

# WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, TUESDAY, 19 DECEMBER 2000 No. 275

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

## CONTENTS

### PART 1

	Page
Electricity Act 1945—Electricity Amendment Regulations (No. 2) 2000 .....	7274
Environmental Protection Act 1986—	
Environmental Protection Amendment Regulations (No. 2) 2000 .....	7283-4
Environmental Protection (Diesel and Petrol) Amendment Regulations 2000 .....	7285-8
Gas Standards Act 1972—Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 2000 .....	7275-82
Local Government Act 1995—Town of Cottesloe—Repeal of Obsolete/Defunct Local Laws .....	7292
Misuse of Drugs Act 1981—Misuse of Drugs Amendment Regulations 2000 .....	7291-2
Poisons Act 1964—	
Poisons (Authorized Possession of Substances) Amendment Order (No. 2) 2000 ...	7289
Poisons (Authorized Possession of Substances) Order (No. 11) 2000 .....	7289-90
Poisons (Authorized Possession of Substances) Revocation Order 2000 .....	7290
Poisons (Authorized Possession of Substances) Revocation Order (No. 2) 2000 .....	7291
Proclamations—	
Planning Legislation Amendment Act 1999—59 of 1999 .....	7273
Rural Business Development Corporation Act 2000—72 of 2000 .....	7273
Public Sector Management Act 1994—Public Sector Management (SES Organisations) Regulations (No. 5) 2000 .....	7298-9
Town Planning and Development Act 1928—Town Planning and Development (Subdivisions) Regulations 2000 .....	7295-8
Vocational Education and Training Act 1996—Vocational Education and Training (C Y O'Connor College of TAFE) Order 2000 .....	7299-300
Western Australian Planning Commission Act 1985—Western Australian Planning Commission (Regional Planning Schemes) Regulations 2000 .....	7293-5

### PART 2

Agriculture .....	7301
Fisheries .....	7301
Local Government .....	7301-2
Planning .....	7302-3
Public Notices .....	7304-5
Water .....	7304

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The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances (changes to this arrangement will be advertised beforehand on the inside cover).

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy should be received by the Manager (Sales and Editorial), State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher  
P.O. Box 8448,  
Perth Business Centre 6849

Delivery address:

State Law Publisher  
Ground Floor,  
10 William St. Perth, 6000  
Telephone: 9321 7688 Fax: 9321 7536

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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2000 AND NEW YEAR HOLIDAY PERIOD 2001

#### Publishing Dates and times

Friday 29 December 2000 at 3.30 pm

Friday 5 January 2001 at 3.30 pm

#### Closing Dates and Times for copy

Wednesday 27 December at 12 noon

Wednesday 3 January 2001 at 12 noon

Government Gazettes will not be published on Tuesday 26<sup>th</sup> December 2000 or Tuesday 2<sup>nd</sup> January 2001

From week commencing January 8 normal publishing resumes.



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# — PART 1 —

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## PROCLAMATIONS

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**AA101\***

**PLANNING LEGISLATION AMENDMENT ACT 1999**

59 of 1999

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Lieutenant General John Murray  
John Sanderson, } Sanderson, Companion of the Order of Australia,  
Governor. } Governor of the State of Western Australia.  
[L.S.]

I, the Governor, acting under section 2 of the *Planning Legislation Amendment Act 1999*, and with the advice and consent of the Executive Council, fix 19 December 2000 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 28 November 2000.

By Command of the Governor,

GRAHAM KIERATH, Minister for Planning.

GOD SAVE THE QUEEN !

---

**AA201\***

**RURAL BUSINESS DEVELOPMENT CORPORATION ACT 2000**

72 of 2000

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Lieutenant General John Murray  
John Sanderson, } Sanderson, Companion of the Order of Australia,  
Governor. } Governor of the State of Western Australia.  
[L.S.]

I, the Governor, acting under section 2 of the *Rural Business Development Corporation Act 2000*, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 12 December 2000.

By Command of the Governor,

MONTY HOUSE, Minister for Primary Industry.

GOD SAVE THE QUEEN !

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**ENERGY**

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EG301\*

Electricity Act 1945

**Electricity Amendment Regulations (No. 2) 2000**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Electricity Amendment Regulations (No. 2) 2000*.

**2. The regulations amended**

The amendments in these regulations are to the *Electricity Regulations 1947\**.

[\* Reprinted as authorised 21 August 1968.

For amendments to 24 October 2000 see 1999 Index to Legislation of Western Australia, Table 4, pp. 73-5, and Gazette 30 May 2000.]

**3. Regulation 242 amended**

- (1) Regulation 242 is amended by inserting before “A” the subregulation designation “(1)”.
- (2) At the end of regulation 242 the following subregulation is inserted —

“

- (2) The Director may, in a particular case or class of case, exempt a supply authority from subregulation (1)(b).

”

**4. Regulations 245 to 248, 251, 256, 258 to 264, 266 and 267 repealed**

Regulations 245 to 248, 251, 256, 258 to 264, 266 and 267 are repealed.

By Command of the Governor,

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

EG302\*

Gas Standards Act 1972

## **Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 2000**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations may be cited as the *Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 2000*.

### **2. Commencement**

These regulations come into operation on the day on which they are published in the *Gazette*.

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

The amendments in these regulations are to the *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999\**.

[\* *Published 30 July 1999, pp. 3499-539.*

*For amendments to 6 November 2000, see Gazette 2 May 2000.]*

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

Regulation 3(1) is amended in the definition of “notice of completion” by deleting “regulation (3)” and inserting instead —

“ regulation 28(3) ”.

### **5. Regulation 18 replaced**

Regulation 18 is repealed and the following regulation inserted instead —

“

### **18. Performance of gasfitting work**

- (1) A gas fitter who does gasfitting work on a gas installation must ensure that the work is done in a safe manner.

- (2) The gas fitter must ensure that —
- (a) every part of the gas installation on which the work was done or that is affected by the work —
    - (i) complies with the requirements referred to in regulation 32; and
    - (ii) is safe to use;
  - and
  - (b) the work is completed to a trade finish.
- (3) Subregulation (2) does not require the gas fitter to make an assessment about —
- (a) whether the design of an appliance complies with the requirements referred to in regulation 32; or
  - (b) the efficacy of the design of an appliance.

**6. Regulation 20 amended**

After regulation 20(4) the following subregulation is inserted —

“

- (4a) A gas fitter must not modify in any way an appliance that has been installed unless the modification has been specifically approved for the individual appliance by the Director or an inspector.

”

**7. Regulation 22 replaced**

Regulation 22 is repealed and the following regulations are inserted instead —

“

**22. Leaving Type B appliances permanently connected**

- (1) A gas fitter must not leave a Type B appliance permanently connected in a consumer's gas installation unless an inspector has issued a certificate of compliance for the appliance under regulation 22A.
- (2) For the purposes of subregulation (1), an appliance is not to be regarded as permanently connected if it is connected for a period approved in writing by an inspector pending inspection of the appliance by that inspector.
- (3) For the purposes of subregulation (2), an inspector may approve a period of no more than —
  - (a) 28 days; or
  - (b) if in a particular case a longer period is required and the inspector gives written notice to the Director of the approval — 90 days.

- (4) The Director may, in a particular case, extend a period approved under subregulation (3)(a) or (b).

**22A. Inspection of Type B appliances and issue of certificate of compliance**

- (1) An inspector may issue a certificate of compliance for a Type B appliance if the inspector has inspected the appliance and ascertained, so far as is practicable, that it complies with the requirements referred to in regulation 32.
- (2) The certificate of compliance is issued by —
- (a) giving the certificate in an approved form to the Director;
  - (b) giving copies of the certificate to the relevant persons under subregulation (4) or (5); and
  - (c) attaching an approved badge or label to the appliance in a conspicuous position.
- (3) The appliance may be inspected —
- (a) at the place where the appliance is installed and commissioned; or
  - (b) if the Director so approves, at any other place.
- (4) If the inspection is carried out at the place where the appliance is installed and commissioned, a copy of the certificate of compliance is to be given to each of the following persons —
- (a) the gas fitter who commissioned the appliance;
  - (b) the consumer for whom the appliance was installed and commissioned;
  - (c) the gas supplier.
- (5) If the inspection is carried out at any other place under subregulation (3)(b), 3 copies of the certificate of compliance are to be given to the manufacturer.
- (6) When the manufacturer of the appliance receives 3 copies of a certificate of compliance under subregulation (5) and the appliance is subsequently installed and commissioned in a consumer's gas installation, the manufacturer must give a copy of the certificate to each of the following persons —
- (a) the gas fitter who commissioned the appliance;
  - (b) the consumer for whom the appliance was installed and commissioned;
  - (c) the gas supplier.

**8. Regulation 28 amended**

Regulation 28(3) and (4) are repealed and the following subregulations are inserted instead —

“

- (3) The registered gas fitter must give a notice of completion of the gasfitting work in accordance with this regulation.
- (3a) The notice of completion must be given within 48 hours of the completion of the gasfitting work to each of the following —
  - (a) if the work was done on a mobile gas installation, or the gas supplier cannot be identified — the Director;
  - (b) if the gas supplier can be identified and the work was not done on a mobile gas installation — the gas supplier;
  - (c) the person for whom the gasfitting work was done,

or as the Director otherwise approves in a particular case or class of case.

- (4) In the notice of completion, the registered gas fitter must certify that he or she has complied with the requirements in regulation 18(2).

”.

**9. Regulation 33 amended**

Regulation 33(3) is amended by deleting “AG 601 — 1998” and inserting instead —

“ AS 5061/AG 601 — 2000 ”.

**10. Regulation 35 amended**

Regulation 35(1) is amended by inserting after “consumer’s gas installation” —

“ that only includes a Type A appliance and ”.

[Note: The heading to regulation 35 will be altered by adding at the end “(Type A appliances only).”]

**11. Regulations 35A and 35B inserted**

After regulation 35 the following regulations are inserted —

“

**35A. Supplying gas to a newly installed consumer’s gas installation (no Type A appliances)**

- (1) If gasfitting work is done on a consumer’s gas installation that includes a Type B appliance and that is



not supplied with gas, a gas supplier must not supply gas to the installation unless the gas supplier —

- (a) has received the notice or all notices of completion of the work; and
  - (b) is satisfied that each appliance in the gas installation complies with clause 501 of Schedule 6.
- (2) To avoid doubt, the gas supplier is not prevented by this regulation from imposing other requirements consistent with the Act and these regulations before it supplies gas.

**35B. Supplying gas to a Type B appliance installed in an existing gas installation**

- (1) If —
- (a) a Type B appliance is installed in a gas installation that is supplied with gas; or
  - (b) a Type B appliance, that is installed in a gas installation that is supplied with gas, is modified after a certificate of compliance in relation to the appliance has been issued under regulation 22A,

a person must not cause gas to be supplied to the appliance unless the person is satisfied that the gas supplier has given permission, under subregulation (2), to the gas fitter who is going to conduct the testing and commissioning (or re-commissioning) of the appliance.

- (2) The gas supplier may only give permission for gas to be supplied to the appliance if the gas supplier —
- (a) has received the notice or all notices of completion of the work to install or modify the appliance;
  - (b) if subregulation (1)(a) applies — is satisfied that each appliance in the gas installation complies with clause 501 of Schedule 6; and
  - (c) if subregulation (1)(b) applies — has received a copy of the approval of the modification under regulation 20.
- (3) To avoid doubt, the gas supplier is not prevented by this regulation from imposing other requirements consistent with the Act and these regulations before it permits the supply of gas.

”.

**12. Regulation 36 amended**

- (1) Regulation 36(1) is amended by deleting “22” and inserting instead —
- “ 22A ”.

(2) After regulation 36(1) the following subregulation is inserted —

“

- (1a) The consumer for whom a Type B appliance is modified, after a certificate of compliance in relation to the appliance has been issued under regulation 22A, must ensure that the appliance is not used until an inspector has issued another certificate of compliance in relation to the appliance under that regulation.

”.

### 13. Regulation 42A inserted

After regulation 42 the following regulation is inserted —

“

#### 42A. Defects to be reported

- (1) If a gas fitter, in the course of work as a gas fitter, becomes aware of a defect that the gas fitter considers renders the gas installation, or a part of it, unsafe to use, the gas fitter must immediately notify the following of the existence and nature of the defect —
- (a) the consumer for whom the gasfitting work was done;
  - (b) the gas supplier or (if the gas installation is a mobile engine, is on or in a caravan or marine craft or the relevant gas supplier is not identifiable) the Director.
- (2) Subregulation (1) does not apply —
- (a) to a gas fitter who believes, on reasonable grounds, that the defect has already been notified in accordance with subregulation (1); or
  - (b) to a supervised gas fitter who notifies the defect to the supervising gas fitter.

”.

### 14. Schedule 6 amended

(1) After clause 501(2) of Schedule 6 the following subclause is inserted —

“

- (3) Before a Type B appliance is installed by a gas fitter, the gas fitter must either —
- (a) obtain a copy of the appropriate approval by the Director under paragraph (2)(a) and satisfy himself or herself that the appliance is covered by that approval; or
  - (b) determine that the appliance has been individually approved for installation under paragraph (2)(b), by obtaining a copy of the approval.

”.

- (2) Each clause of Schedule 6 specified in the Table to this regulation is amended or repealed as set out in the Table.

**Table**

<b>Clause</b>	<b>Amendment</b>
Clause 201	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 301(2)	Delete “clause 6.3.1 of AG 601 — 1998”, insert instead “clause J2.1 of AS 5601/AG 601 — 2000”
Clause 303(1)	Delete “pressure relief valve outlet of a cylinder or tank”, insert instead “discharge point of the cylinder or tank safety valve”
Clause 303(3)	Delete “in place of clause 6.4 of AG 601 — 1998”, insert instead “in addition to clause J4 of AS 5601/AG 601 — 2000”
Clause 401(1)	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 401(2)	Delete “AS 4041 — 1992”, insert instead “AS 4041 — 1998”
Clause 402(1)	After “PVC”, insert “or PE”
Clause 402(2)	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 403	Repeal the clause
Clause 404(2)(a) and (b)	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 406(3)	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 506(1), (2), (4), (5), (6) and (7)	Repeal the subclauses
Clause 506(8)	Delete “clause 5.13 and”
Clauses 507(2), 601(5), 602(4)	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 603(1)	Delete “carbon dioxide sensing device”, insert instead “oxygen depletion sensing system”
Clauses 603(4), 604(2)	Delete “AG 601 — 1998”, insert instead “AS 5601/AG 601 — 2000”
Clause 701(2)	Delete “clause 6.6 of AG 601 — 1998”, insert instead “clause 6.2 of AS 5601/AG 601 — 2000”

Clause	Amendment
Clause 702	Before "If a gas cylinder" insert the subclause designation "(1)"  Insert at the end —  “(2) This clause applies in addition to Appendix L of AS 5601/AG 601 — 2000.”
Clause 705(1)	Delete “clause 6.6.8.3 of AG 601 — 1998”, insert instead “clause 6.2.8.3 of AS 5601/AG 601 — 2000”
Clause 801(2)	Delete “clause 6.7 and Appendix K of AG 601 — 1998”, insert instead “clause 6.1 and Appendix K of AS 5601/AG 601 — 2000”
Clause 803(1)	Delete “clause 6.7.3.3 of AG 601 — 1998”, insert instead “clause 6.3.3.3 of AS 5601/AG 601 — 2000”

#### 15. Schedule 7 amended

The first 2 items of Schedule 7 are deleted and the following items are inserted instead —

“

Gas Installations Code	AG 601 — 2000 AS 5601 — 2000
Code for industrial and commercial gas-fired appliances	AG 501 — 2000 AS 3814 — 2000

”

#### 16. Transitional

During the period of 6 months immediately following the commencement of these regulations —

- (a) a person who is required to comply with Schedule 6 or 7 of the *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999* may comply with the Schedule as if regulations 14(2) and 15 had not commenced; and
- (b) the person does not breach any law, contract or other requirement merely because the person complied in that way.

By Command of the Governor,

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

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## ENVIRONMENTAL PROTECTION

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EP301\*

Environmental Protection Act 1986

### Environmental Protection Amendment Regulations (No. 2) 2000

Made by the Governor in Executive Council on the recommendation of the Environmental Protection Authority.

#### 1. Citation

These regulations may be cited as the *Environmental Protection Amendment Regulations (No. 2) 2000*.

#### 2. The regulations amended

The amendments in these regulations are to the *Environmental Protection Regulations 1987\**.

[\* Reprinted 2 April 1999.

For amendments to 28 September 2000 see Gazette 17 December 1999, 7 July and 4 and 15 August 2000.]

#### 3. Part 7A inserted

After Part 7 the following Part is inserted —

“

#### Part 7A — Burning on development sites

##### 16A. Interpretation

In this Part —

“**development site**” means a lot that is, or contiguous lots that are together, larger than 2 000 m<sup>2</sup> and on which development work is being carried out;

“**development work**” means work to develop land for use, including —

- (a) the clearing of vegetation or topsoil;
- (b) recontouring or other bulk earthworks; or
- (c) trench or road construction;

“**lot**” has the meaning given by the *Town Planning and Development Act 1928*.

**16B. Burning on development sites prohibited in certain areas**

A person who, in an area prescribed in Schedule 5A, burns, or causes or allows to be burned, vegetation or other matter on or from a development site commits an offence unless —

- (a) the person is a public authority and the burning is done in the exercise of a function conferred by a written law; or
- (b) the burning is carried out for agricultural purposes.

Penalty: \$5 000.

”.

**4. Schedule 5A inserted**

After Schedule 5, the following Schedule is inserted —

“

**Schedule 5A — Areas where burning matter on or from development sites is prohibited**

[r. 16B]

**1. Perth metropolitan area**

The area comprising the area bound by the coastline and the local government district boundaries of the City of Wanneroo, the City of Swan, the Shire of Mundaring, the Shire of Kalamunda, the City of Armadale, the Shire of Serpentine-Jarrahdale and the City of Rockingham.

**2. Mandurah area**

The area comprising the local government district of the City of Mandurah.

”.

**5. Schedule 6 amended**

Schedule 6 is amended by deleting items 7, 8 and 9 under the heading “*Environmental Protection Regulations 1987*” and inserting instead the following item —

“

7. regulation 16B	500	1 000
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”.

Recommended by the Environmental Protection Authority.

.....  
Chairman

By Command of the Governor,

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

EP302\*

Environmental Protection Act 1986

## Environmental Protection (Diesel and Petrol) Amendment Regulations 2000

Made by the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Environmental Protection (Diesel and Petrol) Amendment Regulations 2000*.

### 2. The regulations amended

The amendments in these regulations are to the *Environmental Protection (Diesel and Petrol) Regulations 1999\**.

[\* *Published 17 December 1999, p. 6305.*]

### 3. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) in the definition “ASTM” by deleting “1999” and inserting instead —  
“ 2000 ”;
- (b) in the definition “fuel” —
  - (i) by deleting “but does not include — ” and inserting a semicolon; and
  - (ii) by deleting paragraphs (a), (b), (c), (d), and (e);
- (c) in the definition “IP” by deleting “1999” and inserting instead —  
“ 2000 ”;
- (d) after the definition “IP” by inserting the following definition —  
“  
“**motorsport organisation**” includes the following organisations —
  - (a) Confederation of Australian Motor Sport (CAMS);
  - (b) National Association of Speedway Racing;
  - (c) Australian National Drag Racing Association; and
  - (d) Motorcycling Australia;”.

**4. Regulations 3A and 3B inserted**

After regulation 3 the following regulations are inserted —

“

**3A. Regulations do not apply to some fuel**

These regulations do not apply to —

- (a) petrol that is for use in an aircraft or in a motor vehicle used solely for motor racing at a racing event or facility approved or recognised by a motorsport organisation;
- (b) diesel that is for use in a boat while it is at sea;
- (c) liquefied petroleum gas;
- (d) liquefied natural gas;
- (e) compressed natural gas; or
- (f) alcohols, including ethanol.

**3B. Exemption where state of emergency has been declared**

- (1) A fuel supplier or a fuel distributor does not commit an offence under regulation 9 if the fuel supplier or fuel distributor supplies or uses petrol that does not conform with the specifications in Table B of Schedule 2 during a period when an order made by the Governor under section 43 of the *Fuel, Energy and Power Resources Act 1972* is in force.
- (2) A fuel supplier does not commit an offence under regulation 10(2) if the fuel supplier supplies or uses petrol that does not conform with the specifications set out in regulation 10(2) and, at any time during the period when the average Reid Vapour Pressure of the petrol is calculated, an order made by the Governor under section 43 of the *Fuel, Energy and Power Resources Act 1972* declaring that a state of emergency exists in the Perth area, in any part of the Perth area or in the whole State is in force.

”

**5. Regulation 12 amended**

Regulation 12 is amended as follows:

- (a) after subregulation (2)(a) by deleting “and”;
- (b) by deleting paragraph (b) and by inserting the following paragraphs instead —

“

- (b) that the petrol does not contain more than 1.3 mg of phosphorus per litre, unless the AVSR additive has increased the level of phosphorus in the petrol; and



- (c) if the AVSR additive —
- (i) has increased the level of phosphorus in the petrol, that the petrol contains at least 6 mg and not more than 36 mg of phosphorus per litre; or
  - (ii) has added potassium to the petrol, that the petrol contains at least 6 mg and not more than 15 mg of potassium per litre.

”.

#### 6. Regulation 17 amended

Regulation 17(1) is repealed and the following subregulations are inserted instead —

“

- (1) A person who supplies fuel to another person must, if the other person is —
  - (a) a fuel distributor; or
  - (b) a person who supplies fuel to a fuel distributor,
 give that other person a written warranty that the fuel has been supplied in accordance with these regulations.
- (2) A person who supplies fuel is not required to give such a warranty in respect of regulation 9 or 10(2) if, by reason of regulation 3B, the person was not required to comply with those regulations when supplying the fuel.

”.

#### 7. Regulation 19 amended

Regulation 19 is amended by deleting

“ ASTM D323-94  
 ASTM D5190-96  
 ASTM D5191-96 ”

and inserting instead —

“

ASTM D323-99  
 ASTM D5190-96  
 ASTM D5191-99

”.

#### 8. Schedule 3 amended

- (1) Schedule 3, in the column headed “Tests”, is amended as follows:

- (a) in the row relating to “Benzene” —
  - (i) by deleting “ASTM D3606-96” and inserting instead —  
 “ ASTM D3606-99 ”; and

- (ii) under “ASTM D5845-95” by inserting —  
 “ ASTM D5580-95 ”;
- (b) in the relating to “Lead” —
- (i) by deleting “ASTM D3341-91” and inserting  
 instead —  
 “ ASTM D3341-95 ”;
- (ii) by deleting “IP 352/84-96” and inserting  
 instead —

“

IP 352/84-2000

IP 224/68-96

”;

- (c) in the row relating to “Olefins” by deleting  
 “ASTM D5443-93” and inserting instead —

“

ASTM D5443-98

ASTM D6293-98

”;

- (d) in the row relating to “Phosphorus” by deleting  
 “ASTM D3231-94” and inserting instead —

“ ASTM D3231-99 ”;

- (e) in the row relating to “Sulphur” by deleting  
 “ASTM D4045-96” and inserting instead —

“

ASTM D3120-96

ASTM D4045-99

ASTM D4294-98

”.

- (2) Schedule 3 is amended after the row relating to “Phosphorus”  
 by inserting the following row —

“

Potassium	ASTM D5185-97 IP 456/2000
-----------	------------------------------

”.

By Command of the Governor,

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

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## HEALTH

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**HE301\*****POISONS ACT 1964****POISONS (AUTHORIZED POSSESSION OF SUBSTANCES)  
AMENDMENT ORDER (No. 2) 2000**

Made by the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorized Possession of Substances) Amendment Order (No. 2) 2000*.

**Commencement**

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

**Principal order**

3. In this order the *Poisons (Authorized Possession of Substances) Order (No. 2) 2000\** is referred to as the principal order.

[\* *Published in Gazette 31 December 1999, pp. 7065-66*]

**Clause 4 amended**

4. Clause 4 of the principal order is repealed and the following substituted —

“4. Subject to clause 5, the persons mentioned in the table to this clause are authorized to together possess at the specified place, for the purpose of analytical chemical analysis, not more than —

- (a) 1mg of 3,4,5-Trimethoxyphenethylamine (Mescaline);
- (b) 10mg of Tetrahydrocannabinols;
- (c) 50mg of 3,4-Methylenedioxy-N,  
a-Dimethylphenylethylamine \*(MDMA);
- (d) 10mg of 3,4-Methylenedioxyamphetamine \*(MDA);
- (e) 1mg of 3-(2-Dimethylaminoethyl)-4-Hydroxyindole  
\*(Psilocine or Psilotsin);
- (f) 1mg of Psilocybine;
- (g) 1g of Phencyclidine (PCP);
- (h) 50mg of Lysergic acid;
- (i) 50mg of Heroin, and
- (j) 50mg of 3,4-methylenedioxy-N-ethylamphetamine (MDEA).

**Table**

**Lawrence Peter Hackett**, Chemist and Research Officer, PathCentre, Queen Elizabeth II Medical Centre, Nedlands.

**Leon John Dusci**, Laboratory Manager, PathCentre, Queen Elizabeth II Medical Centre, Nedlands. ”.

By Command of the Governor,

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

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**HE302\*****POISONS ACT 1964****POISONS (AUTHORIZED POSSESSION OF SUBSTANCES)  
ORDER (NO. 11) 2000**

Made by the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorized Possession of Substances) Order (No. 11) 2000*.

**Commencement**

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

**Interpretation**

3. In this order —

“**specified place**” means the premises occupied by Geotechnical Services Pty Ltd, Furnace Road, Welshpool;

“**specified substances**” means the amount of the substances included in Schedule 9 to the Act, possession of which is authorized under clause 4.

**Possession of certain substance authorized**

4. Subject to clause 5, the persons mentioned in the table to this clause are authorized to together possess at the specified place, for the purpose of analytical chemical analysis, not more than —

- (a) 20mg of Heroin;
- (b) 40mg of Ecgonine (including its derivatives, salts and esters);
- and
- (c) 20mg of Tetrahydrocannabinols.

**Table**

**Max Anthony Offer**, Operations Manager, Geotechnical Services Pty Ltd, Furnace Road, Welshpool.

**Nigel Francis West**, Senior Chemist, Geotechnical Services Pty Ltd, Furnace Road, Welshpool.

**Alice Winifred Francis**, Technician, Geotechnical Services Pty Ltd, Furnace Road, Welshpool.

**Shuwei Hu**, Chemist, Geotechnical Services Pty Ltd, Furnace Road, Welshpool.

**Conditions of authorized possession**

5. The possession authorized under clause 4 is subject to the conditions that —

- (a) the specified substances, when not required for the purposes referred to in clause 4, are stored at the specified place in a secure manner, as directed by the Commissioner of Health;
- (b) written records relating to the specified substances are maintained by the persons mentioned in the table to clause 4 at the specified place, as directed by the Commissioner of Health; and
- (c) that, if requested by the Commissioner of Health, any oral information or written report relating to the specified substances is given by the persons mentioned in the table to clause 4 to the Commissioner.

**Expiry**

6. This order expires on 30 September 2002.

By Command of the Governor,

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

**HE303\*****POISONS ACT 1964**

POISONS (AUTHORIZED POSSESSION OF SUBSTANCES)  
REVOCATION ORDER 2000

Made by the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorized Possession of Substances) Revocation Order 2000*.

**Commencement**

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

**Revocation**

3. The *Poisons (Authorized Possession of Substances) Order (No. 4) 1999\** is revoked.

[\* *Published in Gazette 23 November 1999, pp. 5851-52*]

By Command of the Governor,

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

**HE304\*****POISONS ACT 1964****POISONS (AUTHORIZED POSSESSION OF SUBSTANCES)  
REVOCATION ORDER (No. 2) 2000**

Made by the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorized Possession of Substances) Revocation Order (No. 2) 2000*.

**Commencement**

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

**Revocation**

3. The *Poisons (Authorized Possession of Substances) Order (No. 7) 2000\** is revoked.  
[\* *Published in Gazette 31 December 1999, pp. 7070-71*]

By Command of the Governor,

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

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**JUSTICE**

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**JM301\***

Misuse of Drugs Act 1981

**Misuse of Drugs Amendment Regulations 2000**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Misuse of Drugs Amendment Regulations 2000*.

**2. Commencement**

These regulations come into operation on the day on which the *Criminal Property Confiscation Act 2000* comes into operation.

**3. The regulations amended**

The amendments in these regulations are to the *Misuse of Drugs Regulations 1982\**.

[\* *Published 13 August 1982, pp. 3113-9.*

*For amendments to 29 November 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 192.]*

**4. Regulations 4 and 5 repealed**

Regulations 4 and 5 are repealed.

## 5. Schedule 1 amended

Schedule 1 is amended by deleting Forms M.D. 1, M.D. 2, M.D. 3, M.D. 4, M.D. 5 and M.D. 6.

By Command of the Governor,

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

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## LOCAL GOVERNMENT

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### LG301\*

#### LOCAL GOVERNMENT ACT 1995

##### *Town of Cottesloe*

#### REPEAL OF OBSOLETE/DEFUNCT LOCAL LAWS

That in pursuance of the powers conferred upon it by the Local Government Act 1995 and all other powers enabling it, the Council of the Town of Cottesloe hereby records having resolved on 22 November, 1999, its proposal to make a local law to repeal the following defunct/obsolete local laws—

- (1) 'Standing Orders', as published in the *Government Gazette* of 7 June, 1935 and 6 December, 1996;
- (2) 'Town Planning Scheme—Notice of Intention, and Town Planning Matters', as published in the *Government Gazette* of 24 October, 1947, 1 April, 1949 and 14 April, 1949;
- (3) 'Long Service Leave', as published in the *Government Gazette* of 11 April, 1956;
- (4) 'By-laws on TV Masts and Antennae', as published in the *Government Gazette* of 27 May, 1960;
- (5) 'Removal of Refuse etc. By Law No. 23', as published in the *Government Gazette* of 31 May, 1960 and 31 March, 1971;
- (6) 'Motels', as published in the *Government Gazette* of 1 May, 1962 and 31 March, 1971.
- (7) 'By-law No. 8—Old Refrigerators and Cabinets', as published in the *Government Gazette* of 12 October, 1962 and 23 December, 1971.
- (8) 'Petrol Pumps', as published in the *Government Gazette* of 20 September, 1966 and 23 December 1971;
- (9) 'Deposit of Refuse and Litter', as published in the *Government Gazette* of 20 September, 1966;
- (10) 'Awnings Over streets By Law No. 6', as published in the *Government Gazette* of 4 May, 1971 and 30 May, 1975;
- (11) 'Building', as published in the *Government Gazette* of 4 May, 1971;
- (12) 'Keeping of Goats', as published in the *Government Gazette* of 26 May, 1971;
- (13) 'Storage of Inflammable Material', as published in the *Government Gazette* of 7 June, 1935, 26 May, 1971 and 30 May, 1975;
- (14) 'Brothels By Law No. 13', as published in the *Government Gazette* of 26 May, 1971;
- (15) 'Tents By Law No. 15', as published in the *Government Gazette* of 7 June, 1935 and 26 May, 1971;
- (16) 'Zoning—14 Princes Street', as published in the *Government Gazette* of 1 March, 1974;
- (17) 'Zoning—74-77 Forrest Street', as published in the *Government Gazette* of 15 March, 1974;
- (18) 'Caravans', as published in the *Government Gazette* of 28 September, 1979.

Dated this 28th day of November 2000.

The Common Seal of the Town of Cottesloe was affixed by authority of a resolution of the Council in the presence of—

JOHN HAMMOND, Mayor.  
BARRY AUSTIN, Chief Executive Officer.

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**PLANNING**

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**PD301\***

Western Australian Planning Commission Act 1985

**Western Australian Planning Commission  
(Regional Planning Schemes) Regulations 2000**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Western Australian Planning Commission (Regional Planning Schemes) Regulations 2000*.

**2. Commencement**

These regulations come into operation on the day on which the *Planning Legislation Amendment Act 1999* comes into operation.

**3. Interpretation**

In these regulations unless the contrary intention appears —

“**appeal**” means an appeal under —

- (a) section 37J(4) of the Act; or
- (b) a regional planning scheme against a decision of the Commission not to transfer land from an Urban Deferred Zone to an Urban Zone;

“**approved**” means approved by the chief executive officer.

**4. Notice of appeal**

- (1) An appeal is to be instituted by notice in the approved form lodged with the Minister.
- (2) The notice of appeal is to set out —
  - (a) the substance of the direction or decision appealed against;
  - (b) the date of the direction or decision; and
  - (c) full particulars, in the form of a written submission, of the grounds upon which the appeal is made.
- (3) A copy of the notice of appeal is to be given to the Commission or to the relevant local government exercising the powers of the Commission, as the case requires, as soon as practicable after it is lodged.

- (4) The Commission or the local government upon whom a copy of the notice of appeal is given under subregulation (3) must —
- (a) lodge with the Minister within the time limited by the Minister a written response to the grounds of appeal set out in the notice of appeal; and
  - (b) as soon as practicable after the response is lodged under paragraph (a), give a copy of the response to the appellant.

**5. Time for lodging appeal**

A notice of appeal is to be lodged —

- (a) in the case of an appeal under section 37J(4), within the time specified in the notice to which the appeal relates; and
- (b) in the case of an appeal under a regional planning scheme, within 60 days of the date of the decision in respect of which the appeal is made.

**6. Manner of determining appeals**

The Minister is to consider the matter or matters referred to in the notice of appeal and may either determine the appeal based upon the written submissions of the parties or hear the parties in person.

**7. Minister to fix hearing**

If the appellant is to be heard in person, the Minister is to —

- (a) fix a time and place for the hearing of the appeal; and
- (b) cause not less than 14 days' notice of the time and place to be given to the parties.

**8. Procedure at hearing**

- (1) In the hearing and determination of an appeal the Minister —
  - (a) is to act without regard to technicalities or legal forms;
  - (b) is not bound by rules of evidence; and
  - (c) may inform himself or herself on any matter in such way as the Minister regards just.
- (2) At the hearing of an appeal at which the appellant is to be heard in person the parties may be represented by counsel or agent.

**9. Power of Minister in relation to witnesses**

In relation to witnesses and their examination and the production of documents, the Minister may exercise and enforce the like powers as by law in force at the time may be exercised or enforced by a court of summary jurisdiction.



**10. False or misleading statements**

A person who knowingly makes either orally or in writing a false or misleading statement to the Minister in connection with an appeal commits an offence.

Penalty: \$1 000.

By Command of the Governor,

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

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PD302\*

Town Planning and Development Act 1928

## **Town Planning and Development (Subdivisions) Regulations 2000**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Town Planning and Development (Subdivisions) Regulations 2000*.

**2. Commencement**

These regulations come into operation on the day on which Part 2 of the *Planning Legislation Amendment Act 1999* comes into operation.

**3. Definitions**

In these regulations —

“**deal with**” means transfer, convey, lease or mortgage;

“**dealing application**” means an application for approval under section 21(1)(a) of the Act to deal with land other than a lot;

“**dealing document**” means a transfer, conveyance, lease or mortgage document;

“**subdivision application**” means an application for approval under section 20(1)(a) of the Act to subdivide a lot.

**4. Form of application**

- (1) A subdivision application or dealing application is to be made to the Commission in a form and manner approved by the Commission and the Minister.
- (2) A subdivision application is to be lodged together with 8 copies (or such other number as the Commission requires) of a plan of subdivision, in a form approved by the Commission, that —
  - (a) clearly illustrates the proposed subdivision; and
  - (b) contains any other information the Commission requires.
- (3) A dealing application is to be lodged together with a sketch of the land to which it applies.

**5. Matters to be considered in relation to subdivision**

When considering a subdivision application the Commission is to have regard to all relevant matters including —

- (a) the size, shape and dimensions of each lot;
- (b) the provision of services to each lot;
- (c) drainage of the land;
- (d) access to each lot;
- (e) the amount of public open space to be provided; and
- (f) any relevant —
  - (i) town planning schemes;
  - (ii) regulations made by the Minister under the Act; and
  - (iii) local laws relating to town planning.

**6. Approval**

- (1) After considering a subdivision application or dealing application the Commission is to —
  - (a) approve the plan of subdivision or dealing;
  - (b) approve the plan of subdivision or dealing subject to conditions; or
  - (c) refuse to approve the plan of subdivision or dealing, and notify the applicant in writing.
- (2) If the Commission refuses to approve a plan of subdivision or dealing it must set out the reasons for the refusal in the notification to the applicant.

**7. Endorsement of approval on diagram or plan of survey of subdivision**

- (1) A diagram or plan of survey submitted to the Commission for endorsement under section 20AA of the Act is to be —
  - (a) made in writing; and

- (b) submitted together with 8 copies (or such other number as the Commission requires) of the plan or diagram of survey.
- (2) If the Commission endorses its approval on the diagram or plan of survey the Commission is to —
  - (a) give the diagram or plan to the Registrar of Titles under the *Transfer of Land Act 1893*; and
  - (b) give a copy of the diagram or plan of survey to the relevant local government.
- (3) If the Commission is not satisfied as to the matters set out in section 20AA(2), it is to notify the applicant and give the reasons for its dissatisfaction.

## **8. Endorsement of approval on dealing document**

- (1) A person to whom approval has been given under section 21(1)(a) of the Act to deal with land other than a lot may, within 3 years of the date on which the approval was given —
  - (a) submit to the Commission a dealing document containing, or to which there is attached, a sketch of the relevant land; and
  - (b) request the Commission to endorse its approval of the dealing on that document.
- (2) If the Commission is satisfied that —
  - (a) the sketch is in accordance with the sketch submitted with the application; and
  - (b) if the approval was subject to conditions, the conditions have been complied with,

the Commission is to endorse its approval on the dealing document.
- (3) If the Commission endorses its approval on a dealing document the Commission is to —
  - (a) return the document to the applicant; and
  - (b) give a copy of the sketch contained in, or attached to, the document to the relevant local government.
- (4) If the Commission is not satisfied as to the matters set out in subregulation (2), it is to notify the applicant in writing setting out the reasons for its dissatisfaction.
- (5) If, at the expiration of 3 years from the date on which the Commission approved a dealing under section 21 of the Act, a dealing document has not been submitted to the Commission for endorsement, the approval ceases to have effect.

**9. False or misleading information**

A person who —

- (a) gives false or misleading information; or
- (b) fails to provide relevant information,

in, or in relation to, a subdivision application or dealing application commits an offence.

Penalty: \$1 000.

**10. Repeal**

The *State Planning Commission Regulations 1962* are repealed.

By Command of the Governor,

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

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**PREMIER AND CABINET**

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**PR301\***

Public Sector Management Act 1994

**Public Sector Management (SES Organisations)  
Regulations (No. 5) 2000**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Public Sector Management (SES Organisations) Regulations (No. 5) 2000*.

**2. Schedule 2 to the *Public Sector Management Act 1994* amended**

Schedule 2 to the *Public Sector Management Act 1994\** is amended by deleting item 44B and inserting after item 3C the following — .

“

3D Challenger TAFE, established under the *Vocational Education and Training Act 1996*.

”

[\*Reprinted as at 9 June 2000. For amendments to Schedule 2 to 13 November 2000 see Act No. 25 of 2000 and Gazette 11 August 2000 and 15 September 2000.]

By Command of the Governor,

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

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## TRAINING

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### TB301\*

#### VOCATIONAL EDUCATION AND TRAINING ACT 1996

#### VOCATIONAL EDUCATION AND TRAINING (C Y O'CONNOR COLLEGE OF TAFE) ORDER 2000

Made by the Minister for Employment and Training under sections 35 and 41 of the *Vocational Education and Training Act 1996*.

#### PART 1—PRELIMINARY

##### Citation

1. This order may be cited as the Vocational Education and Training (C Y O'Connor College of TAFE) Order 2000.

##### Commencement

2. This order comes into operation on 1 January 2001.

##### Interpretation

In this order unless the contrary intention appears—

“**commencement day**” means the day on which this order comes into operation under clause 2;

“**interim governing council**” means the interim governing council provided for by clause 5;

“**staff**” does not include the person holding the office of managing director of the former institution;

“**the College**” means the institution of C Y O'Connor College of TAFE established under clause 4.

“**the former institution**” means the institution of C Y O'Connor College of TAFE established as an institution by the *Vocational Education and Training (C Y O'Connor College of TAFE) Order 1997*.

#### PART 2—ESTABLISHMENT OF C Y O'CONNOR COLLEGE OF TAFE

##### Establishment and name

4. (1) A college is established under section 35 of the *Vocational Education and Training Act 1996* on the lands occupied by the former institution immediately before the commencement day.

(2) The college established under sub-clause (1) is to be known as C Y O'Connor College of TAFE.

##### Interim governing council

5. (1) The College is to have an interim governing council.

(2) The interim governing council is to consist of—

- (a) a chairperson and not less than 2 persons appointed by the Minister; and
- (b) the managing director for the time being of the college.

(3) The term of office of a member of the interim governing council expires at the close of business on 30 June 2001.

(4) Schedule 1 of the Act with such modifications as are necessary for the purpose applies to and in relation to the terms of the appointment of, and the procedures to be followed by, the interim governing council.

(5) The interim governing council is authorised to exercise all the powers and functions conferred on the governing council of a college under the Act.

(6) The governing council of the College is to be constituted and effective as of the 1 July 2001.

**PART 3—CONSEQUENTIAL PROVISIONS****Objects**

6. The objects of this Part are to protect the rights, interests and welfare of the persons affected by the establishment of the College and for the purpose of ensuring compliance with the requirements of the *Financial Administration and Audit Act 1985*.

**Staff**

7. (1) The staff, other than the managing director, employed or engaged for the purposes of the former institution immediately before the commencement day are with effect on and from that day to be taken to be employed or engaged by the College on the same terms and conditions including the salary payable, as those on which they were employed or engaged immediately before the commencement day.

(2) The persons to whom sub-clause (1) applies, including the holding the office of managing director, retain all their existing and accruing rights, including rights under the *Superannuation and Family Benefits Act 1938* or the *Government Employees Superannuation Act 1987*, as the case may be, as if their employment or engagement for the purposes of the College under that sub-clause were a continuation of their employment immediately before the commencement day.

**Students**

7. (1) On the commencement day—

- (a) each person who was, immediately before commencement day, enrolled as a student of the former institution becomes an enrolled student of the College;
- (b) each person who was, immediately before commencement day, eligible to be enrolled as a student of the former institution is eligible to be enrolled as a student of the College; and
- (c) each person who was, immediately before commencement day, entitled to be, but had not been, awarded a diploma, certificate or honorary award by the former institution is entitled to be awarded an appropriate diploma certificate or honorary award by the College.

(2) A person who has completed part of a course of study as an enrolled student at the former institution is to be taken to have completed that part of the course of study at the College.

(3) Students enrolled at the former institution under sub-clause (1) are entitled, on completion of their courses, to be awarded an appropriate award by the College.

**Financial provisions**

9. (1) As soon as practicable after commencement day the chief executive of the Department is to cause sections 66, 67 and 68 of the *Financial Administration and Audit Act 1985* to be complied with in relation to the former institution in respect of the period commencing 1 July 2000 and ending immediately before commencement day.

(2) A report prepared under sub-clause (1) is to be taken to be an annual report for the purposes of section 69 of the *Financial Administration and Audit Act 1985*.

(3) Notwithstanding clause 4, the chief executive of the Department is to continue to have management and control of the College for the purposes of sub-clause (1).

(4) The College is to provide such clerical and other assistance as is necessary for the purposes of sub-clause (1).

Dated this 12th day of December 2000.

MIKE BOARD JP MLA., Minister for Employment and Training.

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# — PART 2 —

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## AGRICULTURE

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**AG401****PERTH MARKET ACT 1926**Agriculture, Western Australia,  
South Perth WA 6151.

I, Monty House, Minister for Primary Industry; Fisheries, acting under Section 3 of the Perth Market Act 1926, hereby appoint Michael Peter McMillan and Lindsay Innes as members of the Perth Market Authority for a term of office expiring on 5 September 2002.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

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## FISHERIES

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**FI401\*****FISHERIES ADJUSTMENT SCHEMES ACT 1987**SOUTH COAST ESTUARINE FISHERY AND RELATED FISHERIES VOLUNTARY FISHERIES  
ADJUSTMENT SCHEME AMENDMENT NOTICE 2000

FD 1161/97 [400]

Made by the Minister for Fisheries under section 10B(3) of the Act.

**Citation**

1. This amendment may be cited as the *South Coast Estuarine Fishery and Related Fisheries Voluntary Fisheries Adjustment Scheme Amendment Notice 2000*.

**The notice amended**

2. The amendment in this notice is to the *South Coast Estuarine Fishery and Related Fisheries Voluntary Fisheries Adjustment Scheme Notice 2000\**.

**Clause 8 amended**

3. Clause 8 is amended by deleting "31 December 2000" and substituting the following—  
" 31 December 2001 ".

[Published in the Gazette of 9 February 2000.]

Dated this 11th day of December 2000.

MONTY HOUSE, Minister for Fisheries.

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## LOCAL GOVERNMENT

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**LG401\*****SHIRE OF DARDANUP***Authorised Person*

It is hereby notified for public information that Mr Colin Anthony Leknys has been appointed as an authorised person of the Shire of Dardanup pursuant to the following—

To exercise powers under Part XX of the Local Government Act (Miscellaneous Provisions) Act 1960; Section 44 9 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;

Part 9 Division 2 of the Local Government Act 1995;

Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;

Section 3.39 of the Local Government Act 1995 as an Authorised Person;

and as an Authorised Person pursuant to the following—

Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E (1) Dog Act as an Authorised Person;

Control of vehicles (Off Road Area) Act 1978;

Litter Act 1979;

and effecting general rangers duties within the district.

The appointment of Mr Peter Martin is cancelled from the date of this notice.

Dated 14 December 2000.

MARK L. CHESTER, Chief Executive Officer.

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## PLANNING

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### PD401\*

#### TOWN PLANNING AND DEVELOPMENT ACT, 1928

##### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Rockingham*

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 299

Ref: 853/2/28/1 Pt 299

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 Rockingham Town Planning Scheme Amendment on 11 December 2000 for the purpose of—

1. Rezoning Lots 5, 501, Pt 585, Pt 586 and Pt 587 Doghill Road and Lots 589 and 590 Haines Road, Baldivis from Rural to Special Rural.
2. Replacing the title 'Amendment No: 272 area' within Table IV Special Rural Zones—Provisions Relating to Specified Areas with 'Portions of Precinct 10 of the Rural Land Strategy (January 1996)'.
3. Incorporating Lots 5, 501, Pt 585, Pt 586 and Pt 587 Doghill Road and Lots 589 and 590 Haines Road, Baldivis into 'Column (a) Locality' of Table IV Special Rural Zones—Provisions Relating to Specified Areas Portions of Precinct 10 of the Rural Land Strategy (January 1996).

C. S. ELLIOTT, Mayor.

G. G. HOLLAND, Chief Executive Officer.

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### PD404\*

#### TOWN PLANNING AND DEVELOPMENT ACT, 1928

##### ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*Town of Kwinana*

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 64

Ref: 853/2/26/3 Pt 64

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 Kwinana Town Planning Scheme Amendment on 12 December 2000 for the purpose of adding to the Fourth Schedule—Residential Development Areas—No 1, Casuarina—another clause to read as follows—

6. No dwelling or carport roof or outbuilding shall be constructed of highly reflective materials, including but not limited to, unpainted galvanised iron, or light colours such as white or silver. Construction materials should be generally limited to tiles or painted metal sheeting of non-glaring darker colours.

J. H. D. SLINGER, Mayor.

F. R. EDWARDS, Chief Executive Officer.



**PD402\*****TOWN PLANNING AND DEVELOPMENT ACT, 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of South Perth*

TOWN PLANNING SCHEME No. 5—AMENDMENT No. 115

Ref: 853/2/11/7 Pt 115

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 South Perth Town Planning Scheme Amendment on 11 December 2000 for the purpose of—

1. amending Schedule C by adding immediately after Item No 103 a new Item No 104 and inserting in the respective columns specified below, immediately opposite that item, the following words and figures—

1.	2.	3.	4.	5.	6.	7.	
ITEM NO.	PARTICULARS OF LAND			ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS		
	STREET NAME	STREET NO.	LOT NO.		LOCATION NO.	MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
104	EDGE CUMBE STREET	3	327	CANNING 37	CAR PARKING INCIDENTAL TO THE CAR SALES AND SERVICING USE ON LOT 220 (NO. 464) CANNING HIGHWAY, COMO	NOT APPLICABLE	EXTENT OF USE: THE ADDED USE IS APPLICABLE ONLY TO THE PORTION OF THE LOT EXTENDING 8.0M EASTWARDS FROM THE WESTERN (REAR) BOUNDARY OF THE SITE. OTHER REQUIREMENTS: REFER TO CLAUSE 50.

2. Amending the Scheme Map accordingly.

J. DONALDSON, Chairman of Commissioners.  
D. L. MOYLAN, Chief Executive Officer.

**PD403\*****TOWN PLANNING AND DEVELOPMENT ACT, 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Capel*

TOWN PLANNING SCHEME No. 7—AMENDMENT No. 8

Ref: 853/6/7/7 Pt 8

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 Capel Town Planning Scheme Amendment on 11 December 2000 for the purpose of—

1. Rezoning portion of Lot 4 of Boyanup Agricultural Area Lot 276 Hasties Road, Gelorup as depicted on the Scheme Amendment Map, from the Residential zone to the Special Use zone.
2. Incorporating within Appendix 4—Special Use Zone the following—
  - (a) Under the column headed 'LAND PARTICULARS' adding to the land particulars 'Lot 70, Bussell Highway', the words 'Lots 49, 50 and 51 Jenour Court, Lot 37 Hawkins Drive and portion of Lot 4 Boyanup Agricultural Area Lot 276'.
  - (b) Under the column headed 'DEVELOPMENT STANDARDS/CONDITIONS' adjacent to the land particulars described as 'Lot 70, Bussell Highway, Gelorup' include the following—
    1. Development to be generally in accordance with the 'Site Development Master Plan' dated February 2000 (forming part of Amendment No 8), or any other Site Development Plan approved by Council.

L. P. STRUGNELL, President.  
R. G. BONE, Chief Executive Officer.

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**WATER**

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**WA401\*****WATER AGENCIES (POWERS) ACT 1984****WATER RESTRICTIONS**

This order applies to the use of water supplied directly or indirectly by the Water Corporation under the Water Agencies (Powers) Act 1984.

The order applies from 9am on Friday 22 December 2000 until it is cancelled. It is binding on every person in the—

**TOWN SITE of VARLEY, Shire of Lake Grace**

- (1) Watering lawns and gardens.

A person must not water a lawn or garden except by reticulation during the periods—

Tuesday from midnight to 9am and Friday 6pm to midnight.

Otherwise, a hand held hose with one outlet may be used.

- (2) Filling swimming pools.

A person must not fill a swimming pool except to the minimum extent necessary to maintain the proper functioning of the pool by replacing water lost through evaporation or ordinary use.

- (3) Cleaning and spraying surfaces and buildings.

A person must not spray a building, path paved area or road except to the minimum necessary for—

(a) fire fighting;

(b) the cleaning of a building, path, paved area or road so as to avoid a threat to public health; or

(c) the construction or repair of the building, path, paved area or road.

- (4) This order does not apply in respect of the minimum quantities of water required for the viable operation of—

(a) a market garden or plant nursery that does not have an alternate water supply; or

(b) any other place that is made the subject of an exemption by the Water Corporation following an application to the Corporation by the owner or occupier of that place.

- (5) It is an offence to contravene this order.

Offenders will be served with—

(a) an infringement notice incorporating a \$500 penalty, which may be modified to a \$100 on the spot fine; or

(b) a court summons; in addition, water flow restrictors may be installed for repeat offences.

For further information contact our 24 hour helpline on 13 10 39.

J. I. GILL, Managing Director.

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**PUBLIC NOTICES**

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**ZZ201****TRUSTEES ACT 1962****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 to send particulars of their claim to Trustees of Western Australia Limited of Level 22, 108 St George's Terrace Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dillon, Ernest Norman, late of Alfred Carson Nursing Home, 30 Bay Road, Claremont and formerly of Unit 29 Leaweena Lodge, 125 Alfred Road, Mount Claremont, Retired Public Servant, died on 3rd August 2000.

Sherman, Vivienne Lorraine, late of 12 Mallard Street, Thornlie, Married Woman, died on 16th November 1998.

Dated this 13th day of December 2000.

A. J. H. (Howden) McDONALD, Trust Officer.

**ZZ202****TRUSTEES ACT 1962**

## 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 Estate of the undermentioned deceased persons, are required by Perpetual Trustees WA Limited of C/- 5th Floor, 39 Hunter St, 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 expire one month after the date of publication hereof.

Estate Late, Helvi Inkeri Aho, late of Brightwater Nursing Home, 6 Jolstra Crescent, JOONDALUP WA 6027, DIED 07/11/2000.

Estate Late, May Anderson, late of Mosman Park Nursing Home, 57 Palmerston Street, Mosman Park WA 6012, Retired Doctor, DIED 06/11/2000

Estate Late, Alice Fenton, late of Fremantle Nursing Home, 162 Holland Street, Fremantle WA 6160, Widow, DIED 24/10/2000.

Estate Late, Charles Drummond Harper, late of Hillcrest Nursing Home, Harvest Road, North Fremantle WA 6159, Retired Accountant, DIED 03/07/2000.

Estate Late, Allan Roy McDonald, late of Room 21 Joseph Cooke Hostel, 2 Houtmans Street, Rossmoyne WA 6148, Retired Clerk, DIED 30/10/2000.

Estate Late, Elma Petrina Phelps, late of St Michaels Nursing Home, 53 Wasley Street, North Perth WA 6006, Widow, DIED 22/10/2000.

Estate Late, Herbert Birkett Phillips, late of Kingsley Lodge, 190 Twickenham Drive, Kingsley WA 6026, Retired Commonwealth Public Servant, DIED 12/11/2000.

Estate Late, Gwendoline Ruth Reeves, late of 65 Belvidere Street, Belmont WA 6104, Widow, DIED 04/10/2000.

Estate Late, Winifred Mabel Smith, late of 14 Gallop Road, Dalkeith WA 6009, Widow, DIED 22/08/2000

Estate Late, Ethel Lottie Everington Sutton, late of Ningana Nursing Home, Allen Court, Bentley WA 6102, Retired Primary School Teacher, DIED 16/10/2000.

STEPHEN MAXWELL  
Senior Estate Manager  
Perpetual Trustees WA Limited  
Direct Phone: (02) 9229 3419

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