

WESTERN
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GOVERNMENT

Gazette

3161



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In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Print.

G. L. DUFFIELD, Director.

PROCLAMATIONS

AA101

POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES ACT 1987

(No. 14 of 1987)

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency the Honourable Sir Francis Theodore Page Burt, Companion of the Order of Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia.
FRANCIS BURT,		
Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the Pollution of Waters by Oil and Noxious Substances Act 1987 and with the advice and consent of the Executive Council, fix 1 July 1993 as the day on which the provisions of that Act shall come into operation.

Given under my hand and the Public Seal of the State on 22 June 1993.

By His Excellency's Command,

ERIC CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

AA102

LAND ACT 1933

CLASSIFICATION OF RESERVED LANDS

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency the Honourable Sir Francis Theodore Page Burt, Companion of the Order of Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia.
FRANCIS BURT,		
Governor.		
[L.S.]		

DOLA File 913/963.

Under section 31 (1) (a) of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 27202 comprising Karlgarin Lots 67, 72 and 73 with an area of 6.4418 hectares for the designated purpose of "Conservation of Flora and Fauna".

Local Authority—Shire of Kondinin.

Given under my hand and the Seal of the State on 25 May 1993.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA103

MAIN ROADS ACT 1930

DECLARATION OF A MAIN ROAD

PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency the Honourable Sir Francis Theodore Page Burt, Companion of the Order of Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia.
FRANCIS BURT,		
Governor.		
[L.S.]		

MRWA 85-9-74.

Whereas by section 13 of the Main Roads Act 1930, it is provided that the Governor may on the recommendation of the Commissioner, by proclamation declare that any section or part of a road shall be a Main Road; and whereas the Commissioner has recommended that the road section delineated on the plans specified in Schedule 1 hereto shall be a Main Road. Therefore, I the Governor, acting with the advice and consent of the Executive Council, in exercise of the powers conferred by section 13 of the Main Roads Act 1930, and pursuant to the said recommendations do hereby declare Tydeman Road at North Fremantle as is delineated on MRWA Plans 7622-760-14 and 7622-761-2 and as generally described in Schedule 1 hereto shall be a Main Road, but the footpaths, if any of such road are excluded from this proclamation, with effect on and from July 1, 1993.

Schedule 1
Road that shall be a Main Road

Road	Route No.	Local Government	Location of Route	As Delineated on Plan No.
Tydeman Road	M52	City of Fremantle	The section of road being Tydeman Road in the City of Fremantle between its junction with Stirling Highway H14 and the eastern alignment of Port Beach Road.	7622-760-14 7622-761-2

Given under my hand and the Public Seal of Western Australia, at Perth, on 22nd June 1993.

By His Excellency's Command,

ERIC CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

CONSUMER AFFAIRS

CN301

REAL ESTATE AND BUSINESS AGENTS ACT 1978

SECTION 101

Notice

The Real Estate and Business Agents Supervisory Board acting under section 101 of the *Real Estate and Business Agents Act 1978* as amended and Regulation 13 thereunder hereby prescribes the following Code of Conduct for Real Estate Agents and Sales Representatives to apply with effect from the 1st July 1993 and the current Codes of Conduct to be repealed with effect from 1st July 1993.

The Common Seal of the Real Estate and Business Agents Supervisory Board was affixed on the 7th May 1993 by authority of a resolution of the Board in the presence of—

D. MILLER, Chairman.

D. NEWMAN, Member.

CODE OF CONDUCT FOR AGENTS AND SALES REPRESENTATIVES

Made Pursuant to section 101 of the *Real Estate and Business Agents Act 1978*

1. In this Code—

“agent” means an agent or a sales representative.

“commission” includes fees charges reward or other remuneration whether monetary or otherwise.

“principal” in relation to a sales representative means the principal of the agent by whom the sales representative is employed.

“the Act” means the *Real Estate and Business Agents Act 1978* as amended.

2. An agent must act in the best interests of his or her principal except where it would be unreasonable or improper to do so.

3. (1) An agent must not knowingly induce or attempt to induce a person to breach a contract of sale, letting or agency.

(2) An agent must not knowingly induce or attempt to induce a person to enter into an agency contract which would make that person liable to pay commission to more than one agent in relation to a sale or a lease of any real estate or business.

4. (1) An agent must not act as agent or represent himself or herself as acting as agent on behalf of a person without written authority.

(2) An agent must act in accordance with the instructions of a principal, except where it would be unreasonable or improper to do so.

(3) An agent must not advertise that any real estate or business is for sale or lease or erect or display a notice of sale or leasing without written authority.

(4) An agent must not—

(a) advertise or offer for sale or lease any real estate or business at a price or on terms different from that, authorised by the principal; or

(b) advertise or offer to purchase or lease any real estate or business at a price or on terms different from that authorised by the principal.

5. (1) An agent must act fairly and honestly.

(2) An agent must not knowingly mislead or deceive any parties in negotiations or a transaction.

- (3) An agent must not engage in harsh or unconscionable conduct.
6. (1) An agent must properly supervise the agency business carried on by the agent and take reasonable steps to ensure that sales representatives and other employees of the agency business comply with the provisions of the Act, this Code of Conduct and other relevant statutes, rules and regulations where applicable to them.
- (2) The person in bona fide control of the agency business carried on by a corporation must properly supervise the agency business carried on by the corporation and take reasonable steps to ensure that sales representatives and other employees of the agency business comply with the provisions of the Act, this Code of Conduct and other relevant statutes, rules and regulations where applicable to them.
- (3) The person in bona fide control of the agency business carried on by a firm must properly supervise the agency business carried on by the firm and take reasonable steps to ensure that sales representatives and other employees of the agency business comply with the provisions of the Act, this Code of Conduct other relevant statutes, rules and regulations where applicable to them.
- (4) If a sales representative fails to comply with the provisions of the Act, this Code of Conduct or any other relevant statutes, rules or regulations where applicable then for the purposes of sections 6(1), 6(2) and 6(3) of this Code the agent or the person in bona fide control of the agency business shall have the onus of proving that he or she complied with the requirements of those sections.
- (5) An agent who personally carries on an agency business, the person in bona fide control of the agency business carried on by a corporation and the person in bona fide control of the agency business carried on by a firm must—
- (a) personally manage the agency business full time,
 - (b) carry out the principal managerial duties of the agency business, and
 - (c) frequently attend at the offices at which the agency business is conducted.
7. An agent must exercise skill, care and diligence.
8. (1) Prior to the execution by the agent's principal of any contract relating to the sale or lease of any real estate or business the agent must make all reasonable efforts to ascertain or verify the facts which are material to that transaction which a prudent agent would have ascertained.
- (2) If an agent ascertains a fact which is material to a transaction in which the agent's principal is involved the agent must promptly communicate that fact to any person who may be affected by it unless it is clear that person was already aware of that fact.
- (3) When an agent receives instructions to offer real estate for sale he or she shall promptly obtain a copy of the certificate of title for the real estate.
9. An agent engaged to sell or purchase any real estate or business must advise his or her principal as to what the agent considers to be the current market price of that real estate or business and, if requested, give reasons for that opinion.
10. (1) An agent must not accept an engagement to act, or continue to act, where to do so would place his or her interest in conflict with that of the principal.
- (2) An agent shall not without the prior written consent of the principal, directly or indirectly, purchase or take on lease or be in any way concerned or interested, legally or beneficially, in the purchase or taking on lease of any real estate or business which the agent is engaged to sell or lease.
- (3) An agent who directly or indirectly purchases or takes on lease or is in any way concerned or interested, legally or beneficially, in the purchase or taking on lease of any real estate or business which the agent is engaged to sell or lease shall not demand retain or receive a commission unless the principal has agreed in writing to pay the commission at the same time as or following the signing of the consent referred to in section 10(2).
11. An agent must not at any time use or disclose any confidential information obtained while acting on behalf of his or her principal, except for information that an agent is required by law to disclose.
12. An agent must communicate all written offers to his or her principal as soon as practicable.
13. (1) An agent must not accept or demand any commission from any person other than his or her principal in respect of any service performed or to be performed by the agent, being a service in respect of which the agent received commission or is entitled to receive commission from his or her principal.
- (2) An agent must not demand retain or receive a discount or rebate which relates to a service by a stocktaker or tradesperson, or to advertising, in connection with a transaction or a service provided by the agent unless the agent has—
- (a) disclosed to his or her principal the full nature, extent and amount of the discount or rebate sought or to be retained; and
 - (b) obtained the written consent of the principal to the seeking or retaining of the discount or rebate by the agent.

14. An agent must not demand retain or receive a commission for a service or transaction which is—

- (a) greater than any prescribed maximum commission; or
- (b) greater than the amount agreed with the principal; or
- (c) not the subject of any prescribed maximum commission and excessive in all the circumstances.

15. (1) If an agent is entitled to seek reimbursement from his or her principal of any expense which the agent has incurred the agent shall promptly supply to the principal all relevant information and material which the principal may reasonably require in order to be satisfied as to the amount of the expense and that the expense was properly incurred by the agent.

(2) An agent shall not seek or retain reimbursement of an expense which the agent has incurred in respect of advertising, sign boards, printed material and promotions unless—

- (a) the principal has agreed in writing to pay the expense,
- (b) the agreement specifies a maximum amount which the agent may seek or retain by way of reimbursement, and
- (c) the maximum amount is handwritten on the agreement and that amount has been initialled by the principal.

CROWN LAW

CW301

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES (NO. 3) 1993

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 3) 1993*.

Principal rules

2. In these rules the *Rules of the Supreme Court 1971** are referred to as the principal rules.

[* *Reprinted in the Gazette of 18 March 1986 at pp. 779-1100. For amendments to 16 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp.261-3 and Gazettes of 26 January, 26 March and 20 April 1993.*]

Order 29 amended

3. Order 29 of the principal rules is amended by inserting after Rule 4 the following rule —

“

Failure to comply with standard times deemed in certain circumstances

4A. Where a cause, matter or issue is entered for trial and —

- (a) the entry for trial is countermanded; or
- (b) the action is struck out of the list,

that cause, matter or issue is deemed to be a cause, matter or issue —

- (c) which has not been entered for trial; and
- (d) with which there has been a failure to comply with standard times.

”

Order 33 amended**4. Order 33 of the principal rules is amended —****(a) after Rule 8 by inserting the following rules —**

“

Affidavit of service of notice of entry for trial

8A. Within 7 days of filing a notice of entry for trial, the party entering the cause, matter or issue for trial shall file an affidavit of service of the notice of entry on all the other parties on the record, unless all the other parties have filed a certificate acknowledging receipt of the notice of entry.

Application for adjournment to Judge in charge of Civil List

8B. (1) Subject to paragraph (2) after a cause, matter or issue has been entered for trial an application for —

- (a) adjournment of the trial;
- (b) amendment of pleadings; or
- (c) an interlocutory application,

must only be made to the Judge in charge of the Civil List or his or her nominee.

(2) Notwithstanding paragraph (1) where a Judge has been appointed to manage a cause, matter or issue pursuant to an order made under Order 29 Rule 2, an application referred to in paragraph (1) must be made to that Judge.

”;

(b) in Rule 9 —

- (i) in paragraph (1) by deleting “7” and substituting the following —

“ 14 ”;

- (ii) by deleting paragraph (2) and substituting the following paragraph —

“

(2) Unless otherwise ordered, the summons filed should be supported by affidavit or affidavits.

”;

and

- (iii) in paragraph (3) by inserting after “apply” in the second place where it occurs the following —

“ successfully ”;

and

(c) in Rule 11 by deleting “by consent of the parties or”.

Dated the 22nd day of June 1993.

DAVID K. MALCOLM,
B. ROWLAND,
TERENCE A. WALSH,
D. A. IPP,
PAUL SEAMAN,
H. WALLWORK,
M. J. MURRAY,
R. D. NICHOLSON,
K. WHITE,
GRAEME SCOTT,
(Judges signatures).

CW401

DISTRICT COURT OF WESTERN AUSTRALIA ACT 1969
(SITTINGS AND WINTER VACATION FOR 1994)

Pursuant to the powers conferred by the District Court of Western Australia Act 1969 I hereby appoint the following sittings of the District Court for the year 1994.

Civil Sittings at Perth

1. Civil sittings of the District Court at Perth for the trial of causes and issues of fact shall commence on Tuesday 11 January and shall continue, except for the Easter and Winter Vacations and for Public Service holidays, until Friday 23 December. The Court will be held from 10.30 am on each day of sitting unless otherwise stated.

Criminal Sittings at Perth

2. Criminal sittings of the District Court at Perth shall commence on the following days—

Tuesday	11 January
Tuesday	1 February
Tuesday	1 March
Wednesday	6 April
Monday	2 May
Wednesday	1 June
Monday	11 July
Monday	1 August
Monday	5 September
Tuesday	4 October
Tuesday	1 November
Monday	5 December

The Court will be held from 10 am on each day of sitting unless otherwise stated.

Civil and Criminal Sittings at Other Places

3. The places, days and times for other Civil and Criminal sittings of the District Court shall be as follows—

Place	Jurisdiction	Commencing Day
Albany	Criminal	On the following Mondays— 31 January 11 April 30 May 1 August 5 December and on Tuesday 4 October
Albany	Civil	On the following Mondays— 21 February 2 May 22 August 24 October
Bunbury	Criminal	On the following Mondays— 17 January 14 March 23 May 19 September 28 November and on Tuesday 12 July
Bunbury	Civil	On Mondays 28 March and 12 December and on Tuesdays 7 June and 4 October
Carnarvon	Criminal and Civil	On the following Mondays— 2 May 18 July 7 November and on Tuesday 8 March
Esperance	Criminal and Civil	On the following Mondays— 14 March 30 May 5 September 7 November
Geraldton	Criminal	On the following Tuesdays— 15 February 19 April 14 June 16 August 18 October 13 December

Place	Jurisdiction	Commencing Day
Geraldton	Civil	On the following Mondays— 14 February 18 April 13 June 15 August 17 October 12 December
Kalgoorlie	Criminal	On the following Mondays— 7 February 18 April 22 August 10 October 5 December and on Tuesday 7 June
Kalgoorlie	Civil	On the following Mondays— 28 February 18 July 24 October
Broome Derby Karratha Kununurra Port Hedland	Criminal and Civil	On the following Mondays— 7 February 11 April 1 August 10 October 5 December and on Tuesday 7 June

The Court will be held from 10 am on each day of sitting unless otherwise stated.

Winter Vacation

4. The Winter Vacation for 1994 shall commence on Monday 27 June and shall terminate on Sunday 10 July.

Dated the 21st day of June 1993.

DESMOND HEENAN, Chief Judge.

FISHERIES

FI301

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS (NO. 5) 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fisheries Amendment Regulations (No. 5) 1993*.

Commencement

2. These regulations come into operation on 1 July 1993.

The Schedule amended

3. The Schedule to the *Fisheries Regulations 1938** is amended —

- (a) in item 1 (a) by deleting "25.00" and substituting the following —
" 26.00 ";
- (b) in item 1 (b) by deleting "31.00" and substituting the following —
" 33.00 ";
- (c) in item 1 (c) by deleting "46.00" and substituting the following —
" 48.00 ";

- (d) in item 1 (d) by deleting "81.00" and substituting the following —
" 85.00 ".
- (e) in item 2 by deleting "17.00" and substituting the following —
" 18.00 ";
- (f) in item 3 by deleting "25.00" and substituting the following —
" 26.00 ";
- (g) in item 19 by deleting "104.00" and substituting the following —
" 110.00 ";
- (h) in item 21 (a) by deleting "21" and substituting the following —
" 22.00 ";
- (i) in item 21 (b) by deleting "260" and substituting the following —
" 275.00 ";
- (j) in item 21 (c) by deleting "1040" and substituting the following —
" 1090.00 ";
- (k) in item 21 (d) by deleting "182" and substituting the following —
" 190.00 ";
- (l) in item 21 (e) by deleting "26" and substituting the following —
" 27.00 ";
- (m) in item 21 (f) (i) by deleting "26" and substituting the following —
" 27.00 ";
- (n) in item 21 (f) (ii) by deleting "208" and substituting the following —
" 220.00 ";
- (o) in item 21 (g) by deleting "21" and substituting the following —
" 22.00 ".

[* Reprinted as at 15 September 1988.
For amendments to 4 June 1993 see 1992 Index to Legislation of
Western Australia, Table 4, pp. 80-1, and Gazette of 9 March, 23
April and 28 May 1993.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

FI302

PEARLING ACT 1990

PEARLING (GENERAL) AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Pearling (General) Amendment Regulations 1993*.

Commencement

2. These regulations come into operation on 1 July 1993.

Principal regulations

3. In these regulations the *Pearling (General) Regulations 1991** are referred to as the principal regulations.

[* *Published in the Gazette of 27 December 1990.*
For amendments to 4 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, p.196.]

Regulation 6 amended

4. Regulation 6 of the principal regulations is amended —
- (a) in paragraph (a) by deleting "\$208.00" and substituting the following —
" \$220.00 ";
 - (b) in paragraph (b) by deleting "\$260.00" and substituting the following —
" \$275.00 "; and
 - (c) in paragraph (c) by deleting "\$260.00" and substituting the following —
" \$275.00 ".

Regulation 8 amended

5. Regulation 8 of the principal regulations is amended —
- (a) in paragraph (a) by deleting "\$21.00" and substituting the following —
" \$22.00 ";
 - (b) in paragraph (b) by deleting "\$84.00" and substituting the following —
" \$90.00 "; and
 - (c) in paragraph (c) by deleting "\$21.00" and substituting the following —
" \$22.00 ".

Regulation 9 amended

6. Regulation 9 of the principal regulations is amended —
- (a) in paragraph (a) by deleting "\$260.00" and substituting the following —
" \$275.00 ";
 - (b) in paragraph (b) by deleting "\$260.00" and substituting the following —
" \$275.00 ";

- (c) in paragraph (c) by deleting "\$260.00" and substituting the following —
" \$275.00 "; and
- (d) in paragraph (d) by deleting "26c" and substituting the following —
" 32c ".

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

HEALTH

HE301

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (PACKAGE LABELS) AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Tobacco Control (Package Labels) Amendment Regulations 1993*.

Principal regulations

2. In these regulations the *Tobacco Control (Package Labels) Regulations 1993** are referred to as the principal regulations.

[* *Published in Gazette of 23 December 1992 at p. 6259-71.*]

Regulation 3 amended

3. Regulation 3 (1) of the principal regulations is amended by deleting the definition of "prescribed information".

Regulation 4 amended

4. Regulation 4 of the principal regulations is amended —

- (a) in subregulation (1) by deleting "A package" and substituting the following —
" On and after 1 April 1994, a package ";
- (b) by deleting "; and" after paragraph (b) of subregulation (1) and substituting a full stop;
- (c) by deleting paragraph (c) of subregulation (1); and
- (d) in paragraph (a) of subregulation (3) by deleting "and the prescribed information".

Regulation 5 amended

5. Regulation 5 of the principal regulations is amended —

- (a) in subregulation (2) by deleting paragraph (c); and
- (b) in subregulation (3) by deleting "or in the prescribed information".

Regulation 6 amended

6. Regulation 6 of the principal regulations is amended by deleting "1 July 1993." and substituting the following —

" 1 April 1994. "

Regulation 10 amended

7. Regulation 10 of the principal regulations is amended —

(a) in subregulation (1) by inserting after "repealed" the following —

" on 1 April 1994 ";

(b) in subregulation (2) by deleting "1 June 1993 and before 1 July 1993" and substituting the following —

" 1 July 1993 and before 1 April 1994 ";

(c) in subregulation (2) by deleting "if they were then in operation"; and

(d) by repealing subregulation (3).

Schedule 1 amended

8. Schedule 1 to the principal regulations is amended by deleting Column D.

Schedule 3 repealed

9. Schedule 3 to the principal regulations is repealed.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

HE401**HEALTH ACT 1911**

Health Department of WA,
Perth, 16 June 1993.

7884/90.

The appointment of Mr Steven Friend as an Environmental Health Officer to the Shire of Boddington effective from 2 June 1993 is approved.

BRIAN DEVINE, delegate of
Executive Director, Public Health.

HE402**HEALTH ACT 1911**

Health Department of WA,
Perth, 21 June 1993.

9270/89.

The cancellation of the appointment of Mr Victor Haysham as an Environmental Health Officer to the City of Stirling effective from 4 June 1993 is approved.

BRIAN DEVINE, delegate of
Executive Director, Public Health.

HOMESWEST**HM401****RURAL HOUSING (ASSISTANCE) ACT 1976**

Under the provisions of section 5 (2) (b) of the Rural Housing (Assistance) Act 1976 His Excellency the Governor appoints Ernest John Fairbairn Moore as a Member of the Rural Housing Authority for a period of 3 years to commence from 22 June 1993 or until such time as the Rural Housing Authority is absorbed within Homeswest if earlier.

and

Under the provisions of section 5 (2) (c) of the Rural Housing (Assistance) Act 1976 His Excellency the Governor appoints Shirley Grace Thorn as a Member of the Rural Housing Authority for a period of 3 years from 1 September 1993 or until such time as the Rural Housing Authority is absorbed within Homeswest if earlier.

HERITAGE COUNCIL**HR401****HERITAGE OF WESTERN AUSTRALIA ACT 1990****NOTICE OF INTENTION NOT TO ENTER PLACES IN THE REGISTER OF HERITAGE PLACES**

The Minister for Heritage, Richard Lewis MLA, has directed that the place described in Schedule 1 not be entered permanently in the Register of Heritage Places pursuant to the Heritage of Western Australia Act 1990.

In accordance with the requirements of section 52 (1) of that Act, the Heritage Council of Western Australia hereby gives notice that it is proposed that the place be removed from the Interim Register of Heritage Places.

Submissions on the proposed removal from the Register are invited from interested persons. Submissions must be in writing and should be directed to the following address—

The Director
Office of the Heritage Council
PO Box 6201
East Perth 6892

Submissions concerning the removal of the place listed in Schedule 1 must be lodged by 10 August 1993.

Schedule 1

Place	Location	Land Description
Railway Hotel	Forrest Street, Kalgoorlie	Kalgoorlie Town Lot 190, C/T 1776/483

Dated this 29th day of June 1993.

IAN BAXTER, Director,
Office of the Heritage Council.

LAND ADMINISTRATION**LA401****LAND ACT 1933****Special Lease**

It is hereby notified that it is intended to grant a Special Lease over Pardu Location 10 to K. M. and K. L. Norton under section 116 of the Land Act for a term of 21 years for the purpose of Caravan Park and Camp Site.

A. A. SKINNER, Executive Director.

LA701

LAND ACT 1933
RESERVATION NOTICE

Made by His Excellency the Governor under section 29.

The Crown Land described below has been set apart as a public reserve.

DOLA File 1292/993.

Reserve No. 42796 comprising Kununurra Lot 37 with an area of 911 square metres on Land Administration Plan 8699 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: DH79 (2) 23.17 Cajaput Street.

Local Authority—Shire of Wyndham-East Kimberley.

A. A. SKINNER, Chief Executive.

LA801

LAND ACT 1933
AMENDMENT OF RESERVE

Made by His Excellency the Governor under section 37.

The following reserve has been amended.

DOLA File 1893/990.

Reserve No. 26847 (Kununurra Lots 18, 19, 20, 37, 38, 39, 51, 53, 54, 59, 60, 83, 86, 119, 136, 140, 142, 145, 265 and 1201) "Departmental Housing (Public Works Department)" to exclude Lot 37 and of its area being reduced to 1.5724 hectares accordingly.

Public Plan: DH79 (2) 23.17.

Local Authority—Shire of Wyndham-East Kimberley.

A. A. SKINNER, Chief Executive.

LB201

LAND ACT 1933
CANCELLATION OF RESERVE

Made by His Excellency the Governor under section 37.

The following reserve has been cancelled.

DOLA File 1984/990.

Reserve No. 27806 (Fremantle Lots 1875 and 1906) "Recreation".

Public Plan: BG (2) 06.13 Marine Terrace.

Local Authority—City of Fremantle.

A. A. SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG401

CEMETERIES ACT 1986

Shire of Northam

The Shire of Northam hereby records having resolved on 18 June 1993, in accordance with section 53 of the Cemeteries Act 1986, to set the following fees for the Northam Public Cemetery.

Northam Public Cemetery

Scale of Fees and Charges Payable

(a) Burial Fees	\$
Over 7 years	250.00
Under 7 years	200.00
Stillborn	200.00
(c) Placement of ashes in Niche Wall	
Double	220.00

Dated the 18th day of June 1993.

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

D. R. ANTONIO, President.
A. J. MIDDLETON, Shire Clerk.

LG402

LOCAL GOVERNMENT ACT 1960

(SECTION 191A)

City of Wanneroo

FEES AND CHARGES

It is hereby notified for public information that the Council of the City of Wanneroo resolved on 23 June 1993 to adopt the following fees and charges. The fees and charges will take effect as follows—

- (a) Regular Bookings Indoor Facility Charges 1 January 1994;
- (b) Regular Bookings Outdoor Facility Charges 1 October 1993; and
- (c) All other fees and charges 15 July 1993.

Day rates apply between 8.30 am and 6.00 pm and night rates apply between 6.00 pm and midnight.

OUT OF SCHOOL CARE FEES

AFTER SCHOOL CARE	Gross Family Income Per Week	1 Child		2 Children		3 Children		Each Additional Child	
		Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
CENTRE	Full Fee Relief	\$1.90	\$9.50	\$3.20	\$16.00	\$4.55	\$22.75	\$0.85	\$4.25
Whitford	A. Up to \$349	\$2.80	\$14.00	\$4.80	\$24.00	\$6.75	\$33.75	\$1.15	\$5.75
Warrandyte	Partial Fee Relief								
Wanneroo	B. \$350-\$449	\$3.80	\$19.00	\$6.70	\$33.50	\$9.55	\$47.75	\$1.85	\$9.25
Girrawheen/Koondoola	C. \$450-\$649	\$4.80	\$24.00	\$8.30	\$41.50	\$11.80	\$59.00	\$2.85	\$14.25
Heathridge	D. \$650 Plus	\$5.85	\$29.25	\$10.20	\$51.00	\$14.60	\$73.00	\$4.10	\$20.50
Kingsley									
Quinns Rocks									
SCHOOL VACATION CARE	Gross Family Income Per Week	1 Child		2 Children		3 Children		Each Additional Child	
		Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
CENTRE	A. Up to \$349	\$8.50	\$42.50	\$13.60	\$68.00	\$17.00	\$85.00	\$3.80	\$19.00
Sorrento/Duncraig	B. \$350-\$449	\$10.60	\$53.00	\$17.00	\$85.00	\$21.20	\$106.00	\$4.00	\$20.00
Girrawheen/Koondoola	C. \$450-\$649	\$12.70	\$63.50	\$20.40	\$102.00	\$25.40	\$127.00	\$4.55	\$22.75
Wanneroo	D. \$650 Plus	\$14.00	\$70.00	\$22.60	\$113.00	\$28.00	\$140.00	\$5.30	\$26.50
Heathridge									
Greenwood									
Whitford									

SCHOOL VACATION CARE—Excursion Fee—Per Excursion = \$2.00 Per Child

COMMUNITY RECREATION CENTRE

Facility Hire Charge Type

FACILITY TYPE	Recreation Centres								
	Aqua-motion	Girrawheen	Sorrento Duncraig	Warwick Leisure	Ocean Ridge	Whitfords	Wanneroo	Yanchep Two Rocks	Craigie Leisure Centre
Sports Hall		B	B		B	B	B	B	AA & A
Coffee Lounge		G	G			H	G		
Meeting Room 1	G	F	F	G			F		H
Meeting Room 2				G		H		G	
Activity Room 1	F		H	F	H	H	H	H	B
Activity Room 2		I	I		I	I	I		
Committee Room		I	J			J			
Joyce Donley Workshop			H	F	H				
Garage		J			H		I		
Kitchen		I	I		I	I	I	I	
Creche	F			F	H	H		H	D
Playgroup Room			H		H			H	
Function Room				C	E			E	A
Clubroom					H				
Room 3 and 4					F				

Badminton Courts 33% of Full Rate (rounded down to nearest 10c) if using less than all available courts.

HALLS, MULTI-PURPOSE CENTRES, CLUBROOMS AND PAVILIONS

Facility	Facility Hire Charge Type	Facility	Facility Hire Charge Type
Alexander Heights/Marangaroo Community Hall	D	Calectasia Community Hall	E
Activity Room (Quinns)	H	Kingsway Sports Pavilion	G
Dorchester Hall	E	Koondoola Community Hall	C
Ellersdale Reserve Clubrooms	E	MacDonald Clubrooms	F
Duncraig Community Hall	D	MacDonald Sports Hall	D
Duncraig Community Hall Meeting Room	I	Margaret Cockman Pavilion (Main Hall)	F
Elliot Road Annexe	F	Margaret Cockman Pavilion (Small Hall)	H
Elliot Road Clubrooms	E	Padbury Hall	D
Emerald Park Annexe	F	Penistone Clubrooms	E
Girrawheen Scout/Guide Hall	D	Percy Doyle Clubrooms	E
Greenwood Scout/Guide Hall	G	Reserve Kiosks	I
Gumblossom Hall, Quinns Rocks	C	Rob Baddock Hall	D
Guy Daniels Clubrooms	F	Sorrento Community Hall	E
Hudson Clubrooms	E	Wanneroo Civic Centre	B
Jack Kikeros Hall	J	Wanneroo Function Centre	D
Joondalup Pavilion	G	Wanneroo Showground Clubroom	E
Kingsley Annexe	F	Warrandyte Clubrooms	E
Kingsley Clubrooms	E	Warwick Community Hall	C
Kingsley Sports Hall	E	Woodvale Clubrooms	E

Facility	Senior Citizens Centre				Community Care Welfare Centre	
	Mildenhall	Facility Hire Charge Type Wanneroo	Girrawheen	Whitfords	Greenwood/Warwick	Kingsley
Function Area	H	H	H	H	H	H
Main Hall	D	D	D	D		

FACILITY HIRE CHARGE TYPE AND RATE PER HOUR

USAGE TYPE	Type 'AA'	Type 'A'	Type 'B'	Type 'C'	Type 'D'	Type 'E'	Type 'F'	Type 'G'	Type 'H'	Type 'I'	Type 'J'
Commercial	\$46.20	\$42.00	\$37.80	\$33.60	\$29.40	\$25.20	\$21.00	\$16.80	\$12.60	\$8.40	\$4.20
Functions	\$34.70	\$31.50	\$28.40	\$25.20	\$22.10	\$18.90	\$15.80	\$12.60	\$9.50	\$6.30	\$3.20
Community Groups/ Clubs—											
Regular	\$23.10	\$21.00	\$18.90	\$16.80	\$14.70	\$12.60	\$10.50	\$8.40	\$6.30	\$4.20	\$2.10
Casual	\$27.80	\$25.20	\$22.70	\$20.20	\$17.70	\$15.20	\$12.60	\$10.10	\$7.60	\$5.10	\$2.60

BOOKINGS GENERAL—No refunds will be granted unless special circumstances prevail or on production of a medical certificate. A 20% cancellation fee shall be retained to cover administration costs.

RESERVES AND OTHER OUTDOOR FACILITIES

OUTDOOR TEAM SPORTS—GRASSED AREAS—Effective 1 October 1993

REGULAR BOOKINGS

High Maintenance (Rugby League, Union, Football, Soccer etc)	(Per Season)	Per Team	\$240.00
Low Maintenance (Cricket, Hockey, Lacrosse etc)	(Per Season)	Per Team	188.00

OTHER OUTDOOR SPORTS REQUIRING GRASSED AREAS

Archery	Per Annum	240.00
Dog Obedience	Per Annum	240.00
Model Aircraft	(Per Member) Per Annum	6.00

TURF WICKETS

One Wicket	Per Season	1 395.00
Two Wickets	Per Season	2 788.00
Casual Bookings	Per Day	140.00

CASUAL BOOKINGS

ONE DAY SPORTING FIXTURES OR FAIRS

Community Organisations	Full Day	68.00
	Half Day	34.00
Commercial Organisations	Full Day	185.00
	Half Day	93.00

WANNEROO SHOWGROUNDS			\$
Community Organisations	Full Day		202.00
	Half Day		101.00
Commercial Organisations	Full Day		338.00
	Half Day		169.00
HARDCOURT SURFACES			
Basketball and Netball	(Day)	Per Hour	4.50
	(Evening)	Per Hour	6.50
Basketball and Netball Clubs affiliated with the Wanneroo Districts Basketball and Netball Association and resident in the City of Wanneroo shall be charged 50% of casual hourly rate when using courts on seasonal basis.			
Tennis (Per Court)	(Day)	Per Hour	4.50
	(Evening)	Per Hour	6.50
Tennis Coaches (Per Court)	(Day)	Per Hour	6.50
	(Evening)	Per Hour	8.50
Tennis Clubs (Per Court)	(Day)	Per Annum	65.00
	(Evening)	Per Annum	75.00
Tennis Clubs shall be required to pay casual rates for any courts used outside those time slots originally allocated. Casual users shall be granted access to courts during club periods if members are not using them. Normal hire charges shall be paid to Council for any such use.			
Kingsway Netball Centre	(Per Team)	Per Season	19.00
Note: Plus \$30 per hour after midnight.			

RECREATION AND CULTURE

Gloucester Lodge Museum —Admission Charges	Adults	1.00
	Children	0.50
	School Groups	0.50
	Pensioners/Senior Card	0.50
Buckingham House —Admission Charge	Adults	1.00
	Children/Pensioners	0.50
	House and Grounds	50.00
	Grounds Only	25.00
	Per Child	2.00
—Activity Session		
Ocean Reef Boat Harbour —Launching Fees	Per Launch	3.00
	Per Annum	60.00
	Annual Pass	
Life Be In It Trailer	Weekend	35.00
	Week Day	23.00
	Bond—Refundable	30.00
Public Address System	Weekend	23.00
	Week Day	17.00
Mobile Play Equipment Platform and Trailer		
—Major Hire	Weekend	200.00
—Minor Hire	Per Day	160.00
—Minimal	Per Day	100.00

R. F. COFFEY, Town Clerk.

LG403

LOCAL GOVERNMENT ACT 1960

Shire of Nungarin

Rating Exemption

It is hereby notified for public information that pursuant to section 532 (12) of the Local Government Act the Council exempts from payment of rates the Nungarin Bowling Club, lots 148 and 149 Danberrin Road, Nungarin.

L. J. TILBROOK, Shire Clerk.

LG404

LOCAL GOVERNMENT ACT 1960

Shire of Kent

It is hereby notified for public information that the Kent Shire Council acting pursuant to subsection (12) of section 532 of the Local Government Act 1960 has declared that Location 7531, Nyabing Golf Club Incorporated, is exempt from municipal rates.

It is hereby notified for public information that Darryl Carpenter has been appointed as—

- An authorised officer, for the purpose of administering and enforcing the Shire's By-laws relating to parking and parking facilities.
- An authorised and registration officer, pursuant to the provisions of the Dog Act 1976, for the purpose of administering and enforcing all the provisions of the said Act.

B. E. JONES, Shire Clerk.

LG405

DOG ACT 1976

City of Bunbury

It is hereby notified for public information that Tracie Patricia Emery has been appointed as a Registration Officer for the City of Bunbury pursuant to the provisions of the Dog Act 1976.

V. S. SPALDING, City Manager/Town Clerk.

MARINE AND HARBOURS

MH301

POLLUTION OF WATERS BY OIL
AND NOXIOUS SUBSTANCES ACT 1987POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES
REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Pollution of Waters by Oil and Noxious Substances Regulations 1993*.

Commencement

2. These regulations shall come into operation on the day on which the *Pollution of Waters by Oil and Noxious Substances Act 1987* comes into operation.

Interpretation

3. In these regulations —

“Commonwealth Act” means the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* (Cwlth) as in force at the commencement of these regulations;

“Commonwealth regulations” means the *Protection of the Sea (Prevention of Pollution from Ships) Regulations* (Cwlth) as in force at the commencement of these regulations.

Prescribed offices

4. (1) For the purposes of sections 8 and 20 of the Act —
 - (a) each of the offices prescribed by the Commonwealth regulations for the purposes of the corresponding sections of the Commonwealth Act is prescribed; and

- (b) each of the offices of Chief Executive Officer, Executive Marine Officer, and Senior Marine Officer — Pollution, in the Department of Marine and Harbours is prescribed.
- (2) For the purposes of sections 11 and 22 of the Act —
 - (a) each of the offices prescribed by the Commonwealth regulations for the purposes of the corresponding sections of the Commonwealth Act is prescribed; and
 - (b) the office of Chief Executive Officer, Department of Marine Harbours, is prescribed; and
 - (c) if a prescribed incident (as defined in each of those sections) occurs within the boundaries of a port (as defined in the *Western Australian Marine Act 1982*) — the office of Harbour Master of that port (if any) is prescribed.
- (3) For the purposes of section 12 of the Act —
 - (a) the office of Chief Executive Officer, Department of Marine Harbours, is prescribed; and
 - (b) if a discharge occurs within the boundaries of a port (as defined in the *Western Australian Marine Act 1982*) — the office of Harbour Master of that port (if any) is prescribed.
- (4) For the purposes of sections 15 and 25 of the Act each of the offices prescribed by the Commonwealth regulations for the purposes of the corresponding sections of the Commonwealth Act is prescribed
- (5) For the purposes of section 30 (2) of the Act each of the offices of Chief Executive Officer, Executive Marine Officer, and Senior Marine Officer — Pollution, in the Department of Marine and Harbours is prescribed.

Prescribed manner of notifying incidents etc.

5. (1) For the purposes of sections 11 (1) and (3) and 22 (1) and (3) of the Act, a prescribed incident is notified in the prescribed manner if it is notified —
- (a) in the manner prescribed by the Commonwealth regulations made for the purposes of the corresponding sections of the Commonwealth Act; or
 - (b) in the manner prescribed by the Commonwealth regulations made for the purposes of the corresponding sections of the Commonwealth Act but conveyed through —
 - (i) the Marine Emergency Operations Centre, Department of Marine and Harbours; or
 - (ii) a port signal station.
- (2) For the purposes of section 12 (1) a discharge from a place on land is notified in the prescribed manner if it is notified in the manner prescribed by subregulation (1).

Prescribed time for report

6. For the purposes of sections 11 (6) and (7), 12 (2) and 22 (6) and (7) of the Act, 24 hours immediately following the receipt of a request for a report is the prescribed time.

Prescribed form for report

7. (1) For the purposes of sections 11 (6) and (7) and 22 (6) and (7) of the Act, the form prescribed by the Commonwealth regulations for the purposes of the corresponding sections of the Commonwealth Act is prescribed.

(2) For the purposes of section 12 (2) of the Act, the form prescribed by subregulation (1) with such modifications as are necessary and including —

(a) the name, address and telex, facsimile and telephone numbers of the occupier of the place on land from which the discharge occurred; and

(b) the geographical location where the discharge occurred,

is prescribed.

Oil record book

8. For the purposes of section 13 (3) of the Act a ship shall carry an oil record book of the kind prescribed for the ship by the Commonwealth regulations for the purposes of the corresponding section of the Commonwealth Act.

Prescribed operations or occurrences (oil record book)

9. For the purposes of section 13 (5) of the Act, each of the operations and occurrences prescribed by the Commonwealth regulations for the purposes of the corresponding section of the Commonwealth Act is a prescribed operation or occurrence, as the case may be.

Cargo record book

10. For the purposes of section 23 (3) of the Act, the prescribed form for a cargo record book is that prescribed by the Commonwealth regulations for the purposes of the corresponding section of the Commonwealth Act.

Prescribed operations and occurrences (cargo record book)

11. For the purposes of section 23 (5) of the Act, each of the operations and occurrences prescribed by the Commonwealth regulations for the purposes of the corresponding section of the Commonwealth Act is a prescribed operation or occurrence, as the case may be.

Annex II, Regulation 8 to have the force of law

12. Regulation 8 of Annex II to the Convention applies to ships in the manner and to the extent prescribed by the Commonwealth regulations.

Exemptions

13. The ships exempted by the Commonwealth regulations from the provisions of the Commonwealth Act and the Commonwealth regulations are exempted from the Act and these regulations.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MH302

SHIPPING AND PILOTAGE ACT 1967

PORTS AND HARBOURS AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Ports and Harbours Amendment Regulations 1993*.

Commencement

2. These regulations shall come into operation on 1 July 1993.

Principal regulations

3. In these regulations the *Ports and Harbours Regulations** are referred to as the principal regulations.

[* *Published in the Gazette of 3 February 1966 at pp.277-92.*
For amendments to 9 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp.240-2.]

Regulations 14 amended

4. Regulation 14 (3) of the principal regulations is amended by deleting "\$2 852" and substituting the following —

" \$2 938 "

Regulation 15 amended

5. Regulation 15 (3) of the principal regulations is amended by deleting "\$470" and substituting the following —

" \$484 "

Regulation 15A amended

6. Regulation 15A of the principal regulations is amended —

- (a) in subregulation (1) by deleting "\$457" and substituting the following —

" \$471 "; and

- (b) in subregulation (2) —

- (i) by deleting "\$457" and substituting the following —

" \$471 "; and

- (ii) by deleting "\$554" and substituting the following —

" \$571 ".

Regulation 15B amended

7. Regulation 15B of the principal regulations is amended —

- (a) by deleting "\$222" and substituting the following —

" \$229 "; and

- (b) by deleting "\$318" and substituting the following —

" \$328 ".

Regulation 15C amended

8. Regulation 15C of the principal regulations is amended —

- (a) by deleting "\$70" and substituting the following —

" \$72 ";

- (b) by deleting "\$470" and substituting the following —

" \$484 "; and

(c) by deleting "\$1 219" and substituting the following —

" \$1 256 "

Regulation 16 amended

9. Regulation 16 of the principal regulations is amended in paragraph (d) by deleting "\$515" and substituting the following —

" \$530 "

Third Schedule amended

10. The Third Schedule to the principal regulations is amended in Part I —

(a) by deleting item 1 and substituting the following item —

" [Reg. 15]

1. The charges for pilotage of vessels into and out of ports in the State at which pilotage is provided are —

PORTS	GROSS REGISTERED TONNAGE OF VESSEL	CHARGES FOR BOTH INWARD AND OUTWARD PILOTAGE \$
ALBANY	Up to 1 499	1 329
BUNBURY	1 500 — 3 000	1 910
ESPERANCE	3 001 — 5 000	2 160
	5 001 — 10 000	2 381
	10 001 — 20 000	2 630
	20 001 — 30 000	2 852
	30 001 — 40 000	3 100
	40 001 — 50 000	3 350
	Exceeding 50 000	3 558
BROOME	Up to 1 499	1 469
	1 500 — 3 000	1 967
	3 001 — 5 000	2 367
	5 001 — 10 000	2 851
	10 001 — 20 000	3 523
	20 001 — 30 000	4 121
	Exceeding 30 000	4 521
CARNARVON		
(a) Cape Cuvier	Up to 9 999	2 923
	10 000 — 20 000	3 527
	20 001 — 30 000	4 221
	30 001 — 40 000	4 890
	Exceeding 40 000	5 602
(b) Useless Loop	Up to 5 000	3 080
	5 001 — 10 000	4 448
	10 001 — 15 000	5 175
	15 001 — 20 000	5 789
	Exceeding 20 000	6 659
PORT WALCOTT	Up to 1 499	1 469
	1 500 — 3 000	1 967
	3 001 — 5 000	2 667
	5 001 — 10 000	3 451
	10 001 — 20 000	3 936
	20 001 — 30 000	4 663
	30 001 — 40 000	5 460
	40 001 — 50 000	5 889
	50 001 — 60 000	6 374
	60 001 — 70 000	6 858
	70 001 — 80 000	7 257
	80 001 — 90 000	7 613
	90 001 — 100 000	8 113
	100 001 — 115 000	8 484
	115 001 — 130 000	8 854
	Exceeding 130 000	9 340

PORTS	GROSS REGISTERED TONNAGE OF VESSEL	CHARGES FOR BOTH INWARD AND OUTWARD PILOTAGE \$
WYNDHAM	Up to 1 499	1 669
(In respect of	1 500 — 3 000	2 167
pilotage between	3 001 — 5 000	2 737
Nicholls Point and	5 001 — 10 000	3 451
berth)	10 001 — 20 000	4 334
	20 001 — 30 000	4 890
	Exceeding 30 000	5 404 ”;

and

(b) in item 2 —

- (i) by deleting “\$388” and substituting the following —
“ \$400 ”;
- (ii) by deleting “\$222” and substituting the following —
“ \$229 ”; and
- (iii) by deleting “\$318” and substituting the following —
“ \$328 ”.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MH303

**WESTERN AUSTRALIA MARINE ACT 1982
W.A. MARINE AMENDMENT REGULATIONS 1993**

Made by His Excellency the Governor in Executive Council.

PART 1 — PRELIMINARY

Citation

1. These regulations may be cited as the *W.A. Marine Amendment Regulations 1993*.

Commencement

2. These regulations shall come into operation on 1 July 1993.

**PART 2 — W.A. MARINE (ADJUSTMENT OF COMPASSES)
REGULATIONS 1983**

Regulation 4 amended

3. The Scale of Fees to regulation 4 of the *W.A. Marine (Adjustment of Compasses) Regulations 1983** is amended by deleting —

“ \$84
 \$135
 \$164
 \$224
 \$372
 \$447
 \$606 ”

and substituting the following —

“

\$95
\$152
\$185
\$252
\$419
\$503
\$682 ”.

[* *Published in the Gazette of 1 July 1983 at pp. 2191-2.*
For amendments to 2 June 1993 see 1992 Index to Legislation of
Western Australia, Table 4, p.312.]

PART 3 — W.A. MARINE (CERTIFICATES OF COMPETENCY AND SAFETY MANNING) REGULATIONS 1983

Schedule 3 amended

4. Schedule 3 to the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983** is repealed and the following schedule substituted —

“

SCHEDULE 3

[Regs. 14, 17 and 27A]

FEES

Fees applicable	\$
Registration fee, to be paid for certificate of competency, or part thereof	50
Examination fee, for each examination	25
Eyesight test	14
Issue of certificate	19
Copy of certificate	19

”.

[* *Published in the Gazette of 1 July 1983 at pp. 2209-40.*
For amendments to 2 June 1993 see 1992 Index to Legislation of
Western Australia, Table 4, pp. 312-3.]

PART 4 — W.A. MARINE (HIRE AND DRIVE) REGULATIONS 1983

Regulation 4 amended

5. Regulation 4 of the *W.A. Marine (Hire and Drive) Regulations 1983** is amended in subregulation (2) (e) —

- (a) in clause 3.1.2 (1) (b) by deleting “\$200” and substituting the following —
“ \$206 ”;
- (b) in clause 3.1.2 (3) (b) by deleting “\$100” and substituting the following —
“ \$103 ”; and

- (c) in clause 3.1.3 (m) by deleting "\$38" and substituting the following —

" \$40 ".

[* *Published in the Gazette of 1 July 1983 at pp. 2185-8.*
For amendments to 2 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, p. 314.]

PART 5 — W.A. MARINE (LOAD LINES) REGULATIONS 1983

Regulation 6 amended

6. Regulation 6 (1) of the *W.A. Marine (Load Lines) Regulations 1983** is amended by deleting "\$22" and substituting the following —

" \$25 ".

[* *Published in the Gazette of 1 July 1983 at p. 2193.*
For amendments to 2 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, p. 314.]

PART 6 — W.A. MARINE (RADIOTELEPHONY) REGULATIONS 1981

Regulation 16 amended

7. Regulation 16 of the *W.A. Marine (Radiotelephony) Regulations 1981** is amended —

- (a) in subregulation (2a) by deleting "\$149" and substituting the following —

" \$153 "; and

- (b) in subregulation (2b) by deleting "\$76" and substituting the following —

" \$78 ".

[* *Published in the Gazette of 27 November 1981 at pp. 4839-46.*
For amendments to 2 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp. 314-5.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MH304

TRANSPORT CO-ORDINATION ACT 1966

TRANSPORT (COUNTRY TAXI-CAR) AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Transport (Country Taxi-car) Amendment Regulations 1993*.

Commencement

2. These regulations come into operation on 1 July 1993.

Schedule amended

3. The Schedule to the *Transport (Country Taxi-car) Regulations 1982** is amended —

- (a) in item 1 by deleting "100" and substituting the following —
" 150 ";
- (b) in item 2 by deleting "40" and substituting the following —
" 48 ";
- (c) in item 3 by deleting "100" and substituting the following —
" 150 "; and
- (d) in item 4 by deleting "20" in the second place where it occurs and substituting the following —
" 25 ".

[* *Published in the Gazette of 23 July 1982 at pp.2853-61.*
For amendments to 3 February 1993 see 1991 Index to Legislation of Western Australia, pp.516-7 and Gazette of 23 June 1992.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MH305

SHIPPING AND PILOTAGE ACT 1967
JETTIES ACT 1926
WESTERN AUSTRALIAN MARINE ACT 1982

NAVIGABLE WATERS AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Navigable Waters Amendment Regulations 1993*.

Commencement

2. These regulations shall come into operation on 1 July 1993.

Various fees amended

3. The *Navigable Waters Regulations** are amended by deleting in the provisions referred to in column 1 of the Table to this regulation the fees respectively set out in column 2 of the Table and substituting in each case the corresponding fee set out in column 3 of the Table.

TABLE

Column 1	Column 2	Column 3
Provisions	Deleted Fee	Substituted Fee
Regulation 45B (3)		
TABLE		
— item (i)	27	28
— item (ii)	54	56
— item (iii)	101	104
— item (iv)	138	142
Regulation 45B (4)	12.00	14.00

Column 1	Column 2	Column 3
Provisions	Deleted Fee	Substituted Fee
Regulation 45BAA (4) paragraph (g)	12.00	14.00
Regulation 45BA (2) paragraph (a)	190.00	195.00
paragraph (b)	190.00	195.00
Regulation 45BA (3)	139.00	145.00
Regulation 45BA (6)	51.00	53.00

[* Reprinted as at 17 October 1989.

For amendments to 9 June 1993 see 1992 Index to Legislation of
Western Australia, Table 4, pp. 243-4.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MH306

WESTERN AUSTRALIAN MARINE ACT 1982

W. A. MARINE (SURVEYS AND CERTIFICATES OF SURVEY) AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *W. A. Marine (Surveys and Certificates of Survey) Amendment Regulations 1993*.

Commencement

2. These regulations shall come into operation on 1 July 1993.

Principal regulations

3. In these regulations the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983** are referred to as the principal regulations.

[* Published in the Gazette of 1 July 1983 at pp. 2195-208.

For amendments to 14 June 1993 see 1992 Index to Legislation of
Western Australia, Table 4, p. 315.]

Schedule 1 amended

4. (1) Schedule 1 to the principal regulations is amended by deleting item 1 and substituting the following item —

- “ 1. **SURVEY FEES**
(a) The fees for examination of plans of a vessel, surveys carried out during construction, and annual or subsequent surveys are as follows —

	Column 1	Column 2	Column 3
<i>Length of Vessel (Metres)</i>	<i>Examination of plans</i>	<i>Surveys during Construction</i>	<i>Annual or Subsequent Surveys</i>
	(\$)	(\$)	(\$)
Over 0 but not exceeding 5	92	186	101
Over 5 but not exceeding 7	92	198	101
Over 7 but not exceeding 8	118	263	109

<i>Length of Vessel (Metres)</i>	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	<i>Examination of plans</i>	<i>Surveys during Construction</i>	<i>Annual or Subsequent Surveys</i>
	<i>(\$)</i>	<i>(\$)</i>	<i>(\$)</i>
Over 8 but not exceeding 9	145	342	115
Over 9 but not exceeding 10	171	421	122
Over 10 but not exceeding 11	210	506	135
Over 11 but not exceeding 12	250	592	147
Over 12 but not exceeding 13	289	677	162
Over 13 but not exceeding 14	329	763	174
Over 14 but not exceeding 15	369	848	187
Over 15 but not exceeding 16	407	934	200
Over 16 but not exceeding 17	447	1019	213
Over 17 but not exceeding 18	487	1105	227
Over 18 but not exceeding 19	525	1190	240
Over 19 but not exceeding 20	565	1276	253
Over 20 but not exceeding 21	611	1368	272
Over 21 but not exceeding 22	657	1459	293
Over 22 but not exceeding 23	703	1551	313
Over 23 but not exceeding 24	749	1644	332
Over 24 but not exceeding 25	795	1735	351
Over 25 but not exceeding 26	842	1827	371
Over 26 but not exceeding 27	887	1919	390
Over 27 but not exceeding 28	934	2012	411
Over 28 but not exceeding 29	979	2104	431
Over 29 but not exceeding 30	1025	2195	450
Over 30 but not exceeding 31	1078	2294	476
Over 31 but not exceeding 32	1131	2393	503
Over 32 but not exceeding 33	1182	2491	529
Over 33 but not exceeding 34	1235	2590	556
Over 34 but not exceeding 35	1288	2689	582
Over 35 but not exceeding 36	1341	2787	609
Over 36 but not exceeding 37	1394	2886	635
Over 37 but not exceeding 38	1446	2985	660
Over 38 but not exceeding 39	1499	3083	686
Over 39 but not exceeding 40	1551	3182	712
Over 40 but not exceeding 41	1610	3286	747
Over 41 but not exceeding 42	1670	3392	780
Over 42 but not exceeding 43	1729	3498	812
Over 43 but not exceeding 44	1788	3602	845
Over 44 but not exceeding 45	1847	3708	878
Over 45 but not exceeding 46	1906	3812	910
Over 46 but not exceeding 47	1965	3917	943
Over 47 but not exceeding 48	2024	4023	975
Over 48 but not exceeding 49	2084	4128	1008
Over 49 but not exceeding 50	2142	4233	1042
Over 50 metres	2202	4338	1074

The fee shown in column 3 for annual and subsequent survey shall be reduced by \$60.00 if the vessel does not have a radio installation.

The fee shown in column 3 for annual and subsequent survey provides for the survey and one further inspection to clear a deficiency notice. When further inspections are necessary to complete the survey, an additional fee of \$70.00 per visit will be charged.

When the vessel is to be issued with a Classification Certificate in respect of its hull and machinery by a recognized Classification Society, the fee payable shall be 50% of the fee prescribed in column 1 and column 2 and 100% of the fee prescribed in column 3.

- (b) Where a vessel is to be surveyed for more than one class of vessel, the fee payable under Column 1 (examination of plans) shall be increased by the amount of one-half of the fee for each additional class;
- (c) Where a vessel is to be surveyed for more than one class of vessel, the fee payable under Column 3 (annual or subsequent survey) shall be increased by the amount of one-half the fee for each additional class;

- (d) Issue of a certificate of survey where the Department accepts a certificate of survey by another marine authority \$39.00;
 - (e) For the extension of a certificate of survey \$39.00;
 - (f) Issue of a replacement certificate of survey, or a copy of a certificate of survey, or a Permit to Operate, or a Towage Permit \$39.00;
 - (g) For a survey specially required subsequent to repairs following damage or accident, the fee is \$39.00 per hour or part thereof, plus associated travel costs;
 - (h) The fee for consideration of an application to change the class of the vessel is one-half of the appropriate fee for examination of plans for each class;
 - (i) The fee for a survey carried out to change the class of the vessel is one-half of the appropriate fee, for annual or subsequent survey, for each class;
 - (j) Where examination of plans is required due to significant alterations to a vessel, the fee is one-half the appropriate fee payable under Column 1 (Examination of Plans);
 - (k) Where an additional survey is carried out due to significant alterations to a vessel, the fee is one-half of the appropriate fee for a survey carried out during construction. ”.
- (2) Schedule 1 to the principal regulations is amended —
- (a) in item 2 —
 - (i) in subitems (a), (b), (c), (d) and (e) by deleting “\$35.00” and substituting in each case the following —
“ \$39.00 ”;
 - (ii) in subitem (f) by deleting “\$424.00” and substituting the following —
“ \$477.00 ”; and
 - (iii) in subitems (g) and (h) by deleting “\$105.00” and substituting in each case the following —
“ \$118.00 ”;
 - (d) in item 3 —
 - (i) in subitems (a) and (b) by deleting “31” and substituting in each case the following —
“ 35 ”; and
 - (ii) in subitem (c) by deleting “18” and substituting the following —
“ 20 ”;
 - (e) by deleting item 4 and substituting the following item —
 - “ 4. Annual exemption fee (regs. 10 and 10A) — \$
 - (a) For recording or transfer of vessel 14;
 - (b) For registration or renewal where the length of the vessel —
 - (i) does not exceed 5 metres 28;

- (ii) exceeds 5 metres but does not exceed 10 metres 56;
 - (iii) exceeds 10 metres but does not exceed 20 metres 104;
 - (iv) exceeds 20 metres 142. ”;
- (f) in item 5 by deleting “\$88” and substituting the following —
“ \$99 ”;
and
- (g) in item 6 by deleting “\$55” and substituting the following —
“ \$62 ”.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MH307

JETTIES ACT 1926

JETTIES AMENDMENT REGULATIONS (NO. 2) 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Jetties Amendment Regulations (No. 2) 1993*.

Commencement

2. These regulations shall come into operation on 1 July 1993.

Principal regulations

3. In these regulations the *Jetties Act Regulations 1940** are referred to as the principal regulations.

[* *Reprinted in the Gazette of 13 December 1990 at pp. 6069-116.*
For amendments to 14 June 1993 see 1992 Index to Legislation of Western Australia, Table 4, p. 144, and Gazette of 7 May 1993.]

Regulation 10B amended

4. Regulation 10B (1) (c) of the principal regulations is amended by deleting “13 cents” and substituting the following —
“ 20 cents ”.

Regulation 11 amended

5. Regulation 11 (1) of the principal regulations is amended by deleting “10 cents” and substituting the following —
“ 11 cents ”.

Regulation 11B amended

6. Regulation 11B (2) (b) of the principal regulations is amended by deleting "\$5.50" and substituting the following —

" \$5.65 ".

Regulation 25 amended

7. Regulation 25 (1) of the principal regulations is amended —

- (a) in paragraph (a) by deleting "29 cents" in the 2 places it occurs and substituting in both cases the following —

" 30 cents "; and

- (b) in paragraph (b) by deleting "29 cents" in the 2 places it occurs and substituting in both cases the following —

" 30 cents ".

Regulation 70B amended

8. Regulation 70B of the principal regulations is amended by deleting "\$46.00" and substituting the following —

" \$48.00 ".

Regulation 105I amended

9. Regulation 105I (1) of the principal regulations is amended —

- (a) by deleting "9.00" and substituting the following —

" 8.00 "; and

- (b) by deleting "11.00" and substituting the following —

" 10.00 ".

Appendix I repealed and an appendix substituted

10. Appendix I to the principal regulations is repealed and the following Appendix substituted —

"

APPENDIX I

[Regs. 6 and 10A]

1. **WHARFAGE, HANDLING AND
HAULAGE CHARGES**

		WHARFAGE ALL PORTS
		\$
Empty returns	per tonne or m ³	1.05
Explosives	per tonne or m ³	2.00
Fertiliser	per tonne or m ³	1.60
Bullocks, cows, etc.	each	1.05
Pigs, sheep, goats and dogs	each	0.25
Meat chilled or frozen	per tonne or m ³	1.90
Oil, etc. by pipeline — Bulk	per kilolitre	5.65

WHARFAGE ALL PORTS		
\$		
ORE —		
Bulk	per tonne	1.55
In containers	per tonne	1.55
Products of the soil of the State except otherwise stated (exported)	per tonne or m ³	0.95
TIMBER —		
Direct from overseas — in bundles	per tonne or m ³	2.00
Direct from overseas — loose	per tonne or m ³	2.00
Ex WA Ports — in bundles	per tonne or m ³	0.95
Ex WA Ports — loose	per tonne or m ³	0.95
VEHICLES		
Commercial vehicles on own wheels	per tonne or m ³	1.90
Motor cars and utilities on own wheels	per tonne or m ³	1.80
OTHER GOODS		
General cargo	per tonne or m ³	3.35
Recreational vessels	per metre	8.00

HAULAGE AND HANDLING

Charges for haulage and handling shall be in accordance with the IPLF charge-out rates.

BERTHAGE DUES

For vessels over 300 gross registered tonnes shall be 45 cents per tonne or per cubic metre or per kilolitre at the option of the officer in charge, on all cargo landed or shipped with a minimum \$75.00 per day or part thereof.

Vessels under 300 gross registered tonnes shall be 45 cents per tonne or per cubic metre or per kilolitre, at the option of the officer in charge on all cargo landed or shipped with a minimum \$50.00 per day or part thereof.

Pearling store ships, mission vessels and luggers shall pay 45 cents per tonne on all cargo landed or shipped with a minimum \$20.00 per day.

FRESH WATER

Supplied to ships at \$1.40 per kilolitre.

LIGHTING OF JETTY

BROOME — \$5.50 per hour or part thereof.

WYNDHAM — for full lighting of jetty shed and yard \$16.50 per hour, for use of jetty lighting \$5.20 per hour. For reduced lighting \$1.80 per hour.

MOP SHELL — BROOME

Shall be treated as cargo for trans-shipment and pay wharfage one way. Department is not responsible for safe custody or loss of or damage to such shell.

STORAGE

(a) \$0.35 per tonne or part thereof for transit cargo not removed from the goods shed or yard within 3 days of the cargo being received.

(b) \$0.35 per tonne or part thereof or per cubic metre or part thereof for trans-shipment cargo per week for a maximum period of 2 weeks, thereafter rates set out in paragraph (a) apply.

HIRE OF MOBILE CRANE

\$50.00 per hour or part thereof (cost of operator's wage not included).

2. **SLIPWAY CHARGES — (FEES PER DAY OR PART THEREOF)**

[Reg. 96]

NOTE: Outside of normal hours, the slipway charges set out below are subject to additional charges as prescribed by regulations 37 and 38 of these regulations.

WATER & ELECTRIC POWER CHARGES — ALL PORTS

	\$
Use of water —	2.30
Use of power —	4.00

ALBANY SLIPWAY

Slippage Fees —

Vessels not exceeding 25 Gross Registered Tons	26.00
Vessels over 25 but not exceeding 50 Gross Registered Tons	46.00
Vessels over 50 but not exceeding 100 Gross Registered Tons	105.00
Vessels over 100 but not exceeding 200 Gross Registered Tons	415.00
Vessels over 200 Gross Registered Tons	825.00
Operator's Time —	
At cost with a minimum for each service	125.00

CARNARVON SLIPWAY

Slippage Fees —

Vessels not exceeding 10 metres	73.00
Vessels over 10 metres but not exceeding 15 metres	107.00
Vessels over 15 metres but not exceeding 20 metres	170.00
Vessels over 20 metres	278.00
Haulage charge — All vessels	136.00

SHARK BAY SLIPWAY

Slippage Fees —

Vessels not exceeding 5 metres	33.00
Vessels exceeding 5 metres but not exceeding 12 metres	51.00
Vessels exceeding 12 metres per day or part thereof	58.00
Haulage charge — All vessels	38.00

JOHNS CREEK (POINT SAMSON) SLIPWAY / WYNDHAM SLIPWAY

Slippage Fee — Vessels not exceeding 15 metres	73.00
— Vessels over 15 metres	107.00
Haulage charge — All vessels	89.00

”.

Appendix IA amended

11. Appendix IA to the principal regulations is amended by deleting items 4, 5 and 6 and substituting the following items —

“

4. **PEN FEES — PORT OF PERTH**

LOCATION — HILLARYS BOAT HARBOUR

[Reg. 73]

Annual Fee: Length of Vessel x \$240 per metre.

Six Monthly Fee: 60% of the annual fee.

Three Monthly fee: 40% of the annual fee.

Monthly Fee:	15% of the annual fee.
Daily Fee:	\$20 per day (flat rate for all vessels).

- Note:** 1. For existing "pen holders" the charge of \$240 per metre will have a ceiling increase of no greater than 4%.
2. A 2½% discount will apply to annual pen fees paid in advance.
3. Fishing vessels that have paid the annual fees at Fremantle Fishing Boat Harbour will be charged 66% of the annual fee.
4. Payment of pen fees entitles the hirer to free use of the service jetty located within the harbour for the purpose of loading and unloading the vessel.

5. PEN FEES — PORT OF PERTH

LOCATION — CHALLENGER BOAT HARBOUR (FREMANTLE) (including Mediterranean moorings)

[Reg. 73]

Annual Fee:	Length of Vessel x \$185 per metre.
Annual Fee paid monthly:	10% of the annual fee per month.
Six Monthly Fee:	60% of the annual fee.
Three Monthly Fee:	40% of the annual fee.
Monthly Fee:	15% of the annual fee.
Daily Fee:	\$20 per day (flat rate for all vessels).

6. PEN FEES — PORT OF PERTH

LOCATION — FRESHWATER BAY BOAT PENS

[Reg. 73]

Annual Fee:	Length of Vessel x \$88 per metre.
Six Monthly Fee:	60% of the annual fee.
Three Monthly Fee:	40% of the annual fee.
Monthly Fee:	15% of the annual fee.
Daily Fee:	\$20 per day (flat rate for all vessels).

Appendix III repealed and an
Appendix substituted

12. Appendix III to the principal regulations is repealed and the following
Appendix substituted —

“

APPENDIX III

Part 1

[Reg. 94A]

PEN & BERTHAGE FEES Other than the Port of Perth

LOCATIONS:	Emu Point & Princess Royal Boat Harbour, Albany. Carnarvon Boat Harbour. Denham. Bandy Creek Boat Harbour. Fremantle Fishing Boat Harbour. Jurien Boat Harbour. Mandurah Service Jetty. Johns Creek Boat Harbour. Batavia Coast Boat Harbour. Casuarina Boat Harbour.
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1. EMU POINT AND PRINCESS ROYAL
BOAT HARBOUR, ALBANY/
MANDURAH SERVICE JETTY

Annual Fee:	Length of Vessel x \$67 per metre.
Annual Fee paid monthly	10% of the annual fee per month.
Monthly Fee:	12% of the annual fee.
Daily Casual Fee:	Length of Vessel x \$2 per metre.

2. JURIEN / BATAVIA COAST /
CASUARINA BOAT HARBOUR

Annual Fee:	Length of Vessel x \$124 per metre.
Annual Fee paid monthly:	10% of the annual fee per month.
Monthly Fee:	12% of the annual fee.
Daily Casual Fee	Length of Vessel x \$2 per metre.

3. BANDY CREEK /
JOHNS CREEK BOAT HARBOUR

Annual Fee:	Length of Vessel x \$88 per metre.
Annual Fee paid monthly	10% of the annual fee per month.
Monthly Fee:	12% of the annual fee.
Daily Casual Fee:	Length of Vessel x \$2 per metre.

4. CARNARVON BOAT HARBOUR

Annual Fee:	Length of Vessel x \$120 per metre.
Annual Fee paid monthly:	10% of the annual fee per month.
Monthly Fee:	20% of the annual fee.
Daily Casual Fee:	Length of Vessel x \$2.50 per metre.

5. FREMANTLE FISHING BOAT HARBOUR

Annual Fee:	Length of Vessel x \$88 per metre for vessels up to, but not including 20 metres.
	Length of Vessel x \$115 per metre for vessels 20 metres and over.
Annual Fee paid monthly:	10% of the annual fee per month.
Monthly Fee:	13% of the annual fee.
Daily Casual Fee:	Length of Vessel x \$2 per metre.

6. DENHAM

Annual Fee:	Length of Vessel x \$150 per metre.
Annual Fee paid monthly	10% of the annual fee per month.
Monthly Fee:	12% of the annual fee.
Daily Casual Fee:	Length of Vessel x \$2 per metre.

NOTE: Payment of pen fees entitles the hirer to free use of any service jetty located within the harbour in which that pen is located subject to the availability of berth space and the direction of authorized officers.

Part 2

[Reg. 94B]

PILE MOORING FEES — STATEWIDE

Annual Fee:	Length of Vessel x \$78 per metre.
Annual Fee paid monthly:	10% of annual fee per month
Monthly Fee:	12% of the annual fee.
Daily Casual Fee:	1% of the annual fee.

NOTE: Payment of pile mooring fees entitles the hirer to free use of any service jetty located within the harbour in which that mooring is located subject to the availability of berth space and the direction of authorized officers.

Part 3

[Reg. 94C]

**CASUAL BERTHING FEES —
OTHER THAN PORT OF PERTH**

This fee applies to any Departmental Jetty, other than one located within the Port of Perth, for which no other fee has been prescribed in regulation.

Daily Casual Fee:	Length of Vessel x \$2 per metre.
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Part 4

[Reg. 11B]

SERVICE JETTIES — FUEL WHARFAGE RATES

LOCATIONS:	Exmouth
	A rate of \$0.0025 per litre of fuel oil.
	Lancelin
	Greenhead
	Leeman
	A rate of \$0.005 per litre of fuel oil.
	Carnarvon
	A rate of \$0.00565 per litre of fuel oil.
	Denham
	Kalbarri
	Mandurah
	Onslow
	Port Gregory
	A rate of \$0.01 per litre of fuel oil.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

PLANNING AND URBAN DEVELOPMENT**PD401****TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Augusta-Margaret River*

Town Planning Scheme No. 11—Amendment No. 64

Ref: 853/6/3/8, Pt. 64.

Notice is hereby given that the Shire of Augusta-Margaret River has prepared the abovementioned scheme amendment for the purpose of rezoning Portion Sussex Location 995 Boodjidup Road, Margaret River from "Rural Zone" to "Special Rural Zone".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Town View Terrace, Margaret River, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including August 10, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before August 10, 1993.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

L. CALNEGGIA, Shire Clerk.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 259

Ref: 853/6/6/6, Pt. 259.

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of rezoning Pt Lot 2 Bussell Highway from a "Restricted Use" zone to a "Other Commercial" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including August 10, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before August 10, 1993.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. STUBBS, Shire Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Cunderdin

Town Planning Scheme No. 2
District Zoning Scheme

Ref: 853/4/10/2.

Notice is hereby given that the Shire of Cunderdin has prepared the abovementioned town planning scheme for the following purposes—

1. To encourage and control orderly development in the Scheme Area in such a way that will promote and safeguard the health, safety, convenience, and economic and general welfare of its inhabitants and the amenities of the area.
2. To provide for possible future residential, industrial and rural (hobby farm) development.
3. To identify an appropriate area in Cunderdin within which new residences will be required to be constructed of masonry material.
4. To control quality of development throughout the Shire.
5. To adopt a set of policies which will achieve the stated objectives.

Plans and documents setting out and explaining the town planning scheme have been deposited at Council Offices, Lundy Avenue, Cunderdin and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including September 29, 1993.

Submissions on the town planning scheme should be made in writing on Form No. 4 and lodged with the undersigned on or before September 29, 1993.

N. J. ALCOCK, Shire Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 44

Ref: 853/6/16/7, Pt. 44.

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of including section 10 in Schedule 3 pertaining to "Murray Lakes" as follows—

- (1) Under the heading "Permitted Uses" add—

"10. Boat Hire Depot."

- (2) Under the heading "Development Control Provisions" add—

"Restricted to Lot 632 Wharf Way and adjoining canal waterways.

Additional uses include—

- (a) Boat moorings for 4 houseboats or the like.
- (b) Office for boat hiring.
- (c) Repair and maintenance of boats may be carried out only in the workshop between the hours of 8.00 am and 4.30 pm seven days per week provided the amenity of the neighbourhood is not prejudicially affected.
- (d) Refuelling facilities in accordance with the Explosives and Dangerous Goods Act 1961 and the Flammable Liquids Regulations 1967.
- (e) Sewage pump-out facility, subject to the approval of the Water Authority of Western Australia."

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 10 August 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 10 August 1993.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

D. CLEMENTS, Shire Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Armadale

Town Planning Scheme No. 2—Amendment No. 92

Ref: 853/2/22/4, Pt. 92.

Notice is hereby given that the City of Armadale has prepared the abovementioned scheme amendment for the purpose of rezoning Pt Lot 50, Lot 51 and Lot 7 Churchman's Brook Road, Bedfordale from Rural "X" Zone to "Special Use—Rural/Residential" Zone and amend the Scheme text with specific details pertaining to the land use responsibilities and controls under such new zone, accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 7 Orchard Avenue, Armadale, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours for an additional period of 48 days up to and including 16 August 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 16 August 1993.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

A. F. MAXWELL, Acting Town Clerk.

PD501

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Bridgetown-Greenbushes

Town Planning Scheme No. 4—Amendment No. 21

Ref: 853/6/5/4, Pt. 21.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Bridgetown-Greenbushes Town Planning Scheme Amendment on 21 June 1993, for the purpose of inserting a new Sub-Clause 3.4.3 to read—

“Notwithstanding Clause 3.4.2 (b) the Planning Consent of Council is required for the erection of a Resided Residence.”

J. TAYLOR, President.
K. HILL, Shire Clerk.

PD502

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 247

Ref: 853/6/6/6, Pt. 247.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on 21 June 1993 for the purpose of—

1. Rezoning Pt Lot 2 Bussell Highway from “Single Residential” to “Other Commercial” with “Additional Uses”.
2. Adding the following to Appendix IV—Additional Use Zones—of the Scheme Text.

Street	Particulars	Additional Use
Bussell Highway	Pt Lot 2	Eating House Licensed Restaurant

R. TOGNELA, President.
I. STUBBS, Shire Clerk.

PD503

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Chittering

Town Planning Scheme No. 5—Amendment No. 18

Ref: 853/3/4/5, Pt. 18.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Chittering Town Planning Scheme Amendment on June 21, 1993, for the purpose of—

1. Adding to Schedule 2—Special Uses—the following—

Description of Site	Uses Permitted and Conditions of Use
Lot 101 Kay Road, Bindoon	Tea Rooms Sale of Paintings Farm Stay Accommodation

M. TAYLOR, President.
P. FITZGERALD, Shire Clerk.

PD504

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Coorow

Town Planning Scheme No. 1—Amendment No. 9

Ref: 853/3/20/1, Pt. 9.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Coorow Town Planning Scheme Amendment on June 21, 1993, for the purpose of—

- (i) Rezoning land comprising Lot 100; including Lot 62, 63 and 64; Lot 59 and portion of the Shelter Reserve; vacant Crown land; and portion of Station Street from the Residential Zone; Railway Reserve and Parks and Recreation Reserve to Special Site (Grain Receival and Associated Purposes).
- (ii) Including in Appendix 5—Schedule of Special Sites the following—

Street	Particulars of Land	Use
Station Street	Lot 100	Grain Receival and Associated Purposes

A. C. KAU, President.

S. N. HAZELDINE, Shire Clerk.

PD505

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Kalamunda

District Planning Scheme No. 2—Amendment No. 121

Ref: 853/2/24/16, Pt. 121.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Kalamunda Town Planning Scheme Amendment on June 21, 1993, for the purpose of amending the Residential Planning Code from R15 to R30 for part of Lot 3 Wittenoom Road, High Wycombe, as depicted in the Scheme Amendment Map.

B. R. WILLMOTT, President.

D. E. VAUGHAN, Shire Clerk.

PD506

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Mundaring

Town Planning Scheme No. 1—Amendment No. 347

Ref: 853/2/27/1, Pt. 347.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Mundaring Town Planning Scheme Amendment on June 21, 1993, for the purpose of—

- (1) Amending the subdivision guide plan that forms part of Town Planning Scheme No. 1 as it relates to Part Lot 289 Hedges Road, Hovea, to allow for the creation of two lots.
- (2) Amending the Scheme Text to insert in the First Schedule in columns (a) and (b) the following—

(a)

Part Parkerville Lot 289 on Certificate of Title Volume 1713 Folio 058 Hedges Road, Hovea.

(b)

Subdivision of the subject land to be in accordance with the plan of subdivision which forms part of this amendment.

R. P. DULLARD, President.

M. N. WILLIAMS, Shire Clerk.

PD507

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENTS

Shire of Roebourne

Town Planning Scheme No. 6—Amendment Nos. 25 and 27

Ref: 853/8/5/4, Pts. 25 and 27.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Roebourne Town Planning Scheme Amendments on June 21, 1993, for the purpose of—

Amendment No. 25

- (1) Modifying the current zoning of Lot 4551 (formerly Reserve 34747 Lot 3922) to "Service Commercial".
- (2) Amending Schedule 2 to the Scheme Text "designated uses of Special Use Zone Sites" by deleting Lot 3922 from that Schedule.
- (3) Amending the Scheme Map accordingly.

Amendment No. 27

1. Rezoning Lot 1061 Orkney Road from "Public Utilities" Reserve to "Industrial Accommodation" Zone.
2. Amending the Scheme Map accordingly.

R. MUNDY, President.

F. GOW, Shire Clerk.

PD508

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENTS

Shire of Swan

Town Planning Scheme No. 9—Amendment Nos. 173, 179 and 186

Ref: 853/2/21/10, Pts. 173, 179 and 186.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendments on June 21, 1993, for the purpose of—

Amendment No. 173

Amending the Scheme Maps to rezone Lot 17 Cnr Morrison Road and Keane Street, Midland from "City Centre—Commercial Deferred" to "City Centre—Business" as depicted on the Scheme Amendment Map.

Amendment No. 179

1. Amending the Scheme Legend to insert the symbol used to delineate the Conservation Precinct boundaries and the words "Conservation Precinct".
2. Depicting the boundaries of the conservation precincts around the Midland Town Centre bounded by Helena Street, Great Northern Highway, and Great Eastern Highway, and around the Guildford townsite bounded by the Swan River in the north and west, the Helena River in the south, and the most easterly arm of the Helena River and the alignment of the power transmission line in the east as depicted on the Scheme Map.

Amendment No. 186

1. Amending the Scheme Text by adding to Appendix 6B in the various columns, the following—

Locality	Street and Land Particulars	Additional or Restricted Use and Conditions
Midland	Lot 250 Victoria Street	<ol style="list-style-type: none"> 1. The following use is an additional use "P" use—Office: Professional. 2. The additional use referred to in 1 (above) is restricted to lots 2, 3 and 4 on Strata Plan 22405.

2. Amending the Scheme Maps to insert the Additional or Restricted use Symbol on Lot 250 Victoria Street, Midland.

M. KIDSON, President.

E. W. LUMSDEN, Shire Clerk.

PD509

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT


Shire of York

Town Planning Scheme No. 1—Amendment No. 14

Ref: 853/4/34/1, Pt. 14.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of York Town Planning Scheme Amendment on 21 June 1993, for the purpose of—

1. In the Scheme Text including the "Zoning and Development Table" for the Rural Townsite Zone as contained in this amendment.
2. In the Scheme Map amending the Legend to include in the list of zones "Rural Townsite" to be depicted with red brown 1.3 border.

"Rural Townsite"  "

3. Rezoning land in the Greenhills locality from "General Farming" to "Rural Townsite" as depicted in the Scheme Amendment Map.

Zone: Rural Townsite

Policy Statement: It is the intention of Council to provide for residential development in established rural townsites and localities in the District. The R2.5 residential density will apply, and a minimum area of lot of 4 000 sq. metres required per dwelling.

Amalgamation of existing lots in the Greenhills locality will be required to satisfy the minimum area of lot per dwelling required for the R2.5 density Code.

In the Greenhills locality Council will support closure of unmade roads and amalgamation with adjoining lots, and will require all on-site effluent disposal systems to be at least 30 metres from Balley Balley Brook.

Explanation of Symbols see Clause 2.2.2

P = Use permitted subject to compliance with Development standards

PS = Use not permitted unless approval given by Council and conditions complied with

AP = Not permitted unless approval given by Council after advertising

IP = Use not permitted unless it is incidental to a predominant use as determined by Council

Minimum Lot Area	Minimum Effective Frontage	Maximum Plot Ratio	Minimum Boundary Setbacks			Minimum Car Parking	Minimum Landscaping	Other Requirements
			Front	Rear	Side			
As per R2.5 of the Residential Planning Codes								
								Provision of a potable water supply to each lot to the satisfaction of the Council

Permitted Uses

Note: Unless otherwise specified below the standards above will apply to this zone

1	Art and Craft Studio	AP					1/20 m ² GFA	
2	Boarding House	AP					1.5/ BED	50%
3	Caretakers' House	AP					2	
4	Convenience Store	AP					1/20 m ² GFA	50%
5	Cottage Industry	P						
6	Home Occupation	AP						
7	Outbuilding	P						
8	Plant Nursery	AP	4 000 m ²	40 m			6	
9	Single House	P						See Clause 2.4 (d) and (e)

Note: GFA = Gross Floor Area

M. W. JOYCE, President.
R. J. STEWART, Shire Clerk.

PD510

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 638

Ref: 853/2/30/1, Pt. 638.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on June 21, 1993, for the purpose of amending the Residential Density Code Maps to recode portion of Pt Lot 1004 Anchorage Drive, Mindarie from R20 to R30.

G. A. MAJOR, Mayor.
R. F. COFFEY, Town Clerk.

PD511

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Port Hedland

Town Planning Scheme No. 4—Amendment No. 10

Ref: 853/8/4/5, Pt. 10.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Town of Port Hedland Town Planning Scheme Amendment on June 21, 1993, for the purpose of—

1. Altering the heading of Clause 4.2 Residential Development—by adding the following words “Residential Planning Codes”.
2. Deleting Clause 4.2.1 and replacing it with clause—
For the purpose of this Scheme, “Residential Planning Codes” means the residential planning codes set out in Appendix 2 to the statement of Planning Policy No. 1, together with any amendments thereto.
3. Delete reference to “Attached House” from the uses listed in Table 1—Zoning Table.

G. EGGLESTON, Mayor.

G. P. BRENNAN, Town Clerk.

SERVICES

SA401

STATE SUPPLY COMMISSION ACT 1991

It is hereby notified for general information that, pursuant to section 28 (3) of the State Supply Commission Act 1991, the State Supply Commission has issued the following supply policies, which are applicable to all public authorities.

Supply Policies—Management

Government Information Technology Contract (GITC)

Supply Policies—Information and Information Systems

Annual Supply Reports

Electronic Trading Agreement

Standards for Common Electronic Data Interchange (EDI) and Electronic Funds Transfer (EFT) Documents

L. W. GRAHAM, Chairman,
State Supply Commission of Western Australia.

STATE ENERGY COMMISSION

SJ301

STATE ENERGY COMMISSION ACT 1979

STATE ENERGY COMMISSION (ELECTRICITY AND GAS CHARGES)
AMENDMENT BY-LAWS 1993

Made by The State Energy Commission of Western Australia with the approval of His Excellency the Governor in Executive Council.

Citation

1. These by-laws may be cited as the *State Energy Commission (Electricity and Gas Charges) Amendment By-laws 1993*.

Commencement

2. These by-laws shall come into operation on 1 July 1993.

First and Second Schedules amended**3. The First and Second Schedules to the *State Energy Commission (Electricity and Gas Charges) By-laws 1978** are amended —****(a) in Tariffs L1 and L2 by deleting —**

“ 17.88 cents per unit for the first 165 units per day.
15.98 cents per unit for the next 1485 units per day.
14.42 cents per unit for the next 14 850 units per day.
13.56 cents per unit for all over 16 500 units per day. ”

and

“ 17.88 cents per unit for the first 165 units per day.
15.98 cents per unit for the next 1485 units per day.
14.42 cents per unit for all over 1650 units per day. ”

respectively and substituting in each case the following —

“ 15.98 cents per unit for the first 1650 units per day.
14.42 cents per unit per day for all units exceeding
1650 units. ”,

(b) in Tariffs M1 and M2 by deleting —

“ 16.55 cents per unit for the first 165 units per day.
15.44 cents per unit for the next 1485 units per day.
13.87 cents per unit for the next 14 850 units per day.
12.63 cents per unit for the next 16 500 units per day.
11.82 cents per unit for all over 33 000 units per day. ”

and

“ 16.55 cents per unit for the first 165 units per day.
15.44 cents per unit for the next 1485 units per day.
13.87 cents per unit for all over 1650 units per day. ”

respectively and substituting in each case the following —

“ 15.44 cents per unit for the first 1650 units per day.
13.87 cents per unit per day for all units exceeding
1650 units. ”,

(c) in Tariffs K1 and K2 by deleting —

“ 17.88 cents per unit for the next 145 units per day.
15.98 cents per unit for the next 1485 units per day.
14.42 cents per unit for the next 14 850 units per day.
13.56 cents per unit for all over 16 500 units per day. ”

and

“ 17.88 cents per unit for the next 145 units per day.
15.98 cents per unit for the next 1485 units per day.
14.42 cents per unit for all over 1650 units per day. ”

respectively and substituting in each case the following —

“ 15.98 cents per unit for the next 1630 units per day.
14.42 cents per unit per day for all units exceeding
1650 units. ”,

and

- (d) by deleting in the Tariff charges referred to in column 1 of the Table to this paragraph the charges respectively set out in column 2 of the Table and substituting in each case the corresponding charge set out in column 3 of the Table.

TABLE

Column 1	Column 2	Column 3
Tariffs	Deleted charge	Substituted charge
Tariffs L1 and L2	27.21	24.31
Tariffs M1 and M2	27.21	24.31
Tariffs R1 and R2	7.50	6.00

[* Published in the Gazette of 23 June 1978 at pp. 2055-2064.
For amendments to 14 May 1993 see 1991 Index to Legislation of Western Australia, pp 495-498 and Gazettes of 25 February, 26 June, 14 August, and 30 October 1992.]

MARK HANDS, Secretary,
The State Energy Commission of Western Australia.

Approved by His Excellency the Governor in Executive Council.

D. G. BLIGHT, Clerk of the Council.

STATE TAXATION

SX401

STATE TAXATION DEPARTMENT

Notice to all Owners of Land or Property in Western Australia
Land Tax

Annual Returns

Annual returns are not required for 1993/94.

The Department will issue assessment notices to property owners based on registered land holdings as at 30 June 1993.

Applications for Exemption or Concessions

The owner of any class of land in respect of which an exemption or concession may be granted is required to make application for the exemption or concession only where the land concerned has been assessed for land tax for 1993/94.

P. FELLOWES, Commissioner of State Taxation.

TRANSPERTH

TP401

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT 1957 MEMBERSHIP OF TRUST

I, Eric Charlton, being the Minister administering the Metropolitan (Perth) Passenger Transport Trust Act 1957 appoint in accordance with the provisions of section 7 (4) (b) of that Act, Barbara Holland as a Member of the Metropolitan (Perth) Passenger Transport Trust to 19 May 1994.

ERIC CHARLTON, Minister for Transport.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962
DECEASED ESTATES

Creditors and other persons having claims in respect of the estates mentioned below to which section 63 of the Trustees Act 1962 as amended applies are required to send particulars of claims to the Executors c/- Haynes Robinson, Solicitors of P.O. Box 485, Albany, by 24th July 1993 after which date the Executors may convey or distribute the assets having regard only to the claims of which they have notice and the Executors shall not be liable to any person of whose claim they have had no notice at the time of distribution.

1. Estate of the late Margery Gertrude Bourke formerly of Mount Barker late of 3 Arthur Street, Subiaco, Medical Practitioner, deceased.
2. Estate of the late Frederick William Alfred Warn late of 15 Narpund Road, Mount Barker, Retired Banker, deceased.

Dated this 26th day of June 1993.

Haynes Robinson for the Executors.

HAYNES ROBINSON.

**STATE PRINT
(LAW PUBLISHER)
SPECIAL NOTICE
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