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— PART 1 —

PROCLAMATIONS

AA101*

LAND INFORMATION AUTHORITY ACT 2006

No. 60 of 2006

PROCLAMATION

Western Australia

By His Excellency

*Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Land Information Authority Act 2006* section 2 and with the advice and consent of the Executive Council, fix 1 January 2007 as the day on which the provisions of that Act, other than Part 1, come into operation.

Given under my hand and the Public Seal of the State on 5th December 2006.

By Command of the Governor,

M. H. ROBERTS, Minister for Land Information.

COMMUNITY DEVELOPMENT

CX301*

Children and Community Services Act 2004

Children and Community Services Amendment Regulations (No. 3) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services Amendment Regulations (No. 3) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Children and Community Services Regulations 2006**.

[* *Published in Gazette 18 January 2006, p. 353-372.*
For amendments to 15 November 2006 see Gazette 1 March and 18 August 2006.]

3. Regulation 23 amended

Regulation 23(4) is amended by deleting “12 months” and inserting instead —

“ 2 years ”.

By Command of the Governor,

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

CX302*

Children and Community Services Act 2004

Children and Community Services (Child Care) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services (Child Care) Amendment Regulations 2006*.

2. The regulations amended

The amendments in these regulations are to the *Children and Community Services (Child Care) Regulations 2006**.

[* Reprint 1 as at 21 April 2006.]

3. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) in the definition of “first aid qualifications” by inserting after “the following” —
“ or equivalent ”;
- (b) by inserting in the appropriate alphabetical positions —

“

“**class A contact staff member**” means a contact staff member who holds —

- (a) a degree or diploma in early childhood care or early childhood education from a recognised Australian university or other tertiary institution; or

- (b) an equivalent qualification as determined by the CEO;

“class A* contact staff member” means a contact staff member who holds —

- (a) a qualification referred to in the definition of class A contact staff member which includes a specialist course on the principles and practices of the care and education of children in the 0-24 months age range, in addition to practical experience of 100 hours (minimum) with children in that age range; or
- (b) an equivalent qualification as determined by the CEO;

“class B contact staff member” means a contact staff member who holds —

- (a) a 2 year certificate in child care studies; or
- (b) a diploma or associate diploma in child care; or
- (c) an equivalent qualification as determined by the CEO;

“class B* contact staff member” means a contact staff member who holds —

- (a) a qualification referred to in the definition of class B contact staff member which includes a specialist course on the principles and practices of the care and education of children in the 0-24 months age range, in addition to practical experience of 100 hours (minimum) with children in that age range; or
- (b) an equivalent qualification as determined by the CEO;

“class C contact staff member” means a contact staff member who is —

- (a) a registered mothercraft nurse; or
- (b) the holder of a mothercraft nursing qualification; or
- (c) the holder of an equivalent qualification as determined by the CEO;

“class D contact staff member” means a person who does not hold a qualification referred to in the definitions of class A, A*, B, B*, C or E contact staff member;

“class E contact staff member” means a person who has reached 18 years of age and —

- (a) has at least 2 years’ experience working in an early childhood care setting; or
- (b) is the holder of —
 - (i) a Certificate III in Community Services (Children’s Services); or
 - (ii) a qualification equivalent to that referred to in subparagraph (i) as determined by the CEO.

“qualified rescuer” means a person who holds at least one of the following qualifications —

- (a) an RLSSA Aquatic Rescue Certificate;
- (b) an RLSSA Bronze medallion;
- (c) an RLSSA Swimming Teacher Rescue Certificate;
- (d) a Surf Life Saving Western Australia Incorporated Bronze medallion;
- (e) a qualification that is, in the opinion of the CEO, equivalent to a qualification referred to in paragraph (a), (b), (c) or (d);

“RLSSA” means the Royal Life Saving Society - Australia, Western Australia Branch Inc.;

”.

4. Regulation 10 amended

- (1) Regulation 10(1)(i) is deleted.
- (2) Regulation 10(2) is amended by deleting “Subregulation (1)(i) and (j) do” and inserting instead —

“ Subregulation (1)(j) does ”.

5. Regulation 11 amended

Regulation 11(5) is repealed.

6. Regulation 12 amended

Regulation 12(6) is repealed.

7. Regulation 14 amended

- (1) Regulation 14(1) is amended by deleting “, or the renewal of a licence,”.
- (2) Regulation 14(3) is amended as follows:
 - (a) by deleting paragraph (c);
 - (b) in paragraph (d) by deleting “and the full name and residential address of the nominated supervising officer or supervising officer”;

- (c) in paragraph (e) by deleting “or operates”;
 - (d) in paragraph (f) by deleting “or renewal of licence”.
- (3) Regulation 14(4) is amended by deleting “or renew”.
- (4) Regulation 14(5) is repealed.

8. Regulation 15 repealed

Regulation 15 is repealed.

9. Regulation 16 amended

- (1) Regulation 16(1) is repealed and the following subregulation is inserted instead —

“

- (1) Any person may object to the grant of a licence on the ground that the applicant is not a fit and proper person to provide or be involved in the provision of a child care service.

”.

- (2) Regulation 16(3) is amended as follows:

- (a) by deleting “or 15”;
- (b) by deleting “, renew or amend the licence or give approval, as the case requires.” and inserting instead —
“ the licence. ”.

10. Regulation 19 amended

Regulation 19(3) is amended as follows:

- (a) in paragraph (b) by deleting “or current assessment notice”;
- (b) in paragraph (c) by deleting “or current assessment notice”.

11. Regulation 21 amended

Regulation 21(4) is repealed and the following subregulations are inserted —

“

- (4) Subregulation (1) does not apply to the taking or recording of a visual image —
- (a) by a licensing officer when exercising a power or performing a duty under the Act; or
 - (b) for the purpose of monitoring an enrolled child.
- (5) Subregulation (3) does not apply to the use of a visual image for the purpose of monitoring an enrolled child.

”.

12. Regulation 23 amended

- (1) Regulation 23(2) is amended by deleting “under the direct supervision of a contact staff member.” and inserting instead —

“

adequately supervised by a staff member with a first aid qualification.

”.

- (2) Regulation 23(4) is amended as follows:

- (a) after paragraph (a) by deleting “or” and inserting instead —

“ and ”;

- (b) by deleting paragraph (b) and inserting the following paragraph instead —

“

(b) be a class A, B or C contact staff member.

”.

13. Regulation 24 amended

Regulation 24 is amended by deleting “regulation 81(1)” and inserting instead —

“ regulation 81(1), (2) or (3) or 81A ”.

14. Regulation 25 amended

Regulation 25(1) is amended by deleting “regulation 81(1)” and inserting instead —

“ regulation 81(1), (2) or (3) or 81A ”.

15. Regulation 26 amended

Regulation 26(2) is repealed and the following subregulations are inserted —

“

- (2) The licensee must not employ a person for the purposes of subregulation (1) unless —

- (a) the person has completed —

(i) a food handling and hygiene course approved by the CEO; and

(ii) a course of training in nutrition approved by the CEO;

or

- (b) the licensee is satisfied that the person has enrolled or intends to enrol in a course of that kind.

- (3) The licensee must not continue to employ a person employed under subregulation (2)(b) if the person —
- (a) in a case where the person had not enrolled in a food handling and hygiene course or course of training in nutrition approved by the CEO, fails to enrol in the course within one month after the person is employed; or
 - (b) in a case where the person had enrolled in a food handling and hygiene course or course of training in nutrition approved by the CEO, fails to complete a course within 6 months after the person is employed.

”.

16. Regulation 49 amended

Regulation 49(4) is repealed and the following subregulation is inserted instead —

“

- (4) A licensee must ensure that a fire or heating apparatus at the place (other than a low surface temperature heater) is effectively shielded or guarded when in use to prevent —
- (a) direct contact by or access to any child; and
 - (b) the emission of any sparks or flame.

”.

17. Regulation 50 amended

Regulation 50(2) is repealed and the following subregulation is inserted instead —

“

- (2) A licensee must ensure that a ceiling mounted fan at the place that has blades 2 400 mm or less above the floor below it is not operated if —
- (a) an enrolled child is present at the place; and
 - (b) an enrolled child has access to the area in which the fan is located.

”.

18. Regulation 56 amended

Regulation 56(1) is repealed.

19. Regulation 61 amended

Regulation 61(4) is amended as follows:

- (a) after paragraph (c) by deleting “; and” and inserting a full stop instead;
- (b) by deleting paragraph (d);
- (c) after each of paragraphs (a) and (b) by inserting —
“ and ”.

20. Regulation 72 amended

- (1) Regulation 72(1) is amended as follows:
- (a) before paragraph (a) by inserting the following paragraph —
 - “
 - (aa) a record of a course enrolled in by a person referred to in regulation 26(2)(b) and evidence that the person has completed the course;
 - ”;
 - (b) in paragraph (b) by deleting “regulation 81(2)(d);” and inserting instead —
 - “ regulation 81(4)(b); ”.
- (2) Regulation 72(2) is amended as follows:
- (a) in paragraph (a) by deleting “(1)(a)” and inserting instead —
 - “ (1)(aa), (a) ”;
 - (b) in paragraph (b) by deleting “(1)(c)” and inserting instead —
 - “ (1)(aa) or (c) ”.

21. Regulation 81 replaced by regulations 81 and 81A

Regulation 81 is repealed and the following regulations are inserted instead —

“

81. Minimum contact staff members required

- (1) Subject to regulations 23, 24, 25, 81A and 82, a licensee must ensure that at a care session —
- (a) for every 4 or fewer than 4 enrolled children who have not reached 24 months of age present at the care session there is one class A*, B*, C, D or E contact staff member on duty; and
 - (b) for every 12 or fewer than 12 enrolled children who have not reached 24 months of age present at the care session the contact staff members required under paragraph (a) include a class A*, B* or C contact staff member.
- Penalty: a fine of \$6 000.
- (2) Subject to regulations 23, 24, 25, 81A and 82, a licensee must ensure that at a care session —
- (a) for every 5 or fewer than 5 enrolled children who have reached 24 months of age but not reached 36 months of age present at the care session there is one class A, B, C, D or E contact staff member on duty; and

- (b) for every 15 or fewer than 15 enrolled children greater than 5 enrolled children who have reached 24 months of age but not reached 36 months of age present at the care session the contact staff members required under paragraph (a) include a class A, B or C contact staff member.

Penalty: a fine of \$6 000.

- (3) Subject to regulations 23, 24, 25, 80, 81A and 82, a licensee must ensure that at a care session —
 - (a) for every 10 or fewer than 10 enrolled children who have reached 36 months of age present at the care session there is one class A, B, C, D or E contact staff member on duty; and
 - (b) for every 30 or fewer than 30 enrolled children greater than 10 enrolled children who have reached 36 months of age present at the care session the contact staff members required under paragraph (a) include a class A, B or C contact staff member.

Penalty: a fine of \$6 000.

- (4) For the purpose of determining the number of contact staff required under subregulations (1), (2) and (3), the licensee may include an enrolled child in an age range that is up to 6 months higher or 6 months lower than the child's actual age if the licensee —
 - (a) is satisfied on reasonable grounds it is developmentally appropriate for the child to be included in that age range; and
 - (b) is authorised in writing by the child's parent to include the child in that age range.

- (5) If under subregulation (4) an enrolled child is included in an age range that is up to 6 months higher than the child's actual age, the licensee must ensure that the contact staff members on duty include a class A, A*, B, B*, C or E contact staff member.

Penalty: a fine of \$6 000.

81A. Contact staff requirements in certain circumstances

- (1) Despite regulations 23(3) and (4) and 81, but subject to regulations 23(1) and (2), 24, 25 and 82, if there are fewer than 13 enrolled children present at the place during a care session including at least one enrolled child who has not reached 24 months of age the licensee must ensure that —
 - (a) for every 4 or fewer than 4 enrolled children present at the care session there is one contact staff member on duty; and

- (b) the contact staff members referred to in paragraph (a) include —
 - (i) a contact staff member who has reached 18 years of age (who may be a contact staff member referred to in subparagraph (ii)); and
 - (ii) a class A*, B* or C contact staff member.

Penalty: a fine of \$6 000.

- (2) Despite regulation 81, but subject to regulations 23, 24, 25 and 82, if there are fewer than 16 enrolled children present at the place during a care session and all of the children present have reached 24 months of age the licensee must ensure that —
 - (a) for every 5 or fewer than 5 enrolled children present at the care session there is one contact staff member on duty; and
 - (b) the contact staff members referred to in paragraph (a) include —
 - (i) a contact staff member who has reached 18 years of age (who may be a contact staff member referred to in subparagraph (ii)); and
 - (ii) a class A, B or C contact staff member.

Penalty: a fine of \$6 000.

”.

22. Regulation 82 amended

Regulation 82 is amended as follows:

- (a) by deleting “regulation 81(1)” in both places where it occurs and inserting instead —

“ regulation 81(1), (2) or (3) or 81A ”;
- (b) by deleting subparagraph (b)(i) and “or” after it and inserting instead —

“

 - (i) is a class A, A*, B, B*, C or E contact staff member; or

”;
- (c) in paragraph (d) by deleting “has a qualification referred to in regulation 81(3)(a), (c) or (e).” and inserting instead —

“ is a class A, B or C contact staff member. ”.
- (d) after each of paragraphs (a) and (b) by inserting —

“ and ”.

23. Regulation 93 amended

Regulation 93 is amended by deleting “has reached 18 years of age.” and inserting instead —

“

—

- (a) has reached 18 years of age; or
- (b) is under 18 years of age but has a first aid certificate or is a qualified rescuer.

”.

24. Regulation 94 amended

Regulation 94(3) is amended by deleting “regulation 81.” and inserting instead —

“ regulation 81 or 81A. ”.

25. Schedule 1 repealed

Schedule 1 is repealed.

By Command of the Governor,

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

CX303*

Children and Community Services Act 2004

Children and Community Services (Family Day Care) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services (Family Day Care) Amendment Regulations 2006*.

2. The regulations amended

The amendments in these regulations are to the *Children and Community Services (Family Day Care) Regulations 2006**.

[* Reprint 1 as at 21 April 2006.]

3. Regulation 3 amended

Regulation 3 is amended in the definition of “first aid qualifications” by inserting after “the following” —

“ or equivalent ”.

4. Regulation 11 amended

- (1) Regulation 11(5) is repealed.
- (2) Regulation 11(6) is amended by deleting “Subregulations (3) and (5), and regulation 14, do” and inserting instead —
“ Subregulation (3) does ”.

5. Regulation 13 amended

- (1) Regulation 13(1) is amended by deleting “, or the renewal of a licence,”.
- (2) Regulation 13(3)(b) is amended by deleting “or renewal of the licence”.
- (3) Regulation 13(4) is amended by deleting “or renew”.

6. Regulation 14 repealed

Regulation 14 is repealed.

7. Regulation 15 amended

- (1) Regulation 15(1) is repealed and the following subregulation is inserted instead —
“
 - (1) Any person may object to the grant of a licence on the ground that the applicant is not a fit and proper person to provide or be involved in the provision of a child care service.”.
- (2) Regulation 15(3) is amended as follows:
 - (a) by deleting “or 14”;
 - (b) by deleting “grant or renew the licence or give approval, as the case requires.” and inserting instead —
“ grant the licence. ”.

8. Regulation 20 amended

Regulation 20(4) is repealed and the following subregulations are inserted —

- “
- (4) Subregulation (1) does not apply to the taking or recording of a visual image —
 - (a) by a licensing officer when exercising a power or performing a duty under the Act; or

- (b) for the purpose of monitoring an enrolled child.
- (5) Subregulation (3) does not apply to the use of a visual image for the purpose of monitoring an enrolled child.

”.

9. Regulation 23 amended

Regulation 23(1) is amended by deleting “and” after paragraph (a) and inserting instead —

“ or ”.

10. Regulation 37 amended

Regulation 37(4) is repealed and the following subregulation is inserted instead —

“

- (4) A licensee must ensure that a fire or heating apparatus at the place (other than a low surface temperature heater) is effectively shielded or guarded when in use to prevent —
 - (a) direct contact by or access to any child; and
 - (b) the emission of any sparks or flame.

”.

11. Regulation 38 amended

Regulation 38(2) is repealed and the following subregulation is inserted instead —

“

- (2) A licensee must ensure that a ceiling mounted fan at the place that has blades 2 400 mm or less above the floor below it is not operated if —
 - (a) an enrolled child is present at the place; and
 - (b) an enrolled child has access to the area in which the fan is located.

”.

12. Regulation 88 amended

Regulation 88 is amended by deleting “may” and inserting instead —

“ must ”.

By Command of the Governor,

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

CX304*

Children and Community Services Act 2004

Children and Community Services (Outside School Hours Care) Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services (Outside School Hours Care) Amendment Regulations (No. 2) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Children and Community Services (Outside School Hours Care) Regulations 2006**.

[* *Published in Gazette 18 January 2006, p. 289-351.*
For amendments to 20 November 2006 see Gazette 1 March 2006.]

3. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) in the definition of “first aid qualifications” by inserting after “the following” —
“ or equivalent ”;
- (b) by deleting the definition of “secondary programme”.

4. Regulation 12 amended

Regulation 12(5) is repealed.

5. Regulation 13 amended

Regulation 13(6) is repealed.

6. Regulation 15 amended

- (1) Regulation 15(1) is amended by deleting “, or the renewal of a licence,”.
- (2) Regulation 15(3) is amended as follows:
 - (a) by deleting paragraph (c);

- (b) in paragraph (d) by deleting “and the full name and residential address of the nominated supervising officer”;
 - (c) in paragraph (e) by deleting “or operates”;
 - (d) in paragraph (f) by deleting “or renewal of the licence”.
- (3) Regulation 15(4) is amended by deleting “or renewal”.
- (4) Regulation 15(5) is amended by deleting “or of the managerial officer or nominated supervising officer”.

7. Regulation 16 repealed

Regulation 16 is repealed.

8. Regulation 17 amended

- (1) Regulation 17(1) is repealed and the following subregulation is inserted instead —

“

- (1) Any person may object to the grant of a licence on the ground that the applicant is not a fit and proper person to provide or be involved in the provision of a child care service.

”.

- (2) Regulation 17(3) is amended as follows:
- (a) by deleting “or 16”;
 - (b) by deleting “or renew the licence, amend the licence or give approval, as the case requires.” and inserting instead —
“ the licence. ”.

9. Regulation 20 amended

Regulation 20(3) is amended as follows:

- (a) in paragraph (b) by deleting “or current assessment notice”;
- (b) in paragraph (c) by deleting “or current assessment notice”.

10. Regulation 22 amended

Regulation 22(4) is repealed and the following subregulations are inserted —

“

- (4) Subregulation (1) does not apply to the taking or recording of a visual image —
- (a) by a licensing officer when exercising a power or performing a duty under the Act; or
 - (b) for the purpose of monitoring an enrolled child.

- (5) Subregulation (3) does not apply to the use of a visual image for the purpose of monitoring an enrolled child. ”.

By Command of the Governor,

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

CX305*

Children and Community Services Act 2004

Children and Community Services (Outside School Hours Family Day Care) Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services (Outside School Hours Family Day Care) Amendment Regulations (No. 2) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Children and Community Services (Outside School Hours Family Day Care) Regulations 2006**.

[* Reprint 1 as at 21 April 2006.]

3. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) in the definition of “first aid qualifications” by inserting after “the following” —
“ or equivalent ”;
- (b) by deleting the definition of “secondary programme”.

4. Regulation 12 amended

- (1) Regulation 12(5) is repealed.
- (2) Regulation 12(6) is amended by deleting “Subregulations (3) and (5), and regulation 15, do” and inserting instead —
“ Subregulation (3) does ”.

5. Regulation 14 amended

- (1) Regulation 14(1) is amended by deleting “, or the renewal of a licence,”.
- (2) Regulation 14(3)(b) is amended by deleting “or renewal of the licence”.
- (3) Regulation 14(4) is amended by deleting “or renew”.

6. Regulation 15 repealed

Regulation 15 is repealed.

7. Regulation 16 amended

- (1) Regulation 16(1) is repealed and the following subregulation is inserted instead —

“

- (1) Any person may object to the grant of a licence on the ground that the applicant is not a fit and proper person to provide or be involved in the provision of a child care service.

”.

- (2) Regulation 16(3) is amended as follows:
 - (a) by deleting “or 15”;
 - (b) by deleting “or renew the licence or give approval, as the case requires.” and inserting instead —
“ the licence. ”.

8. Regulation 21 amended

Regulation 21(4) is repealed and the following subregulations are inserted —

“

- (4) Subregulation (1) does not apply to the taking or recording of a visual image —
 - (a) by a licensing officer when exercising a power or performing a duty under the Act; or
 - (b) for the purpose of monitoring an enrolled child.
- (5) Subregulation (3) does not apply to the use of a visual image for the purpose of monitoring an enrolled child.

”.

9. Regulation 29A inserted

After regulation 29 the following regulation is inserted —

“

29A. Heating

A licensee must ensure that a fire or heating apparatus at the place (other than a low surface temperature heater) is effectively shielded or guarded when in use to prevent —

- (a) direct contact by or access to any child; and
- (b) the emission of any sparks or flame.

Penalty: a fine of \$4 000.

”.

10. Regulation 30 amended

After regulation 30(2) the following subregulation is inserted —

“

- (2a) If an animal or bird is kept at the place, a licensee must ensure that a child is not allowed access to the animal or bird except under the direct supervision of a person of not less than 18 years of age.

”.

11. Regulation 71 amended

Regulation 71 is amended by deleting “may” and inserting instead —

“ must ”.

By Command of the Governor,

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

MARINE/MARITIME

MX301*

Western Australian Marine Act 1982

**W.A. Marine (Certificates of Competency and
Safety Manning) Amendment Regulations
(No. 3) 2006**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations (No. 3) 2006*.

2. The regulations amended

The amendments in these regulations are to the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983**.

[* Reprint 2 as at 17 September 2004.
For amendments to 28 September 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 462, and Gazette 16 and 23 June 2006.*]

3. Regulation 3 amended

Regulation 3 is amended by deleting the definition of “revalidation” and inserting instead —

“

“**revalidate**”, in relation to a certificate of competency, means to record on the certificate that the holder continues to meet the standard of competency required for the functions to which the certificate relates;

”.

4. Regulation 10 amended

- (1) Regulation 10(1) is repealed and the following subregulations are inserted instead —

“

- (1) In this regulation —

“**NSCV Part D**” means Part D of the National Standard for Commercial Vessels published by the National Marine Safety Committee in April 2005.

- (1a) A certificate of competency that has been held for more than 5 years is not a valid certificate of competency for sea service on a trading ship at a particular time unless the chief executive officer has revalidated the certificate within the period of 5 years immediately preceding that time.
- (1b) The holder of a certificate of competency may apply to the chief executive officer at any time for revalidation of the certificate for the purposes of subregulation (1a).
”.
- (2) Regulation 10(2) is amended as follows:
- (a) by inserting after “revalidation” —
“
of a certificate of competency to which this subregulation applies
”;
- (b) in paragraph (a) by deleting “a certificate of competency to satisfy him as to” and inserting instead —
“ the certificate ”;
- (c) by deleting paragraph (a)(i) and “and” after it and inserting instead —
“
(i) to provide a current certificate of medical fitness in accordance with the requirements set out in Annex C to NSCV Part D; and
(ia) to provide a current first aid certificate in accordance with the requirements set out in Annex D to NSCV Part D; and
”;
- (d) in paragraph (a)(ii) by inserting before “professional competency” —
“ to satisfy the chief executive officer as to ”;
- (e) in paragraph (a)(ii)(A), (B) and (C) by deleting “seagoing” and inserting instead —
“ sea ”;
- (f) in paragraph (a)(ii)(C) by deleting “an engineer officer” and inserting instead —
“ a marine engineer or marine engine driver ”;
- (g) after paragraph (a) by inserting —
“
and
(aa) may require the holder of the certificate to provide further evidence as to the holder’s medical fitness; and
”;

- (h) in paragraph (b) —
 - (i) by deleting “a certificate of competency” and inserting instead —
“ the certificate ”;
 - (ii) by deleting “of this regulation”;
 - (i) in paragraph (c) —
 - (i) by deleting “seagoing” and inserting instead —
“ sea ”;
 - (ii) by deleting “a certificate of competency” and inserting instead —
“ the certificate ”.
- (3) After regulation 10(2) the following subregulations are inserted —
- “
- (3) Subregulation (2) applies to the following certificates of competency —
 - (a) Master Class III;
 - (b) Master Class IV;
 - (c) Mate Class IV;
 - (d) Marine Engineer Class III;
 - (e) Marine Engine Driver Grade I.
 - (4) Before revalidation of a certificate of competency to which this subregulation applies, the chief executive officer —
 - (a) shall require the holder of the certificate —
 - (i) to provide a declaration of medical fitness in accordance with the requirements set out in Annex C to NSCV Part D; and
 - (ii) to pass an eyesight test in accordance with the requirements set out in Annex C clause C4 to NSCV Part D; and
 - (iii) in the case of sea service described in subregulation (2)(c), to complete relevant training to the satisfaction of the chief executive officer;
 - and
 - (b) may require the holder of the certificate to provide further evidence as to the holder’s medical fitness; and
 - (c) may require the holder of the certificate to satisfactorily complete a short course of the type referred to in subregulation (2)(a)(ii)(E).
- ”

- (5) Subregulation (4) applies to the following certificates of competency —
- (a) Master Class V;
 - (b) Coxswain;
 - (c) Marine Engine Driver Grade II.
- (6) For the purposes of subregulation (2)(aa) or (4)(b) the chief executive officer may require the holder of the certificate to be examined by a medical practitioner specified by the chief executive officer.

”.

5. Regulation 17 amended

Regulation 17(4) is amended by deleting “revalidation and”.

6. Schedule 3 amended

Schedule 3 is amended by deleting “10(1)” and inserting instead —

“ 10 ”.

7. Schedule 4 amended

Schedule 4 is amended in paragraph (a) of the item headed “MATE CLASS IV — Prerequisites — ” by deleting “seagoing” and inserting instead —

“ sea ”.

By Command of the Governor,

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

TRANSPORT

TR301*

Taxi Act 1994

Taxi Amendment Regulations (No. 5) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Taxi Amendment Regulations (No. 5) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Taxi Regulations 1995**.

[* Reprint 2 as at 4 March 2005.

For amendments to 28 November 2006 see *Gazette* 24 February, 13 April and 23 June 2006.]

3. Regulation 3 amended

Regulation 3 is amended after the definition of “driver” by inserting —

“

“**fare**” includes any other amount payable in relation to the hiring of a taxi that is authorised by regulation 8(1aa);

”.

4. Regulation 8 amended

- (1) Regulation 8(1) is amended by deleting “A” and inserting instead —

“ Subject to subregulation (1aa), a ”.

- (2) After regulation 8(1) the following subregulation is inserted —

“

- (1aa) A driver may charge in addition to a fare authorised by subregulation (1) an amount that —

- (a) is set out in the fare schedule required to be displayed in the taxi under regulation 7; and

- (b) in accordance with that fare schedule, applies to the hiring.

”.

- (3) Regulation 8(3) is amended as follows:

- (a) after “charge a fare” by inserting —

“ or other amount ”;

- (b) after “subregulation (1)” by inserting —

“ or an amount authorised by subregulation (1aa) ”.

5. Regulation 19A amended

Before regulation 19A(a) the following paragraph is inserted —

“

- (aa) the charges that may be imposed upon hirers for services provided to them by the provider of the taxi dispatch service, including when such charges may, or may not, be imposed;

”.

By Command of the Governor,

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

TR302*

Rail Safety Act 1998

**Rail Safety Amendment Regulations
(No. 2) 2006**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Rail Safety Amendment Regulations (No. 2) 2006*.

2. The regulations amended

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

[* Reprinted as at 18 June 2004.

For amendments to 24 October 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 23 June 2006.*]

3. Schedule 2 amended

Schedule 2 is amended as follows:

- (a) in item 5 by deleting “27.7664” and inserting instead —
“ 26.7664 ”;
- (b) in item 7 by deleting “25.9868” and inserting instead —
“ 26.7664 ”.

By Command of the Governor,

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

TR303*

Transport Co-ordination Act 1966

Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Country Taxi-cars (Fares and Charges) Amendment Regulations (No. 2) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Country Taxi-cars (Fares and Charges) Regulations 1991**.

[* Reprinted as at 26 April 2000.

For amendments to 29 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 14 July 2006.]

3. Schedule 1 amended

- (1) Schedule 1 Part 1 is amended by deleting the Tables headed “Metered rates”, “Off meter rates” and “Other charges” and inserting instead —

“

Metered rates			
	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 a.m. to 6 p.m.	\$3.30	\$1.38/km	\$38.65/hour
Tariff 2 All other times	\$4.80	\$1.38/km	\$38.65/hour
Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$4.80	\$1.99/km	\$59.90/hour

Off meter rates		
	Distance rate (during hiring and for forward or return journey)	Detention
When carrying less than 5 passengers	\$0.88/km	\$38.65/hour
When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$1.32/km	\$59.90/hour

Other charges	
Cleaning (when soiled during hiring — for time required to clean)	\$38.65/hour
Call out fee	\$1.50
Surcharge Christmas Day — midnight to midnight	\$4.02
New Year’s Eve — 6 p.m. New Year’s Eve to 6 a.m. New Year’s Day	\$4.49

”

- (2) Schedule 1 Part 2 is amended by deleting the Tables headed “Metered rates”, “Off meter rates” and “Other charges” and inserting instead —

“

Metered rates			
	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 a.m. to 6 p.m.	\$3.30	\$1.37/km	\$38.65/hour
Tariff 2 All other times	\$4.80	\$1.37/km	\$38.65/hour
Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$4.80	\$2.02/km	\$59.90/hour

Off meter rates		
	Distance rate (during hiring and for forward or return journey)	Detention
When carrying less than 5 passengers	\$0.83/km	\$38.65/hour
When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$1.24/km	\$59.90/hour

Other charges	
Cleaning (when soiled during hiring — for time required to clean)	\$38.65/hour
Call out fee	\$1.50
Surcharge Christmas Day — midnight to midnight	\$4.02
New Year’s Eve — 6 p.m. New Year’s Eve to 6 a.m. New Year’s Day	\$4.49

”.

- (3) Schedule 1 Part 3 is amended by deleting the Tables headed “Metered rates”, “Off meter rates” and “Other charges” and inserting instead —

“

Metered rates			
	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 a.m. to 6 p.m.	\$3.30	\$1.78/km	\$38.65/hour

	Flagfall	Distance rate	Detention
Tariff 2 All other times	\$4.80	\$1.78/km	\$38.65/hour
Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$4.80	\$2.61/km	\$59.90/hour

Off meter rates

	Distance rate (during hiring and for forward or return journey)	Detention
When carrying less than 5 passengers	\$1.00/km	\$38.65/hour
When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$1.50/km	\$59.90/hour

Other charges

Cleaning

(when soiled during hiring — for time required to clean) \$38.65/hour

Call out fee

\$1.50

Surcharge

Christmas Day —
midnight to midnight \$4.02

New Year's Eve —
6 p.m. New Year's Eve
to 6 a.m. New Year's Day \$4.49

- (4) Schedule 1 Part 4 is amended by deleting the Tables headed “Metered rates”, “Off meter rates” and “Other charges” and inserting instead —

“

Metered rates

	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 a.m. to 6 p.m.	\$3.30	\$1.35/km	\$38.65/hour
Tariff 2 All other times	\$4.80	\$1.35/km	\$38.65/hour
Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$4.80	\$2.01/km	\$59.90/hour

”

Off meter rates

	Distance rate (during hiring and for forward or return journey)	Detention
When carrying less than 5 passengers	\$0.83/km	\$38.65/hour
When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$1.24/km	\$59.90/hour

Other charges**Cleaning**

(when soiled during hiring — for time required to clean)

\$38.65/hour

Call out fee

\$1.50

Surcharge

Christmas Day —

midnight to midnight

\$4.02

New Year's Eve —

6 p.m. New Year's Eve

to 6 a.m. New Year's Day

\$4.49

- (5) Schedule 1 Part 5 is amended by deleting the Tables headed "Metered rates", "Off meter rates" and "Other charges" and inserting instead —

“

Metered rates

	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 a.m. to 6 p.m.	\$3.30	\$1.81/km	\$38.65/hour
Tariff 2 All other times	\$4.80	\$1.81/km	\$38.65/hour
Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$4.80	\$2.67/km	\$59.90/hour

”

Off meter rates

	Distance rate (during hiring and for forward or return journey)	Detention
When carrying less than 5 passengers	\$0.98/km	\$38.65/hour
When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$1.47/km	\$59.90/hour

Other charges**Cleaning**

(when soiled during hiring — for time required to clean)

\$38.65/hour

Call out fee

\$1.50

Surcharge

Christmas Day —

midnight to midnight

\$4.02

New Year's Eve —

6 p.m. New Year's Eve

to 6 a.m. New Year's Day

\$4.49

- (6) Schedule 1 Part 6 is amended by deleting the Tables headed "Metered rates", "Off meter rates" and "Other charges" and inserting instead —

“

Metered rates

	Flagfall	Distance rate	Detention
Tariff 1 Monday to Friday 6 a.m. to 6 p.m.	\$3.30	\$1.35/km	\$38.65/hour
Tariff 2 All other times	\$4.80	\$1.35/km	\$38.65/hour
Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$4.80	\$2.02/km	\$59.90/hour

”

Off meter rates

	Distance rate (during hiring and for forward or return journey)	Detention
When carrying less than 5 passengers	\$0.83/km	\$38.65/hour
When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers)	\$1.24/km	\$59.90/hour

Other charges**Cleaning**

(when soiled during hiring — for time required to clean)

\$38.65/hour

Call out fee

\$1.50

Surcharge

Christmas Day —

midnight to midnight

\$4.02

New Year's Eve —

6 p.m. New Year's Eve

to 6 a.m. New Year's Day

\$4.49

”

By Command of the Governor,

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

— PART 2 —

ARCHITECTS BOARD

AB401

ARCHITECTS ACT 2004
ARCHITECTS BOARD OF WESTERN AUSTRALIA
Election Notice

At the Board meeting of 14 November 2005, the Architects Board of Western Australia, having examined and counted the voting papers returned by architects in the State of Western Australia, has by resolution declared Mr Rodney Mollett and Mr Simon Bodycoat re-elected as Board members for an eighteen month period until 30 June 2008.

BRIAN WRIGHT, Chairman.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004
ELECTRICITY NETWORKS ACCESS CODE AMENDMENTS (NO. 2) 2006

I, Francis Logan, Minister for Energy for the State of Western Australia, hereby amend the *Electricity Networks Access Code 2004* established under section 104(1) of the *Electricity Industry Act 2004*.

Dated at Perth this 1st day of December 2006.

FRANCIS LOGAN.

Made by the Minister

1. Citation

These amendments may be cited as the *Electricity Networks Access Code Amendments (No. 2) 2006*.

2. Commencement

These amendments come into operation on the date on which these amendments are published in the *Gazette*.

3. The Electricity Networks Access Code amended

These amendments are to the *Electricity Networks Access Code 2004*.*

[*Published in *Gazette* 30 November 2004, p. 5517-5700]

4. Section 1.3 amended

Section 1.3 is amended as follows—

- (a) insert after the definition of “approval” the following definition and note—

“ **approved extension and expansion policy**” has the meaning given to “approved policy” in section 60 of the Act.

{Note: At the time this definition was inserted in this Code, the definition of “approved policy” in section 60 of the Act was—

“ **approved policy**’ means an extension and expansion policy approved under section 62 as amended from time to time and includes any replacement for the policy approved under section 63”}; and

- (b) in the definition of “**connection point**”, insert after “*covered network* identified in” the words—

“ , or to be identified in, ”.

5. Section 2.9 amended

Section 2.9 is amended by deleting “If a *service provider* will need to undertake an augmentation (“**required augmentation**”)” and inserting instead—

“
Subject to section 2.9A, if a *service provider* will need to undertake a *required augmentation*
”.

6. New section 2.9A inserted

After section 2.9 the following section is inserted—

“
2.9A If—
(a) an *approved extension and expansion policy* provides that the *service provider* will undertake and fund a *required augmentation* if the *user* pays an amount specified in, or determined under, the policy; and
(b) the *user* pays the amount,
then the *service provider* must undertake and fund the *required augmentation* in accordance with the *approved extension and expansion policy* or as otherwise agreed between the *service provider* and *user*.
”.

7. Sections 4.72 to 4.76 inserted

After section 4.71 the following heading and sections are inserted—

“
Transitional: Extension of deadlines after 2006 Code change
4.72 Sections 4.73 to 4.76 are transitional provisions that apply only in respect of the application of the *access arrangement approval* process in Subchapter 4.1 in respect of the *covered network* that is *covered* under section 3.1.
{Note: These transitional provisions apply only for Western Power’s first *proposed access arrangement* for the SWIN, which is the subject of the *2006 draft decision*.}
4.73 In sections 4.73 to 4.76—
“**2006 amendments**” means the amendments to this Code made by the *Electricity Networks Access Code Amendments (No 1) 2006* and the *Electricity Networks Access Code Amendments (No 2) 2006*.
{Note: The *Electricity Networks Access Code Amendments (No 1) 2006* were *Gazetted* on 1 September 2006 and the *Electricity Networks Access Code Amendments (No 2) 2006* were *Gazetted* on 8 December 2006.}
“**2006 draft decision**” means the *draft decision published* by the *Authority* on 21 March 2006 under section 4.12(b) not to *approve* the *proposed access arrangement* for the *covered network* that is *covered* under section 3.1.
“**original section 4.18 deadline**” means the *section 4.18 deadline* applying under this Code immediately before the *Electricity Networks Access Code Amendments (No 2) 2006* take effect.
“**section 4.18 deadline**” means the deadline in section 4.18 for the issue of a *final decision*, as extended from time to time under this Code.
4.74 Despite anything else in this Code—
(a) on the date the *Authority publishes* a notice under section 4.71(b) ending a suspension under section 4.71(a)—
(i) the *Authority* may *publish* and *advertise* an invitation for submissions on the *2006 draft decision* which have regard to the *2006 amendments*; and
(ii) if it does so, the *Authority* must specify in the invitation the length of time (which must be no greater than 15 *business days* after the invitation is *published*) that it will allow for the making of submissions under section 4.74(a)(i);
and
(b) a person may make a submission to the *Authority* in accordance with an invitation under section 4.74(a)(i) within the period of time specified in the invitation; and
(c) the *Authority* may, from time to time, by *publishing* a notice, extend the *section 4.18 deadline*, but—
(i) the notice must be published before the time the *section 4.18 deadline* would otherwise have expired; and
(ii) the *Authority* must not do so unless it has first determined as a *reasonable and prudent person* that it is essential to do so for due consideration of all the matters under consideration or satisfactory performance of the *Authority’s* obligations under this Code; and
(iii) the notice must specify the *Authority’s* reasons for deciding to extend the *section 4.18 deadline*; and
”.

(iv) the aggregate of all extensions under this section 4.74(c) must not exceed—

- (A) if the *Authority* has *published* and *advertised* an invitation for submissions under section 4.74(a)—an additional 30 *business days*, plus the number of *business days* specified under section 4.74(a)(ii), after the *original section 4.18 deadline*; and
- (B) otherwise—an additional 30 *business days* after the *original section 4.18 deadline*.

4.75 An extension under section 4.74(c) is in addition to any other extension, and does not limit section 4.67.

4.76 Section 4.66(n) is amended to delete “3” and insert—
“ 5 ”.

8. Section 5.14 amended

Section 5.14 is amended by deleting “A” and inserting instead—

“ Subject to section 5.14A, a ”.

9. New section 5.14A added

After Section 5.14 the following section is inserted—

“

5.14A A *capital contributions policy* may provide for a user to make a *capital contribution* in respect of a *new facility* whether or not the *new facilities investment* meets the *new facilities investment test*, if an *approved extension and expansion policy* provides for the *user* to pay in respect of the *new facility* an amount specified in, or determined under, the policy.

”.

10. Section 6.37A amended

Section 6.37A is amended by—

- (a) deleting “to make a tariff equalization contribution to the Tariff Equalization Fund under Part 9A of the Act” and inserting instead —

“ , by a notice made under section 129D(2) of the Act, to pay a tariff equalization contribution into the Tariff Equalization Fund ”; and

- (b) in paragraph (a) deleting “made during the *access arrangement period*” and inserting instead—

“ paid under the notice, including any amount that was payable or paid before the commencement of the *access arrangement period* ”.

11. Section 7.12 amended

Section 7.12 is amended by—

- (a) after “under section 6.37A” deleting “, then” and inserting instead—

“ and is intended to be recovered from *users of reference services* through one or more *reference tariffs*, then the recovery must have the objective of ”; and

- (b) deleting paragraphs (a) and (b) and inserting instead—

“

(a) applying only to *users of reference services* provided in respect of *exit points* on the *distribution system*; and

(b) being equitable in its effect as between the *users* referred to in section 7.12(a); and

(c) otherwise being consistent with the *Code objective*.

”.

12. Opening words to Appendix 4 Amended

After the fourth paragraph beginning “If an *access arrangement* is to include” the following paragraph is inserted—

“

This *model capital contributions policy* does not provide for a user to make a *capital contribution* under section 5.14A. If the *capital contributions policy* in the *access arrangement* is to provide for *capital contributions* under section 5.14A, then the *Authority* should consider how the *capital contributions policy* should differ from this *model capital contributions policy*.

”.

EN402***ELECTRICITY INDUSTRY ACT 2004****NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS**

Notice is given that the following Distribution and Transmission Licences have been amended—

- Licensee:** TEC Desert Pty Ltd & TEC Desert No. 2 Pty Ltd
t/a Southern Cross Energy Partnership ABN 79 271 003 656
- Issue Date:** 4 December 2006
- Address of Licensee:** Level 36
Central Park
152-158 St Georges Terrace
Perth WA 6000
- 1. Classification:** Distribution (EDL 3)
- Term of Licence:** Up to and including 30 June 2036.
- Amendment:** Replacement of the Distribution Plans ERA-EL-109/1(A) and ERA-EL-109/2(A) with ERA-EL-109(B).
- Area Covered:** Licence area is the area within the boundaries as set out in Plan No. ERA-EL-109(B).
- 2. Classification:** Transmission (ETL 4)
- Term of Licence:** Up to and including 29 June 2036.
- Amendment:** Replacement of the Transmission Plans ERA-EL-110/1(A) and ERA-EL-110/2(A) with ERA-EL-110/1(B) and ERA-EL-110/2(B).
- Area Covered:** Licence area is the area within the boundaries as set out in Plan No. ERA-EL-110/1(B) and ERA-EL-110/2(B).
- Inspection of Licence:** Economic Regulation Authority
6th Floor
197 St Georges Terrace
Perth WA 6000
[http:// www.era.wa.gov.au](http://www.era.wa.gov.au)

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

FISHERIES

FI401***PEARLING ACT 1990**

Section 23(8)

GRANT OF PEARL OYSTER FARM LEASE**POINT LEFROY**

FD 19/06

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

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

Dated this 30th day of November 2006.

P. J. MILLINGTON, Chief Executive Officer,
Department of Fisheries.

FI402

FISH RESOURCES MANAGEMENT ACT 1994
NORTHERN DEMERSAL SCALEFISH MANAGED FISHERY MANAGEMENT PLAN 2000
Notice of Determination

Determination of the Capacity of the Northern Demersal Scalefish Managed Fishery
for the 2007 Licensing Period

I, Peter Millington, Chief Executive Officer of the Department of Fisheries, in accordance with subclause 19(1) of the *Northern Demersal Scalefish Managed Fishery Management Plan 2000*, do hereby determine the capacity of Area 2 of the Northern Demersal Scalefish Managed Fishery shall be limited to 1760 fishing days for the period commencing 1 January 2007 and ending on 31 December 2007.

P. J. MILLINGTON, Chief Executive Officer.

Dated this 30th day of November 2006.

HEALTH

HE401

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994
HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)
REPEAL ORDER (NO. 2) 2006

Made by the Principal Medical Officer (as delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Repeal Order (No. 2) 2006*.

Commencement

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

Order Repealed

3. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 4) 2005* is repealed.

Dated this 30th day of November 2006.

Dr DOROTHY JONES, Principal Medical Officer.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990
ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Schedule 1

Description of Place

Asquith Bridge at Long Gully Road, Quindanning; River bed of Ptn of the Murray River being unallocated Crown land, Main Roads of Western Australia (MRWA) Bridge No. 4559, Ptn of Lot 748 on DP 136019 being part of Res 39822 and part of the land contained in CLT V 3099 F 484, and Ptn of Wellington Location 4993 being part of State Forrest No. 14 as shown on HCWA Survey Drawing No. 15424 prepared by Midland Survey Services and dated 5 August 2005.

Council House, Perth at 27-29 St Georges Terrace, Perth; Lot 760 on DP 205838 and being the whole of the land comprised in C/T V 1179 F 882.

Dardanup State School (fmr) at Ferguson Road, Dardanup; Lot 5378 on Plan 1077, being Res 37520 and being the whole of the land contained in CLT V 3137 F 535.

Lillimilura Ruins and Grotto at Approximately 147km east of Derby, in the Windjana Gorge National Park, Fairfield-Leopold Downs Road, West Kimberley; Ptn of Stock Route Res 17206 and Ptn of Windjana Gorge National Park Res 31107 as shown on HCWA Survey Drawing No 3691 prepared by Midland Survey Services and dated 16 November 2005.

St Davitt's at 27 Georgette Street, Busselton; Lot 24 on D 23342 being the whole of the land contained in C/T V 1339 F 432.

Pursuant to directions from the Minister for Heritage, notice is hereby given in accordance with section 49(1) of the *Heritage of Western Australia Act 1990* that it is proposed that the place described in Schedule 2 be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing & should be forwarded to the address below not later than 19 January 2007. The place will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

Schedule 2

Description of Place

ANZ Bank, Katanning at 93 Clive Street, Katanning; Katanning Town Lots 424 and 606 being the whole of the land contained in C/T V 1859 F 847.

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that it has resolved that—

1. the places listed in Schedule 3 are of cultural heritage significance, and are of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the places should be entered in the Register of Heritage Places on an interim basis.

The places will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The places listed in Schedule 3 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

The Heritage Council hereby invites submissions as to whether the places listed in Schedule 3 should be entered in the Register of Heritage Places on a permanent basis. The submissions must be in writing and should be forwarded to the address set out below not later than 19 January 2007.

Schedule 3

Description of Place

Hamel Nursery at Burney Road, Hamel; Hamel Lots 21, 23, 24, 25, 139, 140, 159, 162, 163 and 165 and Ptn of Hamel Lot 141 all being part of State Forest No. 60 as is defined in HCWA Survey Drawing 3084 prepared by Whelans.

Lincoln Street Ventilation Stack at 57 Lincoln Street (cnr of Smith Street), Highgate; Lot 1089 on DP 193329 being Res 45158 and the whole of the land contained in CLT V 3109 F 880.

8 December 2006.

IAN BAXTER, Director, Office of the Heritage Council of W.A.
108 Adelaide Terrace East Perth WA 6004.

HR402*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

NOTICE of—

1. proposed entry of a place in the Register of Heritage Places on a permanent basis;
2. advice given to the Minister for Heritage in respect of a portion of that place; and
3. entry of that place in the Register of Heritage Places on an interim basis.

This notice relates to a places known as “Oakover” and “Stirling Terrace Precinct” (“the places”), which are described in Schedules 1 and 2. The portion of the places described in Schedule 2 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

1. Pursuant to a direction given by the Minister for Heritage, the Heritage Council hereby gives notice, in accordance with section 49(1) of the *Heritage of Western Australia Act 1990*, that it is proposed that the places be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 19 January 2007.

2. In accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that it has resolved that—

- (a) the portion of the places described in Schedule 2 are of cultural heritage significance, and are of value for the present community and future generations;
- (b) the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
- (c) the portion of the places described in Schedule 2 should be entered in the Register of Heritage Places on an interim basis.

3. The places will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(a) and (b) of the *Heritage of Western Australia Act 1990*.

Schedule 1

Portion of Oakover at Dale Road, Middle Swan; That Ptn of Lot 13 on D 15576, being part of the land comprised in C/T V 1135 F 135 as defined in Heritage Council of Western Australia Survey Drawing No. 2495 (Revision 27/09/04) prepared by Warren King & Company and Midland Survey Services.

Portion of Stirling Terrace Precinct at 32-190 (Even Only) Stirling Tce, 28-32 Spencer St, and south side of Stirling Terrace, Albany; Lot 2 on D 5851 being the whole of the land contained in C/T V 1513 F 778; Lot 3 on D 9519 being the whole of the land contained in C/T V 1036 F 991; Lot 4 on D 9519 being the whole of the land contained in C/T V 1036 F 987; Lot 41 on D 67461 being the whole of the land contained in C/T V 1705 F 103; Ptn of Lot S19 on DP 222024 and being part of the land contained in C/T V 1112 F 604; Ptn of Lot 123 on D 7305 and being part of the land contained in C/T V 1420 F 479; Ptn of Lot 43 on D 94607 and being part of the land contained in C/T V 2127 F 143; Lot S22 on DP 222024 being the whole of the land contained in C/T V 1916 F 825; Lot 17 on D 30744 being the whole of the land contained in C/T V 1732 F 307; Ptn of Lot 123 on D 379 and being part of the land contained in C/T V 1339 F 364; Albany Lot S30 and being Lot 50 on D 3711 and Lot S31 on DP 222024 being the whole of the land contained in C/T V 1588 F 731 & V 1715 F 065; Lots 1 and 2 on D 1668 being the whole of the land contained in C/T V 1779 F 677; Lot 130 on DP 300037 being the whole of the land contained in C/T V 2159 F 932; Lots 1 and 4 on D 9721 being the whole of the land contained in C/T V 1699 F 711; Lots 2, 3 and 6 and 4 on D 9721 being the whole of the land contained in C/T V 1699 F 712; Lots 5 and 7, Ptn of Lot 8 and Ptn of Lot 50 on D 9721 and being part of the land contained in C/T V 1600 F 599; Ptn of Lot 123 on D 12570 and being part of the land contained in C/T V 1333 F 136; Ptn of Lot S27 on DP 222024 and being part of the land contained in C/T V 141 F 88A; Ptn of Lot S28 on DP 222024 and Ptn of Lot 75 on DP 300036 and being part of the land contained in C/T V 37 F 230A; Ptn of Lot 76 on DP 300036 and being part of the land contained in C/T V 1043 F 885; Ptn of Lot 123 on D 1981 and being part of the land contained in C/T V 1841 F 307; Lot 123 on D 562 being the whole of the land contained in C/T V 1658 F 99; Lot 75 on DP 26122 being the whole of the land contained in C/T V 1087 F 159; Lots B42 and B44 on DP 144904 being the whole of the land contained in C/T V 1739 F 647 together as defined on HCWA Survey Drawing No. 14922 prepared by Midland Survey Services

Schedule 2

Portion of Portion of Oakover at Dale Road, Middle Swan; Ptn of the Swan River river bed as are defined in HCWA Survey Drawing No. 2495 (Revision 27/09/04) prepared by Warren King & Company and Midland Survey Services.

Portion of Stirling Terrace Precinct at at 32-190 (Even Only) Stirling Tce, 28-32 Spencer St, and south side of Stirling Terrace, Albany; Ptn of Lot 1579 on DP 39686, being Ptn of Res 29419 and part of the land contained in CLT V 3131 F 117; Ptn of Lot 825 on DP 202999, being Ptn of Res 19463 and part of the land contained in CLT V 3008 F 686; Lot 826 on DP 202999, being Res 19464 and the whole of the land contained in CLT V 3123 F 627; Lot 827 on DP 202999, being Res 19465 and the whole of the land contained in CLT V 3121 F 802; Ptns of the Stirling Terrace, Lower Stirling Terrace, Proudlove Parade, Collie Street, York Street and Spencer Street road Res together as defined on HCWA Survey Drawing No. 14922 prepared by Midland Survey Services

Dated this 8th day of December 2006.

IAN BAXTER, Director,
Office of the Heritage Council of W.A.
108 Adelaide Terrace,
East Perth WA 6004.

JUSTICE

JU401*

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

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Morgan	Mike	CS6-360	4/12/2006

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

GREGORY RICKIE, A/ CSCS Contract Manager.

JU402

CHARITABLE TRUSTS ACT 1962
IN THE SUPREME COURT OF WESTERN AUSTRALIA
CIV 1898 of 2006

In the matter of the *Charitable Trusts Act 1962* (WA) and in the matter of an Application by Anglican Homes (Incorporated).

Between: Anglican Homes (Incorporated), Plaintiff and the Attorney General of Western Australia, Defendant.

Order for approval of variation of trust before the Honourable Justice Blaxell on 21 November 2006.

Upon the application of the Plaintiff by Originating Summons dated 24 August 2006 and upon hearing Mr A. Karp of Counsel for the Plaintiff and Ms J. Weeden of Counsel for the Defendant, it is ordered that the following scheme for variation of trust prepared by the Plaintiff under the *Charitable Trusts Act 1962* (WA) and approved by the Defendant on 24 July 2006 ("the Scheme") be and is hereby approved.

"The Scheme

1. Upon approval of this scheme by the Supreme Court, The Perth Diocesan Trustees shall cease to be the trustee of the Trust and Anglican Homes (Incorporated) of 416 Stirling Highway, Cottesloe, Western Australia shall be substituted as trustee.

2. The Recital in the trust deed is amended to delete the words "on deposited Plan 4958 and being the whole of the land comprised in certificate of title volume 951 folio 170" and to substitute the following—

"being the whole of the land comprised in certificate of title volume 1989 folio 256 formerly known as certificate of title volume 951 folio 170".

3. Paragraph 2 of the trust deed is deleted in its entirety and substituted with the following—

"The Trustee shall sell the said land by tender or alternatively by private treaty and shall apply the net proceeds of sale to the cost of construction of an accommodation wing to be named "Armstrong" at Peter Arney Home located at 1 Gentilli Way, Salter Point".

4. The trustee's and the Attorney General's reasonable costs of and incidental to—

- (a) preparing and advertising the scheme; and
- (b) obtaining approval of the scheme,

be paid out of, and be a charge on the trust property."

By the Court,

D. POWELL, Registrar.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Kalamunda

APPOINTMENT OF AUTHORISED PERSON

It is hereby notified for public information that Mr Craig Brendan Garrett is appointed as an Authorised Officer for the Shire of Kalamunda, effective from 20th November 2006 to administer the provisions of the following Acts, Regulations and Local Laws as Senior Ranger—

Local Government Act 1995;

Local Government Act (Miscellaneous Provisions) 1960 as pound keeper;

Bush Fires Act (as amended) 1954 and Regulations;

Litter Act 1979 and Regulations;

Control of Vehicles (Off-Road Areas) Act 1978 and Regulations;

Dog Act 1976 (as amended) and Regulations;

Shire of Kalamunda Local Laws and Regulations.

Prosecutions Officer for the above Acts and Regulations on behalf of Shire of Kalamunda

The appointment of Authorised Officer for Peter Ashley Sewell is hereby revoked.

DAVID E. VAUGHAN, Chief Executive Officer.

LG402*

SHIRE OF PEPPERMINT GROVE

Authorised Officer

It is hereby notified for public information that Anthony Robert Jackson has been appointed as Ranger for the Shire and is authorised on behalf of the Council to administer the following legislation with the district—

1. Litter Act 1979.
2. Dog Act 1976—as Authorised Office and Registration Officer.
3. Bush Fires Act 1954 and to issue infringement notices under Section 59(a) of the Bush Fires Act 1954.
4. Control of Vehicles Act (Off Road Areas) Act 1978.
5. To exercise power under—
 - (i) Par XX of the Local Government Act (Miscellaneous Provisions) Act 1960
 - (ii) Section 449 of the Local Government Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger
 - (iii) Part 9, Division 2 of the Local Government Act 1995
 - (iv) Section 9.13, 9.16 of the Local Government Act 1995 as authorised person
 - (v) Part 3 Division 3 Subdivision 4 of the Local Government Act 1995
6. Parking and Parking Facilities Local Law 2004 as authorised person.
7. Shire of Peppermint—
 - (i) Local Laws Relating to Fencing
 - (ii) Emission and Reflection of Light Local Law
 - (iii) Parking and Parking Facilities Local Law
 - (iv) Local Government Property Law
 - (v) Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law

LG403*

CITY OF ROCKINGHAM

Authorised Officer

It is hereby notified for public information that David Valcic has been appointed as Ranger for the City of Rockingham and is authorised on behalf of the Council of the City of Rockingham to administer the following legislation within the district—

1. The Litter Act 1979.
2. The Dog Act 1976—as Authorised Officer and Registration Officer.
3. The Bush Fires Act 1954 and to issue Infringement Notices under section 59(A) of the Bush Fires Act 1954.
4. The Control of Vehicles (off road areas) Act 1978.
5. To exercise power under—
 - (i) Part XX of the Local Government (Miscellaneous Provisions) Act 1960.
 - (ii) Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger.
 - (iii) Part 9, Division 2 of the Local Government Act 1995.
 - (iv) Section 9.13, 9.16 of the Local Government Act 1995 as Authorised Person.
 - (v) Part 3, Sub-division 4 of the Local Government Act 1995.
 - (vi) Section 3.39 of the Local Government Act 1995 as Authorised Removal and Impounding Employee.
6. The City of Rockingham Parking and Parking Facilities Local Law 2004 as Authorised Person.
7. All City of Rockingham Local Laws.

The appointment of Natalie Christina Derks is hereby cancelled.

G. G. HOLLAND, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
 (Section 119)

PROHIBITION OF ENTRY INTO A SAFETY ZONE

I, William Lee Tinapple, the Director Petroleum and Royalties Division of the Department of Industry and Resources of the said State by instrument of delegation dated 20 March 2006, and pursuant to section 119 of the above Act, hereby prohibit all vessels other than vessels under control of the registered holders of Production Licence WA-16-L, vessels operated by authorised persons who are exercising powers under Division 6A of Part III section 140 (A) (1) of the above Act and Australian Customs Vessels defined as Commonwealth ships under the *Australian Customs Act 1901* from entering or remaining in the area of the safety zone without the consent in writing of the Director, Petroleum and Royalties Division.

This safety zone extends to a distance of five hundred metres, measured from each point of the outer edge of the drilling vessel/facility known as—

The Lambert 7 well (latitude 19° 26' 58.02" South, longitude 116° 29' 18.66" East *)

* note: the above are GDA94 coordinates

The Safety Zone remains in force for the duration of the operational activities.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated this 1st day of December 2006.

Made under the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth of Australia.

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

MP402*

MINING ACT 1978
GUIDELINES FOR MINERAL EXPLORATION REPORTS ON
MINING TENEMENTS

Department of Industry and Resources.

General

1. The purpose of the guidelines, in accordance with Section 115A of the Mining Act 1978, (the Act), is to specify the contents, standards, and the formats required in the preparation and submission of mineral exploration reports. These guidelines are gazetted with the approval of the Director General and supersede the previous guidelines which were gazetted on 3 November 1995.

2. A mineral exploration report shall contain information of sufficient standard and detail to substantiate, to the satisfaction of the Minister, the expenditures claimed and the activities undertaken on a mining tenement, as reported in summary on the Form 5 operations report.

3. Under the requirements of Section 115A of the Act, mineral exploration reports shall be submitted to the Department of Industry and Resources (DoIR) for the following types of mining tenements—

- Exploration Licences
- Mining Leases
- Prospecting Licences
- Retention Licences

when the following geoscientific activities have been undertaken in the search for minerals—

- (a) programs involving the geological sciences (this includes such activities as data review, assessment and interpretation, and target generation)
- (b) activities involving the collection and assaying of soil, rock, groundwater, and mineral samples
- (c) drilling programs
- (d) technical investigations that follow from mineral exploration on a mining tenement: i.e. pre-feasibility studies, feasibility studies, metallurgical studies, hydrogeological (groundwater) studies, geotechnical studies.

A mineral exploration report is not required to accompany the Form 5 for those Prospecting Licences or Mining Leases where only general prospecting activities have been undertaken and have been

claimed in the Form 5 operations report under Prospecting and/or small-scale Mining Activities. If there has been any development work on a Prospecting Licence or a Mining Lease in addition to general prospecting activities, then brief details of the development should be provided in a statement to accompany the Form 5 operations report.

4. For each mining tenement held, the holder is required to submit annual, partial surrender and final surrender reports, as appropriate.

The reports to be submitted shall be the mineral exploration report in accordance with Section 115A (2)(a) (see Notes 6, 11 and 14) and the Form 5 operations report (as specified in the First Schedule of the Mining Regulations as amended).

5. It is the responsibility of the registered holder of the mining tenement to submit the Form 5 and the accompanying mineral exploration report by the due date, irrespective of who actually carries out the mineral exploration or other technical investigation.

6. Each mining tenement shall be reported on separately except for certain tenements where approval has been obtained from the Minister to submit one combined mineral exploration report on a group of tenements, in accordance with Section 115A(4) (see Note 16). This approval shall not apply to the submission of Form 5 operations reports (see Notes 10 and 19).

7. Mineral exploration reports shall be submitted in digital format in the form required in the "Requirements for Reporting Mineral Exploration Information" (the Reporting Requirements). The Reporting Requirements detail the content, format and data standards required for the reports. These Reporting Requirements may be updated from time to time and it is the responsibility of the tenement operator to ensure that the latest version of the Reporting Requirements is used when preparing a mineral exploration report.

8. Mineral exploration reports shall be submitted to the Director of the Geological Survey of Western Australia, Department of Industry and Resources, 100 Plain Street, East Perth WA 6004.

9. Company prospectuses or annual financial reports will not be accepted as mineral exploration reports.

Submission Schedule of Reports

10. The mineral exploration report and the Form 5 operations report shall be submitted no later than 60 days after each anniversary date and the date of surrender, forfeiture, expiry, or cancellation of a mining tenement.

However, the submission schedule for a mineral exploration report (but not a Form 5 operations report) may be varied to a common reporting date, as specified in Notes 16 to 24, for one combined mineral exploration report on two or more tenements in a group. Approval for such a varied schedule must be obtained from the Minister acting through the Director, Geological Survey of Western Australia in accordance with Section 115A (4) of the Act.

Annual Reports

11. The mineral exploration report and Form 5 operations report shall be submitted annually for each tenement type (see Note 3) where mineral exploration activities have been carried out (i.e. geological including assessments and reviews, geochemical, geophysical, geotechnical or drilling activities). For the submission of combined mineral exploration reports see Note 16.

Confidentiality of Reports

12. All information in mineral exploration reports on any mining tenement, submitted to the Department in accordance with Section 115A, shall remain confidential until the information is eligible for public release as prescribed in Regulation 96 of the Act.

Partial Surrender and Final Surrender Reports

13. Mineral exploration reports on partially surrendered areas of tenements are required for release in accordance with Regulation 96 and with the following Regulations—

Exploration Licence (Regulation 22(1) (b))

Within 60 days of the surrender of any portion of the licence, either for a compulsory reduction of the tenement after the 3rd and 4th years for tenements applied for and/or granted prior to 10th February 2006 (whether granted prior to or after that date), after the 5th year for tenements applied for and granted after 10th February 2006 or for a voluntary reduction at any other time.

Mining Lease (Regulation 32(1) (b))

Within 60 days of the voluntary surrender of any portion of the lease.

These partial surrender reports should include information on all mineral exploration activities conducted on the ground that was surrendered: i.e. all exploration data that have been obtained during the life of the surrendered portion of an Exploration Licence or Mining Lease.

Tenement holders shall have the choice of supplying such partial surrender information as either—

- (a) a separate partial surrender report that contains data only on the relinquished portion of the tenement: i.e. the report does not contain confidential information relating to any retained portion of the tenement, or
- (b) a written authorization to release previous annual reports that contain information for the whole tenement. Such authorization shall enable the public release to "open file" all information on the tenements, i.e. to release both "open file" information (relinquished portion of a tenement), and "confidential" information (retained portion of a tenement).

14. Mineral exploration surrender reports will not be required on areas that are surrendered partially or surrendered outright when the relinquished portion of an Exploration Licence has been wholly converted (Sections 65 and 67) to a Mining Lease (or Leases) or when a Prospecting Licence has been converted (Section 49) to a Mining Lease. However, surrender reports are required if the Exploration Licence or Prospecting Licence has been surrendered or forfeited prior to the grant of a Mining Lease.

15. Mineral exploration surrender reports on tenement/s where diamond drilling has occurred shall include information on the storage location and current ownership of the drillcore (Mining Regulation 96D (1)).

Combined Mineral Exploration Reports

16. The holder(s) of, or agent for, a group of granted tenements may apply for Ministerial approval, in accordance with Section 115A(4), to submit one combined annual mineral exploration report on a common date for a group of two or more contiguous (or nearly contiguous) tenements that are being worked in a common exploration program.

An application under Section 115A (4) for combined reporting shall be submitted on the form at the end of these guidelines.

17. Combined mineral exploration reports shall not be submitted to the Department unless prior written approval has been obtained from the Minister, acting through the Director, Geological Survey of Western Australia.

18. Combined mineral exploration reports are due to be submitted on the combined reporting date each year.

19. An approval for combined reporting on a combined reporting group shall not apply to the submission of Form 5 operations reports, which must be lodged individually for each tenement (see Note 10) in a particular tenement group. Also, when any part of a combined reporting group is surrendered, a separate surrender report is required to provide details of all work done on the relinquished portion of the group (see Note 13).

If a surrender report is not submitted, then all previous annual mineral exploration reports on the combined reporting group may be released to open file in accordance with Regulation 96(7).

20. Each application for combined reporting shall include the following—

- (i) a list of the tenements comprising the proposed combined reporting group showing the ownership of each tenement;
- (ii) name and contact details of the operator (organization or person preparing and submitting the report);
- (iii) a map showing the perimeter of the proposed combined reporting group, the boundaries of the constituent tenements in the group, and the simplified solid geology of the area;
- (iv) the commodity/commodities for which the group is being explored;
- (v) the proposed 12 month reporting period for the tenement group;
- (vi) the proposed common reporting date for submitting the combined annual mineral exploration report; such a date shall not be greater than 90 days beyond the end of the proposed 12 month reporting period in Note 20(v) above; and
- (vii) any overdue, or due, mineral exploration reports on individual tenements in the proposed combined reporting group.

21. If a tenement holder (or operator) wishes to add tenements to or remove tenements from a combined reporting group that has been previously approved, or wishes to vary the common reporting date or the operator, then written consent shall again be sought from the Director of the Geological Survey prior to the submission of the next combined report on that group. It is also the responsibility of the operator to inform the Geological Survey of WA of any change of contact address.

22. When the Director of the Geological Survey considers each request for consent to combined reporting for a tenement group, the following factors shall be taken into account—

- (a) *The geological target being investigated in a common exploration program:*

the combined reporting group should cover a continuous geological unit or continuous zone of adjacent related geological units and involve a search for one or more mineral commodities.

If the project, or part of the project, is being explored for other commodities by third parties, then the operator must ensure that all exploration data are included in the combined report.

- (b) *The geographical distribution of the tenements:*

the tenements in a combined reporting group shall be contiguous or nearly contiguous: tenements should not be greater than 5km apart without adequate justification;

the tenements in a combined reporting group while having a geological basis (Note 22(a)), should not extend over very large areas. Proposed tenement groups that involve large areas shall be determined on merit at the discretion of the Director of the Geological Survey.

- (c) *The previous history of combined reporting on the tenements:*

a proposed combined reporting group, or any tenement within that group, shall not be approved for combined reporting unless all overdue reports on individual tenements have been submitted (see Note 20(vii)).

- (d) *The common ownership or legal control of all tenements in a group:*

one common holder has 100% shareholding in all tenements;

one common holder has 100% shareholding in some tenements and a majority; shareholding in each of the other tenements;

one common holder or an operator has, or has the legal ability to acquire, a controlling interest in each of the tenements;

one common holder or an operator has earned a majority interest, or has legal ability to acquire a controlling interest, in each of the tenements.

23. The Minister's approval for combined reporting of a tenement group is primarily for the purposes of reporting geoscientific mineral exploration data. The approval also establishes a tenement group for the purpose of applying for exemptions from expenditure conditions under Section 102(2)(h) of the Act.

24. Combined reporting for a tenement group may be cancelled, in accordance with Section 115A (5), for the following reasons—

- (i) if the combined annual report for the group is not received within 30 days of the common reporting date;
- (ii) if tenements in the combined report are different from the tenements for which combined reporting was granted;
- (iii) if changes that have occurred over time mean that a combined reporting group no longer fulfils requirements as set out under Note 22;
- (iv) if combined reporting was granted for a specific period that has expired;
- (v) for administrative purposes (in this case a new combined reporting number will be issued for the same group of tenements and no new application is required by the operator).

In the case of (i) to (iv), this will have the effect that individual reports, on each tenement in the group, shall become due within 60 days of the anniversary date of each individual tenement.

Application Form for Combined Reporting

25. Applications for combined reporting in accordance with Section 115A shall be made on the attached form. SEE FORM BELOW.

(Please note that all applications should be mailed to the Director, Geological Survey of Western Australia).

Report Revision

26. Any mineral exploration report that does not conform to these guidelines and the Requirements for the Submission of Mineral Exploration Data in Digital Format shall be rectified within a 30-day period by the tenement holder or operator, following a written request from the Minister, acting through the Director, Geological Survey of Western Australia.

Reporting requirements under section 115A of the Act shall not be fulfilled until such a report has been rectified.

Forfeiture for not submitting required Reports

27. If mineral exploration reports are not lodged as required under Section 115A(2), or the reports lodged do not meet the requirements of Section 115A(3), then those tenements are liable to forfeiture. In accordance with the Act—

- Prospecting Licences are liable to forfeiture under Section 96(2) (ba)
- Exploration Licences are liable to forfeiture under Section 63A (ba)
- Mining Leases are liable to forfeiture under Section 82(1) (g), and
- Retention Licences are liable to forfeiture under Section 70K (ba).

If a combined mineral exploration report on a tenement group is not submitted as required, then each individual tenement in the combined group will be liable to forfeiture 60 days after the anniversary of the date of that tenement.

Minister Responsible for the Mining Act 1978
C/- The Director, Geological Survey of Western Australia
Department of Industry and Resources
100 Plain Street
EAST PERTH WA 6004

Dear Sir/Madam,

COMBINED REPORTING REQUEST FOR A TENEMENT GROUP

New application Amendment (*Please tick*)

Name of tenement group/project: _____

Combined reporting date: _____ (Date for submitting report—must not be later than 90 days after the end of the reporting period)

Combined reporting period: _____ to _____ (Period covered in report)

Target commodity (tick box): Gold Iron ore Nickel/Cobalt Copper/Lead/Zinc Diamond
Mineral sand Other (specify) _____

Name of operator:

(Organization or person preparing and submitting report)

Address of operator: _____

Telephone Number: _____ Contact Name: _____

Consent is requested for the operator/holder to submit a combined mineral exploration report each year for the following group of mining tenements.

TENEMENT NUMBER**HOLDER**

_____	_____
_____	_____
_____	_____
_____	_____

(Please attach list if there is insufficient space above)

A map showing the above tenement group and generalized geological boundaries is enclosed.

Where applicable, the following information is also attached (tick box)—

- Proof of common ownership (if operator is different from tenement holder and /or tenements are held in different names)
- Justification if tenements are not contiguous
- Justification of group size (required if group is more than 300 km² or more than 1000 km² in areas designated under section 57A(1)).

Yours faithfully

Date: _____

MP403***MINING ACT 1978****FORFEITURES**

Department of Industry and Resources,
PERTH WA 6000.

I hereby declare in accordance with the provisions of Section 96A(1) of the "Mining Act 1978" that the undermentioned exploration licences are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

JOHN BOWLER JP MLA, Minister for Resources and
Assisting the Minister for State Development.

Number	Holder	Mineral Field
40/177	Dalrymple Resources NL	North Coolgardie
77/1064	Red Bluff Nominees Pty Ltd	Yilgarn

MARINE/MARITIME

MX401***WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS****PROHIBITED SWIMMING AREA****Mandurah Estuary**

Department for Planning and Infrastructure
Fremantle WA, 8 December 2006.

Acting pursuant to the powers conferred by Regulation 10A(b) of the Navigable Waters Regulations, I hereby close all of the following waters to swimming, between 8.30 PM and 9.30 PM on Tuesday 12 December 2006—

MANDURAH ESTUARY

All the waters within an 80 metre radius of the firing point, located on the southern foreshore (adjacent to the War Memorial), at the entrance to Mandurah Canals.

This area is set aside for safety measures during the set up and display of pyrotechnics.

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

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA
ROYAL ASSENT TO BILLS

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

Short Title of Bill	Date of Assent	Act No.
Curriculum Council (Fees and Charges) Bill 2006	30 November 2006	62 of 2006
BHP Billiton (Termination of Agreements) Agreement Bill 2005	30 November 2006	63 of 2006

4 December 2006.

PETER MCHUGH, Acting Clerk of the Parliaments.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Nedlands
Town Planning Scheme No. 2—Amendment No. 174

Ref: 853/2/8/4 Pt 174

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the City of Nedlands local planning scheme amendment on 28 November 2006 for the purpose of—

1. Recoding Lot 189 Kinninmont Avenue, Nedlands from Residential R10 to Residential R20.
2. Inserting into Appendix V of the Scheme, the Residential Design Guidelines and Detailed Area Plan for the Karella Street Locality.

L. G. TAYLOR, Mayor.

G. MARTIN, A/Chief Executive Officer.

PI402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham
Town Planning Scheme No. 2—Amendment No. 24

Ref: 853/2/28/4 Pt 24

It is hereby notified for public information, in accordance with Section 87 of the Planning and Development Act 2005, that the Minister for Planning and Infrastructure approved the City of Rockingham local planning Scheme Amendment on the 21st November 2006 for the purpose of rezoning Lot 52 (No. 35) Elanora Drive, and Lot 15 (No. 22) Rothesay Court, Cooloongup from 'Residential' (R20) to 'Special Commercial' as depicted on the Amendment Map.

GARY G. HOLLAND, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Stirling

District Planning Scheme No. 2—Amendment No. 505

Ref: 853/2/20/34 Pt 505

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the City of Stirling local planning scheme amendment on 28 November 2006 for the purpose of—

1. Modifying Schedule 2B of the Scheme by the following addition—

Schedule 2B Additional Use Zones

No.	Description of Land	Additional Use	Conditions
19	Lot 21, HN 103 (Unit 2) Erindale Road, Balcatta	Shop	Nil

2. Amending the Scheme Map accordingly.

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

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Stirling

District Planning Scheme No. 2—Amendment No. 510

Ref: 853/2/20/34 Pt 510

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the City of Stirling local planning scheme amendment on 28 November 2006 for the purpose of—

1. Amending the Scheme Text by deleting the following Special Use Zone from Schedule 2A—

Location	Particulars of Land	Permitted Use
Flynn Street, Churchlands	Portion of Herdsman Lake Lots and Location 968 and being Lot 50 on Diagram 16744	Produce Market

2. Amending the Scheme Map by rezoning Lot 50, HN 9 Flynn Street, Churchlands from Special Use—Produce Market to Business.

T. J. TYZACK, Mayor.
L. DELAHAUNTY, 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 appointments—

Hon A MacTiernan MLA to act temporarily in the office of Minister for Disability Services; Citizenship and Multicultural Interests; Minister Assisting the Minister for Planning and Infrastructure in the absence of the Hon A D McRae MLA for the period 23 December 2006 to 4 January 2007 (both dates inclusive).

Hon S M McHale MLA to act temporarily in the office of Minister for Disability Services; Citizenship and Multicultural Interests; Minister Assisting the Minister for Planning and Infrastructure in the absence of the Hon A D McRae MLA for the period 5 January 2007 inclusive.

These arrangements supersede those published in *Government Gazette* Number 192 on 17 November 2006.

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

RACING, GAMING AND LIQUOR

RG401*

LIQUOR LICENSING ACT 1988

LIQUOR LICENSING APPLICATIONS

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
11760	Sol Studios Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in East Fremantle and known as Wolf Beer	14/12/2006
11761	Nightline Nominees Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Mela Indian Sweets	14/12/2006
11763	Laurance Wines Pty Ltd	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Wilyabrup and known as Laurance of Margaret River	1/01/2007
11765	Yvette Dunkerley and Gary Dunkerley	Application for the grant of a Restaurant licence in respect of premises situated in Kinross and known as Pheebies Cafe	19/12/2006
11766	Louisiana Holdings Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Rosa Glen and known as Cricketwood	18/12/2006

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

Dated: 6 December 2006.

P. MINCHIN, Director of Liquor Licensing.

TREASURY AND FINANCE

TF401*

TAXATION ADMINISTRATION ACT 2003

COMMISSIONER'S PRACTICES

Under the provisions of section 127 of the Taxation Administration Act 2003, the following Commissioner's Practices are hereby published for public information—

TAA 11.1 STAMP DUTY—VALUATION OF GOODWILL FOR STAMP DUTY ASSESSMENT PURPOSES

TAA 8.2 VALUATION OF REAL PROPERTY FOR STAMP DUTY PURPOSES

Full details of each Commissioner's Practice can be obtained from the Office of State Revenue website at www.osr.wa.gov.au.

B. SULLIVAN, Commissioner of State Revenue,
Department of Treasury and Finance.

WATER/SEWERAGE

WA401*

WATER AGENCIES (POWERS) ACT 1984

METROPOLITAN WASTEWATER: CITY OF WANNEROO-ALKIMOS

Proposal to Construct Quinns Main Sewer from Butler-Alkimos

To provide for the disposal of wastewater in the northern corridor, the Water Corporation proposes to construct—

- 2000mm diameter sewer approx 4200 metres in length
- Associated manholes

The location of the proposed works is as shown on the above plan.

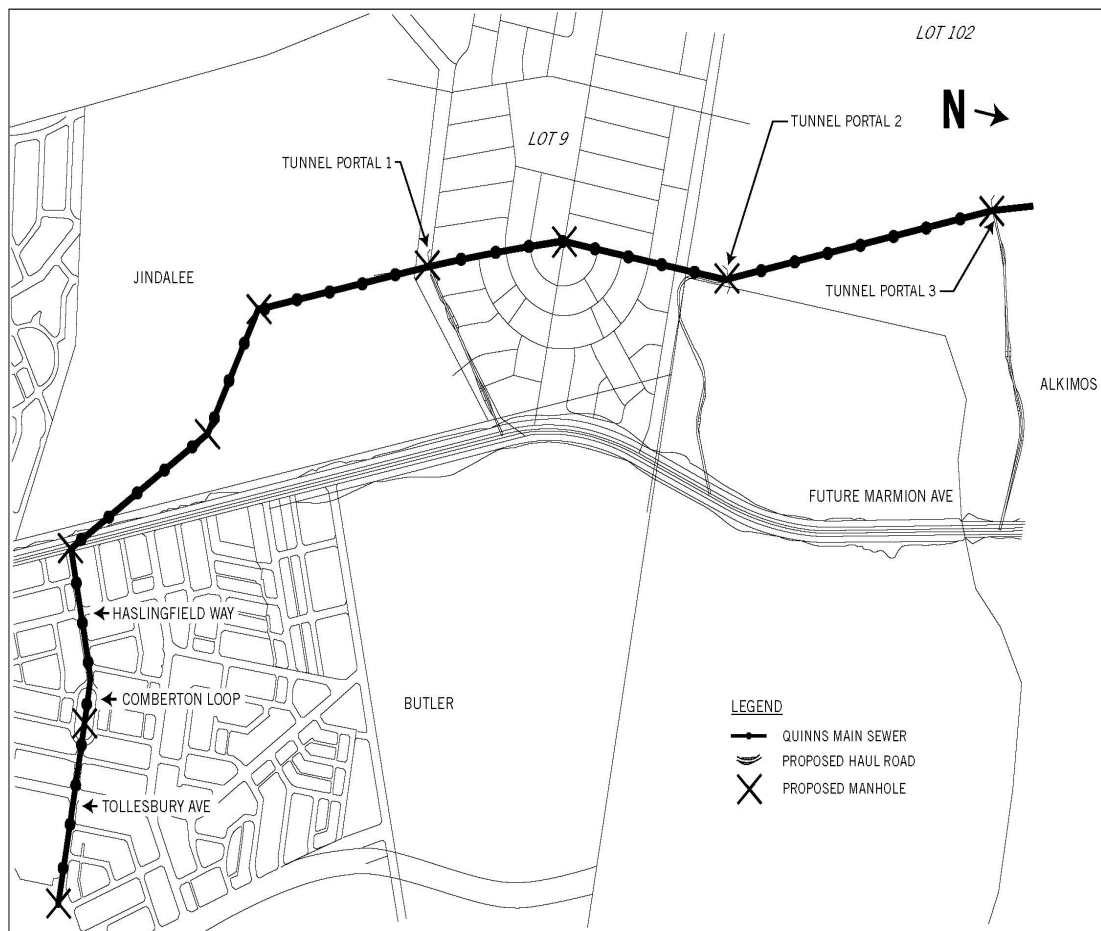
The proposed works are scheduled to commence in early 2007 and will continue, in stages, until December 2009.

Construction of the proposed works will be by a combination of tunnelling using state of the art tunnelling technologies and open trench excavation, which will be backfilled and restored.

A copy of the Notice of Proposal is available for viewing, during office hours at the Water Corporation's head office, John Tonkin Water Centre, 629 Newcastle Street, Leederville WA 6007 and Perth Customer Centre, 240 Balcatta Rd, Balcatta.

Further information may also be obtained by contacting the Project Manager, Mr Mike Bluck on (08) 9420 3874.

Objections to the proposed works will be considered if lodged in writing, addressed to the Project Manager, Mr Mike Bluck, Water Corporation, PO Box 100, Leederville, WA 6902 before close of business 5 January 2007.



WORKCOVER

WC401*

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981
APPROVED MEDICAL SPECIALISTS ORDER (No. 4) 2006

Made by WorkCover WA under section 146F(1) of the Act.

1. CitationThis order is the *Approved Medical Specialists Order (No. 4) 2006*.**2. Approved medical specialists**

The following medical practitioners are designated as approved medical specialists under section 146F(1) of the Act—

Dr Michael John Kent

Mr Hanh Nguyen

ADRIAN WARNER, Chief Executive Officer,
WorkCover WA.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

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

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

Estate late Vitomir Bogdanoski

Late of 59 Cricklewood Way, Carine, Track Maintenance Leading Hand

DIED 19/08/2006

Estate late Cornelis Diepeveen

Late of 59 Nyandi Court, Thornlie, Retired Motor Mechanic

DIED 09/11/2006

Estate late Maisie Bedford Rehsteiner

Late of Unit 3, 13 Wakefield Crescent, Australind, Retired

DIED 11/10/2006

Estate Late Barbara Helen Owen Stewart

Late of Unit 6, 36 Airlie Street, Claremont, Home Duties

DIED 24/10/2006

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

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Robert Albert McGillivray, late of Unit 19, 36 Wellington Street, Mosman Park, Western Australia, Watchmaker, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on 10 October 2006 are required by the Trustee ANZ Executors & Trustee Company Limited ABN 33 006 132 332) of Level 4, 100 Queen Street, Melbourne, Vic 3000 to send particulars of their claim to them by 19 January 2007 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX403*

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 8th January 2007 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bastian Ronald Clyde, late of 47 Burton Retreat Stratton, died 26.09.2006, (DE19911395EM32)

Berry John Morrison, late of 5 Lenane Street Moora, died 07.10.2006, (DE20001261EM16)

Gordon Dorothy May, late of Leighton Nursing Home 40 Florence Street West Perth, died 19.11.2006, (DE19894010EM32)

Goy Keith Stanley, late of Villa 1/57 Point Walter Road Bicton, died 17.11.2006, (DE19983280EM110)

Gregg Yvonne Elizabeth, late of 3/38 York Street North Perth, died 11.07.2006, (DE33052007EM313)

Grigg Evelyn Margaret, late of 19/24 Third Avenue Mandurah, died 26.10.2006, (DE19870112EM36)

Jones Chubby, late of Wakathuni Community Inc. Lot 14 Tom Price-Paraburdoo Road Tom Price, died 25.01.2002, (DE33041827EM17)

Mazur Walter, late of Midland Nursing Home 44 John Street Midland, died 18.11.2006, (DE19970920EM16)

Michell Winifred Joyce, late of 31 Beatrice Street Doubleview, died 15.11.2006, (DE30327309EM23)

Poonda John, late of 13 Brown Place South Hedland, died 07.07.2006, (DE33035685EM36)

Reed Yvonne Mary, late of Midland Nursing Home 44 John Street Midland, died 08.11.2006, (DE33038348EM36)

Tatton Elsie May, late of Brightwater Care Group Birralelee Care Facility 155 Odin Road Innaloo, died 07.11.2006, (DE19851587EM12)

Vasic Debroslav also known as Jonathon White, late of Graylands Hospital Broadway Road Mount Claremont, died 04.10.2006, (DE33053237EM22)

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

ZX404*

PUBLIC TRUSTEE ACT 1941**ADMINISTERING OF ESTATES**

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

Dated at Perth the 6th day of December 2006.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Freeman Wendy Anne (DE33040869EM37)	Crawley	15/12/2005	10/11/2006
Grace Douglas George (DE19733676EM36)	West Leederville	26/05/2006	6/11/2006
O'Dwyer Josephine Johanna (DE19763324EM26)	Success	9/01/2006	6/11/2006

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Telephone: 9321 7688

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