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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2005 AND NEW YEAR HOLIDAY PERIOD 2006

NOTE: Due to Tuesday 27th December being a public holiday there will not be a gazette published on that day

Publishing Dates and times

Friday 30 December 2005 at 3.30 pm

Tuesday 3 January 2006 at 3.30 pm

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Wednesday 28 December 2005 at 12 noon

Friday 30 December 2005 at 12 noon



— PART 1 —

ENERGY

EN301*

ELECTRICITY INDUSTRY ACT 2004**ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY MARKET)
REGULATIONS 2004****WHOLESALE ELECTRICITY MARKET RULES**

Amending Rules

I, Alan Carpenter, Minister of Energy for the State of Western Australia, acting in accordance with regulation 6(2) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004* hereby make these amending rules to implement the following amendments to Appendix 8 of the *Wholesale Electricity Market Rules*—

- (1) rule 1.1 is amended by inserting “ or clause A2.24” at the end of the definition of “auditor”;
- (2) rule 5.16 is amended as follows—
 - (a) by deleting the full stop at the end of paragraph (e) and inserting a semicolon followed by the word “and” instead; and
 - (b) after paragraph (e) by inserting—

“

(f) curtailments of *trading electricity* enforced under rule 3.21.

”;
- (3) rule 5.17 is deleted and the following rule is inserted instead—

“

5.17 To avoid doubt, the *residual imbalance tariffs* contained in the *residual imbalance tariff list* published by the *market service provider* under rule 4.3 will not be audited under rule 5.16.

”;
- (4) rule 5.18 is amended by deleting “rule 5.17” and inserting instead “rule 5.16”;
- (5) after clause A2.23 in Appendix 2 to Appendix 8 the following clause is inserted—

“

A2.24 Without limiting the *market service provider’s* obligations under clause A2.1, the *Minister* may request the *market service provider* to appoint an *auditor*, in accordance with clause A2.3, to undertake an interim *negative assurance audit* of—

 - (a) the *market service provider’s* compliance since the last *negative assurance audit* with those provisions listed in rule 5.16 as specified by the *TUAS consultation group*; and
 - (b) any other matters recommended to the *Minister* by the *TUAS consultation group* for the auditor’s attention.

Subject to this clause, an interim *negative assurance audit* will be conducted in the same manner as a *negative assurance audit* conducted under clause A2.1.

”;
- (6) Appendix 2 to Appendix 8 is amended by deleting “rule 5.17” in the explanatory note before the heading “Audit of the market service provider” and inserting instead “rule 5.16”; and
- (7) clause A2.1 in Appendix 2 to Appendix 8 is amended by deleting “rule 5.17” and inserting instead “rule 5.16”.

The amendments specified in this notice are to come into force on the day after the date that this notice is published in the *Government Gazette*.

ALAN CARPENTER, MLA, Minister for Energy.

POLICE

PO301*

Firearms Act 1973

Firearms Amendment Regulations (No. 2) 2005

Made by the Governor in Executive Council, on the recommendation of the Commissioner of Police, under section 6 of the Act.

1. Citation

These regulations are the *Firearms Amendment Regulations (No. 2) 2005*.

2. The regulations amended

The amendments in these regulations are to the *Firearms Regulations 1974**.

[* Reprint 5 as at 15 April 2005.

For amendments to 25 July 2005 see Gazette 1 July 2005.]

3. Regulation 26B amended

- (1) Regulation 26B(3)(b) is amended in the Table by inserting before the item relating to the “The .22 calibre Josef G: Landmann-Preetz model JGL — Automat 65 semi-automatic rifle;” the following items —

“

The .223 calibre, Remington make, 7651P model, pump-action rifle.

The 7.62 x 39 calibre Cugir pump-action (Romanian make) rifle.

”

- (2) Regulation 26B(3)(d) is amended by deleting “Carbine”, and inserting instead —

“

Carbine”, but excluding any such revolving rifle that is a single action percussion revolving rifle and that, in the opinion of the Commissioner, has significant commemorative, historical, thematic or heirloom value,

”

I recommend the making of these regulations.

K. O’CALLAGHAN, Commissioner of Police.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

GENETICALLY MODIFIED CROPS FREE AREAS ACT 2003

GENETICALLY MODIFIED CROPS FREE AREA EXEMPTION ORDER 2005

Made by the Minister for Agriculture and Forestry under Section 6 of the Act.

1. Citation

This is the Genetically Modified Crops Free Areas Exemption Order 2005.

2. Duration

This Order comes into operation on the day on which it is published in the Gazette and remains in force until 25 November 2005.

3. Exemption

The Department of Agriculture and Monsanto Australia Limited are exempt from the application of section 5(1) of the Act in relation to—

- (a) the cultivation of 24 plants of genetically modified cotton varieties containing Bollgard II® and/or Roundup Ready® gene technology;
- (b) the display of those plants at the Ausbiotech Conference 2005, to be held on 20-23 November, at the Perth Convention Exhibition Centre: and
- (c) the transport of those plants to and from the Convention Centre.

4. Conditions

This exemption is subject to the following conditions.

- (a) The plants must be cultivated in pots at a secure location within the Department of Agriculture's South Perth premises.
- (b) The plants may be used for display at the Ausbiotech Conference 2005 and for no other purpose.
- (c) The plants are to be prevented from forming viable seed.
- (d) At the conclusion of the Conference all 24 plants must be removed from the site and destroyed by Department of Agriculture staff.

K. CHANCE, Minister for Agriculture and Forestry.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

SHARK BAY CRAB FISHERY (INTERIM) MANAGEMENT PLAN 2005

FD 724/04 [670]

Made by the Minister under section 54.

PART 1—PRELIMINARY

1. Citation

This plan may be cited as the *Shark Bay Crab Fishery (Interim) Management Plan 2005*.

2. Commencement

This plan will commence operation on 1 December 2005.

3. Cessation

This plan will cease to have effect on 31 August 2010.

4. Interpretation

(1) In this plan, unless the contrary intention appears—

“authorised boat” means—

- (a) a licensed fishing boat, the name, licensed fishing boat number and length of which are specified in a permit; or
- (b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in paragraph (a);

“capacity of the Fishery” means the number of crab traps determined, from time to time, in accordance with clauses 16,17 and 18;

“Carnarvon Harbour” means all of the land and waters known as Small Boat Harbour south of the intersection of West Street and Harbour Road, Carnarvon;

“crab” means any crab of the Family Portunidae but does not include a mud crab;

“crab trap” means a device with a maximum volume of 0.88 cubic metres which is primarily designed for the purpose of taking crabs;

“current entitlement” means the usual entitlement conferred by a permit as—

- (a) increased by any entitlement transferred to the permit under section 141 of the Act; and
- (b) decreased by any entitlement transferred from the permit under section 141 of the Act;

“Fishery” means the Shark Bay Crab Interim Managed Fishery identified in clause 6;

“length” means, in relation to a boat, the length as determined in accordance with regulations made under the Western Australian Marine Act 1982, as expressed in metres to one decimal point (with a length which incorporates the number 0.05 of a metre or more being rounded upwards to the next 0.1 of a metre);

“mud crab” means a brown or green mud crab;

“permit” means an interim managed fishery permit which authorises a person to fish in the Fishery;

“regulations” means the *Fish Resources Management Regulations 1995*;

“total fee” means the fee, if any, payable in respect of the renewal of a permit as provided for in Part 3 of Schedule 1 to the regulations;

“usual entitlement” means the entitlement conferred by a permit without regard to any entitlement transferred to or from the permit under section 141 of the Act.

(2) In this plan, unless the contrary intention appears—

- (a) “fishing boat licence” and “licensed fishing boat number” have the same meaning as provided for in regulation 3 of the regulations; and
- (b) “brown mud crab”, “green mud crab” and “rock lobster” have the same meaning as provided for in Schedule 7 to the regulations.

5. Procedure before this plan may be amended or revoked

For the purposes of section 65 of the Act, all the permit holders of the Fishery are the persons to be consulted before this plan is amended or revoked.

PART 2—THE FISHERY

6. Identification and declaration of the Fishery

(1) The Fishery to which this plan relates is fishing for crab by any means in the waters described in Schedule 1 and may be referred to as the Shark Bay Crab Interim Managed Fishery.

(2) The Fishery is an interim managed fishery.

PART 3—GENERAL REGULATION OF FISHING

7. Persons prohibited from fishing in the Fishery

(1) Subject to subclause (2), a person must not fish in the Fishery other than—

- (a) in accordance with this plan; and
- (b) under the authority of a permit.

(2) This plan does not apply to a person—

- (a) fishing for crab for a recreational purpose in accordance with the Act; or
- (b) fishing under the authority of a managed fishery authorization that authorizes fishing in the—
 - (i) Shark Bay Scallop Managed Fishery;
 - (ii) Shark Bay Prawn Managed Fishery;
 - (iii) West Coast Deep Sea Crab (Interim) Managed Fishery;
 - (iv) West Coast Rock Lobster Managed Fishery.

(3) A person must not use a fishing boat to fish in the Fishery unless the boat is an authorised boat.

8. Closure of areas within the Fishery

(1) The Executive Director may, by notice published in the Gazette, prohibit fishing in the whole or any part of the Fishery for the period specified in the notice if, in the opinion of the Executive Director, the prohibition is required in the better interests of the Fishery.

(2) A notice made under subclause (1)—

- (a) may only be made after consultation with all the permit holders who are entitled to fish in that part of the Fishery that is the subject of the proposed prohibition;
- (b) must take into account any advice received from the Department's Director of Fisheries Research;
- (c) may be made to apply at all times or any specified time; and
- (d) revokes any previous notice made under that subclause.

(3) The Executive Director may by notice published in the Gazette revoke a notice made under subclause (1).

(4) A person must not fish for crab in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

9. Prohibited fishing in the Fishery

A person must not fish for crab at any time in the waters of the areas described in Schedule 2.

10. Transporting of crabs in the Fishery

(1) The master of an authorised boat must not store or transport any crab on board that boat in any part or area of the Fishery where fishing is prohibited.

(2) Subclause (1) does not apply where—

- (a) all fishing gear on board the boat is securely stowed; and
- (b) the boat is being used solely for the purpose of travelling by the most practicable and most direct route to Carnarvon Harbour to unload the crab.

11. Fishing by means of crab trap—general restrictions

(1) A person fishing in the Fishery under the authority of a permit must not fish by any means other than by crab trap.

(2) A person must not carry on board an authorised boat any crab fishing gear other than a crab trap.

(3) A person must not fish in the Fishery under the authority of a permit by means of a crab trap unless that crab trap is one of a series of not less than 20 crab traps joined together by negatively buoyant rope and that series of crab traps is attached to a surface float that—

- (a) has a diameter of not less than 150 millimetres if the float is spherical and, in any other case, has a length of not less than 200 millimetres and a width of not less than 100 millimetres; and
- (b) is branded or stamped with the licensed fishing boat number of the boat that is being used to fish in the Fishery and each character of the brand or stamp is legible and measures not less than 60 millimetres in height and not less than 10 millimetres in width.

(4) A person must not pull or permit to be pulled onto a boat any crab trap more than once in a 24 hour period commencing at midnight.

(5) Subclause (4) does not apply where a crab trap is pulled for the second time in a part of the Fishery and during a period specified in a notice made under subclause (6).

(6) The Executive Director may make a notice in accordance with subclause (7) where the Executive Director is satisfied that trawl and crab trap fishing gear conflict may arise.

(7) A notice made under subclause (6) must—

- (a) be in writing;
- (b) specify a part of the Fishery;
- (c) specify a period of time; and
- (d) be displayed in a prominent position on a public notice board in the Carnarvon Office of the Department.

PART 4—PERMITS

12. Criteria for the grant of a permit

The criteria to be satisfied before the Executive Director may grant a person a permit to fish in the Fishery are that—

- (a) on 1 November 2005 the person was the holder of an exemption exempting them from the provisions of the *Fish Traps Prohibition Notice 1994* and the *Fish Traps Restrictions Notice 1990* for the purpose of fishing for crabs in the waters of the fishery known as the *Experimental Carnarvon Crab Pot Fishery*; and
- (b) the person applies for a permit before 31 December 2005.

13. Duration of permits

A permit expires on 31 August next following the date of its grant or renewal.

14. Fees

- (1) The fee set out in Schedule 3 is the fee to be paid in respect of the grant of a permit.
- (2) Where a permit is granted before 1 March 2006—
 - (a) 50% of the fee specified in Schedule 3 is payable upon the grant of the permit; and
 - (b) 50% of the fee specified in Schedule 3 is payable on or before 1 March 2006.
- (3) Where a permit is renewed, for the purposes of regulation 137(2) of the regulations the total fee may be paid by instalments as specified in Schedule 4 if—
 - (a) an election to pay by instalments is made by the holder of a permit in accordance with subclause (4); and
 - (b) there is no other fee, charge or levy in respect of the permit that has not been paid at the time the election is received at the head office of the Department.
- (4) An election for the purpose of subclause (3) must be—
 - (a) made in writing;
 - (b) received at the head office of the Department on or before 1 September next following the day on which the permit expires; and
 - (c) accompanied by the first instalment plus the surcharge.
- (5) For the purposes of regulation 137(3) of the regulations, the surcharge shall be 3.13% of the total fee.
- (6) The holder of a permit, or a person acting on that persons behalf, must not fish in the Fishery at any time when any fee or surcharge payable in respect of the permit is overdue.

15. Items that must be specified on a permit

A permit granted or renewed in respect of the Fishery must specify—

- (a) the name and business address of the holder of the permit;
- (b) the name, licensed fishing boat number and the length of any licensed fishing boat which may be used for or in connection with fishing in the Fishery under the authority of that permit;
- (c) the permit number;
- (d) the date on which the permit was granted or renewed;
- (e) the date on which the permit expires;
- (f) the name of the Fishery;
- (g) the usual entitlement of the permit;
- (h) the current entitlement of the permit;
- (i) any conditions imposed on the permit by the Executive Director.

PART 5—CAPACITY OF THE FISHERY**16. Capacity of the Fishery**

Subject to clauses 17 and 18 the maximum number of crab traps that may be used in the Fishery is 1500 crab traps.

17. Executive Director may vary the capacity of the Fishery

- (1) The Executive Director may vary the maximum number of crab traps that may be used in the Fishery by making a determination in accordance with this clause.
- (2) Before making a determination under subclause (1) the Executive Director must—
 - (a) take into account any advice—
 - (i) received from the Department's Director of Fisheries Research;
 - (ii) properly referred to him by the Minister; and
 - (b) consult all permit holders who are authorized to fish in the Fishery.
- (3) A determination made under subclause (1)—
 - (a) must be published in the Gazette within 14 days of the Executive Director making the determination;
 - (b) may take effect on gazettal or at a specified future time; and
 - (c) revokes any previously made determination that has been made.

18. Circumstances that reduce the capacity of the Fishery

- (1) The maximum number of crab traps that may be used in the Fishery shall be reduced upon—
 - (a) the surrender of a permit under section 144 of the Act;
 - (b) the cancellation or non-renewal of a permit under section 143 of the Act;
 - (c) the expiry of the 60 day period provided for in section 139 of the Act without an application for renewal of a permit having been made,and such reduction shall be equal to the number of crab traps equating to the usual entitlement of that permit.
- (2) The Executive Director shall, as soon as practicable following any reduction in the capacity of the Fishery under subclause (1), publish a notice of the reduction in the Gazette.

PART 6—SCHEME OF ENTITLEMENTS**19. Permit entitlements to equal capacity**

The sum of the entitlements to fish for crab in the Fishery that may be conferred by all the permits is equal to the capacity of the Fishery.

20. Permit entitlements to be expressed in terms of units

(1) The entitlement to fish for crab in the Fishery conferred by a permit is to be expressed in terms of units of entitlement.

(2) The extent of the entitlement to fish for crab in the Fishery that arises from a unit, to be known as the unit value, shall be determined by the formula—

$$\frac{C}{N} = U$$

where

C is the capacity of the Fishery;

N is the total number of units of entitlement conferred by all the permits; and

U is the unit value, rounded to 2 decimal places.

21. Prohibition on fishing in excess of current entitlement

A person must not fish for crab under the authority of a permit by means of more crab traps than equates to the value of the current entitlement of the permit.

22. Units of entitlement

The entitlement of a permit when it is first granted shall be 300 units.

PART 7—TRANSFER OF PERMITS AND ENTITLEMENTS**23. Grounds for refusal to transfer part of an entitlement**

The Executive Director may refuse an application for the transfer of part of an entitlement to another permit on the grounds that—

- (a) the application is not in respect of a whole number of units;
- (b) the full amount of the fee and any surcharge payable in respect of the grant or renewal of the permit has not been paid; or
- (c) the Executive Director is of the opinion that the holder of the permit (from which the units are to be transferred) may be liable to prosecution for an offence which has been prescribed for the purposes of section 224 of the Act.

24. Grounds for refusal to transfer a permit

The Executive Director may refuse an application for the transfer of a permit on the grounds that the full amount of the fee and any surcharge payable in respect of the grant or renewal of a permit has not been paid.

25. Temporary transfer of part of an entitlement

Part of an entitlement under a permit may be temporarily transferred to another permit, for a period ending at the time the permit expires, provided that—

- (a) the transfer is of a whole number of units; and
- (b) the permit from which the units are being transferred will still confer at least one unit of usual entitlement after the transfer has been effected.

26. Authority of a permit of no effect where usual or current entitlement is less than 200 units

The authority conferred by a permit is of no effect at any time when either the usual or the current entitlement of that permit is less than 200 units of entitlement.

PART 8—MISCELLANEOUS**27. Certain crab and rock lobster to be released to the sea**

(1) The master of an authorised boat that is used to take from the sea any mud crab or rock lobster must ensure that the mud crab or rock lobster is released to the sea within ten minutes of being brought aboard the authorised boat.

(2) The master of an authorised boat that is used to take from the sea any totally protected fish that is a crab must ensure that the crab is released to the sea within ten minutes of being brought aboard the authorised boat.

28. Prohibition on selling or dealing

A person must not sell, dispose of or otherwise deal with crabs taken in contravention of this plan.

29. Offences and major provisions

A person who contravenes a provision of—

- (a) clause 7(1), 7(3), 8(4), 9, 10, 11(1), 11(2), 11(4), 14(6), 21 or 28; or
- (b) clause 11(3) or 27,

commits an offence and for the purposes of section 75 of the Act the offences specified in paragraph (a) are major provisions.

Schedule 1**Description of the Fishery**

All the waters of Shark Bay bounded by a line commencing at the intersection of the high water mark on the coastline and 25° 28.87' south latitude; thence west along the parallel to the intersection of 112° 58.30' east longitude (Cape Inscription); thence north easterly along the geodesic to the intersection of the high water mark and 113° 04.60' east longitude (Cape St Cricq on Dorre Island); thence generally northerly along the high water mark on the eastern side of Dorre Island to the intersection of the high water mark and 113° 07.10' (Cape Boullanger); thence northerly along the geodesic to the intersection of the high water mark and 113° 07.20' east longitude (Cape Couture on Bernier Island); thence generally northerly along the high water mark on the eastern side of Bernier Island to the intersection of the high water mark and 113° 09.60' east longitude (Cape Ronsard); thence northerly along the geodesic to the intersection of 24° 44.90' south latitude and 113° 09.70' east longitude (Koks Island); thence north along the meridian to the intersection of 24° 29.075' south latitude; thence east along the parallel to the intersection of the high water mark on the coastline (Quobba Point); thence generally south easterly along the high water mark on the coastline to the commencement point.

Schedule 2**Prohibited Areas****Area 1**

All the waters of Shark Bay bounded by a line commencing at the intersection of the high water mark on the coastline and 24°29.075' south latitude (Quobba Point); thence south along the meridian to the intersection with 24° 34.00' south latitude; thence east along the parallel to the intersection with the high water mark on the coastline; thence generally north westerly along the high water mark on the coastline to the commencement point.

Area 2

All the waters of Shark Bay bounded by a line commencing at the intersection of the high water mark on the coastline and 24° 51.650' south latitude (Point Whitmore); thence west along the parallel to the intersection of 113° 36' east longitude; thence south along the meridian to the intersection with 24° 55.640' south latitude; thence east along the parallel to the intersection with the high water mark on the coastline; thence generally north westerly along the high water mark on the coastline to the commencement point.

Schedule 3**Fees**

\$10,012.

Schedule 4**Payment by Instalments**

- (a) The first instalment is 25% of the total fee and is due for payment on or before 1 September of the year for which the permit is to be renewed.
- (b) The second instalment is 25% of the total fee and is due for payment on or before 1 December immediately following the period specified in paragraph (a).
- (c) The third instalment is the total fee less the instalments provided for in paragraph (a) and (b) and is due for payment on or before 1 March immediately following the period specified in paragraph (a).

Dated this 19th day of October 2005.

JON FORD, Minister for Fisheries.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**REVOCATIONS**

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of Justice has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Kelly	Graham Edward	CS6-025	18/10/2005
May	Ash	CS6-191	18/10/2005
O'Bree	Geoffrey Ian	CS6-153	18/10/2005
Wilson	Ronald Stanley	CS6-064	18/10/2005
Edwards	Brian	CS6-392	18/10/2005

Surname	First Name(s)	Permit Number	Date Permit Revoked
Charlesworth	Nathaniel James	CS6-528	18/10/2005
Wilcox	Kirsty	CS6-135	18/10/2005
Baker	Ross William	CS6-393	18/10/2005
Cook	Lee Charles	CS6-073	18/10/2005
Harwood	Clint	CS6-018	18/10/2005
Nairn	Christina Louisa	CS6-341	18/10/2005
Ward	Bryan Eric	CS6-332	18/10/2005
Mora	Wayne Anthony	CS6-454	18/10/2005

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

BRIAN YEARWOOD, Director, Contracted Services.

JU402*

JUSTICES OF THE PEACE ACT 2004

RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Mr Robert George Wells of 8A Quail Rise, Willetton
from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, A/Executive Director,
Court Services.

LOCAL GOVERNMENT

LG402*

BUSH FIRES ACT 1954

Shire of Gingin

APPOINTMENT

It is hereby notified for public information that Fire Control Officer A H (Herb) Elliot has been appointed as a Deputy Chief Fire Control Officer by the Shire of Gingin for the 2005/2006 Fire Season.

Dated 18 October 2005.

S. D. FRASER, Chief Executive Officer.

LG403*

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Shire of Busselton

APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as Rangers under the provisions of Section 449-450 of the Local Government (Miscellaneous Provisions) Act 1960 and as authorised officers to enforce the provisions of various legislation and Local Laws as authorised by Council and/or Chief Executive Officer under delegated authority.

Kim Isbister	John Mattaboni
Peter Richards,	Owen Anderton
Andrew Norris	Keith Annane
John. Homes	

All previous appointments are hereby cancelled.

LG401*

Shire of Serpentine-Jarrahdale
City of Rockingham
Town of Kwinana
City of Cockburn

AUTHORISED OFFICERS

It is hereby notified for public information that Brian Douglas Owston, Sarah Kirsty Hutchins, David George Gossage, Peter John Oliver, James Millar Charters, Gregory Norman Whip, Colin Richard Curry, Natalie Christina Mitchell, Clinton Guy Venables, Raymond Frederick Patrick Sousa, Neil Andrew Hornby, Rodney Wiliam de San Miguel, Corey James Easson, Pia Susan Bown, Matthew George Kaiser, Linda May Windram, Brett Douglas Plant, Douglas George Iddon, Andrew David McGarry, George Charles Ward, Ian Hargense, Peter Zietsman and Robert Allan Leaver have been appointed joint authorised officers to enforce the following acts and regulations—

Local Government Act 1995 & Regulations (as amended)

Litter Act 1979 (as amended)

Dog Act 1976 and Regulations (as amended)

Control of Vehicles (Off Road Areas) Act 1978 and Regulations (as amended)

This is in accordance with the Standard Operating Procedures for Ranger Emergencies for the Shire of Serpentine-Jarrahdale, City of Rockingham, Town of Kwinana and the City of Cockburn.

G. HOLLAND, Chief Executive Officer.

J. ABBISS, Chief Executive Officer.

N. HARTLEY, Chief Executive Officer.

S. CAIN, Chief Executive Officer.

LG404***DOG ACT 1976***Shire of Busselton***DOG POUND**

It is hereby notified for public information that the Shire of Busselton Pound is located on Sussex Location 1989, Lot 1, Glendon Road, Ruabon. It is also notified for public information that Andrew and Elizabeth Drouet have been authorised for the purposes of the Dog Act 1976, to act as Pound Keepers in accordance with the Provisions of that Act.

All other appointments are hereby cancelled.

ANDREW MacNISH, Chief Executive Officer.

LG405***BUSH FIRES ACT 1954***Shire of Busselton***APPOINTMENTS**

The following persons have been appointed as Bush Fire Control Officer for the Shire of Busselton—

CHIEF BUSH FIRE CONTROL OFFICER

Allan Guthrie Telephone: 9755 53454 Mobile: 0417 176 656

DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

Geoff Jones Telephone 9755 2028 Mobile: 0428 863 028

SHIRE BUSH FIRE CONTROL OFFICERS/SHIRE RANGERS

Kim Isbister Telephone: 9781 0467 Mobile: 0418 933 332

Percy Wild Telephone: 9781 0468 Mobile: 0427 202 717

John Mattaboni Mobile: 0438 810 443

Peter Richards Mobile: 0438 810 443

Owen Anderton Mobile: 0438 810 443

Andrew Norris Mobile: 0438 810 443

BUSH FIRE CONTROL OFFICERS

Area/Zone	Bush Fire Control Officer	Telephone	Mobile
ZONE 1—CAPE			
Dunsborough	Barton Hatherly	9756 6054	0419 955 066
Eagle Bay	Peter Wesley	9756 7791	0418 924 345
Yallingup Coastal	Paul Blight	9755 2107	0427 522 233

ZONE 2—WEST			
Metricup	Rob Poole	9755 7551	0427 557 551
Wilyabrup	Allan Guthrie	9755 5354	0417 176 656
Yallingup Rural	(Geoff Jones	9756 7904	0428 863 028
Inc—Yallingup Siding	(Mark Standish	9755 2235	0417 977 192
ZONE 3—CENTRAL			
Ambergate	Ken Sue	9753 1125	0417 986 467
Carbunup	Wally Lewis	9755 1155	
Jindong	Neil MacDonald	9755 4004	0438 176 549
Sussex	Paul Bell	9754 6334	0439 989 203
Vasse	Neil MacDonald	9755 4004	0438 176 549
ZONE 4—EAST			
Hithergreen District	(Tim O'Neill	9753 3217	0437 533 217
Inc—Ruabon	(Hal Scott	9753 2183	0427 445 945
Tutunup	(Oscar Negus	9753 2112	0409 109 009
Yalyalup	(Oscar Negus	9753 2112	0409 109 009
Jarrahwod	Mark Cannon	9756 2031	
ZONE 5—SOUTH			
North Acton Park	Basil Walters	9753 1142	
South Acton	Owen Hopkins	9753 1090	0407 531 090
Boallia	Kingsley McSwain	9753 1094	
Kaloorup	Chris Payne	9755 4523	0427 554 523
Yoongarillup	Ian Slee	9753 3275	0427 533 275
FESA BUSSELTON TOWNSITE			
Busselton	Robert Papalia	9752 3222	0419 046 278
FESA DUNSBOROUGH TOWNSITE			
Dunsborough	Jon Glasspool	9756 8370	0417 568 370

LG501***BUSHFIRES ACT 1954***Town of Mosman Park**Town of Cottesloe**Shire of Peppermint Grove***FIREBREAK NOTICE**

Metropolitan Fire District

Notice to all owners and/or occupiers of land in the following Local Authorities Town of Mosman Park, Town of Cottesloe and Shire of Peppermint Grove.

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before 30 November 2005 or within fourteen days of the date of you becoming an owner or occupier, should this be after 30 November 2005, and thereafter up to and including 31 March 2006 to clear all flammable materials, immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.

It is considered to be impracticable for any reason to clear firebreaks as required by this notice, you may apply to the Council or its duly authorized officer not later than 19 November 2005, for permission to provide firebreaks in alternative positions on the land. If the Council or its duly authorised officer does not grant permission, you shall comply with the requirements of this notice.

The Penalty for failing to comply with this notice is a fine of not more than \$2,000.00 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

The requirements of this notice should be carried out by means other than burning e.g., mowing and rotary hoeing.

Burning Rubbish or Refuse

A person shall not—

- (a) Without the written approval of the Manager Environmental Services, and
- (b) Except in accordance with the terms and conditions to which the approval is subject, set fire to, or cause to be set on fire, any rubbish or refuse either—
 - (i) In any incinerator, or
 - (ii) On the ground.

By order of Town of Cottesloe

S. TINDALE, Chief Executive Officer.

By order of Town of Mosman Park

T. J. HARKEN, Chief Executive Officer.

By order of Shire of Peppermint Grove

G. SIMPSON, Chief Executive Officer.

LG502*

BUSH FIRES ACT 1954*Shire of Busselton***BUSH FIRE NOTICE**

All owners and/or occupiers of land within the District of the Shire of Busselton are hereby given notice that in accordance with Section 33 of the Bush Fire Act 1954 you are required to carry out and maintain fire protection measures in accordance with the provisions of this Notice.

1. DEFINITIONS

Wherever referred to in this Notice, unless the context requires otherwise—

‘Compliance Period’ means the period from 1 December 2005 to 12 May 2006 on all Rural residential Land and Vacant Urban Land and 15 December 2005 to 12 May 2006 on all Rural Land or such later date as stated by the Shire by notices placed in the Busselton Margaret River Times and Busselton-Dunsborough Mail;

‘Crops or Pasture Areas’ means areas of Rural or Rural Residential Land which are totally or substantially covered in agricultural crops or pasture for the grazing of animals;

‘District’ means the district of the Shire of Busselton under the Local Government Act 1995;

‘Firebreak/s’ means an area of land cleared to mineral earth which is kept and maintained totally clear of all material (living or dead) and any overhanging trees or other vegetation (up to a height of 5 metres from the ground level at any point);

‘Hazardous Material’ means accumulated fuel (living or dead) such as leaf litter, twigs, trash, dead trees and scrub capable of carrying a fire but excludes living trees, shrubs and plants. **NOTE:** all remaining vegetation to be maintained to the height of no greater than 10 cm;

‘Lot’ means land in one certificate of title or, at the discretion of the Shire, adjoining land in more than one certificate of title that is owned by the same person or body;

‘Notice’ means this Bush Fire Notice made under the Bush Fires Act 1954 with respect to all land in the District and published in the Busselton Margaret River Times;

‘Plantation’ means an area of planted pines, eucalypts, proteas or other commercial value trees or plants exceeding 40 metres by 40 metres in area but not including a Plantation;

‘Rural Land’ means land zoned agriculture’ Viticulture and Tourism; Rural Landscape and/or Conservation under the Shire of Busselton District town Planning Scheme No. 20 or any equivalent zoning under a replacement town Planning Scheme;

‘Shire’ means the Shire of Busselton;

‘Rural Residential’ means land zoned Rural Residential under the Shire of Busselton District Town Planning Scheme No. 20 or any equivalent zoning under replacement Town Planning Scheme;

‘Urban Land’ means any land other than Rural Land, Rural Residential Land or Crown or Reserve land and includes land zoned residential, business and industrial under the Shire of Busselton District Town Planning Scheme No. 20 or any equivalent zoning under a replacement Town Planning Scheme, but not including Crown or Reserve land;

‘Windbreak’ means an area of planted trees not exceeding 10 metres in depth with an unrestricted length which has been planted to provide wind protection to crop or pasture land.

2. COMPLIANCE PERIOD

All owners and occupiers of land within the District are to ensure that—

- * All Rural Residential and Vacant Urban land owned and/or occupied by them complies in all respects with the requirements of this Notice by 1 December 2005;
- * All Rural land owned and/or occupied by them complies in all respects with the requirements of this Notice by 15 December 2005;

and that land owned and/or occupied by them is maintained so as to comply in all respects with the requirements of this Notice for the whole of the Compliance Period.

3. REQUIREMENTS FOR PARTICULAR CATEGORIES OF LAND

Under each heading in clause 3 the requirements of this Notice for each category of land are listed.

3.1 Rural Land (Category 1)

(a) Mineral Earth—Firebreaks shall be constructed and maintained adjacent to all external boundaries of a Lot. Firebreak shall be 3 metres wide except in pasture or crop areas where it shall be 2 metres wide. Where the land area exceeds 120 hectares, an additional Firebreak must divide the Lot into areas of not more than 120 hectares with 120 hectares each portion completely surrounded by a Firebreak.

(b) Building Protection Zones—A 2 metre Firebreak shall be constructed and maintained within 20 metres of all dwelling and/or outbuildings on the land in a manner so as to totally surround the dwelling and/or out building with a Firebreak. All hazardous material to be cleared for a distance of 20 metres from any tourist accommodation chalets, with the first 5 metres clear of all flammable material.

(c) Fuel Storage Protection Zones—A 3 metre Firebreak not closer than 6 metres from all fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

3.2 Urban Land (Category 2)

(a) Mineral Earth—Where the area Lot exceeds 2024m² Firebreak shall be constructed and maintained which are at least 3 metres wide and within 6 metres of the inside of all external boundaries of the Lot.

(b) Fuel Reductions—Where the area of a Lot is 2024m² or less all Hazardous Material must be removed from the whole of the Lot except living (green) trees, shrubs and plants. In this area, remaining vegetation is to be maintained at a height of no greater than 10 cm.

3.3 Plantations (Category 3) (if established before 26 July 2000)

(a) Mineral Earth—Firebreaks shall not be less than 5 metres in width on all plantations.

(b) Fuel Reductions—A 5 metre low fuel area is to be maintained between the 5 metre Firebreak and the first row of trees. In this area, vegetation is to be maintained at a height of no greater than 10cm.

(c) Building Protection Zones—A 5 metre Firebreak within 20 metres of all buildings.

(d) Fuel Storage Protection Zones—A 3 metre Firebreak not closer than 6 metres from the fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

3.4 Eucalypt and Pine Plantations (Category 4) (if established after 26 July 2000)

(a) Mineral Earth—Firebreaks shall not be less than 10 metres in width on all plantations.

(b) Fuel Reductions—A 5 metre low fuel area is to be maintained between the 5 metre Firebreak and the first row of trees. In this area, vegetation is to be maintained at a height of no greater than 10cm.

(c) Building Protection Zones—A 5 metre Firebreak within 20 metres of all buildings.

(d) Fuel Storage Protection Zones—A 3 metre Firebreak not closer than 6 metres from the fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

3.5 Protea Plantations and Vineyards (Category 5)

(a) Mineral Earth—Firebreak shall not be less than 3 metres in width on all Protea Plantations and Vineyards.

(b) Fuel Reductions—A 5 metre low fuel area is to be maintained between the 3 metre firebreak and the plantation/ vineyard area. In this area, vegetation is to be maintained at a height of no greater than 10 cm.

(c) Building Protection Zones—3 metre Firebreak within 20 metres of all buildings. All Hazardous Material to be cleared for a distance of 20 metres from any tourist accommodation chalets, with the first 5 metres clear of all flammable material.

(d) Fuel Storage Protection Zones—A 3 metre Firebreak not closer than 6 metres from the fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

3.6 Rural Residential Land—Individual Firebreak (Category 6). Being Rural Residential Land not in a Strategic Firebreak Area.

(a) Mineral Earth—Firebreaks shall be 3 metres wide except in pasture and crop areas where the Firebreak shall be 2 metres wide and within 6 metres of all external boundaries of the land.

(b) Fuel Reductions—Parkland clearing must be carried out in all open paddocks and along the boundary of the property. Parkland clearing means that all dead vegetation and dry grasses (excluding crops, pasture areas and living trees/bushes) must be maintained to a height of no greater than 10 cm.

(c) Building Protection Zones—All Hazardous material must be cleared for a distance of 20 metres from all buildings. All Hazardous Material to be cleared for a distance of 20 metres from any tourist accommodation chalets, with the first 5 metres clear of all flammable material.

(d) Fuel Storage Protection—A 3 metre Firebreak not closer than 6 metres from the fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

3.7 Rural Residential—Strategic Firebreaks on One or More Boundaries (Category 7).

Being Rural Residential Land within a Strategic Firebreak Area with a strategic firebreak on one or boundaries of a Lot.

(a) Mineral Earth—Firebreaks shall be 3 metres wide. Free access along the Strategic Firebreak across the boundary of the lots is required to be provided for by means of a 3.5 metre field gate in a boundary fence.

(b) Fuel Reductions—Parkland clearing must be carried out in all open paddocks and along the boundary of the property. Parkland clearing means that all dead vegetation and dry grasses (excluding crops, pasture areas and living trees/bushes) must be maintained to a height of no greater than 10 cm.

(c) Building Protection Zones—All Hazardous material must be cleared for a distance of 20 metres from all buildings. All Hazardous Material to be cleared for a distance of 20 metres from any tourist accommodation chalets, with the first 5 metres clear of all flammable material.

(d) Fuel Storage Protection Zones—A 3 metre Firebreak not closer than 6 metres from the fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

3.8 Rural Residential Land—Within a Strategic Firebreak Protected Area (Category 8).

Being Rural Residential Land totally within a Strategic Firebreak Area.

(a) Fuel Reductions—Parkland clearing must be carried out in all open paddocks and along the boundary of the property. Parkland clearing means that all dead vegetation and dry grasses (excluding crops, pasture areas and living trees/bushes) must be maintained to a height of no greater than 10 cm.

(b) Building Protection Zones—All Hazardous material must be cleared for a distance of 20 metres from all buildings. All Hazardous Material to be cleared for a distance of 20 metres from any tourist accommodation chalets, with the first 5 metres clear of all flammable material.

(c) Fuel Storage Protection Zones—All Hazardous material must be cleared for a distance of 20 metres from all buildings. All Hazardous Material to be cleared for a distance of 20 metres from any tourist accommodation chalets, with the first 5 metres clear of all flammable material.

(d) Fuel Storage Protection Zones—A 3 metre Firebreak not closer than 6 metres from the fuel storage areas on the land. 3 metre mineral earth clearing is required around fuel storage tanks and gas cylinders.

4. ALTERNATIVE FIRE PROTECTION MEASURES

4.1 Any owner and/or occupier of land in the District who believes it is impractical or environmentally unsound to carry out the requirements of this Notice on land owned/occupied by him or her may make application to the Coordinator, Ranger & Fire Services of the Shire seeking exemption from some or all of the requirements of this Notice as they relate to the land and for permission to provide alternative Firebreaks or other alternative fire protection measures for the land.

4.2 An application for exemption/alternative fire protection measures must be made in writing and must be received at the Shire of Busselton administration office prior to 4.30pm on 8 November 2005.

4.3 All applicants will be advised in writing prior to 1 December 2005 whether or not their application for exemption/alternative fire protection measures has been approved. If the application is approved then the owner and/or occupier of the land is to ensure that his or her land complies in all respects with the terms and condition of that approval for the whole of the Compliance Period. If the application is refused then the owner and/or occupier shall ensure that his or her land complies in all respects with the requirements of this Notice for that land.

5. SPECIAL ORDERS

The requirements of this Notice are considered to be the minimum standard of fire prevention measures necessary to protect individual properties and the District generally. In addition to the requirements of this Notice, an authorised officer of the Shire may issue a Special Order on the owner and/or occupier of land requiring additional fire prevention work as specified in that Special Order to be carried out on that land. All owners and/or occupiers shall comply in all respects with the requirements and conditions of any Special Order which is issued by an authorised officer of the Shire with respect to land owned and/or occupied by them.

By order of the Council

ANDREW MacNISH, Chief Executive Officer.

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 J Ford MLC to act temporarily in the office of Minister for Education and Training in the absence of the Hon L Ravlich MLC for the period 26 December 2005 to 15 January 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 A J Carpenter MLA to act temporarily in the office of Treasurer; Minister for Government Enterprises; Minister Assisting the Minister for Public Sector Management in the absence of the Hon E S Ripper MLA for the period 21 October to 5 November 2005 (both dates inclusive).

This notice supersedes that published in *Government Gazette* Number 180 on 27 September 2005.

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

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Stirling

District Planning Scheme No. 2—Amendment No. 478

Ref: 853/2/20/34 Pt 478

It is hereby notified for public information, in accordance with section 7 of the *Town Planning and Development Act 1928* (as amended) that the Minister for Planning and Infrastructure approved the City of Stirling town planning scheme amendment on 11 OCTOBER 2005 for the purpose of—

1. Amending Schedule 2B by inserting a new row (following entry 'A7') to state the following—

No	Description of Land	Additional Use	Conditions
A8	Lot 100, HN 44 Wanneroo Road, Yokine	a. Take-Away/Fast Foods; and b. Automotive Repairs	1. The 'take-away/fast food' use be restricted to 285m ² GFA; and, 2. The 'automotive repairs' use be restricted to the 175m ² GFA, currently in operation at the date of the gazettal of Amendment 478.

2. Amending the Scheme Map by denoting a symbol 'A8' on Lot 100, HN 44 Wanneroo Road, Yokine, as shown in that attached plan.

T. J. TYZACK, Mayor.
L. DELAHAUNTY, Chief Executive Officer.

POLICE

PO401*

POLICE ACT 1892

NOTICE REVOKING REMOVAL ACTION

I, Karl Joseph O'Callaghan, APM, Commissioner of Police, in the state of Western Australia, hereby revoke the removal action taken in accordance with section 33L of the Police Act 1892 against Karen Lee Gordon, who was removed from office on 12 July 2005. This notice is made pursuant to section 33N(2) of the Police Act 1892.

Dated 17 October 2005.

K. J. O'CALLAGHAN, APM, Commissioner of Police.

PUBLIC NOTICES

ZZ401

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER—TO SELL OR OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300

To Mr Malcolm Burden, (last known address) of SGS Australia Pty Ltd, Suite 1 Enterprise Unit 3, de Laeter Way, Technology Park, Bentley WA 6102 (bailor), please take note of the following information.

Notice is hereby given to you that under the provision of the Disposal of Uncollected Goods Act, 1970, that MALZ Motoring & Leisure Zone of Suite 25, 25 Walters Drive Osborne Park WA, will apply for a court order under the provisions of the above Act, to sell your uncollected goods (8 Harley Chopper Pocket Bikes) and seek to recoup all costs, on or after 30 days of this notice appearing.

You were given notice on 4th May 2005 that the goods were ready for your collection.

Date: 25/10/2005.

MICHAEL DELLA-POLINA, Director (bailee).

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 estate of the undermentioned deceased persons are required by the personal representatives of care of Marks & Sands Lawyers, Level 9, 30 The Esplanade, Perth to send particulars of their claims to them by the 30th of November, 2005 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Wells: Ada May late of Gracewood Baptist Hostel, Roebuck Drive, Salter Point. Died 31 May, 2005.

Nicholas: Lilla Elizabeth late of Agmaroy Nursing Home, Leach Highway, Wilson. Died 24 March, 2005.

Rodway: Susan Kay late of 68 Villiers Street, Bassendean. Died 9 July, 2005.

Pinder: Eva Noreen late of Peter Arney Home, Gentilli Way, Salter Point. Died 1 June, 2005.

Fitzgibbon: Ian Edward late of 6 Bussell Highway, Margaret River. Died 10 February, 2005.

Pillow: Edna Priscilla late of Craigwood Nursing Home, Gardner Street, Como. Died 29 July, 2005.

Lendich: Milan late of 105 West Parade, Perth. Died 17 April, 2004.

Wheeler: Annette Julie late of Concorde Nursing Home, Anstey Street, South Perth. Died 29 June, 2005.

Wustemann-Howgate: Alison Adelaide Mary late of Weston Hostel, Monash Avenue, Nedlands. Died 22 June, 2005.

A L L N E W !

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