/2/1975, amended 27/4/1999 and 07/10/2005)

- In any Statute, Regulation or By-law of the University, unless the context otherwise requires:

<i>Absolute majority</i>	means a majority of all the persons for the time being holding office;
<i>Act</i>	means the <i>Murdoch University Act 1973 (WA)</i> ;
<i>By-law</i>	means a by-law of the University made under the Act;
<i>Campus</i>	means the lands or premises from time to time designated as a campus by the Senate. There may be more than one campus so designated at any one time;
<i>Day</i>	means calendar day;

- | | |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Examination</i> | means an examination conducted by or within the University or an examination conducted by any other person or body prescribed by the statutes as a person or body authorised to conduct examinations for the University; |
| <i>External Student</i> | means a student designated as an external student by the Secretary; |
| <i>Faculty</i> | means a unit of university organisation constituted as a Faculty by the Faculty Regulations; |
| <i>Faculty Dean</i> | means Dean of a Faculty appointed under the Faculty Regulations; |
| <i>General Staff</i> | means all employees of the University who are not members of the University's academic staff; |
| <i>Graduate</i> | means a graduate of any University; |
| <i>Member of the University</i> | means a person who is a member of the Senate, a member of the staff of the University other than a person employed on a casual basis, a graduate of the University or a student; |
| <i>Office of the University</i> | means the office of the University as from time to time designated by the Senate; |
| <i>Prescribed</i> | means prescribed by the Act, or a Statute, Regulation or By-law as the case may be; |
| <i>Part-time Student</i> | means a student designated as a part-time student by the Secretary; |
| <i>Regulation</i> | means a Regulation of the University made under the Act; |
| <i>School or School of Study</i> | means the unit of university organisation constituted as a School under the Faculty Regulations; |
| <i>Secretary</i> | means the person for the time being employed by the University in the position of General Counsel & University Secretary, or such other position as subsumes or replaces it; |
| <i>Statute</i> | means a statute of the University made under the Act and the <i>Statutes</i> means all the Statutes for the time being in force; |
| <i>Student</i> | means a person enrolled in the University as a student and the <i>Students</i> means the student body for the time being; |
| <i>Undergraduate</i> | means a Student enrolled in a unit for a Bachelor's Degree; |
| <i>University</i> | when used to describe a locality means all land and buildings owned or occupied by the University and any other land declared by the Governor in accordance with section 24(2) of the Act to be University lands and all buildings or structures on such land; and |
| <i>Working day</i> | means a day other than a Saturday, Sunday or other day on which the University is officially closed. |
- 1A Effective as of 1 January 2008, where the following terms appear in any Statute, Regulation or by-law, they shall be construed as provided for in this paragraph 1A:
- | | |
|--------------------------------------------------|------------------------------------------------------------------|
| <i>Division and Divisional</i> | shall be replaced in all instances with the term "Faculty" |
| <i>Divisional Board or Board of the Division</i> | shall be replaced in all instances with the term "Faculty Board" |
| <i>Executive Dean</i> | shall be replaced in all instances with the term "Faculty Dean" |
| <i>Head of School or School Head</i> | shall be replaced in all instances with the term "School Dean" |
2. Subject to paragraph 3(d), the provisions of the *Interpretation Act 1984 (WA)* in force from time to time apply in the interpretation and construction of the Statutes, Regulations and By-law.
3. In any Statute, Regulation or By-law unless the contrary intention appears:
- (a) a reference to any person holding an office shall be to the person who holds or discharges the duty of that office for the time being, or to the person who is for the time being acting in that office as the case may require;
 - (b) a person appointed as a member of a University body or organisation by virtue of some other office held by him or her whether in the University or elsewhere, and expressed to be appointed 'ex officio' shall have the right to nominate any other person to represent him or her on any such body or organisation and from time to time remove and replace any such nominee as he or she shall think fit;
 - (c) a reference to a person who is 'primarily a student' is a reference to a person whom the Vice-Chancellor determines is primarily a student.
 - (d) For the purposes of sub-section 61(2) of the *Interpretation Act 1984 (WA)*, "excluded day" means Saturday, Sunday, or other day on which the University is officially closed.
4. The periods of instruction in each year shall be determined by the Senate.
5. For the purposes of section 8(2) of the Act, the University shall (*inter alia*) consist of all members of the academic and general staff of the University other than those employed on a casual basis.

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Modified by: Kelsey Halse, Administration Assistant, Office of Legal & Governance

Authorised by: John Pease, General Counsel & University Secretary, Office of Legal & Governance

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URL: <http://www.murdoch.edu.au/admin/legsln/regs/Statute08.pdf>

Statute No. 17—Guild of Students

(approved 25/2/1977) (last amended 20/03/2007)

1. Interpretation

(1) In this Statute, unless the context otherwise requires—

‘Guild’	means the Guild of Students established in accordance with section 20 of the Act;
‘Guild Regulation’	means a regulation made by the Guild under the authority of and in accordance with section 6;
‘Guild Rule’	means a rule made by the Guild under the authority of section 7;
‘Member’	means a member of the Guild;
‘Financial Member’	means a member of the Guild who has paid the Student Amenities Fee and appears on the Guild’s membership database.
‘Guild Council’	means the Guild Council of the Guild referred to in section 7;
‘Absolute Majority’	means a majority of all the members of the Guild Council for the time being holding office;
‘Student Society’	means any club, society or association within or connected with the University which is affiliated with the Guild;
‘Associate of the Guild’	means a person other than a member admitted to associateship under the authority of section 3(m).
‘General Meeting’	means any general meeting of members held under the authority of section 8 at which all members may vote.
‘Referendum’	means any ballot on any subject held by the Guild under the authority of and in accordance with section 8.

(2) References to sections are references to the *sections* of this Statute.

2. Objects

- (1) The objects of the Guild shall be, either alone or in association with any other organisation within the University--
- (a) to represent its members, to further the common interests of its members, and to co-ordinate joint activities of its members, and other members of the University; and
 - (b) such other objects as the Guild may by Guild Regulation from time to time adopt.
- (2) The Guild shall be the recognised means of communication between the student body and the Senate.

3. Powers

Subject to the Act, and the Statutes and By-laws of the University, the Guild shall have the power--

- (a) to purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and to sell, let, mortgage, or otherwise dispose of it;
- (b) to borrow, raise or secure payment of any money for any of the objects of the Guild from time to time and in particular by mortgaging or charging the property of the Guild or any part thereof;
- (c) to engage and dismiss employees;
- (d) to expend and invest moneys;
- (e) to operate bank accounts;
- (f) to transact such financial business as may be necessary for the purpose of carrying out the objects of the Guild;
- (g) to affiliate with any university association or any other association of students;
- (h) to co-ordinate the activities of Student Societies;

- (i) to provide for representation of the Guild and its members in cultural, sporting and social activities;
- (j) to make provision for the control and management of any buildings from time to time occupied by the Guild and for regulating the conduct of any person using such buildings or parts thereof;
- (k) to hold licences under any legislation, including the Liquor Act 1970, for the time being in force;
- (l) to impose fines or penalties, including suspension or withdrawal of privileges, upon members and on Student Societies for breach of the provisions of this Statute or of a Guild Regulation or a Guild Rule, but the limits of the fines or other penalties which may be imposed and all necessary procedures shall be prescribed by Guild Regulation;
- (m) to admit to associateship persons other than members in the manner prescribed by Guild Regulation;
- (n) generally, to act in all other matters authorised by this Statute or which are necessary or convenient for giving effect to this Statute.

4. Membership

- (1) Subject to the provisions of the Act and the following provisions of this section, all students shall be eligible to be members of the Guild. Guild Regulations may make provision for associate membership for non-students.
- (2) Any student may elect to become a Financial member of the Guild upon payment of the Amenities and Services Fee. Any student who is a member of the Guild can subsequently resign.
- (3) The University must not act in a way that may dissuade or discourage a student, or person seeking enrolment as a student, from being or becoming a member of the Guild.
- (4) A person shall cease to be a member of the Guild when he or she ceases to be a student or resigns as a member.
- (5) Except as provided in this Statute the terms and conditions of membership of the Guild shall be prescribed by Guild Regulation.
- (6) Students who are not members of the Guild are not eligible to vote in Guild elections or to hold an elective office of the Guild.

5. Seal

- (1) The official seal of the Guild shall be in the following form—
- (2) The Guild Council shall provide for the safe custody of the official seal of the Guild which shall never be used except with the authority of a resolution of the Guild Council and then in the presence of the President of the Guild who shall sign every instrument to which the seal is affixed, and every such instrument shall be countersigned by the Guild General Secretary or by some other person appointed by the Guild Council for the purpose.

6. Guild Regulations

- (1) The Guild may, in the manner described in subsection (2) of this section, but subject in every case to the provisions of subsection (3) of this section, make, alter and repeal regulations--
 - (a) to provide for the internal administration, organisation, finances and records of the Guild;
 - (b) to enable clubs, societies or associations within or connected with the University to become affiliated with the Guild as Student Societies, and to prescribe the conditions and any fees for such affiliation, and for the administration and finances of Student Societies;
 - (c) to provide for the payment of subscriptions and fees, and refunds;
 - (d) to provide for the allocation and distribution of Guild funds for the activities of the Guild and for Student Societies;
 - (e) to provide for the election of the President and other members of the Guild Council and matters relating to the office of President and membership of the Guild Council;
 - (f) to prescribe the rights, privileges and obligations of Associates of the Guild;
 - (g) to provide for General Meetings of Members and procedures, including attendance, quorum and voting, and for Referenda and procedures therefor;
 - (h) to provide for meetings of the Guild Council and its committees and procedures therefor;
 - (i) to establish subsidiary councils of the Guild and procedures therefor;
 - (j) to provide for the interpretation of regulations and rules of the Guild and for appeal against any interpretation;
 - (k) to provide for any matters incidental to any of the abovementioned matters and any of the matters required by this Statute to be prescribed or to be dealt with by Guild Regulation.

- (2) The power to make, alter and repeal any regulation or regulations under this Statute shall be exercised in the following manner --
- (a) a resolution to make, alter or repeal any regulation or regulations shall in the first instance be passed by an Absolute Majority of the Guild Council or by a General Meeting;
 - (b) in the case of a resolution passed in the first instance by an Absolute Majority of the Guild Council,
 - (i) the resolution shall be published on the official Guild notice boards and in the Guild newspaper or any other publication generally circulated among the students produced under authority of the Guild with notice being given to members that they are entitled to have the resolution considered at a General Meeting if notice requesting a General Meeting is given to the President of the Guild signed by members whose numbers are not less than fifty percent of the number of members required to reach quorum for a General Meeting within ten teaching days after the resolution is first published;
 - (ii) except as provided in sub-paragraph (iv) of this paragraph, if no notice requesting a General Meeting is given, the resolution is deemed to be confirmed after the expiration of ten teaching days as specified in sub-paragraph (i) above;
 - (iii) if notice is so given to the President of the Guild within the period of ten teaching days specified in sub-paragraph (i) above, the resolution shall be considered at the next General Meeting or the Guild Council may convene a special General Meeting for the purpose. The resolution shall be confirmed if it is passed by a majority of the members present at the General Meeting. If no quorum is present at a General Meeting called to debate a proposed regulation or alteration or repeal of a regulation, the General Meeting shall lapse and the proposed regulation or alteration or repeal of the regulation shall be deemed to be confirmed;
 - (iv) any proposed regulation or regulations or resolution for the alteration or repeal of a regulation or regulations providing for the payment of subscriptions, fees and refunds or for the allocation and distribution of Guild funds shall only be confirmed if it is passed by a majority of members present at a General Meeting.
 - (c) any resolution of a General Meeting to make, alter or repeal a regulation or regulations shall be considered at the next meeting of the Guild Council and shall be confirmed if it is passed by an Absolute Majority. If the Guild Council fails to pass any such resolution by an Absolute Majority then it shall be referred to a further General Meeting or at the discretion of the Guild Council to a Referendum, to be held not later than 21 teaching days after such meeting of the Guild Council, and if the resolution is approved at such General Meeting or Referendum then it shall be deemed confirmed.
- (3)
- (a) Any resolution made in relation to any regulation or regulations in accordance with sub-section (2) of this section shall be forwarded to the Secretary of the University and a receipt therefor shall be signed by the Secretary of the University, or on his or her behalf.
 - (b) the Secretary of the University shall submit the regulation or regulations to the Senate for its consideration at its next regular meeting or at a special meeting convened for the purpose.
 - (c) The Senate may allow or disallow any regulation so submitted to it in whole or part, but if any regulation is not disallowed within a period of three months after the first meeting of Senate to which it is submitted for its consideration, it shall be deemed to have been allowed at the expiration of that period.
 - (d) A regulation shall take effect as from the date specified in the regulation or the date on which it is allowed by the Senate, whichever is the later.
 - (e) A regulation shall be published in the manner prescribed by Guild Regulation.

7. Guild Council

- (1) The Guild shall be administered by a Guild Council comprising--
- (a) the President of the Guild;
 - (b) the Education Vice president of the Guild;
 - (c) and the Guild General Secretary
 - (d) six general student representatives (referred to as the "General Members"); and
 - (e) three Association Presidents as described by Guild Regulation
 - (f) six subsidiary council representatives as described in sub-section (4) of this section (in this section referred to as the 'Representative Members')

- (2) The President of the Guild and all other Members of the Guild Council shall be elected annually and, subject to this section, in the manner prescribed by Guild Regulation. The Guild may, by Guild Regulation, provide for the filling of any casual vacancy on the Guild Council provided that if any ballot is conducted to fill such a vacancy it shall be held in accordance with the provisions of sub-section (3) of this section.
- (3) Any member may vote at any election for the office of the President of the Guild or the office of Education Vice-President or the office of the Guild General Secretary or the office of a General Member of the Guild Council shall be conducted in accordance with Guild Election Regulations.
- (4) The Guild may by Guild Regulation provide for the nomination of not more than six persons as representative members who shall be elected officers or representatives of subsidiary councils of the Guild or of Student Societies.
- (5)
- (6) The Student Executive shall cause accurate minutes to be made of all General Meetings and forums of the Guild and meetings of the Guild Council, and the result of every election and Referendum. All duly confirmed minutes shall be deemed correct until the contrary is proved.
- (7) The procedures for meetings of the Guild Council shall be prescribed by Guild Regulation.
- (8) The powers and obligations of the President of the Guild, Education Vice-President, Guild General Secretary, General Members of the Guild Council and the Representative Members shall be prescribed by Guild Regulation.
- (9) Subject to this Statute and regulations made hereunder the Guild Council shall have the entire control and management of the affairs and concerns of the Guild and shall act in all matters concerning the Guild in such a manner as appears to it to be best calculated to promote interests of its members.
- (10) Resolutions passed at any General Meeting other than any resolutions to make, alter or repeal a regulation or regulations shall be in the form of a direction to the Guild Council. The Guild Council shall act in accordance with any direction of a General Meeting except that where, at its next meeting, the Guild Council resolves by Absolute Majority that a particular direction is not best calculated to promote the interests of the members, the direction involved shall be referred to a further General Meeting or at the discretion of the Guild Council, to a Referendum, to be held not later than 21 teaching days after such meeting of the Guild Council, and if the direction is approved at such General Meeting or Referendum then the Guild Council shall act in accordance with it.
- (11) The Guild Council may in the manner prescribed by Guild Regulations make, alter or repeal rules governing activities associated with the Guild but only when the power to do so is specified in Guild Regulations and then only to the extent specified.

8. General Meetings and Referenda

- (1) A General Meeting may debate any issue of concern to the membership of the Guild.
- (2) At a General Meeting each member present in person shall have one vote on any proposal put to the vote.
- (3) A Referendum shall determine Guild policy on the issues submitted to the Referendum. The result of a Referendum shall bind the Student Executive.
- (4) Proceedings at a General Meeting and the manner in which a Referendum shall be conducted shall be described by Guild Regulation.

9. Property and Finance

- (1) All property of the Guild and its subsidiary councils and all property of Student Societies (other than student societies which are incorporated bodies) shall be vested in the Guild.
- (2) Where the Guild Council determines to enter into any financial commitment for an amount which exceeds the current liquid assets of the Guild, or which it is unable to service adequately from current or future income, the Guild Council shall consult with Senate before proceeding.
- (3) No action taken by the Guild or the Guild Council in the exercise of any of its powers or authorities conferred by this Statute shall impose any legal obligation upon the University or the Senate.
- (4) The Guild Council shall make provision for the keeping of proper books of account in connection with all the financial transactions of the Guild.
- (5) The Guild Council shall make provision for the auditing of the Guild's books of accounts at least once a year. Guild Regulations shall prescribe when the auditing of the Guild's books of accounts shall take place and by whom.
- (6) A copy of the audited balance sheet and statement of income and expenditure of the Guild shall be transmitted to the Senate each year as soon as practicable after it has been adopted by the Guild, but in any event not later than four months after the conclusion of the Guild's financial year.

- (7) A copy of the audited balance sheet and statement of income and expenditure of the Guild shall be published each year in the Guild newspaper and any other suitable Guild publication and made available to members of the Guild as soon as practicable after it has been adopted by the Guild, but in any event not later than four months after the conclusion of the Guild's financial year.

10. Records

- (1) A copy of this Statute and any amendments and a copy of all Guild Regulations and Guild Rules made under this Statute and any amendments shall be recorded in a Guild Statute Book.
- (2) An entry in the Guild Statute Book of any Guild Regulations made under this Statute and any alteration to a Guild Regulation, signed by the administrative secretary of the Guild and the President of the Guild shall be prima facie evidence that the subject matter of the entry was duly approved by the Senate.
- (3) An entry in the Guild Statute Book of any Guild Rule made under this Statute or any alteration of a Guild Rule, signed by the President of the Guild, shall be prima facie evidence that the subject matter of the entry was duly approved by the Guild.

11. Repeal and Transitional Provision

- (1) This Statute shall come into operation on the day it is published in the *Government Gazette* and thereupon the existing No. 17 is hereby repealed.
- (2) All regulations, by-laws and rules made under authority of the existing No. 17 prior to the date of publication of this Statute in the *Government Gazette* shall be deemed to have been made under the authority of this Statute and (except where inconsistent with this Statute) shall continue in force until altered or repealed in accordance with this Statute.

The information contained on this page was correct as at 20 March 2007 but is subject to amendment without notice.

Statute No. 23—Student Discipline

(approved 20/11/2001) (last amended 07/10/2005)

The purpose of this Statute is to prescribe what constitutes misconduct, the penalties which may be applied for proven misconduct, and the procedures for dealing with such cases.

1. Definition of Misconduct

- 1.1 The following activities constitute misconduct by students:
 - (a) dishonesty in assessment, including plagiarism and unauthorised collusion;
 - (b) falsification of an academic record or research results, furnishing false or deliberately misleading information to the University or its staff, or use of the University's name, symbol or Seal without University authority;
 - (c) failure to obey the instruction of an examination supervisor, or any other lawful instruction given under any University Statute, regulation or by-law or under any Senate resolution;
 - (d) wilfully obstructing or disrupting any University teaching, study, research, examination or test;
 - (e) wilfully obstructing or disrupting any official University meeting, proceeding or ceremony or any University activity;
 - (f) harassing or discriminating unfairly against any person within the University on any grounds, including race (colour, ethnicity, national origin, nationality or descent), sex, pregnancy, marital status, age, sexual orientation, family responsibility, family status, political conviction, religious belief, disability or medical condition (not affecting work performance);
 - (g) wilfully interfering unduly with the freedom of speech within the University of any member of the University or of any speaker invited by any member of the University to express their views;

- (h) wilfully interfering with the freedom of movement within the University of any member of the University or any guest or visitor;
 - (i) entering or remaining on any University building or lands which the student is forbidden to enter or remain on by an order made under the By-laws;
 - (j) wilfully obstructing or attempting to obstruct or deter any University staff members in the performance of their duties;
 - (k) wilfully damaging, wrongly dealing with, wrongly using or misappropriating any University property, or the property within the University of any person;
 - (l) engaging in abusive, threatening or obscene communications on, from or to University premises or by use of University facilities including mail or computing or network facilities;
 - (m) using University computing or network facilities in breach of University Rules, approved by the Pro Vice Chancellor (Resource Management), on the use of such facilities;
 - (n) assaulting or attempting to assault any person within the University, or causing any person to hold reasonable fears for her or his safety or physical or psychological well-being;
 - (o) failing to comply with any penalty imposed under any University Statute, Regulation, Rule, By-law or Senate resolution.
- 1.2 When determining whether an activity constitutes misconduct, a construction shall be preferred which permits freedom of speech and freedom of expression by students, where such speech or expression is consistent with like freedoms given to others and the personal and property rights of any person affected.
- 1.3 The burden of proving an allegation of misconduct rests with the University. The standard of proof is the balance of probabilities.
- 1.4 This Statute also applies to former students in cases where the alleged misconduct is dishonesty in assessment (including plagiarism, unauthorised collusion or falsification of research results). Any disciplinary action against former students must be initiated within 12 months of cessation of enrolment, except that there shall be no time limit where the alleged misconduct occurred:
- (a) whilst the person was enrolled for a doctoral or research masters degree, or
 - (b) as part of a thesis submitted for a bachelor honours degree or a coursework masters degree.

2. Penalties

- 2.1 The penalties that may be imposed for misconduct are:
- (a) a caution;
 - (b) requirement to rewrite and resubmit an assignment or other assessment component, or to write and submit another assignment in its place;
 - (c) failure in an assessment component of a unit, or a reduced mark for that component;
 - (d) failure in a unit;
 - (e) suspension of all or any of the student's rights and privileges, including exclusion from classes, examinations or other forms of assessment, from use of facilities, withholding the student's assessment results and/or graduation, and prohibition of re-enrolment;
 - (f) a fine of up to \$300;
 - (g) suspension of the student's enrolment for one or two semesters;
 - (h) expulsion from the University.
- 2.2 Where a student is found guilty of misconduct, one or more of the above penalties may be imposed.
- 2.3 The academic penalties available in 2.1 (b) and (c) shall only be applied for misconduct involving dishonesty in assessment. In determining what penalty to impose in such cases, officers shall take account of any guidelines approved by Academic Council.
- 2.4 Any penalty imposed under this Statute may be suspended by the person or body imposing it: (a) until the time for appealing against it has expired; or (b) for a longer period or indefinitely. Any such suspension may be subject to such terms and conditions (including undertakings by the student) as the person or body granting it thinks fit.
- 2.5 Subject to the rights of appeal provided in this Statute, any decision under this Statute that a student has been guilty of misconduct and any imposition of a penalty on a student is final and conclusive.
- 2.6 A student expelled from the University shall not be re-enrolled except with the approval of the General Counsel.

3. Disciplinary Action

3.1 The following persons may exercise disciplinary powers under this Statute. The types of misconduct for which different persons may exercise disciplinary powers are not mutually exclusive.

Person	Type of misconduct	Penalties available
Pro Vice Chancellor (Academic)	misconduct in an examination	<ul style="list-style-type: none"> • a caution • exclusion from any examination or supervised assessment, if this is necessary to preserve order and decorum in the examination or supervised assessment • a fine • suspension of all or any of the student's rights and privileges within the University for up to 14 days • failure in that unit • suspension from the University for up to 2 semesters • expulsion from the University
	misconduct in or in relation to the Library	<ul style="list-style-type: none"> • a caution • suspension of all or any of the student's rights and privileges in relation to the Library, including exclusion from the Library premises or any part of such premises for up to 14 days • a fine • suspension from the University for up to 2 semesters • expulsion from the University
	non-payment of a fine or debt to the University, by the deadline	<ul style="list-style-type: none"> • withholding of information concerning the student's results in any unit or part of a unit, the granting of credit for any unit and the award of any degree or diploma • prohibit re-enrolment • Note: The above penalties shall cease on payment of the overdue amount.
	other instances of misconduct	<ul style="list-style-type: none"> • a caution • a fine • suspension from using the University's computing and networking facilities for a specified or indefinite period • failure in the unit in which the misconduct occurred • suspension from the University for up to 2 semesters • expulsion from the University
Pro Vice Chancellor (Research)	any instance of misconduct by a postgraduate research student	<ul style="list-style-type: none"> • a caution • a fine • suspension of all or any of the student's rights and privileges within the University for up to 14 days
Executive Dean	any instance of misconduct within that Division	<ul style="list-style-type: none"> • a caution • a fine • if the student has acted unfairly or dishonestly in connection with any assessment in a unit conducted by that Division: fail in the unit or in assessment component(s) of the unit; a

Person	Type of misconduct	Penalties available
		reduced mark for the assessment component; rewrite and resubmit an assignment or other assessment component; write and submit another assignment in its place
		• suspension of all or any of the student's rights and privileges within the Division for up to 14 days
Director of Information Technology	of any instance of misconduct in or in relation to the University's computing and networking facilities	• a caution • suspension from using those facilities for up to 28 days
Any member of academic staff	of any instance of misconduct in any class conducted or supervised by her or him	• exclude the student from that particular lecture, tutorial, seminar, laboratory or other class

- 3.2 Before disciplinary action is taken under s.3.1 by a Pro Vice Chancellor (other than in the case of non-payment) or Executive Dean, he or she shall:
- interview the student, who shall be given written notice of the details of the alleged offence and of the date and time of the interview. That notice shall be sent so that it is received (see s.7.1) no less than 5 days before that interview, though the student may waive this period of notice. The student may bring another person, other than a legal practitioner, to attend the interview as a witness and to provide moral support; any greater role for that person is at the discretion of the staff member conducting the interview. If the student is not in Perth, or if a disability prevents the student's attendance, the interview may be held by telephone, teleconference or videoconference, if the officer agrees to this. Any student who comes to Perth for a disciplinary interview is responsible for her or his own transport and accommodation costs. If the student fails to attend the interview, the officer shall deal with the allegation in the absence of the student;
 - investigate the allegation and take such advice and seek such information as the officer considers appropriate;
 - if the alleged misconduct is likely to lead to a penalty of failure in a unit or to a more serious penalty, consult the University Secretary before taking action;
 - if the student is found guilty of misconduct, notify the student in writing of the finding of misconduct, the penalty or penalties imposed, and of the appeal procedures, and copy this letter to the Office of Student Services. The Office of Student Services shall record the finding and the penalty on the computerised student records.
- 3.3 An officer can delegate to another staff member the investigative and interviewing roles in any disciplinary case, but not the authority to make a finding. The delegate shall provide the officer with a brief written report containing: (a) the charge and a summary of the evidence, (b) the student's response, (c) the reasons for concluding whether or not misconduct occurred, and, if a finding of misconduct is recommended, (d) the recommended penalty or penalties and the reasons for such. Before the officer considers this report, the student shall be given a copy and the opportunity, if he or she so wishes, to provide written comments within seven days.
- 3.4 Where an officer taking disciplinary action concludes that this action is more appropriately taken by another officer, the case may be transferred to that officer. The requirements of s.3.2 then apply anew.
- 3.5 The procedures in s.3.2 do not apply where disciplinary action is taken by the Director of Information Technology, or by academic staff for misconduct in a class conducted or supervised by them.

4. Appeals

A student may appeal against any finding of misconduct or penalty imposed under s. 3 of this Statute:

- if the penalty is other than suspension (for one semester or more) or expulsion from the University appeals are to be lodged with the Student Appeals Committee. Appeals must be lodged within twenty working days of the student receiving notification of the penalty. The Student Appeals Committee may suspend the application of the penalty until it has made a decision on the appeal.

- (b) if the penalty is suspension (for one semester or more) or expulsion from the University appeals are to be lodged with the Board of Discipline. Appeals must be lodged within twenty working days of the student receiving notification of the penalty. The Board of Discipline may suspend the application of the penalty until it has made a decision on the appeal.

5. Student Appeals Committee

- 5.1 The student shall have the right to appear before the Committee, and to be assisted in presenting her or his case by a person other than a qualified legal practitioner. The Committee shall also take such advice and seek such information as is considered appropriate to reach a decision on an appeal.
- 5.2 The Student Appeals Committee will be constituted in accordance with the Students Appeals Committee Regulations.
- 5.3 Any member of the Committee who has a family or other personal relationship with an appellant, or other conflict of interest, shall withdraw from the meeting during consideration of that case, and be replaced by the alternate member or another student nominee (as applicable).

6. Board of Discipline

A. Powers and Functions

- 6.1 The Board of Discipline has authority to hear and adjudicate in the following situations:
 - (a) Where the penalty is suspension (for one semester or more) or expulsion from the University, the student may appeal to the Board against the finding of misconduct and/or the penalty. Any appeal must be lodged within 14 days of the student receiving (see s.7.1) written notification of the decision from which the appeal is made, and must contain details of the grounds upon which the appeal is based.
 - (b) The General Counsel may charge a student with misconduct and refer the charge to the Board of Discipline. Any such reference to the Board must be made within one month after the act of misconduct is discovered.
- Any reference to the Board shall be made by written notice to the Vice Chancellor.
- 6.2 The Board shall hear the case from the beginning.
 - 6.3 If the Board finds that misconduct has been proved, it may apply any of the penalties in s.2.1. Alternatively, it may decline to record a finding of misconduct or to impose a penalty, if in its opinion the act of misconduct was trivial or for any other reason. In the case of a reference by way of appeal, the Board may affirm, vary or annul the penalty.
 - 6.4 The decision of the Board shall be final and conclusive.
 - 6.5 If the student has been wholly or partially successful, the Board may award the student the whole or part of the student's costs of the hearing, but the student shall not be entitled to costs in respect of any other proceedings or determination under this Statute. If the Board awards costs, it shall fix the amount payable. This amount shall be paid to the student from University funds.

B. Constitution

- 6.6 The Board of Discipline shall consist of—
 - (a) a Chair appointed by the Senate after consideration of a recommendation from the Chair of Legislation Committee. The Chair shall be a qualified legal practitioner who is not a member of the University staff. The appointment shall be for a term specified by Senate.
 - (b) two members of full-time academic staff, one of whom shall be female and the other male.
 - (c) two students, one of whom shall be female and the other male.
- 6.7 The staff and student members shall be selected randomly by a method determined by the Director of Information Technology. This selection shall take place when a case has been referred to the Board. The members so selected shall then serve for one year. Any person selected may decline membership, in which case the random selection shall continue until the vacancies have been filled. If a member of the Board ceases to be a staff member or student of the University, or has personal involvement in the case, the Director shall select a replacement member by the same method. The Director shall inform the student of the method of random selection, if requested by the student.

C. Proceedings

- 6.8 The quorum of the Board shall be the Chair and any two other members.
- 6.9 The Vice Chancellor shall appoint a person, other than the University Secretary, as the secretary of the Board. In any case before the Board, the secretary shall give the student not less than five days' written notice of the hearing. This notice shall include the time and place of the hearing, particulars of the charge (if the reference is under s.6.1(b)), details of the student's rights under s.6.10, and a copy of the procedural guidelines of the Board.

- 6.10 The student is entitled:
- (a) to present oral and written submissions to the Board;
 - (b) to be represented by another student or a member of the University or Guild staff who is not a qualified legal practitioner;
 - (c) to apply to the Chair to be permitted to be legally represented at the hearing. The Chair may allow such representation if, having regard to the circumstances of the case or the severity of the penalty appealed against, the Chair considers it desirable that the student be legally represented. If the Chair allows legal representation to the student, the University may also be legally represented.
 - (d) to be present with her or his representative throughout the hearing, except when the Chair and the members of the Board wish to confer privately among themselves or to consider their decision;
 - (e) either personally or by her or his representative to call and examine witnesses, cross-examine witnesses called by the University, and address the Board;
 - (f) to apply to the Chair to participate in the hearing by teleconference or videoconference if the student is not in Perth, or if a disability prevents the student's attendance. If the Chair allows this form of participation, the Chair shall determine whether the costs should be met by the student or the University. Any student who comes to Perth for a hearing of the Board is responsible for her or his own transport and accommodation costs.
- 6.11 If the student fails to appear despite having received notice, the Board may proceed with the hearing in the student's absence or order an adjournment.
- 6.12 The Vice Chancellor may appoint a member of the University staff who is not a legal practitioner to represent the University at the hearing. This person may call and examine witnesses, cross-examine witnesses called by the student, and address the Board.
- 6.13 The Chair shall have a deliberative vote only. If the votes are equally divided, the case shall be determined in favour of the student.
- 6.14 The Board shall not deal with more than one charge or appeal at the same hearing, unless in its opinion the charges or appeals arise out of instances of alleged misconduct which comprise a series of instances of the same or similar character; were committed in the furtherance of a common objective; or occurred during group activity by the students.
- 6.15 Hearings of the Board shall be open to members of the University, unless the student elects for a private hearing or the Chair orders that the hearing be closed on the grounds that, in her or his view, order otherwise cannot be maintained.
- 6.16 The Chair shall have complete authority to keep order and may order the removal of any person, including a student in respect of whom the hearing is taking place or the representative of such a student, for unruly conduct.
- 6.17 The Board's procedures, including the order in which evidence may be called and addresses heard, shall be at the discretion of the Chair. The rules of evidence do not apply.
- 6.18 The decision of the Board and its reasons shall be communicated in writing to the student.

7. Miscellaneous Provisions

- 7.1 Any written notice required under this Statute shall be regarded as received if given to that person by hand, sent to the email address or fax number nominated by that person, or posted to the last address known to the Office of Student Services as that person's place of residence. A notice sent by post is to be taken to be given and received three days after it is posted, except where the address is a place outside Australia, in which case it is taken to be given and received seven days after it is posted. A notice sent by email or fax is taken to be given and received on the day it is sent. A notice sent by email must be sent by post also.
- 7.2 Nothing in this Statute affects the powers or authority of any person or body in the University under any Act of Parliament, or any other Statute, Regulation, By-law or Senate resolution not inconsistent with this Statute.
- 7.3 Statute No.23—Discipline is hereby repealed.

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URL: <http://www.murdoch.edu.au/admin/legsln/regs/Statute23.pdf>

ELECTORAL COMMISSION

EC401*

WESTERN AUSTRALIAN COLLEGE OF TEACHING ACT 2004**WESTERN AUSTRALIAN COLLEGE OF TEACHING (ELECTIONS) REGULATIONS 2007**

ELECTION OF BOARD MEMBER (1) PURSUANT TO SECTION 9

Publication of Election Result Pursuant to Regulation 24 (2)

Election Result for Board Member—Catholic School Representative (1)

GLEGHORN, Dirk

WARWICK GATELY AM, Electoral Commissioner.

FIRE AND EMERGENCY SERVICES

FE401*

FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998

DETERMINATION OF ANNUAL ESTIMATES OF EXPENDITURE BY AUTHORITY

Pursuant to Section 35B of the *Fire and Emergency Services Authority of Western Australia Act 1998*, the Authority is to cause an annual estimate of its expenditure, expenditure attributable to prescribed services and amounts payable to local governments in relation to the services to be provided under the emergency services Acts, to be prepared and submitted to the Minister for approval.

Your approval is sought for the total estimated expenditure of \$208,572,000 for the financial year 2008/09 in accordance with Section 35B.

The estimate above includes—

- | | |
|----------------------------------------------------------------------------------------------------|--------------|
| • Section 35B(2)(a) provision for amounts attributable to prescribed services (not yet regulated): | Nil |
| and | |
| • Section 35B(2)(b) provision for amounts payable to local governments: | \$17,250,000 |

Ministerial Approval

Pursuant to Section 35B of the *Fire and Emergency Services Authority of Western Australia Act 1998*, I, John Kobelke, the Minister administering the said Act, hereby approve the annual estimates of expenditure in relation to the services to be provided under the emergency services Acts of \$208,572,000 for the financial year 2008/09.

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police and Emergency Services.

FE402*

FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998

DETERMINATION AND ASSESSMENT OF LEVY

Pursuant to Section 36G(3) of the *Fire and Emergency Services Authority of Western Australia Act 1998*, the Minister is to determine the emergency services levy that is payable for the next levy year on all land that is located in an ESL area by reference to the estimate of expenditure approved under section 35B less the amount identified under section 35B(2)(a), less monies appropriated by Parliament and any other matter the Minister considers relevant to a proper determination of the levy.

Your approval is sought for the emergency services levy that is payable of \$165,451,000 for the levy year 2008/09 in accordance with Section 36G(3) of the Act that is made up as follows—

	\$
Section 35B annual estimate of expenditure	208,572,000
Less—	
- Section 36G(3)(a)(i) amounts attributable to prescribed services (not yet regulated)	—
- Section 36G(3)(a)(ii) amounts appropriated by Parliament	(31,161,000)
- Section 36G(3)(b) amounts the Minister considers relevant	(11,960,000)
EMERGENCY SERVICES LEVY PAYABLE	\$165,451,000

Ministerial Approval

Pursuant to Section 36G(3) of the *Fire and Emergency Services Authority of Western Australia Act 1998*, I, John Kobelke, the Minister administering the said Act, hereby approve the emergency services levy payable in relation to the services to be provided under the emergency services Acts of \$165,451,000 for the levy year 2008/09.

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police
and Emergency Services.

FE403*

FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998
FIRE AND EMERGENCY SERVICES (DETERMINATION OF EMERGENCY SERVICES LEVY)
NOTICE 2008

1. Determination of levy for 2008/09 levy year [36G(1)]

(1) The emergency services levy that is payable for the 2008/09 levy year on land in ESL categories 1, 2, 3 and 4 is determined as a rate in the dollar of the gross rental value (GRV) of the land as follows—

- (a) for land in ESL category 1: 0.0117 dollars for each dollar of GRV;
- (b) for land in ESL category 2: 0.0088 dollars for each dollar of GRV;
- (c) for land in ESL category 3: 0.0059 dollars for each dollar of GRV;
- (d) for land in ESL category 4: 0.0041 dollars for each dollar of GRV.

(2) The emergency services levy that is payable for the 2008/09 levy year on land in ESL category 5 is determined as a fixed charge of \$40.00.

(3) Subclauses (1) and (2) apply regardless of the purpose for which the land is used.

2. Determination of minimum and maximum amounts of levy [36I]

(1) The minimum amount of levy payable for the 2008/09 levy year on land in ESL categories 1, 2, 3 and 4 is determined as \$40.00.

(2) Subclause 1 applies regardless of the purpose for which the land is used.

(3) The maximum amount of levy payable for the 2008/09 levy year on land in ESL categories 1, 2, 3 and 4 is determined as follows—

- (a) for vacant land and for land used for farming or single-unit residential purposes: \$215.00;
- (b) for land used for multi-unit residential purposes: \$215.00 multiplied by the relevant number of units;
- (c) for land used for commercial, industrial or miscellaneous purposes: \$125,000.00.

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police
and Emergency Services.

FE404*

FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998
DETERMINATION OF LOCAL GOVERNMENT LEVY ADMINISTRATION FEES

I, John Kobelke, the Minister administering the *Fire and Emergency Services Authority of Western Australia Act 1998*, hereby determine that under Section 36W of that Act that local governments collectively be paid, by the Fire and Emergency Services Authority of Western Australia, an annual "ESL Administration Fee" by 31 October each levy year, which in 2008/09 shall be an aggregate payment of \$2,250,000.

This determination has been made following consultation with representatives of the local government sector, and having regard to the costs that will be reasonably incurred by local governments in administering the levy.

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police
and Emergency Services.

FE405***FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998**
DETERMINATION OF LOCAL GOVERNMENTS NOT REQUIRED TO SUBMIT
ESTIMATE OF EXPENDITURE

I, John Kobelke, the Minister administering the *Fire and Emergency Services Authority of Western Australia Act 1998*, hereby determine that under Section 36A(2) of that Act that the following local governments are not required to submit estimates of expenditure for the levy year 2008/09

Town of Cambridge
Shire of Christmas Island
Town of Claremont
Shire of Cocos (Keeling) Islands
Town of Cottesloe
Town of East Fremantle
City of Fremantle
Shire of Halls Creek
Town of Mosman Park
City of Nedlands
Shire of Peppermint Grove
City of Perth
City of South Perth
City of Subiaco
Shire of Trayning
Town of Victoria Park

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police and Emergency Services.

FE406***FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998**
DETERMINATIONS OF SPECIAL LEVY CHARGING ARRANGEMENTS

I, John Kobelke, the Minister administering the *Fire and Emergency Services Authority of Western Australia Act 1998*, hereby determine the following matters pursuant to Section 36H(3) of that Act, after consultation with the Valuer-General and representatives of the local government sector—

1. The following Mining Tenement types (as classified by the Valuer-General) shall be levied a fixed charge of \$40.00 in the 2008/09 levy year by each local government in whose district that tenement or a portion of that tenement is located—
 - a. Coal Mining Lease (CML);
 - b. Gold Mining Lease (GML);
 - c. Mining Lease (M);
 - d. Mining Lease (Special Agreement) (AM);
 - e. Mineral Lease (ML);
 - f. Mineral Lease (Special Agreement) (AML);
 - g. General Purpose Lease (Special Agreement) (AG);
 - h. Tailing Lease (TL);
 - i. Licence to Treat Tailings (LTT);
 - j. Petroleum Production Licence (PPL);
 - k. Special Licence (Special Agreement) (ASL).

This arrangement shall apply regardless of whether the Mining Tenement is in an area declared to be within ESL categories 1, 2, 3, 4 or 5, or any combination of those categories.

2. If, at 1 July 2008, a Gross Rental Valuation (GRV) of land is not available for leviable land that is located in an area declared to be within ESL category 1, 2, 3 or 4, that land shall be charged the minimum annual amount of levy that applies to that land use type with that ESL category in the 2008/09 levy year.
3. All Pad Mount Transformers and Pad Mount Sites owned by, or vested in, the Electricity Networks Corporation, the Regional Power Corporation and the Electricity Generation Corporation, that are located in an area declared to be within ESL category 5 shall be treated as one property for the purpose of levy assessment and charging.
4. All land owned by or vested in the Water Corporation that has an individual Gross Rental Valuation of less than \$2,000 and is located in an area declared to be within ESL Category 5 shall be treated as one property for the purpose of levy assessment and charging.

5. All land that is located in an area declared to be within ESL Category 5 and is included within the district of more than one local government, shall be assessed a fixed charge of \$40.00 by each local government.

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police and Emergency Services.

FE407*

FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998

APPROVAL OF AGREEMENTS WITH LOCAL GOVERNMENTS

I, John Kobelke, the Minister administering the *Fire and Emergency Services Authority of Western Australia Act 1998*, hereby give approval under Section 36ZJ of that Act for the Fire and Emergency Services Authority of Western Australia (FESA) to enter into agreements with the following local governments, for the terms shown (commencing 1 July 2008)—

City of Albany (3 Yr) *	Shire of Leonora (3 Yr) *
Shire of Augusta-Margaret River (3 Yr) *	Shire of Morawa (3 Yr)
Town of Bassendean (3 Yr) *	Shire of Mount Marshall (3 Yr) *
Shire of Broome (3 Yr) *	Shire of Murray (3 Yr)
Shire of Broomehill-Tambellup(3 Yr) **	Shire of Quairading (3 Yr) *
Town of Cambridge (3 Yr)	Shire of Plantagenet (3 Yr)
Shire of Capel (3 Yr) *	City of Rockingham (3 Yr) *
Shire of Chittering (3 Yr) *	Shire of Shark Bay (3 Yr) *
Shire of Coolgardie (3 Yr) *	City of Stirling (3 Yr) *
Shire of Derby-West Kimberley (3 Yr)	Shire of Trayning (3 Yr) *
Shire of Donnybrook-Balingup (3 Yr) *	City of Vincent (3 Yr)
City of Joondalup (3 Yr) *	Shire of West Arthur (3 Yr) *
City of Kalgoorlie-Boulder (3 Yr) *	Shire of Wyndham-East Kimberley (3 Yr)

* Local government operated under a section 36ZJ Agreement in 2007/08.

** Shire of Broomehill operated under a section 36ZJ Agreement in 2007/08.

Dated 27 May 2008.

Hon. JOHN KOBELKE, MLA, Minister for Police and Emergency Services.

HEALTH

HE401*

MEDICAL ACT 1894

MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 13) 2008

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 13) 2008*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE

OBSTETRIC AND GYNAECOLOGICAL SERVICES AT THE PEEL HEALTH CAMPUS

Dated this 25th day of May 2008.

JIM MCGINTY MLA, Minister for Health.

HE402*

MEDICAL ACT 1894**MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO.14) 2008**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No.14) 2008*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE**EMERGENCY MEDICAL SERVICES AT THE PEEL HEALTH CAMPUS**

Dated this 28th day of May 2008.

JIM MCGINTY, MLA, Minister for Health.

JUSTICE

JU401*

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

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

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Allen	Garry Wayne	CS8-163	19/05/08	19/05/08	30/07/2011
Fehring	Margaret Joan Theresa	CS8-162	19/05/08	19/05/08	30/07/2011
Brinkman	Edward John	CS8-144	19/05/08	19/05/08	30/07/2011

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

BRIAN LAWRENCE, CSCS Contract Manager.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976*Shire of Plantagenet***APPOINTMENT OF AUTHORISED PERSONS AND REGISTRATION OFFICERS**

It is hereby notified for public information pursuant to the provisions of the Dog Act 1976, the following persons have been appointed—

Authorised Persons

Robert John Stewart
 Nicole Elise Selesnew
 Raymond James Parry
 Stephen Terence Player
 David John Cooper

Dog Registration Officers

Raymond James Parry
 Stephen Terence Player
 Annette Marie Lamb
 Alison Frances Lambert
 Karen Jean Thompson
 Rayona Nicole Evans
 Donna-Jo Fawcett
 Roxanne Mills
 Vanessa Maree Ward
 Cherie May Delmage

Pound Keepers

Robert John Stewart
 Nicole Elise Selesnew
 Raymond James Parry
 Stephen Terence Player
 David John Cooper

All previous authorisations are hereby revoked.

Dated 22 May 2008.

R. STEWART, Chief Executive Officer.

LG402*

LOCAL GOVERNMENT ACT 1995

City of Albany
 BASIS OF RATES

Department of Local Government
 and Regional Development.

DLGRD: AL5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedules hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2008.

JENNIFER MATHEWS, Director General.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA

City of Albany

All those portions of land comprised in the schedules below—

SCHEDULE "A"

All that portion of land being Lot 1 as shown on Diagram 54395 and Lot 15 as shown on Diagram 100636.

SCHEDULE "B"

All that portion of land being Lot 22 as shown on Deposited Plan 29387; Lot 102 as shown on Deposited Plan 46807; Lot 2 as shown on Deposited Plan 47529; Lots 31 to 40 inclusive as shown on Deposited Plan 52715; Lots 21 to 53 inclusive as shown on Deposited Plan 53721; Lot 246 as shown on Deposited Plan 56872; Lot 37 as shown on Deposited Plan 57220; Lot 50 as shown on Deposited Plan 57732; Lot 200, Lot 202, Lot 203, Lots 212 to 224 inclusive, Lots 226 to 233 inclusive and Lots 9001 to 9003 inclusive as shown on Deposited Plan 57735; Lot 4944 as shown on Deposited Plan 80134 and Lot 3465 as shown on Deposited Plan 80529.

LG403*

LOCAL GOVERNMENT ACT 1995*Shire of Esperance***BASIS OF RATES**Department of Local Government
and Regional Development.

DLGRD: ES5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedules hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2008.

JENNIFER MATHEWS, Director General.

SCHEDULE**ADDITIONS TO GROSS RENTAL VALUE AREA***Shire of Esperance**All those portions of land comprised in the schedules below—***SCHEDULE "A"**

All that portion of land being Lot 2 as shown on Diagram 28208 and Lot 3 as shown on Diagram 37855.

SCHEDULE "B"

All that portion of land being Lots 13 to 15 inclusive as shown on Plan 21420 and Lots 21 to 24 inclusive and Lots 26 to 31 inclusive as shown on Plan 21508.

SCHEDULE "C"

All that portion of land being Lots 800 to 806 inclusive as shown on Deposited Plan 34868; Lots 1 to 4 inclusive as shown on Deposited Plan 34935; Lots 12 to 19 inclusive and Lots 27 to 29 inclusive as shown on Deposited Plan 39960; Lots 14 to 17 inclusive as shown on Deposited Plan 42560; Lots 2 to 5 inclusive, Lots 11 to 13 inclusive and Lot 9500 as shown on Deposited Plan 44887; Lots 5 to 8 inclusive as shown on Deposited Plan 46102; Lot 1, Lots 20 to 22 inclusive, Lots 30 to 34 inclusive and Lots 43 to 46 inclusive as shown on Deposited Plan 46108; Lots 2 to 11 inclusive and Lots 23 to 26 inclusive as shown on Deposited Plan 52171; Lot 9 and Lot 9002 as shown on Deposited Plan 52172; Lots 36 to 42 inclusive as shown on Deposited Plan 52179; Lot 1 as shown on Deposited Plan 182598 and Lot 5 as shown on Deposited Plan 187974.

MARINE/MARITIME

MX401*

SHIPPING AND PILOTAGE (MOORING CONTROL AREA) REGULATIONS 1983**DETERMINATION OF FEES**

Pursuant to the Shipping and Pilotage (Mooring Control Area) Regulations, the Department for Planning and Infrastructure hereby gives notice that, in respect of the mooring control areas in the waters of the State detailed in the Schedule to the Notice, it has been determined that as of 1 July 2008 until further notice, the fee payable for hiring a swing mooring site shall be the amount calculated in accordance with the Schedule.

Schedule

Location		Current Annual Fee 2007/08	New Annual Fee 2008/09
Albany—Princess Royal Boat Harbour and Emu Point Boat Harbour	per metre of vessel	72.93	75.41
Bremer Bay, Fishery Beach	per metre of vessel	134.53	139.10
Bunbury, Casuarina Boat Harbour	per metre of vessel	62.49	64.62
Carnarvon Fishing Boat Harbour (Inner Harbour)	per metre of vessel	79.18	79.18
Esperance (Bandy Creek) Boat Harbour	per metre of vessel	70.29	72.68

Location		Current Annual Fee 2007/08	New Annual Fee 2008/09
Exmouth Boat Harbour—(Within Harbour Breakwater) ¹	per metre of vessel	132.60	137.11
Exmouth Boat Harbour (Outside Harbour Breakwater)	per metre of vessel	66.29	68.54
Jurien Boat Harbour (Inner Harbour)	per metre of vessel	68.74	71.08
Kalbarri	per metre of vessel	70.40	70.40
Onslow/Beadon Creek Boat Harbour	per metre of vessel	48.28	49.92
Point Samson Johns Creek Boat Harbour	per metre of vessel	28.31	29.28
Port Denison Boat Harbour			
Commercial vessels	per vessel	676.50	676.50
plus	per metre of vessel	77.00	77.00
Recreational vessels	per metre of vessel	48.40	77.00

Note—Unless otherwise indicated, payment of a swing mooring fee entitles the hirer to free use of any service jetty in the mooring control area for loading and unloading the vessel subject to availability of berth space and direction of authorised officers.

¹ Applies to vessels mooring within the mooring control area. The two “Kailis Seabed Piles” at harbour entrance (marked by spar buoys) are deemed to be within the harbour breakwater. Vessels are subject to the following prescribed fees for berths and services.

IN RESPECT OF THE MOORING CONTROL AREAS AT BREMER BAY,
EXMOUTH AND CARNARVON

	Current Fee 2007/08	New Fee 2008/09
Part year fee—three months or more and paid in advance	Part 10% of the annual fee per month	Part 10% of the annual fee per month
Monthly fee	20% of the annual fee per month	20% of the annual fee per month
Weekly fee—		
Bremer Bay	\$6.69 per metre of vessel	\$6.92 per metre of vessel
Exmouth (Within Harbour Breakwater)	\$6.63 per metre of vessel	\$6.86 per metre of vessel
Exmouth (Outside Harbour Breakwater)	\$3.35 per metre of vessel	\$3.46 per metre of vessel
Carnarvon	\$7.25 per metre of vessel	\$7.25 per metre of vessel
Daily fee—		
Bremer Bay	\$1.34 per metre of vessel	\$1.39 per metre of vessel
Exmouth (Within Harbour Breakwater)	\$1.33 per metre of vessel	\$1.38 per metre of vessel
Exmouth (Outside Harbour Breakwater)	\$0.67 per metre of vessel	\$0.69 per metre of vessel
Carnarvon	\$1.45 per metre of vessel	\$1.45 per metre of vessel

IN RESPECT OF THE MOORING CONTROL AREAS AT ONSLOW/BEADON CREEK
AND POINT SAMSON

	Current	New
Monthly fee—	20% of the annual fee per month	20% of the annual fee per month
Daily fee—		
Onslow	\$1.93 per metre of vessel	\$1.99 per metre of vessel
Point Samson	\$0.30 per metre of vessel	\$0.31 per metre of vessel

IN RESPECT OF THE MOORING CONTROL AREAS AT JURIEN, KALBARRI AND
PORT DENISON

	Current	New
Daily fee—		
Jurien	\$1.24 per metre of vessel	\$1.29 per metre of vessel
Kalbarri	\$0.68 per metre of vessel	\$0.68 per metre of vessel
Port Denison	\$11.00 per vessel (per day or part thereof)	\$11.00 per vessel (per day or part thereof)

Dated 22 May 2008.

RIC LUMSDEN, PSM, Director General, Department for Planning and Infrastructure.

MINERALS AND PETROLEUM

MP101*

CORRECTION
MINING ACT 1978
FORFEITURES

The notices at page 2018 of the *Government Gazette* dated 23 May 2008 to be corrected as follows—

80/467	Elizabeth Alexander Rolando Ernest Nanni
to	
80/467	Elizabeth Alexander Rolando Ernest Nanini

MP401*

PETROLEUM PIPELINES ACT 1969
APPLICATION FOR A PIPELINE LICENCE

Pipeline Licence No. PL76 was granted to APA Group to have effect for a period of 21 years from 22nd May 2008.

Dated 22 May 2008.

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

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bill

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the date shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Seventh Parliament.

Title of Act	Date of Assent	Act No.
Employment Dispute Resolution Act 2008	19 May 2008	18 of 2008

MALCOLM PEACOCK, Clerk of the Parliaments.

23 May 2008.

PA402*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Seventh Parliament.

Title of Act	Date of Assent	Act No.
Mining Legislation Amendment and Validation Act 2008	19 May 2008	19 of 2008
Fatal Accidents Amendment Act 2008	19 May 2008	20 of 2008

MALCOLM PEACOCK, Clerk of the Parliaments.

26 May 2008.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005
PEEL REGION SCHEME AMENDMENT 014/57
Lot 40 Elliott Street, Waroona—Inclusion in Urban zone
Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Peel Region Scheme (PRS) for land located in the Shire of Waroona and is seeking public comment.

The amendment proposes to transfer Lot 40 Elliott Street, Waroona from the Rural zone to the Urban zone in the Peel Region Scheme.

The Western Australian Planning Commission hereby certifies that, in its opinion, the amendment does not constitute a substantial alteration to the Peel Region Scheme.

The plans showing the proposed change and the WAPC amendment report which explains the proposal will be available for public inspection from Friday 30 May 2008 to Friday 1 August 2008 at the following places—

- Department for Planning and Infrastructure, 469 Wellington Street, Perth
- Department for Planning and Infrastructure—Peel Region Planning Office, Unit 2B 11-13 Pinjarra Road, Mandurah
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Shire of Waroona Municipal Offices, 52 Hesse Street, Waroona

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

Any person who wishes to make a submission either supporting, objecting or provide comment on any provision of the proposed amendment should do so on a submission form (Form 57). These submission forms are available from the display locations, the *amendment report* and the internet.

Submissions must be lodged with the Secretary, Western Australian Planning Commission, Unit 2B, 11-13 Pinjarra Road, Mandurah WA 6210, on or before 5.00pm Friday, 1 August 2008.

Late submissions will not be considered.

MOSHE GILOVITZ, Secretary, Western Australian Planning Commission.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Albany
Town Planning Scheme No. 3—Amendment No. 252

Ref: 853/5/4/5 Pt 252

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 Albany local planning scheme amendment on 11 May 2008 for the purpose of—

1. Transferring Lot 310 (Reserve 23088) Moortown Road, Gledhow from Public Purposes Reserve and Rural Zone to Parks and Recreation Reserve (Restricted).
2. Amending the Scheme Maps accordingly.

M. J. EVANS, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME AMENDMENT 1132/57
North West Districts Omnibus 7
Approved Amendment

File: 833-2-30-117

The Minister for Planning and Infrastructure has approved, with modification, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission plan number 3.2076/1 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, 30 May 2008 to Friday, 27 June 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 Wanneroo and Joondalup

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

Local Planning Scheme Amendments

By virtue of section 126(1) of the *Planning and Development Act 2005*, the City of Wanneroo District Planning Scheme is amended to give effect to the reservation(s) included in MRS Amendment 1132/57.

During the amendment process, the City of Wanneroo requested, pursuant to section 126(3) of the *Planning and Development Act 2005*, that the WAPC amend its District Planning Scheme No. 2 for land included in proposals 2, 4 and 5 of MRS Amendment 1132/57 (District Planning Scheme No. 2 Amendment 79). In considering issues relating to MRS Amendment 1132/57, the WAPC has agreed to amend the City of Wanneroo District Planning Scheme No. 2 for land included in proposal 2 of MRS Amendment 1132/57 only.

Accordingly the City of Wanneroo District Planning Scheme No. 2 is amended by transferring a portion of lot 9047 Connolly Drive and lot 3 Romeo Road, Butler from the other regional road reservation in the MRS to the Urban Development zone in District Planning Scheme No. 2.

MOSHE GILOVITZ, Secretary,
Western Australian Planning Commission.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Esperance
Local Planning Scheme No. 23 and Local Planning Strategy

Ref: 853/11/6/23

Notice is hereby given that the local government of the Shire of Esperance has prepared the abovementioned local planning scheme and local planning strategy for the purpose of—

Local Planning Scheme

1. setting out the local government's planning aims and intentions for the Scheme Area;
2. setting aside land as reserves for public purposes;
3. zoning land within the Scheme Area for the purposes defined in the Scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the Scheme; and
7. addressing other matters contained in the Seventh Schedule to the Planning and Development Act.

Local Planning Strategy

The Local Planning Strategy is a document that is designed to guide the management of population growth, land use planning and development, over a ten to fifteen year period, to balance the needs and expectations for varying lifestyles, economic and community development of the Shire, and to ensure appropriate management of the built and natural environment that makes the Shire of Esperance a unique place to live. It is a requirement of the Local Planning Strategy to interpret and apply State and regional strategies and policies at a local level.

Plans and documents setting out and explaining the local planning scheme and local planning strategy have been deposited at Council Offices, Windich Street, Esperance at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and at the Commission's DPI Regional Office, Brookman Street, Kalgoorlie, and will be available for inspection during office hours up to and including 1 September 2008.

Submissions on the local planning scheme and local planning strategy may be made in writing on Form No 4 and lodged with the undersigned on or before 1 September 2008.

M. OSBORNE, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Yalgoo
 Local Planning Scheme No. 2 and Local Planning Strategy

Ref: 853/9/8/2 Vol 2

Notice is hereby given that the local government of the Shire of Yalgoo has prepared the abovementioned local planning scheme and local planning strategy for the purpose of—

Local Planning Scheme

1. setting out the local government's planning aims and intentions for the scheme area;
2. setting aside land as reserves for public purposes;
3. zoning land within the scheme area for the purposes defined in the scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the scheme; and
7. addressing other matters contained in Schedule 7 to the Planning and Development Act.

Local Planning Strategy

1. applying the State Planning Strategy and interpreting the framework of State and regional policies and plans for the local area;
2. establishing the Council's aims for the local government area and the strategies, policies and general proposals to achieve these aims;
3. providing a planning context for the statutory provisions of the scheme and to assist the Council in making decisions under the scheme;
4. explaining the Council's broad strategy for the area in a way which is understandable to the public; and
5. providing a basis for coordinating public and private development.

Plans and documents setting out and explaining the local planning scheme and local planning strategy have been deposited at Council Offices, 37 Gibbons Street, Yalgoo and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 1 September 2008.

Submissions on the local planning scheme and local planning strategy may be made in writing on Form No 4 and lodged with the undersigned on or before 1 September 2008.

N. MITCHELL, Chief Executive Officer.

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 and 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			
12348	Catherine May Howard & Neil William Howard	Application for the grant of a Producers licence in respect of premises situated in Chapman Hill and known as Odyssey Creek Estate.	02/07/2008
12310	Casual Habits Pty Ltd & Newmoon Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mount Lawley and known as Cantina 663.	25/05/2008

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
32141	John James Campbell Flannery & Lynn Elizabeth Flannery	Application for the grant of an Ongoing-Hours ETP in respect of premises situated in Balingup and known as Balingup General Store	18/06/2008

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

28 May 2008.

B. A. SARGEANT, Director of Liquor Licensing.

WATER/SEWERAGE

WA401

WATER BOARDS ACT 1904

AQWEST—BUNBURY WATER BOARD

The Governor in Executive Council has approved the appointment of the following persons as members of the Aqwest—Bunbury Water Board—

- | | |
|-------------------|--------------------------------------|
| Mr Terry Spice | for a period expiring on 31 May 2011 |
| Ms Diana Phillips | for a period expiring on 31 May 2011 |

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

WA402*

WATER AGENCIES (POWERS) ACT 1984

KALGOORLIE STORAGE PIPELINE UPGRADE

To improve capacity of the water supply scheme and water quality to residents in the City of Kalgoorlie-Boulder, the Water Corporation proposes to construct the following works—

- Direct water from the Goldfields pipeline to the new roofed 400 million litre Binduli reservoir
- Transfer water from the Binduli Reservoir to two existing storage tanks at Mt Percy and Mt Charlotte with below ground pipeline

The pipeline is of 800mm and 900mm nominal diameter approximately 9500m in length complete with all fittings and connections.

Construction of the trunk main and associated pipeline will be by open trench excavation which will be backfilled and restored. Some sections of the pipe will be constructed using trenchless technology. The route of the proposed pipeline is shown on the plan.

The proposed works are scheduled to commence in July 2008 and will continue for approximately 9 months.

A copy of this Notice of Proposal referred to as IS79-0-1 and IS79-0-2 is available for viewing, during office hours at the following Water Corporation offices—

- John Tonkin Centre, 629 Newcastle Street, Leederville, WA 6007
- Goldfields Regional Office, cnr Hannan and Throssell streets, Kalgoorlie WA 6430

Further information can be obtained by contacting Project Manager Ray Thompson at the Water Corporation, telephone (08) 9420 2885.

Objections to the proposed works will be considered if lodged in writing, addressed to the Project Manager, Mr Ray Thompson, PO Box 100 Leederville, 6902, before the close of business on 1 July 2008.



WORKCOVER

WC401

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981 EXEMPTION NOTICE

Given by the WorkCover WA Authority for the purposes of section 164 of the *Workers' Compensation and Injury Management Act 1981*.

Notice is given that on 20 May 2008, the Governor, acting under section 164 of the *Workers' Compensation and Injury Management Act 1981* and with the advice and consent of Executive Council, exempted P & T Tube Mills Pty Ltd from the obligation to insure pursuant to that Act, except for the obligation to insure against liability to pay compensation under that Act for any industrial disease of the kinds referred to in section 151 (a) (iii) of the Act.

GREG JOYCE, Chairman of the Board.

DECEASED ESTATES

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

Notice to Creditors and Claimants

Laimonis Apfelbaums, late of RMB 1025 South Coast Highway, Denmark, Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased, who died on 7 September 2007, are required by the trustee of the late—

Philip Leslie Wyatt of C/- Haynes Robinson Solicitors of PO Box 485, Albany, Western Australia to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 26th day of May 2008.

HAYNES ROBINSON.

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

Notice to Creditors and Claimants

Digby James Ernest Lee-Steere, late of 2170 Nabawa Road, Northampton, Western Australia, Grazier, 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 22 September 2007, are required by the Executors Ann Janine Lee-Steere and Harold Thomas Weir, care of Michael, Whyte & Co, Solicitors, Level 1, 41-43 Ord Street, West Perth 6005 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

MICHAEL, WHYTE & CO.

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

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 30/06/08 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Davis, Lillian Sarah, late of Unit 5 Onslow Street Geraldton, died 11.05.2008 (DE19832921EM27)

Doolan, George, late of 31 Apollo Way, Carlisle, died 04.05.2008 (DE20002711EM37)

Eoncheff, Karyn Tracey, late of Unit 3 496 William Street, Perth, died 14.04.2008 (DE19913238EM26)

Kinkela, Ivanka Mary, late of 44 Andrews Way, Herne Hill, died 23.04.2008 (DE19990896EM17)

Marshall, Isabel Agnes (AKA Belle Agnes Marshall), late of 2/69 Gladstone Avenue, Swan View, died 16.05.2008 (DE19912367EM22)

Matysiak, Zygmunt, late of 47 Mosaic Street, Shelley, died 26.04.2008 (DE33035178EM16)

Moody, Mabel Sarah, late of Warwick Village Lodge Nursing Home Ellersdale Avenue, Warwick, died 17.04.2008 (DE19672081EM17)

Mumme, Laurence John, late of 18 Barrett Street, Wembley, died 04.05.2008 (DE19912135EM36)
Panzich, Marija, late of 7 Toodyay Road Middle Swan, died 27.04.2008 (DE19812747EM12)
Piggford, Alan Peter, late of St Luke Nursing Home 429 Rokeby Road Subiaco, died 06.03.2008 (DE19852958EM32)
Quinn, Ina Laurel, late of Bethanie Waters Nursing Home, 18 Olivenza Crescent, Port Kennedy, died 01.05.2008 (DE19724225EM16)
Sexton, David Earle, late of 37 Ryrle Avenue, Como, died 10.05.2008 (DE19590085EM12)
Speight, Loran Pearl, late of 4 Band Street, Lathlain, died 08.04.2008 (DE19970986EM12)
Tibbett, Elizabeth Alice, late 140 Elliott Road, Scarborough, died 09.05.2008 (DE19630782EM110)
Tyson, Henry John, late of Little Sisters of the Poor Aged Home 1 Croesus Street Kalgoorlie, died 02.04.2008 (DE33040121EM27)
Whitehead, Charles (AKA Desmond Charles Whitehead), late of Rowethorpe Nursing Home, Hillview Terrace, Bentley, died 04.12.2005 (DE33029435EM13)
Willans, Elizabeth Amelia, late of 191 Keane Street, Cloverdale, died 08.04.2008 (DE19720448EM15)
Woods, Ada Maud, late of St Rita's Home, 25 View Street, North Perth, died 08.05.2008 (DE19712680EM13)

JOHN SKINNER, Public Trustee,
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Telephone: 9222 6777

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

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