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CONTENTS

PART 1

	Page
Dog Act 1976—City of Geraldton—Dogs Amendment Local Law 2006	4712
Fish Resources Management Act 1994—	
Fish Resources Management Amendment Regulations (No. 6) 2006	4703
Fish Resources Management Amendment Regulations (No. 8) 2006	4704
Local Government Act 1995—City of Geraldton—Dogs Amendment Local Law 2006	4712

PART 2

Agriculture	4714
Deceased Estates	4721
Energy	4714
Fisheries	4715
Health	4716
Local Government	4716
Marine/Maritime	4717
Premier and Cabinet	4718
Racing, Gaming and Liquor	4719
Water/Sewerage	4719

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GOVERNMENT GAZETTE

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Wednesday 27 December 2006 at 12 noon

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— PART 1 —

FISHERIES

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 6) 2006

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 6) 2006*.

2. The regulations amended

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

[* Reprint 5 as at 14 October 2005.

For amendments to 24 October 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 142, and Gazette 7 February, 7 and 31 March, 23 May and 5 September 2006.*]

3. Regulation 38D amended

Regulation 38D(2)(a) is amended by deleting “8.30 a.m.” and inserting instead —

“ 8.00 a.m. ”.

By Command of the Lieutenant-Governor
and deputy of the Governor,

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

FI302*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 8) 2006

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Fish Resources Management Amendment Regulations (No. 8) 2006*.

2. The regulations amended

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

[* Reprint 5 as at 14 October 2005.

For amendments to 1 November 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 7 February, 7 and 31 March, 23 May and 5 September 2006.*]

3. Regulation 11 replaced

Regulation 11 is repealed and the following regulation is inserted instead —

“

11. Defences for offences against s. 46 or 47

- (1) For the purposes of section 48(b) of the Act all fish the subject of an aquaculture licence are fish of a prescribed class.
- (2) For the purposes of section 48(c) of the Act it is a defence that the fish was taken by a person acting under an authority to fish for fish for scientific purposes issued under regulation 178.
- (3) For the purposes of section 48(c) of the Act it is a defence that the person is a person to whom, or in relation to whom, section 90 of the Act does not apply due to the operation of section 91 of the Act.

(4) For the purposes of section 48(c) of the Act, where the fish the subject of an offence —

- (a) is a shark or ray that is commercially protected; and
- (b) in the case of a dusky shark, has an interdorsal fin length of less than 70 cm,

it is a defence that the fish was taken by a person acting under a managed fishery licence granted in respect of —

- (c) the Marine Aquarium Fish Managed Fishery; or
- (d) the Kimberley Gillnet and Barramundi Managed Fishery; or
- (e) any other managed fishery the management plan for which specifically allows for the taking of sharks or rays; or
- (f) if the fish is an Eagle Ray, the South Coast Estuarine Managed Fishery.

(5) In subregulation (4)(b) —

“**interdorsal fin length**” means the distance between the first and second dorsal fins measured —

- (a) from —
 - (i) the first dorsal fin origin; or
 - (ii) if all or part of that fin has been removed so that point of origin cannot be ascertained, the anterior end of the cut made to remove the fin or that part of the fin;
- (b) to —
 - (i) the second dorsal fin insertion; or
 - (ii) if all or part of that fin has been removed so that point of insertion cannot be ascertained, the posterior end of the cut made to remove the fin or that part of the fin.

”

4. **Regulation 16B replaced**

Regulation 16B is repealed and the following regulation is inserted instead —

“

16B. Sharks and rays — finning and filleting by commercial fishers

(1) A master of a fishing boat must not have on the boat any shark or ray other than a whole shark or ray.

Penalty: \$10 000 and the penalty provided in section 222 of the Act.

- (2) Subregulation (1) does not prevent the master of a fishing boat from having on the boat a shark or ray that is not a whole shark or ray if —
- (a) all of the parts of the shark or ray (other than disposable parts) are on the boat together; and
 - (b) either —
 - (i) the only parts (other than disposable parts) that have been removed from the shark or ray are one or more of the fins; or
 - (ii) both —
 - (I) the boat is north of 26° south latitude; and
 - (II) the fish is not a dusky shark.
- (3) A person must not bring onto land any shark or ray taken for a commercial purpose in accordance with an authorisation other than a whole shark or ray.
Penalty: \$10 000 and the penalty provided in section 222 of the Act.
- (4) Subregulation (3) does not prevent a person bringing onto land a shark or ray that is not a whole shark or ray if —
- (a) all of the parts of the shark or ray (other than the disposable parts) are brought onto land together; and
 - (b) either —
 - (i) the only parts (other than disposable parts) that have been removed from the shark or ray are one or more of the fins; or
 - (ii) both —
 - (I) the place where the fish is brought onto land is north of 26° south latitude; and
 - (II) the fish is not a dusky shark.
- (5) In this regulation —
- “disposable part”** means any of the following —
- (a) the head;
 - (b) the tail;
 - (c) the parts removed during gutting;
- “whole shark or ray”** means a shark or ray that is —
- (a) entire; or
 - (b) entire except that any or all of the disposable parts have been removed.

5. Regulation 36 amended

Regulation 36(1) is amended as follows:

- (a) after paragraph (a) by inserting —
“ and ”;
- (b) by deleting paragraph (c) and inserting instead —
“
 - (c) more than 4 rock lobster pots to be pulled by persons on board the boat —
 - (i) if the boat makes more than one voyage in a day, during any one voyage; or
 - (ii) if the boat —
 - (I) makes only one voyage in a day; or
 - (II) is on a voyage lasting more than one day,
during any one day.”.

6. Regulation 38 amended

Regulation 38 is amended as follows:

- (a) by inserting at the beginning of the regulation —
“
 - (1) In this regulation —
 - “**internal SLED**” means a sea lion exclusion device consisting of a rod inside a rock lobster pot secured to the base of the pot and rising vertically towards the neck;
 - “**sea lion protection zone**” means the waters off the west coast bounded by a line commencing at the high water mark at 30° 51.06' south latitude (south of Wedge Island) and extending —
 - west along the parallel to the intersection with 115° 10.32' east longitude;
 - then north north westerly along the geodesic to the point 30° 30.54' south latitude and 115° 0.06' east latitude;
 - then northerly along the geodesic to the point 30° 25.02' south latitude and 114° 58.5' east longitude;
 - then northerly along the geodesic to the point 30° 12.42' south latitude and 114° 57' east longitude;
 - then northerly along the geodesic to the point 30° 4.2' south latitude and 114° 54.42' east longitude;
 - then northerly along the geodesic to the point 29° 54.96' south latitude and 114° 53.52' east longitude;”.

then north north westerly along the geodesic to the point 29° 47.82' south latitude and 114° 50.64' east longitude;
 then north easterly along the geodesic to the point 29° 44.28' south latitude and 114° 52.2' east longitude;
 then northerly along the geodesic to the point 29° 35.16' south latitude and 114° 53.58' east longitude;
 then east along the parallel to its intersection with the high water mark (north of Freshwater Point);
 then generally southerly along the high water mark to the commencement point.

”.

- (b) by inserting before “A person” the subregulation designation “(2)”;
- (c) at the end of the regulation by inserting —

“

- (3) A person must not use a rock lobster pot to fish for rock lobster in the sea lion protection zone unless the pot is constructed with, or has fitted to it, a device (a “**sea lion exclusion device**”) that —
 - (a) prevents a spherical object with a diameter of 132 mm being able to enter the pot through the neck; and
 - (b) complies with subregulation (4).
- (4) A sea lion exclusion device complies with this subregulation if —
 - (a) it is made of non-flexible material; and
 - (b) it is —
 - (i) constructed; and
 - (ii) secured to the pot,

in such a way that it is unlikely that it could be bent, broken, pushed aside or removed by a sea lion; and
 - (c) it does not have any sharp points, spikes or sharp edges; and
 - (d) in the case of an internal SLED, at every point along the device (but not including any bracket or other thing used to secure the rod to the base of the pot) —
 - (i) the shortest cross-sectional measurement is not less than 10 mm; and
 - (ii) the longest cross-sectional measurement is not more than 30 mm.

”.

7. Regulation 156 amended

The Table to regulation 156 is amended by inserting after “16A(1),” —

“ 16B, ”.

8. Regulation 157 replaced

Regulation 157 is repealed and the following regulation is inserted instead —

“

157. Determining the value of fish

(1) For the purposes of section 222(4)(a) of the Act, the value per unit of weight of the fish is —

- (a) for a fillet of finfish, \$15 per kg; or
- (b) for a fin of a shark or ray removed from the fish trunk, \$120 per kg; or
- (c) otherwise, the amount per kg of fish set out in Schedule 9 for fish of that kind.

(2) For the purposes of section 222(4)(b) of the Act, the value per fish is —

- (a) for a fin of a shark or ray removed from the fish trunk, \$24 per fin; or
- (b) otherwise, the amount per fish set out in Schedule 9 for that kind of fish.

”.

9. Regulation 158 amended

The Table to regulation 158 is amended under the heading “Provision of these regulations” by inserting after “13,” —

“ 16B, ”.

10. Schedule 2 amended

Schedule 2 Part 1 is amended after the item for “Billfish” by inserting —

“

Sharks and Rays, other than sharks or rays that are totally protected fish.

”.

11. Schedule 4 amended

Schedule 4 is amended as follows:

- (a) after “Marron” by inserting —
“ Rays ”;
- (b) by deleting “Whale Shark” and inserting instead —
“ Sharks ”;
- (c) by deleting “Sharks, except Whale Shark”.

12. Schedule 7 amended

Schedule 7 is amended under the heading “Marine or fluvio-marine fish” by inserting in the appropriate alphabetical position —

“

Ray, Eagle	<u>Family</u> Myliobatidae
Shark, Dusky	<i>Carcharhinus obscurus</i>

”

13. Schedule 9 amended

Schedule 9 is amended as follows:

- (a) under the heading “Category 1 Fish”, by inserting in the appropriate alphabetical positions —

“

Rays	8	120
Sharks	8	120

”

- (b) under the heading “Category 2 Fish”, by deleting the item for “Sharks, except Whale Shark”.

14. Schedule 13 amended

Schedule 13 Part 2 clause 2 is amended as follows:

- (a) by inserting before “A rock” the subclause designation “(1)”;
- (b) at the end of the clause by inserting the following subclause —

“

(2) A rock lobster pot does not fail to comply with the specification set out in this clause by reason only that it is constructed with, or has fitted to it, a sea lion exclusion device (as defined in regulation 38).

”

15. Schedule 14 amended

Schedule 14 Form 3 is amended as follows:

- (a) by deleting paragraphs 1 and 2 and inserting instead —

“

1. You may dispose of this matter within 28 days of the service of this notice by paying the modified penalty in person at any Post Office or Post Office Agency.

OR

2. Elect to have this matter dealt with before a COURT by completing the Court Election on the reverse side.

”

(b) at the end of the form by inserting —

“

Election for Court

To have this matter dealt with by a Court, complete the details on back of this form and send it to —

Prosecutions Officer
Department of Fisheries
3rd Floor, The Atrium
168 St George's Terrace
Locked Bag 39, Cloisters Square
PERTH WA 6000

A summons will then be issued to you.

[Back of Form 3]

I elect to have this matter heard by a Court.

(Please use block letters)

Surname _____

Given Names _____

Address _____

Postcode _____

Signature _____

Date ____ / ____ / ____

”

16. Schedule 16 replaced

Schedule 16 is repealed and the following Schedule is inserted instead —

“

Schedule 16 — Abalone zones

[r. 38D]

1. Abalone Zone 1: Busselton Jetty to the Greenough River mouth

All —

- (a) WA waters; and
- (b) all land in the State,

that are on the seaward side of the high water mark and are —

- (c) in the area that is —
 - (i) south of 28° 51.9' south latitude; and
 - (ii) north of 33° 29' south latitude; and
 - (iii) west of the high water mark along the west coast between those 2 parallels;

or

- (d) in the area that is bounded by a line commencing at the intersection of 115° 20.675' east longitude and the high water mark in Geographe Bay (Busselton Jetty) and extending —
 - (i) north along that meridian to its intersection with 33° 29' south latitude; and
 - (ii) east along that parallel to its intersection with the high water mark; and

- (iii) then generally south westerly along the high water mark to the intersection with 115° 20.675' east longitude.

2. Abalone Zone 2: Greenough River mouth to Northern Territory Border

All —

- (a) WA waters; and
(b) land in the State,

that are on the seaward side of the high water mark and north of 28° 51.9' south latitude.

3. Abalone Zone 3: Busselton Jetty to South Australian Border

All —

- (a) WA waters; and
(b) land in the State,

that are on the seaward side of the high water mark and south of 28° 51.9' south latitude excluding Abalone Zone 1.

”

By Command of the Lieutenant-Governor
and deputy of the Governor,

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

LOCAL GOVERNMENT

LG301

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
City of Geraldton
DOGS AMENDMENT LOCAL LAW 2006

Under the powers conferred by the *Dog Act 1976* and the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Geraldton resolved on 24 October 2006 to make the “*City of Geraldton Dogs Amendment Local Law 2006*”.

The principal local law is the *City of Geraldton Dogs Local Law* as published in the *Government Gazette* on the 14 April 2000, and amended as published in the *Government Gazette* on 13 December 2002 and 15 October 2004.

The principal local law is amended as follows—

1 Clause 1.3 amended

Clause 1.3 is amended in the following ways—

- (a) in the definition of “thoroughfare”, delete the word “and”;
- (b) in the definition of “town planning scheme”, after the words “of the district.”, delete the full stop “.”, and insert instead “; and”;
- (c) insert in the appropriate alphabetical position the definition—
“northern boundary” means the local government boundary of the City of Geraldton is situated at 1.4 kilometres north of the Triton Place car park;” and

- (d) insert in the appropriate alphabetical position the definition—
“southern boundary” means the local government boundary of the City of Geraldton is situated at the Broadhead Avenue beach access way;”.

2 Clause 5.1 amended

Delete all the words in clause 5.1 (1) and insert instead—

- “
- (1) Dogs are prohibited absolutely from entering or being in any of the following places—
- (a) where so indicated by a sign;
 - (b) a public building;
 - (c) theatre or picture gardens;
 - (d) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993*;
 - (e) a public swimming pool;
 - (f) reserve 43181 Brede Street, known as HMAS Sydney II Memorial; and
 - (g) the following beaches—
 - (i) Swan Drive north to Triton Place;
 - (ii) Pages Beach, east of groyne to and including the Geraldton Port Authority wharf and Geraldton Yacht Club to the Forrest Street groyne extension; and
 - (iii) between the flags of any Surf Lifesaving Club.
- ”

3 Clause 5.2 amended

Delete all the words in clause 5.2 (1) and insert instead—

- “
- (1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas—
- (a) the beach north from Triton Place carpark to the local government northern boundary;
 - (b) the beach north of Elphick Avenue to Swan Drive;
 - (c) the beach adjacent to the Point Moore Lighthouse to the positioned flags of the Geraldton Surf Lifesaving Club off Willcock Drive;
 - (d) the beach north of the Point Moore Lighthouse to Pages beach between the hours of 1600 and 0800;
 - (e) the beach one hundred metres north of the Geraldton Surf Lifesaving Club off Willcock Drive to the local government southern boundary between the hours of 1600 and 0800;
 - (f) the beach opposite the Phelps Street roundabout to the beach at Elphick Avenue between the hours of 1600 and 0800; and
 - (g) Eadon Clark Reserve.
- ”

Dated 3 November 2006.

The common seal of the City of Geraldton was hereunto affixed by resolution of Council in the presence of—

I. W. CARPENTER, Mayor.
R. W. JEFFERIES, Chief Executive Officer.

— PART 2 —

AGRICULTURE

AG401*

MARKETING OF POTATOES ACT 1946

APPOINTMENT

Department of Agriculture and Food,
South Perth WA 6151.

I, Kim Chance, Minister for Agriculture and Food, acting under Sections 7 and 8 of the Marketing of Potatoes Act 1946, hereby appoint Mr Gregory STARKIE as an elected member of the Potato Marketing Corporation for a term of office to expire on 21 September 2009.

KIM CHANCE MLC, Minister for Agriculture and Food.

AG402*

PLANT DISEASES ACT 1914**SEEDS ACT 1981****SOIL AND LAND CONSERVATION ACT 1945**

APPOINTMENTS

Department of Agriculture and Food,
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914*, *Seeds Act 1981* and *Soil and Land Conservation Act 1945*, hereby appoint the following officers as Authorised Inspectors—

Pursuant to Section 7A of the *Plant Diseases Act 1914* to carry out all the functions authorised to be performed by an Inspector under the said Act and its Regulations

Daniel	Clifton-Parks
Francis Martin	O'Donnell
Chad David	Reynolds
Chad William	Richards
Travis Shannon	Ranieri

Pursuant to Section 14 of the *Seeds Act 1981*

Francis Martin	O'Donnell
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Pursuant to Sections 8 and 21 of the *Soil and Land Conservation Act 1945*

Daniel	Clifton-Parks
--------	---------------

KIM CHANCE MLC, Minister for Agriculture and Food.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004

NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS.

Notice is given that the following Integrated Regional licence has been amended—

Licensee: Regional Power Corporation (Horizon Power)

Issue Date: 30 October 2006

Address of Licensee: 510 Abernethy Road
Kewdale WA 6105

Classification: Integrated Regional Licence (EIRL 2)

Term of Licence: Up to and including 29 March 2036
Amendment: Minor amendments to licence areas:

- Beagle Bay Electricity Licence Area Plan No. ERA-EL-035
- Derby Electricity Licence Area Plan No. ERA-EL-012
- Djarindjin Electricity Licence Area Plan No. ERA-EL-037
- Warmun Electricity Licence Area Plan No. ERA-EL-038
- Yalgoo Electricity Licence Area Plan No. ERA-EL-031

Inspection of Licence: Economic Regulation Authority
6th Floor
197 St Georges Terrace
Perth WA 6000
<http://www.era.wa.gov.au>

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

EN402***ELECTRICITY INDUSTRY ACT 2004**

NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS

Notice is given that the following Distribution Licence has been amended—

Licensee: Croesus Mining NL
Issue Date: 1 November 2006
Address of Licensee: Level 1
23 Ventnor Avenue
West Perth WA 6005
Classification: Distribution (EDL 5)
Term of Licence: Up to and including 30 June 2007
Amendment: Extension of expiry date to 30 June 2007
Area Covered: Licence area is the area within the Norseman area of Western Australia as set out in Plan No. ERA-EL-104.
Inspection of Licence: Economic Regulation Authority
6th Floor
197 St Georges Terrace
Perth WA 6000
<http://www.era.wa.gov.au>

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

FISHERIES

FI401***PEARLING ACT 1990**

GRANT OF PEARL OYSTER FARM LEASES TALBOT BAY

FD 835/03

I, Peter Rogers, the Executive Director of the Department of Fisheries, Western Australia, pursuant to Section 23 of the *Pearling Act 1990* ("the *Pearling Act*") have granted an application by Pearls Pty Ltd, for a variation to an existing pearl oyster farm lease, in respect of an area of water located at Talbot Bay.

Under section 33(1) of the *Pearling Act* a person aggrieved by my decision may apply to the State Administrative Tribunal (SAT) for a review of the decision. Application forms can be obtained from the SAT located at Level 4, 12 St Georges Terrace, Perth WA or from the SAT's website at www.sat.justice.wa.gov.au. The application together with any supporting documents should be lodged with the SAT within 28 days of publication of the Notice. When an application is accepted by the Executive Officer of the SAT, the applicant is to give a copy of the application to the Executive Director, Department of Fisheries, Level 3, 168 St Georges Terrace, Perth WA.

Dated this 31st day of October 2006.

P. P. ROGERS, Chief Executive Officer,
Department of Fisheries.

HEALTH

HE401*

HEALTH ACT 1911

PERINATAL AND INFANT MORTALITY COMMITTEE
(APPOINTMENT OF MEMBER) INSTRUMENT (2) 2006

Made by the Minister for Health under section 340AB(4)(a) of the Act.

1. Citation

This instrument may be cited as the *Perinatal and Infant Mortality Committee (Appointment of Member) Instrument (2) 2006*.

2. Appointments

Dr Helen Teresa Clarke is appointed as a provisional member to the Perinatal and Infant Mortality Committee for the period ending 15 October 2007.

JIM MCGINTY MLA, Minister for Health.

Date: 16 October 2006.

HE402*

HEALTH ACT 1911

APPOINTMENTS

Department of Health WA,
Perth, 31 October 2006.

In accordance with the provisions of Section 28 of the *Health Act 1911*, the appointment of the following persons as Environmental Health Officers is approved.

Environmental Health Officer	Date Effective	Local Government
Terry Meek	3 October 2006-17 November 2006	Shire of Broome
Elizabeth French	16 October 2006	Town of Claremont
David Hadden	17 October 2006	Shire of Ravensthorpe
Ken MacFarlane	17 October 2006	Shire of Ashburton
Graham Oatey	25 October 2006	Shire of Murray
Phillip Anderson	25 October 2006	City of Stirling
Christina Potter	25 October 2006-21 January 2007	City of Joondalup
Scott Reitsema	31 October 2006	Shire of Exmouth
Mark Fallows	31 October 2006	Town of Vincent
Jennifer Mays	31 October 2006	Town of Victoria Park

Dr A. ROBERTSON, Executive Director, Public Health.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

Shire of Murray
(BASIS OF RATES)

Department of Local Government
and Regional Development,
10 October 2006.

DLGRD: MY5-4#02

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

the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 10 October 2006.

CHERYL GWILLIAM, Director General.

SCHEDULE

ADDITION TO GROSS RENTAL VALUE AREA

Shire of Murray

All that portion of land being Lot 142 as shown on Diagram 94106.

LG402*

LOCAL GOVERNMENT ACT 1995

Shire of Capel

(BASIS OF RATES)

Department of Local Government
and Regional Development

10 October 2006

DLGRD: CP5-4#06

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Jon Ford JP MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 10 October 2006.

CHERYL GWILLIAM, Director General.

SCHEDULE

ADDITION TO GROSS RENTAL VALUE AREA

Shire of Capel

All those portions of land being Lot 1938, Lot 1939, Lot 1943, Lot 1944, Lots 1954 to 1957 inclusive, Lots 1962 to 1966 inclusive, Lots 1977 to 1982 inclusive, Lots 1985 to 1988 inclusive and Lots 2003 to 2006 inclusive as shown on Deposited Plan 50648 and Lots 1933 to 1937 inclusive, Lots 1945 to 1953 inclusive, Lots 1967 to 1970 inclusive and Lots 1973 to 1976 inclusive as shown on Deposited Plan 50649.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREAS—ALL VESSELS

City of Mandurah

Mandurah Ocean Marina

Department for Planning and Infrastructure,
Fremantle WA, 10 November 2006.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department hereby revokes Notice MX405 as published in the *Government Gazette* on 22 August 2006 and by this notice limits the speed of motor vessels to five (5) knots within the following area—

Mandurah Ocean Marina: All the waters of the marina which lie to the east of a line drawn between points 32° 31.510' S, 115° 42.711' E and 32° 31.576' S, 115° 42.758' E (corresponding to its junction with the Mandurah Estuary) but excluding the designated Boating Prohibited Area within the marina. All coordinates based on GDA 94.

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

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS
PROHIBITED SWIMMING AREA

City of Mandurah
Mandurah Ocean Marina

Department for Planning and Infrastructure,
Fremantle WA, 10 November 2006.

Acting pursuant to the powers conferred by Regulation 10A(b) of the Navigable Waters Regulations, the department hereby revokes Notice MX404 as published in the *Government Gazette* on 22 August 2006 and by this notice defines and sets aside the following area of navigable waters as an area where swimming is prohibited—

Mandurah Ocean Marina: All the waters of the marina which lie to the east of a line drawn between points 32° 31.510' S, 115° 42.711' E and 32° 31.576' S, 115° 42.758' E (corresponding to its junction with the Mandurah Estuary) but excluding the designated Boating Prohibited Area within the marina. All coordinates based on GDA 94.

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

MX403*

WESTERN AUSTRALIAN MARINE ACT 1982
BOATING PROHIBITED AREA

City of Mandurah
Mandurah Ocean Marina

Department for Planning and Infrastructure,
Fremantle WA, 10 November 2006.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, the department hereby closes the following waters to navigation by all craft until further notice—

Mandurah Ocean Marina: All the waters of the marina which lie to the south-east of a line drawn between points 32° 31.523' S, 115° 43.013' E and 32° 31.508' S, 115° 42.030' E. All coordinates based on GDA 94.

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

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

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

Hon A. D. McRae MLA to act temporarily in the office of Minister for Planning and Infrastructure in the absence of the Hon A. MacTiernan MLA for the period 4 to 6 November 2006 (both dates inclusive).

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

PC402*

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

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

Hon E. S. Ripper MLA to act temporarily in the office of Premier; Minister for Public Sector Management; State Development; Federal Affairs in the absence of the Hon A. J. Carpenter MLA for the period 15 to 18 November 2006 (both dates inclusive).

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

RACING, GAMING AND LIQUOR

RG401

LIQUOR LICENSING ACT 1988

LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
11719	Citystyle Enterprises Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Alda's Caffe E Panini	19/11/2006
11717	Next Generation Clubs Australia Pty Ltd	Application for the grant of a Special Facility—Sports Arena licence in respect of premises situated in West Perth and known as Next Generation West Perth	30/11/2006
11716	Binnu Tennis Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Binnu and known as Binnu Tennis Club Inc	30/11/2006
11711	Brush Fork & Pencil Pty Ltd	Application for the grant of a Special Facility—Caterer licence in respect of premises situated in West Perth and known as Brush Fork & Pencil Pty Ltd	27/11/2006
11709	Ace Midland Gate Cinemas Pty Ltd	Application for the grant of a Special Facility—Theatre licence in respect of premises situated in Midland and known as Cine Gold Lounge	26/11/2006
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
28964	Keymaster Nominees Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Applecross and known as Raffles Hotel	26/11/2006

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

Dated: 8 November 2006.

P. MINCHIN, Director of Liquor Licensing.

WATER/SEWERAGE

WA401*

WATER SERVICES LICENSING ACT 1995

NOTICE UNDER SECTION 31 (5) AMENDMENT OF LICENCE

Notice is given that the following Operating Licence has been amended—

Licensee:	Water Corporation
Issue Date:	26 October 2006
Address of Licensee:	PO Box 100 Leederville WA 6092
Classification:	Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services.
Term of Licence:	Up to and including 28 June 2021.
Amendment:	Substitution of a new licence for the existing licence with amendment to— <ul style="list-style-type: none"> Denmark Potable Water Supply Services Operating Area OWR-OA-019F

Inspection of Licence: Economic Regulation Authority
6th Floor
197 St Georges Terrace
Perth WA 6000
[http:// www.era.wa.gov.au](http://www.era.wa.gov.au)

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

WA402*

WATER AGENCIES (POWERS) ACT 1984

Donnybrook Wastewater: Shire of Donnybrook-Balingup

Proposal to Upgrade the Donnybrook WWTP, to Construct a 220ML Final Effluent Storage Dam and Construct an Irrigated Trealot

To improve the Donnybrook Wastewater Treatment Plant and Effluent Management Scheme, the Water Corporation proposes to construct—

- A new advanced primary pond
- Two new sludge drying beds
- A new 220ML treated effluent storage dam
- Irrigation pump station with filtration system and disinfection system
- Expansion of woodlot and installation of drip feed irrigation system

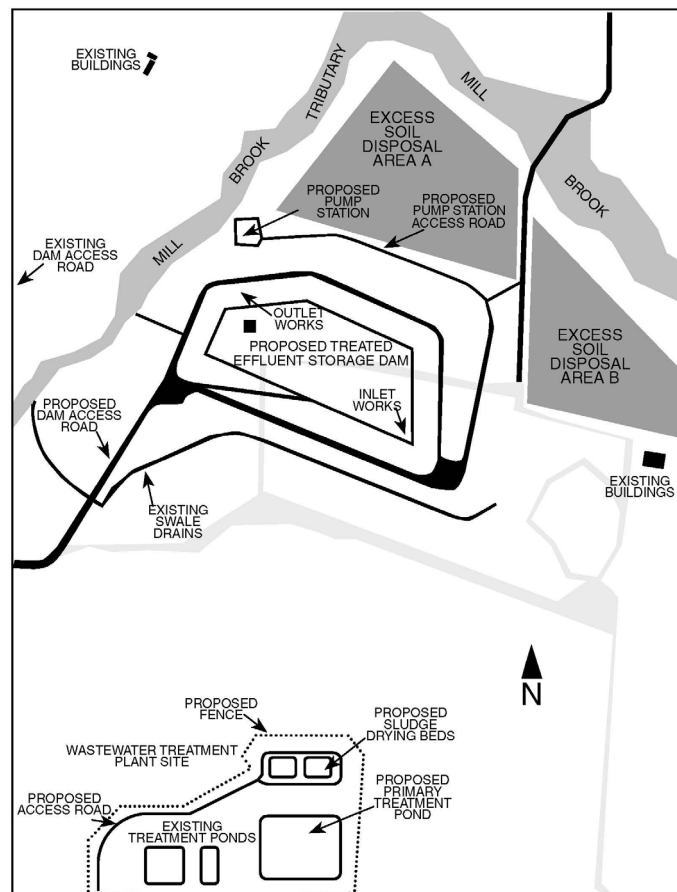
The works are contained within the existing Donnybrook WWTP site, located three kilometres west of Donnybrook.

Construction is proposed to commence in January 2007 and is expected to take approximately twelve months to complete.

A copy of this Notice of Proposal (referred to as I129-00-01A) is available for viewing at the Water Corporation's Bunbury Regional Office at 61 Victoria Street Bunbury WA 6230.

Further information may be obtained by contacting the Project Manager, Mr George Golowyn, on (08) 9420 2161 during office hours.

Objections to the proposed works will be considered if lodged in writing, addressed to the Project Manager, Mr George Golowyn, Water Corporation, 629 Newcastle Street, Leederville WA 6007 before close of business on 7 December 2006.



DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

Estate late Eva Lloyd Bridges

Late of Murray River Nursing Home, Coolibah Avenue, Mandurah, Home Duties

Died: 12/10/2006

Estate late Mabel Ruth Mortlock

Late of Unit 312 Elloura House, Monash Avenue, Nedlands Retired Shorthand Typist/Clerk

Died: 02/09/2006

Estate late Constance Mary Turner

Late of John Wesley Lodge, Rowthorpe, Bentley, Retired Nurse

Died: 19/08/2006

STEPHEN JOHN MAXWELL, Senior Estate Manager.
Direct Phone (02) 9229 3419

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of the late Leslie Charles Prior late of Springfield Retirement Village, 124/17 Hefron Street, Rockingham in the State of Western Australia, Retired Insurance Broker, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the Deceased, who died on the 6th day of June 2006, are required by the Executors Geoffrey Charles Prior and Stephen Bruce Prior both care of Staffa Lawyers, PO Box 1765, Osborne Park DC, Western Australia 6916, telephone: (08) 9244 1488, facsimile: (08) 9244 3588, email: admin@staffalawyers.com.au to send them particulars of their claims by the 15th day of December 2006, after which date the Executors may convey or distribute the assets of the Estate, having regard only to the claims of which they then have notice.

ZX403*

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Stephen Graham Wrathall late of 12 Old Brickworks Road, Byford, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on the 23rd day of July 2004 are required by the Trustee, Tania Elizabeth Jacobs, formerly of 19 Murdoch Drive, Singleton, now of 14 Bight Reef Road, Singleton, Western Australia 6175, to send particulars of their claim to her by the 10th December 2006, after which date the Trustee may convey or distribute the assets having regarded only to the claims of which she then has notice.

ZX404*

**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 10TH December 2006 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Blohberger Anton Ludwig, late of Challenger Court 15/30 Ray Street Rockingham, died 02.10.2006, (DE19830107EM27)

Bradley Evelyn Mary, late of Greenfields Aged Care Facility 95 Lakes Road Greenfields, died 01.10.2006, (DE19912399EM32)

Dennis Ellen Elizabeth, late of Kensington Park Nursing Home 62 Gwentyfred Road Kensington, died 26.04.2006, (PM30330067TM25)

Evans Stanley Russell, late of Unit 4/13 Gooch Street Carnarvon, died 29.01.2005, (DE19900163EM37)

Grace Douglas George, late of Kimberley Nursing Home 78 Kimberley Street Leederville, died 26.05.2006, (DE19733676EM36)

Green Geoffrey George, late of 27 Invermy Street Hamilton Hill, died 29.09.2006, (DE20010820EM27)

Keogh Clare Ann, late of Freshwater Bay Nursing Home 67 Palmerston Street Mosman Park, died 09.10.2006, (DE19782327EM110)

Kirkwood Beatrice Susie, late of Carinya Nursing Home 41 Bristol Avenue Bicton, died 21.09.2002, (DE30334415EM113)

Link Phyllis Florence, late of 2 Wreford Court Gosnells, died 23.10.2006, (DE19812157EM17)

McCormack Lilian, late of Tandara Nursing Home 73 Jarrah Road Bentley, died 22.10.2006, (DE19840587EM29)

Meakins Milton Edward Alexander, late of Murray River Nursing Home 83 Boundary Road Mandurah, died 13.10.2006, (DE19774192EM17)

Metschies Karl Paul, late of Unit 14/99 Smith Street Highgate, died 06.09.2006, (DE33052361EM23)

Sprott Alfred Bruce, late of 453 Morley Drive Morley, died 08.07.2006, (DE33051914EM16)

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

ZX405*

**PUBLIC TRUSTEE ACT 1941
ADMINISTERING OF ESTATES**

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

Dated at Perth the 8th day of November 2006.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Hunt, John William (DE30303479EM17)	Joondalup	21/09/2006	31/10/2006

WESTERN AUSTRALIA

**FAIR TRADING (RETIREMENT VILLAGES
CODE) REGULATIONS 2006**

***Price: \$9.05 counter sales
Plus postage on 120 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992

**Price: \$12.80 counter sales
Plus postage on 170 grams**

RETIREMENT VILLAGES REGULATIONS 1992

***Price: \$5.30 counter sales
Plus postage on 55 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

FREEDOM OF INFORMATION ACT 1992

***Price: \$21.50 counter sales
Plus postage on 345 grams**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

YOUNG OFFENDERS ACT 1994

***Price: \$26.50 counter sales
Plus postage on 420 grams**

YOUNG OFFENDERS REGULATIONS 1995

***Price \$10.90 counter sales
Plus postage on 140 grams**

*Prices subject to change on addition of amendments.

CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER

SUBSCRIPTION RATES FOR 2007

All subscriptions are for the period from 1 January to 31 December 2007. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically.

All Gazettes	\$
Within WA	876.70
Interstate	893.20
Overseas (airmail)	1,220.00

Bound Volumes of full year 1,138.50

Gazettes on CD ROM from 1998
(per year)..... 798.60

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	421.30
Interstate	501.60
Overseas (airmail)	578.00

Gazettes on CD ROM from 1998
(per year)..... 345.40

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	831.60
Interstate	1016.40
Overseas (airmail)	957.00

Bound Volumes of Hansard

Within WA	820.60
Interstate	832.70

Hansards on CD ROM from 1999
(per year) 851.40

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA.....	297.00
Interstate	330.00
Overseas	305.00
Half Calf Bound Statutes	818.40

Bound Volumes on CD ROM from 1998
(per year)..... 295.90

Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA.....	320.10
Interstate	330.00
Overseas (airmail).....	430.00

Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA	438.90
Interstate	459.80
Overseas (airmail)	622.00

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

