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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**FAMILY LEGISLATION AMENDMENT ACT 2006**

No. 35 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 *Family Legislation Amendment Act 2006* section 2 and with the advice and consent of the Executive Council fix —

- (a) the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than Parts 3, 4, 5 and 6, come into operation; and
- (b) the day after the day referred to in paragraph (a) as the day on which Parts 3 and 6 come into operation; and
- (c) 1 August 2006 as the day on which Part 5 comes into operation.

Given under my hand and the Public Seal of the State on 10 July 2006.

By Command of the Governor,

J. McGINTY, Attorney General.

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## ELECTORAL COMMISSION

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EC301\*

Electoral Act 1907

### **Electoral (Enrolment Procedure and Addresses on Roll) Order 2006**

Made by the Governor in Executive Council.

#### **1. Citation**

This order is the *Electoral (Enrolment Procedure and Addresses on Roll) Order 2006*.

**2. “New arrangement”, meaning of**

In this order —

“**new arrangement**” means the Arrangement between the Governor-General of the Commonwealth of Australia and the Governor of the State of Western Australia for a joint electoral enrolment procedure in Western Australia, executed on 10 November 2005.

**3. Declaration of single enrolment procedure**

Under the *Electoral Act 1907* section 31(3), it is declared that a single enrolment procedure is in operation under the new arrangement for the purpose of enrolment for Commonwealth and State elections as from 10 November 2005.

**4. Declaration of procedure in relation to addresses on roll**

Under the *Electoral Act 1907* section 31B(3), it is declared that a single procedure is in operation under the new arrangement for the purpose of making a request under the Act section 51B and the *Commonwealth Electoral Act 1918* section 104 as from 10 November 2005.

**5. Revocation**

The *Electoral (Enrolment Procedure) Order 1983* and the *Electoral (Addresses on Roll) Order 1985* are revoked.

By Command of the Governor,

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

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**JUSTICE**

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JU301\*

Family Court Act 1997

**Family Court Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Family Court Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on the day on which Part 3 of the *Family Legislation Amendment Act 2006* comes into operation.

**3. The regulations amended**

The amendments in these regulations are to the *Family Court Regulations 1998*\*.

[\* *Published in Gazette 25 September 1998, p. 5303-09.*

*For amendments to 26 June 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 124.]*

**4. Regulation 3 amended**

(1) Regulation 3(1) is amended as follows:

(a) by inserting in the appropriate alphabetical position —

“

“**Centrelink**” means the Commonwealth Services Delivery Agency established under the *Commonwealth Services Delivery Agency Act 1997*;

”;

(b) in the definition of “Family Law Rules” by deleting “1984” and inserting instead —

“ 2004 ”;

(c) by deleting the definition of “Registrar”.

(2) Regulation 3(2)(b) is amended by deleting “as defined in subregulation (1);” and inserting instead —

“ of the Family Court of Western Australia; ”.

**5. Regulations 8 to 14E replaced by regulations 8 to 13**

Regulations 8 to 14E are repealed and the following regulations are inserted instead —

“

**8. Family Dispute Resolution**

Part 5 of the Family Law Regulations is adopted.

**9. Prescribed information about reconciliation**

Family Law Regulation 7 is adopted for the purposes of section 65D.

**10. Matters that a family law dispute resolution practitioner is to have regard to before giving a certificate under section 66H(7)(b)**

Before giving a certificate under section 66H(7)(b) a family law dispute resolution practitioner is to have regard to the following matters —

- (a) a history of family violence among the parties;
- (b) the likely safety of the parties;
- (c) the equality of bargaining power among the parties (for example, whether a party is economically or linguistically disadvantaged in comparison with another party);
- (d) the risk that a child may suffer abuse;
- (e) the emotional, psychological and physical health of the parties;
- (f) any other matter that the family dispute resolution practitioner considers relevant.

**11. Registration of court decision**

Family Law Regulation 12CC is adopted for the purposes of section 176(6).

**12. Prescribed government agencies**

For the purposes of section 202K the following are prescribed government agencies —

- (a) the department of the Public Service principally assisting in the administration of the *Children and Community Services Act 2004*;
- (b) the Police Force of Western Australia provided for by the *Police Act 1892*.

**13. Third party expenses**

Family Law Regulation 15AA is adopted for the purposes of section 205ZLK.

”

**6. Regulation 17 amended**

Regulation 17(3) is amended by deleting “211” and inserting instead —

“ 209A ”.

**7. Regulation 18 amended**

(1) Regulation 18(1) is amended as follows:

- (a) in paragraph (a) by deleting “residence order, a contact order or a specific issues” and inserting instead —  
“ parenting ”;

- (b) in paragraph (b) by deleting “court of summary jurisdiction” and inserting instead —  
“ Magistrates Court ”.
- (2) Regulation 18(7)(b) is amended by deleting “the Commonwealth Department of Social Security — ” in both places where it occurs and inserting instead —  
“ Centrelink — ”.
- (3) After regulation 18(7) the following subregulation is inserted —  
“  
(7a) In subregulation (7)(b)(i) and (ii) —  
“**holder**” of a card does not include a dependent of the holder of the card.  
”.

By Command of the Governor,

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

JU302\*

Fines, Penalties and Infringement Notices Enforcement Act 1994

## **Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2006*.

### **2. Commencement**

These regulations come into operation on the day of their publication in the *Gazette* or the day on which the *Transport (Country Taxi-car) Amendment Regulations 2006* come into operation, if that day is later.

**3. The regulations amended**

The amendment in these regulations is to the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994\**.

[\* Reprinted as at 9 July 2004.

For amendments to 15 June 2006 see Gazette 13 May, 9 September and 30 December 2005.]

**4. Schedule 1 amended**

Schedule 1 is amended after the item commencing “Taxi Act 1994” by inserting the following item —

“ *Transport Co-ordination Act 1966*                      58A ”.

By Command of the Governor,

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

JU303\*

Family Court Act 1997

## **Family Court Amendment Rules 2006**

Made by the Judges of the Family Court of Western Australia under section 244 of the Act.

**1. Citation**

These rules are the *Family Court Amendment Rules 2006*.

**2. Commencement**

These rules come into operation on the day on which the *Family Legislation Amendment Act 2006* Part 3 comes into operation.

**3. The rules amended**

The amendments in these rules are to the *Family Court Rules 1998\**.

[\* Published in Gazette 6 October 1998, p. 5571-85.

For amendments to 6 July 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 124.]



**4. Rule 2 amended**

Rule 2 is amended by inserting in the appropriate alphabetical position —

“

“**child-related proceedings**” includes proceedings that are child-related proceedings within the meaning of the Family Law Act;

”.

**5. Rule 4 replaced**

Rule 4 is repealed and the following rule is inserted instead —

“

**4. Rules to be read with Family Law Rules**

(1) These rules are to be read as one with the Family Law Rules.

(2) Without limiting subrule (1), unless the contrary intention appears —

(a) a word or an expression defined in the Family Law Rules and used in these rules has the same meaning as it has in the Family Law Rules; and

(b) a form followed by a designation, referred to in these rules means the form with that designation in force under the Family Law Rules.

”.

**6. Rule 10 amended**

Rule 10 is amended by deleting “recognizance” in both places where it occurs and inserting instead —

“ bond ”.

**7. Rule 12 amended**

Rule 12(1) is amended in the Table by inserting after “15.03(1)” —

“ Chapter 16A.2 ”.

**8. Rule 13A amended**

Rule 13A is amended as follows:

(a) by repealing subrule (4);

(b) by inserting after subrule (6) —

“

(6a) In Family Law Rule 12.03, a “mediator” is to be treated as including a family consultant and a magistrate.

”.

**9. Rule 24 amended**

Rule 24 is amended by deleting paragraph (a) and the Table to paragraph (a) and inserting instead —

“

- (a) the powers conferred under a provision —
- (i) of the Family Law Act referred to in column 1 of the Table to this paragraph; and
  - (ii) of the Family Law Rules referred to in Column 2 of the Table to this paragraph; and
  - (iii) of the Family Court Act referred to in Column 3 of the Table to this paragraph;

<b>Family Law Act</b>	<b>Family Law Rules</b>	<b>Family Court Act</b>
section 44(1C)	rules 1.09 to 1.14	section 44
section 45		section 215
section 48	rule 11.01	Part 8 Division 2
section 55(2)	Part 15.3	section 237
section 55A	rule 20.07	
section 57		
section 98A		
section 101		
section 117		
Part XI Division 2		

”

**10. Rule 29 amended**

Rule 29(1) is amended by deleting “adopted applied under” and inserting instead —

“ adopted and applied under Part 2 ”.

**11. Rule 31 repealed**

Rule 31 is repealed.

**12. Rule 32 repealed**

Rule 32 is repealed.

**13. Rule 35 replaced**

Rule 35 is repealed and the following rule inserted instead —

“

**35. Notification to spouse — s. 205ZB(3)**

For the purposes of section 205ZB(3), a de facto partner who —

- (a) has a spouse; and

- (b) is a party to an application under Part 5A  
Division 2 of the Act,

is, as soon as is practicable after filing the application,  
and if applicable, a response to the application, to give  
to his or her spouse, written notification —

- (c) of the application; and  
(d) any response filed to the application.

”.

Dated: 12 July 2006.

Signed:

N. TOLCON.

C. MARTIN.

J. PENNY.

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JU304\*

Criminal Procedure Act 2004

## **Criminal Procedure Amendment Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Criminal Procedure Amendment  
Regulations (No. 2) 2006*.

### **2. The regulations amended**

The amendments in these regulations are to the *Criminal  
Procedure Regulations 2005\**.

[\* *Published in Gazette 28 April 2005, p. 1441-82.*]

**3. Regulation 6A inserted**

Before regulation 7 the following regulation is inserted in Part 3 —

“

**6A. Prescribed Acts (CPA s. 4)**

For the purposes of the definition of “prescribed Act” in the CPA section 4, the Acts listed in Schedule 1A are prescribed.

”.

**4. Schedule 1A inserted**

After Schedule 1 the following Schedule is inserted —

“

**Schedule 1A — Infringement notices:  
prescribed Acts**

[r. 6A]

*Associations Incorporation Act 1987*

*Business Names Act 1962*

*Charitable Collections Act 1946*

*Chattel Securities Act 1987*

*Companies (Co-operative) Act 1943*

*Consumer Affairs Act 1971*

*Consumer Credit (Western Australia) Act 1996*

*Co-operative and Provident Societies Act 1903*

*Credit Act 1984*

*Credit (Administration) Act 1984*

*Debt Collectors Licensing Act 1964*

*Door to Door Trading Act 1987*

*Electricity Act 1945*

*Employment Agents Act 1976*

*Energy Coordination Act 1994*

*Fair Trading Act 1987*

*Gas Standards Act 1972*

*Hire-Purchase Act 1959*

*Land Valuers Licensing Act 1978*

*Painters' Registration Act 1961*

*Residential Tenancies Act 1987*

*Retail Trading Hours Act 1987*

*Settlement Agents Act 1981*

*Street Collections (Regulation) Act 1940*

*Sunday Entertainments Act 1979*

*Travel Agents Act 1985*

”

By Command of the Governor,

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

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## **RACING, GAMING AND LIQUOR**

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RG301\*

Racing and Wagering Western Australia Act 2003

### **Racing and Wagering Western Australia Amendment Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Racing and Wagering Western Australia Amendment Regulations (No. 2) 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Racing and Wagering Western Australia Regulations 2003\**.

[\* *Published in Gazette 29 July 2003, p. 3273-91.*

*For amendments to 4 May 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 323.]*

**3. Regulation 3 amended**

- (1) Regulation 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**multi-bet**” means a wager involving the selection of a series of propositions in relation to any sporting event available for fixed odds wagering where the final dividend is —

- (a) reliant on all propositions being correctly selected; and

- (b) determined by multiplying together the odds of each selection;

”.

- (2) After regulation 3(3) the following subregulation is inserted —

“

- (3a) Despite subregulation (3), a number of printed tickets comprising a single multi-bet are collectively regarded as a single “ticket” for the purposes of the definition of that term in subregulation (1).

”.

By Command of the Governor,

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

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## TRANSPORT

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TR301\*

Transport Co-ordination Act 1966

### **Country Taxi-cars (Fares and Charges) Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Country Taxi-cars (Fares and Charges) Amendment Regulations 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 18 January 2006 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 412 and Gazette 1 December 2005.*]

**3. Regulation 3 amended**

- (1) Regulation 3(1) is amended as follows:
- (a) by deleting “the Schedule” in both places where it occurs and inserting instead —  
“ Schedule 1 ”;
  - (b) by inserting after “be” in the second place where it occurs —  
“ not more than ”;
  - (c) by deleting “and no greater or lesser fare or charge shall be taken or made unless special fares or charges, or both, are approved for particular local conditions or unless contract rates are approved by the Director General”.
- (2) After regulation 3(1) the following subregulation is inserted —  
“
- (1a) Fares and charges less than those set out in Schedule 1 shall be taken or made, and fares and charges more than those set out in the Schedule may be taken or made, if the Director General approves such fares and charges as —
    - (a) special fares or charges, or both, for particular local conditions; or
    - (b) contract rates.
- ”.
- (3) Regulation 3(3) is amended by deleting “the Schedule” and inserting instead —  
“ Schedule 1 ”.

**4. Regulation 4A inserted**

After regulation 4 the following regulation is inserted —

“

**4A. Driver may require a deposit**

Prior to accepting a hiring, a driver may require a hirer to pay a deposit equal to the anticipated fare as estimated by the driver.

”.

**5. Regulation 7A inserted**

After regulation 7 the following regulation is inserted —

“

**7A. Infringement notices and modified penalties**

- (1) For the purposes of section 58A of the Act, the prescribed offences against these regulations for which

infringement notices may be given, and the modified penalties for those offences, are set out in Schedule 2.

- (2) For the purposes of section 58A(3), the prescribed form of infringement notice is Form 1 in Schedule 3.
- (3) For the purposes of section 58A(2), the prescribed form of notice of withdrawal of infringement notice is Form 2 in Schedule 3.

”.

## 6. Schedules 2 and 3 inserted

After Schedule 1 the following Schedules are inserted —

“

### Schedule 2 — Modified penalties

[r. 7A(1)]

Item	Regulation	Description of offence	Modified penalty
1	r. 3(1)	Taking or making fare or charge for hire of taxi-car that is more than relevant fare or charge set out in Schedule 1	\$50
2	r. 3(1a)	Taking or making fare or charge for hire of taxi-car that is more than relevant special fare or charge or contract rate approved by Director General	\$50
3	r. 3(5)	Hirer of taxi-car failing to pay toll or parking fee incurred upon request	\$50
4	r. 4(1)	Evading or attempting to evade payment of fare or charge	\$50
5	r. 4(2)	Driver of taxi-car failing to report evasion or attempted evasion of payment of fare or charge to Director General	\$50
6	r. 6(1)	Owner of taxi-car failing to have schedule detailing rates and charges in vehicle or driver failing to make schedule available to hirer upon request	\$50
7	r. 6(2)	Driving a taxi-car in which schedule detailing rates and charges is not carried	\$50



**Schedule 3 — Forms**

[r. 7A(2) and (3)]

**FORM 1***TRANSPORT CO-ORDINATION ACT 1966* — section 58A*COUNTRY TAXI-CARS (FARES AND CHARGES)**REGULATIONS 1991* — regulation 7A(2)

Western Australia

Department for Planning and Infrastructure

**TAXI INFRINGEMENT NOTICE**

PART "B" This space for cash register imprint  
 To be retained by Cashier.  
 OFFICE COPY ONLY  
 Please do not detach from Part "A"

PART "A"  
 OFFICIAL RECEIPT  
 DEFENDANT'S COPY

No. ....

Issue Date ...../...../.....

Sex [ ] Date of birth [ ]/[ ]/[ ]

M .....

Surname (Block Letters)

Other Names in full

MDL Number

Address .....

Number and Street

Town or Suburb

Postcode

Particulars of TaxiPlate No. .... Annual fee due ...../...../.....Make ..... Model ..... Colour .....

Company .....

It is alleged that at ..... hours on ..... day of ..... 20 .....

at .....

that you committed the offence indicated hereunder.

.....

.....

Description of offence

Penalty \$ [ ] [ ] [ ]

..... No. ....

Signature of authorised person

Take notice that —

If you do not wish to have a complaint of the alleged offence heard and determined by a court, you may pay to an officer specified on the reverse side of this notice, within 28 days, the total amount specified.

If that amount is not paid within 28 days, additional administrative charges may be incurred and action may be taken to suspend your Motor Driver's Licence until you have paid in full the modified penalty and any additional charges OR you have elected to have this matter heard and determined by a court.

Payment may be made —

(i) by post to —

*[Insert appropriate address here]*

- (ii) by hand to —  
Clerk of Courts —

Albany, Armadale, Broome, Bunbury, Busselton, Carnarvon, Collie, Derby, Esperance, Fremantle, Geraldton, Harvey, Kalgoorlie, Karratha, Katanning, Kununurra, Mandurah, Manjimup, Merredin, Moora, Midland, Narrogin, Northam, Pinjarra, Port Hedland, Roebourne, Rockingham and Perth — Court of Petty Sessions, Level 2, Central Law Courts, 30 St George's Terrace.

A receipt will not be mailed unless requested.

**Payments will not be accepted at any Department for Planning and Infrastructure offices.**

Inquiries should be made in writing and forwarded by post to —

*(Insert appropriate address here)*

#### TAXI INFRINGEMENT NOTICE CREDIT CARD SLIP

Do not detach — Return complete document with payment to —

*[Insert appropriate address here]*

Please debit my credit card account —

Bankcard [ ] Mastercard [ ] Visacard [ ]

Card Number [ ]

Amount [ ][ ][ ][ ][ ][ ]

Cardholder Name: .....

Signature: ..... Expiry Date: ...../...../.....

### FORM 2

*TRANSPORT CO-ORDINATION ACT 1966* — section 58A

*COUNTRY TAXI-CARS (FARES AND CHARGES) REGULATIONS 1991* —  
regulation 7A(3)

Western Australia

Department for Planning and Infrastructure

#### NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No. ....

Name

Address

Dear Sir/Madam

Notice of withdrawal of proceedings

Infringement Number

Date

Time

Code

Description

Take notice that I, being authorised to do so, hereby withdraw proceedings under the *Transport Co-ordination Act 1966* in relation to the infringement notice issued for the above offence.

Director General

Date

”

By Command of the Governor,

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

TR302\*

Transport Co-ordination Act 1966

## **Transport (Country Taxi-car) Amendment Regulations 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Transport (Country Taxi-car) Amendment Regulations 2006*.

### **2. The regulations amended**

The amendments in these regulations are to the *Transport (Country Taxi-car) Regulations 1982\**.

[\* *Reprint 2 as at 2 April 2004*.

*For amendments to 18 January 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 414.*]

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

Regulation 4 is amended by deleting the definition of “Schedule”.

### **4. Regulation 5 amended**

Regulation 5 is amended by deleting “the Schedule” and inserting instead —

“ Schedule 1 ”.

**5. Regulation 8 amended**

Regulation 8(2) is amended by deleting “the Schedule” and inserting instead —

“ Schedule 1 ”.

**6. Regulation 10 amended**

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

“ Schedule 1 ”.

**7. Regulation 11 amended**

Regulation 11(3) is amended by deleting “the Schedule” and inserting instead —

“ Schedule 1 ”.

**8. Regulation 26 amended**

- (1) Regulation 26(1) is amended by deleting “subregulation (2)” and inserting instead —

“ this regulation ”.

- (2) Regulation 26 is amended by deleting subregulations (2) and (3) and inserting the following subregulations instead —

“

- (2) A driver is not obliged to accept a hiring where —

(a) the intending hirer or an intending passenger is intoxicated, unclean, abusive or violent;

(b) the driver has reasonable grounds to believe that —

(i) the intending hirer or an intending passenger, or the point of engagement or the destination, poses a threat to the driver’s safety;

(ii) the hiring would result in a breach of a condition imposed by the Director General under section 47ZD(3) of the Act on the operation of the taxi-car; or

(iii) the intending hirer or an intending passenger has evaded, or attempted to evade, the payment of a fare or charge for hiring a taxi-car;

(c) the driver requires the intending hirer to pay a deposit under the *Country Taxi-cars (Fares and Charges) Regulations 1991* regulation 4A and the intending hirer does not pay it; or

- (d) the number of intending passengers aged 12 or over exceeds the number of available seatbelts in the taxi-car.
- (3) If, during a hiring, a passenger begins to soil the taxi-car or become abusive or violent —
- (a) the driver may terminate the hiring;
  - (b) the driver or an authorised officer may request all passengers to alight from the taxi-car; and
  - (c) the driver may require the hirer to pay —
    - (i) the fare that would have been due if the hiring had terminated at that point in the normal course of events; and
    - (ii) in the case of soiling, a charge to cover the cost of cleaning the taxi-car, as set out in the *Country Taxi-cars (Fares and Charges) Regulations 1991* Schedule 1.
- (4) A passenger who fails to alight from a taxi-car when requested to do so under subregulation (3)(b) commits an offence.

”.

**9. Regulation 26B inserted**

After regulation 26A the following regulation is inserted —

“

**26B. Requirement to carry guide dogs**

A driver shall transport a guide dog that is accompanying a passenger who is visually or hearing impaired unless excused from doing so in writing by an authorised officer.

”.

**10. Regulation 48 inserted**

After regulation 47 the following regulation is inserted —

“

**48. Infringement notices and modified penalties**

- (1) For the purposes of section 58A of the Act, the prescribed offences against the Act and these regulations for which infringement notices may be given, and the modified penalties for those offences, are set out in Schedule 2.
- (2) For the purposes of section 58A(3), the prescribed form of infringement notice is Form 1 in Schedule 3.
- (3) For the purposes of section 58A(2), the prescribed form of notice of withdrawal of infringement notice is Form 2 in Schedule 3.

”.

**11. Schedule amended**

The heading to the Schedule is deleted and the following heading is inserted instead —

“

**Schedule 1 — Fees**

”

**12. Schedules 2 and 3 inserted**

After Schedule 1 the following Schedules are inserted —

“

**Schedule 2 — Modified penalties**

[r. 48(1)]

<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b>
1	s. 50(1)(a)	Operating public vehicle to consign, send or convey goods or passengers without appropriate licence	\$500 for an individual \$1 000 for a corporation
2	s. 53	Owner or driver of public vehicle failing to comply with terms and conditions of licence	\$200
3	r. 14(2)	Failing to return number plate issued in respect of taxi-car within 14 days after licence comes to end	\$50
4	r. 24	Driver failing to be clean and neat	\$50
5	r. 25(a)	Driver failing to conduct himself in orderly manner, with civility and propriety or failing to comply with reasonable requirement of hirer or passenger	\$50
6	r. 25(b)	Driver failing to afford reasonable assistance to passenger	\$50
7	r. 25(d)	Driver failing to carry driver's licence or produce it upon request of authorised officer	\$50
8	r. 25(e)	Driver failing to be constantly in attendance on taxi-car when standing for hire	\$50
9	r. 26(1)	Driver refusing a hiring or failing to carry out a hiring otherwise than in accordance with regulations 26(2) and (3)	\$50

<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b>
10	r. 26(4)	Passenger failing to alight from taxi-car when requested to do so	\$50
11	r. 26B	Refusing to transport a guide dog that is accompanying a passenger who is visually or hearing impaired	\$50
12	r. 27	Driver failing to drive by shortest practicable route	\$50
13	r. 27A	Driver failing to display approved identification card in manner directed by Director General	\$50
14	r. 35	Operator of taxi-car failing to cause taximeter to be regulated to record fares and charges prescribed by <i>Country Taxi-cars (Fares and Charges) Regulations 1991</i> or to submit the vehicle for inspection, testing and sealing	\$50
15	r. 36(ba)	Owner of taxi-car removing taximeter for more than 10 days without approval of Director General	\$50
16	r. 36(d)	Owner of taxi-car making or permitting alteration to taxi-car that would affect correct operation of taximeter	\$50
17	r. 38	Operator of taxi-car manipulating taximeter in manner likely to defraud	\$50
18	r. 39	Driver setting taximeter in operation otherwise than when permitted by r. 39	\$50
19	r. 41(2)	Owner or operator of taxi-car failing to comply with terms of notice received under r. 41(1) or rectify defect found during inspection	\$50

**Schedule 3 — Forms**

[r. 48(2) and (3)]

**FORM 1**

*TRANSPORT CO-ORDINATION ACT 1966* — section 58A  
*TRANSPORT (COUNTRY TAXI-CAR) REGULATIONS 1982* —  
 regulation 48(2)  
 Western Australia  
 Department for Planning and Infrastructure

**TAXI INFRINGEMENT NOTICE**

PART "B" This space for cash register imprint  
 To be retained by Cashier.  
 OFFICE COPY ONLY  
 Please do not detach from Part "A"

PART "A"  
 OFFICIAL RECEIPT  
 DEFENDANT'S COPY

No. ....

Issue Date ...../...../.....

Sex [ ] Date of birth [ ]/[ ]/[ ]  
 M .....

Surname (Block Letters)	Other Names in full	MDL Number
Address .....		
Number and Street	Town or Suburb	Postcode

Particulars of Taxi

Plate No. .... Annual fee due ...../...../.....

Make ..... Model ..... Colour .....

Company .....

It is alleged that at ..... hours on ..... day of ..... 20 ..... at .....  
 ..... that you committed the offence indicated  
 hereunder.

.....  
 .....  
 Description of Offence

Penalty \$ [ ] [ ] [ ] [ ]

..... No. ....

Signature of authorised person

Take notice that —

If you do not wish to have a complaint of the alleged offence heard and determined by a court,  
 you may pay to an officer specified on the reverse side of this notice, within 28 days, the total  
 amount specified.

If that amount is not paid within 28 days, additional administrative charges may be incurred and  
 action may be taken to suspend your Motor Driver's Licence until you have paid in full the  
 modified penalty and any additional charges OR you have elected to have this matter heard and  
 determined by a court.

Payment may be made —

- (i) by post to —

[Insert appropriate address here]

- (ii) by hand to —

Clerk of Courts —

Albany, Armadale, Broome, Bunbury, Busselton, Carnarvon, Collie, Derby, Esperance,  
 Fremantle, Geraldton, Harvey, Kalgoorlie, Karratha, Katanning, Kununurra, Mandurah,  
 Manjimup, Merredin, Moora, Midland, Narrogin, Northam, Pinjarra, Port Hedland,





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## — PART 2 —

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### AGRICULTURE

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AG401\*

#### SOIL AND LAND CONSERVATION ACT 1945

##### SOIL AND LAND CONSERVATION (DENMARK LAND CONSERVATION DISTRICT) AMENDMENT ORDER 2006

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

#### 1. Citation

This order may be cited as the *Soil and Land Conservation (Denmark Land Conservation District) Amendment Order 2006*.

#### 2. Principal Order

In this order the *Soil and Land Conservation (Denmark Land Conservation District) Order 1987\** is referred to as the principal order.

(\*Published in the Gazette of 20 March 1987 at pp. 980-981 and amended in the Gazettes of 12 July 1991 at pp. 3413-3414, 4 November 1994 at p. 5616 and 2 June 1995 at p. 2177).

#### 3. Clause 2, 4, 5 and 6 deleted

Clauses 2, 4, 5 and 6 of the principal order are deleted.

By the command of the Governor,

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

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AG402\*

#### SOIL AND LAND CONSERVATION ACT 1945

##### SOIL AND LAND CONSERVATION (GOOMALLING LAND CONSERVATION DISTRICT) AMENDMENT ORDER 2006

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

#### 1. Citation

This order may be cited as the *Soil and Land Conservation (Goomalling Land Conservation District) Amendment Order 2006*.

#### 2. Principal Order

In this order the *Soil and Land Conservation (Goomalling Land Conservation District) Order 1989\** is referred to as the principal order.

(\*Published in the Gazette of 23 June 1989 at pp. 1856-1857 and amended in the Gazette of 29 September 1995 at pp. 4650-4651).

#### 3. Clause 2, 4, 5 and 6 deleted

Clauses 2, 4, 5 and 6 of the principal order are deleted.

By the command of the Governor,

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

**AG403\*****SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (JERRAMUNGUP LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Jerramungup Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Jerramungup Land Conservation District) Order 1983\** is referred to as the principal order.

(\*Published in the Gazette of 30 December 1983 at pp. 5124-5125 and amended in the Gazettes of 27 March 1986 at pp. 1327-1328, 17 May 1991 at pp. 2462-2463, 3 January 1992 at p. 3, 4 November 1994 at p. 5621 and an Amendment Order approved by Executive Council on 16 June 1998 {refer Department of Agriculture reference: 881707V04P0D}).

**3. Clause 3, 5, 6 and 7 deleted**

Clauses 3, 5, 6 and 7 of the principal order are deleted.

By the command of the Governor,

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

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**AG404\*****SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (NAPIER KING LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Napier King Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Napier King Land Conservation District) Order 1987\** is referred to as the principal order.

(\*Published in the Gazette of 22 May 1987 and amended in the Gazettes of 13 May 1988 at p. 1629, 12 July 1991 at pp. 3417-3418, 1 November 1991 at pp. 5589-5590 and 2 June 1995 at p. 2178).

**3. Clause 2, 4, 5 and 6 deleted**

Clauses 2, 4, 5 and 6 of the principal order are deleted.

By the command of the Governor,

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

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**AG405\*****SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (PINGARING LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Pingaring Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Pingaring Land Conservation District) Order 1987\** is referred to as the principal order.

(\*Published in the Gazette of 22 May 1987 at pp. 2198-2200 and amended in the Gazettes of 20 September 1991 at pp. 4859-4861 and 17 March 1995 at p. 1018).

**3. Clause 2, 4, 5 and 6 deleted**

Clauses 2, 4, 5 and 6 of the principal order are deleted.

By the command of the Governor,

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

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**AG406\*****SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (TOODYAY LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under sections 22 and 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Toodyay Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Toodyay Land Conservation District) Order 1989\** is referred to as the principal order.

(\*Published in the Gazette of 13 October 1989 at pp. 3805-3806 and amended in the Gazettes of 18 May 1990 at p. 2336 and 30 April 1996 at pp. 1853-1854).

**3. Clause 5 amended**

Clause 5 of the principal order is amended by—

- (i) deleting “16” in subclause (1) and substituting the following—  
“11”, and
- (ii) deleting “10” in subclause (1)(e) and substituting the following—  
“5”

By the command of the Governor,

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

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**AG407\*****SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (TRAYNING LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Trayning Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Trayning Land Conservation District) Order 1984\** is referred to as the principal order.

(\*Published in the Gazette of 25 May 1984 at pp. 1408-1409 and amended in the Gazettes of 11 December 1987 at pp. 4434-4435, 1 December 1989 at p. 4444, 17 March 1995 at pp. 1019-1020 and 4 November 2003 at pp. 4619-4620).

**3. Clause 3, 5, 6 and 7 deleted**

Clauses 3, 5, 6 and 7 of the principal order are deleted.

By the command of the Governor,

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

AG408\*

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (STIRLING LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Stirling Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Stirling Land Conservation District) Order 1984\** is referred to as the principal order.

(\*Published in the Gazette of 2 November 1984 at pp. 3548-3549 and amended in the Gazettes of 21 March 1986 at pp. 1231-1232, 28 October 1988 at p. 4318, 17 May 1991 at pp. 2460-2462, 3 January 1992 at pp. 4-5, 5 August 1994 at p. 3897 and Amendment Orders approved by Executive Council on 29 July 1997 and 29 December 1998 {refer Department of Agriculture reference: 881728V02P0E}).

**3. Clause 3, 5, 6 and 7 deleted**

Clauses 3, 5, 6 and 7 of the principal order are deleted.

By the command of the Governor,

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

AG409\*

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (WELLSTEAD LAND CONSERVATION DISTRICT)  
AMENDMENT ORDER 2006**

Made by the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

**1. Citation**

This order may be cited as the *Soil and Land Conservation (Wellstead Land Conservation District) Amendment Order 2006*.

**2. Principal Order**

In this order the *Soil and Land Conservation (Wellstead Land Conservation District) Order 1992\** is referred to as the principal order.

(\*Published in the Gazette of 24 January 1992 at pp. 351-353 and amended in the Gazette of 2 May 1995 at p. 1669 and an Amendment Order approved by Executive Council on 21 September 1999 {refer Department of Agriculture reference: 881837V02P0A}).

**3. Clause 2, 4, 5 and 6 deleted**

Clauses 2, 4, 5 and 6 of the principal order are deleted.

By the command of the Governor,

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

**CEMETERIES**

CC401\*

**CEMETERIES ACT 1986**

*Shire of Halls Creek*

**HALLS CREEK FUNERAL CHARGES 2005/2006****Internment**

Burial Fee..... \$100.00 inc GST

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## ELECTORAL COMMISSION

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EC401\*

**MARKETING OF POTATOES ACT 1946**

POTATO MARKETING CORPORATION OF WESTERN AUSTRALIA

Election of Officers pursuant to section 8 of the *Marketing of Potatoes Act 1946*

Election Notice

Nominations are called from eligible candidates for the election of—

Elective Member (1)

Nominations will be accepted from Friday 28 July 2006.

Nomination forms are to be completed in accordance with the *Marketing of Potatoes Regulations 1987* and must reach me no later than 12.00 noon on Friday 18 August 2006. Should an election be necessary, voting will close at 4.00 pm on Monday 11 September 2006.

Note: Nomination forms shall be signed by the candidate, a proposer and seconder, all of whom shall be persons enrolled on the Potato Marketing Corporation of Western Australia electoral roll.

**HOW TO LODGE NOMINATIONS**

- By Hand: Western Australian Electoral Commission  
Level 2, 111 St Georges Terrace  
PERTH WA 6000
- By Post: GPO Box F316  
PERTH WA 6841
- By Fax: 9226 0577

Nomination forms are available either from the Potato Marketing Corporation of Western Australia office or from me at the Western Australian Electoral Commission. Originals of faxed nominations must be mailed or hand-delivered to the Returning Officer.

ALL MEMBERS! Have you changed your address?

If so, please advise the Potato Marketing Corporation of Western Australia of your new address.

CATHY KING, Returning Officer.

Phone: 13 63 06

Email: [waec@waec.wa.gov.au](mailto:waec@waec.wa.gov.au)

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## ENVIRONMENT

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EV401

**ENVIRONMENTAL PROTECTION ACT 1986**

DELEGATION NO. 57

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* ("the Act"), hereby delegate to the holder of the time being of the office of the Deputy Director General, Environment of the Department of Environment and Conservation all my powers and duties under the Act other than this power of delegation.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

EV402

**ENVIRONMENTAL PROTECTION ACT 1986**

DELEGATION NO. 58

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* ("the Act"), hereby delegate to the holder of the

time being of the office of Director Environmental Management Division, Environment, of the Department of Environment and Conservation all my powers and duties under sections 54, 57, 59, 59A, 59B, 60, 62, 62A, 64, 65, 66, 68, 68A, 70, 73, 73A, 81A, 87, 88, 95, 96 and 97 of the Act.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* Delegation No. 49 dated 6 September 2004 is hereby revoked.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

#### EV403

### ENVIRONMENTAL PROTECTION ACT 1986

#### DELEGATION NO. 59

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* (“the Act”), hereby delegate to the holder of the time being of the office of the Director, Environmental Management Division, Environment of the Department of Environment and Conservation, all my powers and duties under regulations 4(2), 5(1), 5(2), 6(1), 6(2), 6(3), 7, 9(1), 10(1), 10(2), 10(3), 10(4), 10(5), 12, 18, 19(1), 20(1), 20(3), 22(2), 22(3), 22(4), 23(1), 23(2), 23(3), 26(1), 27(2), 34, 37(2), 39(5), 46 and 51(1) of the Environmental Protection (Controlled Waste) Regulations 2004.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* delegation No. 33, dated the 6 day of July 2001 is hereby revoked.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

#### EV404

### ENVIRONMENTAL PROTECTION ACT 1986

#### DELEGATION NO. 60

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* (“the Act”), hereby delegate to the holder of the time being of the office of the Assistant Director, Regional Services, Environment of the Department of Environment and Conservation, except for the functions and powers set out in the Schedule below my powers and duties—

- (a) under Part V Division 2 of the Act;
- (b) under Part V Division 3 sections 54, 57, 59, 59A, 59B, 60, 62 and 62A of the Act;
- (c) under Part V Division 4 sections 65, 66, 68, 68A, 70, 73, and 73A of the Act;
- (d) under Part V Division 5 section 81A of the Act;
- (e) under Part VI sections 95, 96, and 97 of the Act;
- (f) under Part VII of the Act, in so far as they relate to appeals lodged under section 101A of the Act;
- (g) under regulation 7 and 8 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

other than this power of delegation.

#### Schedule of Exemptions

1. The functions and powers the subject of section 51L, save to the extent that they are exercised to give effect to a direction by the Minister determining an appeal under section 110 of the Act.
2. The functions and powers the subject of sections 51S of the Act.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

EV405

**ENVIRONMENTAL PROTECTION ACT 1986**

## DELEGATION NO. 61

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* ("the Act"), hereby delegate to the holder of the time being of the office of Manager, Environmental Regulation Branch, Environmental Management Division, Environment of the Department of Environment and Conservation all my powers and duties under sections 54, 57, 59, 59B, 62, 62A and 64 of the Act.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* delegation No. 52 dated 6 September 2004 is hereby revoked.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

EV406

**ENVIRONMENTAL PROTECTION ACT 1986**

## DELEGATION NO. 62

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* ("the Act"), hereby delegate to the holder of the time being of the office of the Manager, Licensing Policy Unit, Environmental Management Division, Environment of the Department of Environment and Conservation, all my powers and duties under sections 54, 57, 59, 59B, 62, 62A and 64 of the Act.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* delegation number 46, dated the 6 day of October 2003 is hereby revoked.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

EV407

**ENVIRONMENTAL PROTECTION ACT 1986**

## DELEGATION NO. 63

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* ("the Act"), hereby delegate to the holder of the time being of the office of the Manager, Environmental Regulation Branch, Environmental Management Division, Environment of the Department of Environment and Conservation, all my powers and duties under regulations 4(2), 5(1), 6(1), 6(2), 6(3), 7, 9(1), 10(1), 10(2), 10(3), 10(4), 10(5), 12, 18, 19(1), 20(1), 20(3), 22(2), 22(3), 22(4), 23(1), 23(2), 23(3), 26(1), 27(2), 34, 37(2), 46 and 51(1) of the Environmental Protection (Controlled Waste) Regulations 2004.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* delegation number 36, dated the 6 day of July 2001 is hereby revoked.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.



EV408

**ENVIRONMENTAL PROTECTION ACT 1986**

## DELEGATION NO. 64

I, Keiran McNamara, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986*, and pursuant to section 20 of the *Environmental Protection Act 1986* ("the Act"), hereby delegate to the holder of the time being of the office of the Manager, Controlled Waste section of the Environmental Management Division, Environment of the Department of Environment and Conservation, all my powers and duties under regulations 4(2), 5(1), 6(1), 6(2), 6(3), 7, 9(1), 18, 19(1), 20(1), 20(3), 22(2), 22(3), 22(4), 23(1), 23(2), 23(3), 26(1), 34, 37(2), 46 and 51(1) of the Environmental Protection (Controlled Waste) Regulations 2004.

Pursuant to section 59(1)(e) of the *Interpretation Act 1984* delegation number 34, dated the 6 day of July 2001 is hereby revoked.

Dated the 3rd day of July 2006.

KEIRAN McNAMARA, Chief Executive Officer.

Approved by—

Hon MARK McGOWAN MLA, Minister for the Environment.

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**HEALTH**

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HE401

**MEDICAL ACT 1894**

## MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 19) 2006

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

**Citation**

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 19) 2006*.

**Commencement**

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

**Unmet area of need**

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

**Expiry of determination**

4. This determination expires 5 years after its commencement.

**SCHEDULE**

Neonatal Paediatric Services at St John of God Hospital, Subiaco.

Dated this 6th day of July 2006.

JIM McGINTY MLA, Minister for Health.

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**HERITAGE**

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HR401\*

**HERITAGE OF WESTERN AUSTRALIA ACT 1990**

## INTENTION TO AMEND AN ENTRY IN THE REGISTER OF HERITAGE PLACES

It is proposed that the entry in the Register of Heritage Places ("the Register") relating to *P0570, Railway Hotel* located at 75 Bayley Street, Coolgardie ("the Place") be amended pursuant to section 54(1) of the *Heritage of Western Australia Act 1990*.

The reason for the proposed amendment is to include Lot 167 on Deposited Plan 222287 in the land description of the Place in the Register. The lot was omitted from the land description of the Place in the Register, due to an administrative oversight.

It is proposed that the amended land description of the Place will be—

Lot 167 on Deposited Plan 222287 being the whole of the land contained in Certificate of Title Volume 1995 Folio 29 and Lot 168 on Deposited Plan 222287 being the whole of the land contained in Certificate of Title Volume 1995 Folio 30.

In accordance with section 54(2)(a) of the *Heritage of Western Australia Act 1990*, the Heritage Council invites persons generally to make submissions to it in relation to the proposed amendment. Submissions must be in writing and should be forwarded to the following address not later than 5pm on 28 August 2006.

Dated this 14th day of July 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 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

**Caron Coal Stage** off Wubin-Mullewa Highway, Caron; Lot 377 on Plan 4010, being unallocated Crown land and the whole of the land contained in CLT V 3136 F 33 as shown on HCWA Survey Drawing No. 4562 prepared by HCWA.

**Halley's Comet Gold Mine, Marble Bar** at Hillside-Marble Bar Road, approx. 10km south of Marble Bar; Lot 350 on DP 49438 being part of Res 2906 and being the whole of the land contained in CLT V 3136 F 695; Ptn of Lot 111 on DP 238589 being part of Crown Lease 103/1989 and part of the land contained in CLT V 3065 F 342 as shown on HCWA Survey Drawing No. 14198 prepared by Whelans.

**Lynburn Homestead and Shearing Shed (fmr)** at Thomas River 105km East of Esperance; Ptn of Lot 5 on DP 256428 and being part of the land contained in C/T V 1106 F 368; Ptn of closed road being unallocated Crown land, together as shown on HCWA Drawing No. 4216 prepared by Midland Survey Services.

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 places 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 7 July 2006. The places 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

**Garryowen** at 40—44 Vancouver Street, Albany; The Ptn of Lot 5 on D 10426 being part of the land contained in C/T V 2142 F 628 as is defined in HCWA survey drawing 15562 (DP 49614) prepared by Midland Survey Services.

**Harold Boas Gardens** at Wellington Street, Perth; Perth Town Lot V157 being the whole of the land contained in C/T V: 207 F: 13 together with Res 42786 being Lot 1019 on DP 217920 and being the whole of the land contained in CLT V: 3051 F: 960.

**Homeleigh** at Muirs Highway, Manjimup; Lot 1 on D 20235 being the whole of the land contained in C/T V 1185 F 727, Ptn of Lot 6695 on DP 81684 being part of the land contained in C/T V 1194 F 476 and Ptn of Lot 5639 on DP 81710 being part of the land contained in C/T V 1185 F 728 as shown on HCWA Survey Drawing No. 7098 prepared by Midland Survey Services.

**Imperial Hotel, York** at 83 Avon Terrace cnr Joaquina Street, York; Lots 12 and 13 on Plan 63 and being the whole of the land contained in C/T V 1949 F 639.

**Residence, 206 Grey Street, Albany** at 206 Grey Street, Albany; Lot 200 on DP 300020 and being the whole of the land contained in C/T V 1210 F 351.

#### 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 7 July 2006.

### Schedule 3

#### Description of Place

**Derby Tramway Woolshed** at Loch Street, Derby; Ptn of Derby Lot 1400 on DP 243258 being part of Res 26818 and being part of the land contained in CLT V 3136 F 974 as shown on HCWA Survey Drawing No. 4661 prepared by Steffanoni Ewing & Cruickshank Pty Ltd and dated 22 June 2005.

**Mattie Furphy's House** at Allen Park Heritage Precinct, Kirkwood Street, Swanbourne; Ptn of Lot 403 on DP 36773 being part of Res 7804 and part of the land contained in CLT V 3136 F 90 as shown on Deposited Plan 51775 prepared by Whelans..

**Perth Dental Hospital Main Block** at Perth Lot 966, 189 Wellington Street, Perth; That part of Lot 966 on Deposited Plan 187282 and being part of the land comprised in Crown Land Title V 3063 F 128 as is defined in HCWA survey drawing No. 2131. prepared by Steffanoni Ewing & Cruickshank Pty Ltd.

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

26 May 2006.

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## HOUSING AND WORKS

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HW401\*

### STATE HOUSING ACT 1946

#### VESTING IN FEE SIMPLE

Department for Planning and Infrastructure  
Midland.

Correspondence No: 50612-2005

It is hereby notified that His Excellency the Governor in Executive Council has been pleased to vest the fee simple of the land described in the Schedule in the State Housing Commission under section 18(1)(a) of the *State Housing Act 1946* as continued by section 78 of the *Housing Act 1980*.

#### SCHEDULE

LOT/LOCATION	CORRESPONDENCE No.
Swan Location 7909	50612-2005

(Signed) Director General,  
Department for Planning and Infrastructure.

HW402\*

### STATE HOUSING ACT 1946

#### VESTING IN FEE SIMPLE

Department for Planning and Infrastructure  
Midland.

Correspondence No: 50277-2006

It is hereby notified that His Excellency the Governor in Executive Council has been pleased to vest the fee simple of the land described in the Schedule in the State Housing Commission under section 18(1)(a) of the *State Housing Act 1946* as continued by section 78 of the *Housing Act 1980*.

#### SCHEDULE

LOT/LOCATION	CORRESPONDENCE No.
Lot 6546 on Plan 7126	50277-2006

(Signed) Director General,  
Department for Planning and Infrastructure.

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## LOCAL GOVERNMENT

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LG401\*

**LOCAL GOVERNMENT ACT 1995**

*City of Albany*  
(BASIS OF RATES)

Department of Local Government  
and Regional Development  
24 February 2006.

DLGRD: AL5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Jon Ford MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall convert back from gross rental value to unimproved value for the purposes of rating with effect from 24 February 2006.

CHERYL GWILLIAM, Director General.

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### Schedule

Additions to Unimproved Value Area

*City of Albany*

*All those portions of land comprised in the schedules below—*

**SCHEDULE "A"**

All that portion of land being Lot 65 as shown on Diagram 96866 and Lot 100 as shown on Diagram 98389.

**SCHEDULE "B"**

All that portion of land being Lot 64 as shown on Plan 3570 and Lot 97 and Lot 107 as shown on Plan 3571.

**SCHEDULE "C"**

All that portion of land being Lot 526 as shown on Deposited Plan 230467 and Lot 507 as shown on Deposited Plan 256573.

LG402\*

**DOG ACT 1976**

## APPOINTMENTS

*Shire of Corrigin*

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 (as amended) for the municipality of the Shire of Corrigin—

## REGISTRATION OFFICERS

Mrs Karen Wilkinson  
Miss Heather Blacklock  
Mrs Shannon Aldworth  
Miss Anita King  
Miss Sarah Whitehouse

## AUTHORISED OFFICERS

Mr Julian Murphy  
Miss Heather Blacklock  
Mr Mark Channon  
Mr Greg Tomlinson  
Mr Stan White  
Mr Brian Willcox

All previous appointments are hereby cancelled.

JULIAN MURPHY, Chief Executive Officer.

**LG403\****SHIRE OF COOLGARDIE*

## Appointments

It is hereby notified for public information that the following person have been appointed under the provisions of the Local Government Act 1995, Dog Act 1976, Litter Act 1979 (Amended 2004), Animal Welfare Act and Miscellaneous Provisions Act 1960 for the municipality of the Shire of Coolgardie—

**REGISTRATION OFFICERS**

Geoff Benson

**AUTHORISED OFFICERS**

Geoff Benson

M. J. (MAL) OSBORNE, Chief Executive Officer.

**LG404\*****BUSH FIRES ACT 1954***Shire of East Pilbara*

## Appointments

In accordance with the Bush Fires Act 1954 the undermentioned persons have been appointed to the following positions, and all previous appointments are hereby cancelled—

**Chief Bush Fire Control Officer**

Mr Michael Starling (Coordinator Ranger and Emergency Services)

**Deputy Chief Bush Fire Control Officer**

Ms Randi Lee Finlayson (Ranger)

**Bush Fire Control Officers**

Ms Raelene Meares (Ranger)

Mr Raymond Bonner (Captain Newman Volunteer Fire &amp; Rescue Brigade)

Ms Jenny Harris (Coordinator Marble Bar Shire Office)

Mr Werner Schill (Captain Nullagine Bush Fire Brigade)

Mr Steve Bunce (Caretaker/ Ranger Cape Keraudren)

ALLEN COOPER, Chief Executive Officer.

**LG405\****SHIRE OF EAST PILBARA*

## Appointments

The Shire of East Pilbara wishes to advise for public information the appointment of Ms Raelene Meares and Ms Randi Lee Finlayson as an authorised officer's to operate within the Shire of East Pilbara to enforce the following Acts, Regulations and Local Laws, effective immediately—

- Local Government Act 1995 and Regulations
- Litter Act 1979 and Regulations
- Local Government (Miscellaneous Provisions) 1960 Act
- Dog Act 1976 and Regulations
- Bush Fires Act 1954 and Regulations
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Shire of East Pilbara Local Laws
- Agriculture and Related Resources Protection Act 1976 and Regulations
- Stock (Identification and Movement) Act 1970 and Regulations
- Caravan Park and Camping Grounds Act 1995 and Regulations

The previous appointment of Ms Janine Houston is hereby cancelled.

The previous appointment of Mr Keith Annane is hereby cancelled.

ALLEN COOPER, Chief Executive Officer.

LG406

**LOCAL GOVERNMENT ACT 1995***City of Melville*

Authorised Person

It is hereby notified for public information that Kenneth Glen Cowper and Walter Cook have been appointed as Authorised Persons at Bull Creek Shopping Centre (as defined in the City of Melville Parking Facilities Local Laws) and as Authorised Persons for the purposes of Section 9.10, 9.13 and 9.15 of the Local Government Act 1995.

ERIC LUMSDEN, Chief Executive Officer.

LG407\*

**TOWN OF NORTHAM**

Appointment of Authorised Officers

It is hereby notified for public information that the Town of Northam appoints Mr Darren Andrews, Mr Paul Postma and Mr Felix McQuisten each as, Pound Keeper, Registration Officer, Authorised Officer and Ranger for the purposes of enforcing the following Acts & Regulations and Local Laws effective from 1 July 2006—

- Local Government Act 1995 and Regulations
- Local Government (Miscellaneous Provisions) Act 1960
- Bush Fires Act 1954 and Regulations
- Dog Act 1976 (as amended) and Regulations
- Litter Act 1979 (as amended)
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Town of Northam Local Laws
- Caravan and Camping Grounds Act 1995.

And;

Cancels the appointment of Luc Patrice Thirion in the above areas.

B. W. MEAD, Chief Executive Officer.

LG408

**LOCAL GOVERNMENT ACT 1995***Shire of Wickepin*

(BASIS OF RATES)

Department of Local Government  
and Regional Development,  
11 July 2006.

DLGRD: W15-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Jon Ford MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 31 May 2006.

CHERYL GWILLIAM, Director General.

**Schedule****ADDITIONS TO GROSS RENTAL VALUE AREA***Shire of Wickepin*

All that portion of land being Lot 50 as shown on Office of Titles Diagram 99690.

LG409

**LOCAL GOVERNMENT ACT 1995***Shire of Denmark*

(BASIS OF RATES)

Department of Local Government  
and Regional Development,  
11 July 2006.

DLGRD: DE5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Jon Ford MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2006.

CHERYL GWILLIAM, Director General.

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**Schedule**

## ADDITIONS TO GROSS RENTAL VALUE AREA

*Shire of Denmark*

All those portions of land being Lots 21 to 25 inclusive as shown on Deposited Plan 43337.

LG410

**LOCAL GOVERNMENT ACT 1995***Shire of Donnybrook-Balingup*

(BASIS OF RATES)

Department of Local Government  
and Regional Development,  
11 July 2006.

DLGRD: DB5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Jon Ford MLC, Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2006.

CHERYL GWILLIAM, Director General.

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**Schedule**

## ADDITIONS TO GROSS RENTAL VALUE AREA

*Shire of Donnybrook-Balingup*

All those portions of land being Lot 9000 as shown on Deposited Plan 44846 and Lot 23 as shown on Plan 18599.

LG501\*

**BUSH FIRES ACT 1954***Shire of Corrigin*

## FIRE BREAK ORDER

Notice to all Owners and or Occupiers of land in the Shire of Corrigin

Pursuant to the powers contained in section 33 of the Bushfires Act, you are hereby required on or before 31 October or 14 days after becoming the owner if fire breaks are not installed so far as rural land is concerned, to remove from the land owned or occupied by you, all inflammable material or to

clear firebreaks in accordance with the following, and thereafter, maintain the land or the firebreaks clear of all inflammable material up to and including the 15th day of April.

1. Rural Land (ie land other than that in a townsite)

1.1 Firebreaks of not less than 2.44 metres (8 feet) in width must be constructed along and within 20 metres of all external boundaries of the property owned or occupied by you. If any portion of the land adjoins a public road or railway line, a firebreak must also be constructed along that boundary.

1.2 Property in excess of 250 hectares shall have fire breaks positioned as necessary to divide land into areas not exceeding 250 hectares each completely surrounded by a firebreak.

1.3 Clear and maintain firebreaks at least 2.44 metres (8 feet) wide within 20 metres of the perimeter of any building or group of buildings, fuel tanks or haystack, in such a manner as to fully encircle the structure/s.

1.4 During any period when harvesting operations are being conducted, there shall be provided an operational mobile firefighting unit with a minimum capacity of 500 litres of water located in or immediately adjacent to the paddock being harvested. The responsibility to supply the unit is that of the landowner/occupier.

2. Townsite Land (ie land in any Townsite)

2.1 Where the area of the land is 0.2 hectares (one half of one acre) or less, you shall clear all inflammable material on the land from the whole of the land.

2.2 Where the area of the land exceeds 0.2 hectares (one half of one acre), you shall clear of all inflammable material, firebreaks not less than 2.44 metres (8 feet) wide immediately inside all external boundaries of the land, and also immediately surrounding all buildings, haystacks and fuel ramps situated on the land, and also immediately surrounding any drums or drums situated on the land which are normally used for the storage of fuel, whether they contain fuel or not.

If it is considered impractical for any reason to clear firebreaks or clear inflammable material as required by this notice, you may apply to the Council or its duly authorised Officer, not later than 1 October so far as rural land is concerned and not later than 15 October so far as townsite land is concerned, for permission to provide firebreaks in an alternative position on the land.

If permission is not granted by the Council or its authorised Officer, you shall comply with the requirements of this notice. The penalty for failing to comply with this notice is a maximum fine of \$5000, and a person in default is liable whether prosecuted or not to pay the cost of performing the work directed on this notice if it is not carried out by the Owner or Occupier by the date required on this notice.

**Fire Control Officers**

<b>Bilbarin Brigade</b>	<b>Kunjin Brigade</b>	<b>Gorge Rock Brigade</b>	<b>Bullaring Brigade</b>
Sadow Jacobs	Allen Price (CBFCO)	Bryce Nicholls	Graeme Bowden
David Bolt	Tony Guinness	Norm Talbot	Trevor Elsegood
Bruce Mills	John Hewett	<b>Corrigin East</b>	Greg Evans
Steven Bolt	Carl Price	<b>Brigade</b>	Greg Doyle
<b>Central Brigade</b>	<b>Bulyee Brigade</b>	Phil Pontifex	Craig Jespersen
Don Stevens	Wes Baker (DCBFCO)	Tim George	Charlie Bell
Julian Murphy	Ray Hathaway		
Adam Rendell			

**Fire Weather Officers**

Allen Price  
Wes Baker  
Sadow Jacobs

JULIAN MURPHY, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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MP401\*

**PETROLEUM ACT 1967**

**GRANT OF RETENTION LEASE**

Retention Lease No. R3 has been granted to Tap (Shelfal) Pty Ltd, Westranch Holdings Pty Ltd and Wildlook Enterprises Pty Ltd to have effect for a period of five years from 5 July 2006.

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



**MP402****MINING ACT 1978  
FORFEITURES**

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 97(1) of the *Mining Act 1978* that the undermentioned mining tenements 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.

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Number	Holder	Mining Lease	Mineral Field
53/97	Newmont Yandal Operations Pty Ltd; Nord Australex Nominees Pty Ltd		East Murchison
53/98	Newmont Yandal Operations Pty Ltd; Nord Australex Nominees Pty Ltd		East Murchison
53/99	Newmont Yandal Operations Pty Ltd; Nord Australex Nominees Pty Ltd		East Murchison

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**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 mining tenements 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.

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Number	Holder	Exploration Licence	Mineral Field
28/1144	Great Gold Mines NL		North East Coolgardie
28/1145	Great Gold Mines NL		North East Coolgardie

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**MP404****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 mining tenement is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure condition.

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

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Number	Holder	Exploration Licence	Mineral Field
28/1128	Great Gold Mines NL		North East Coolgardie

MP405

**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 mining tenements are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure condition.

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

Number	Holder	Exploration Licence	Mineral Field
27/252	Great Gold Mines NL		North East Coolgardie
31/550	Great Gold Mines NL		North Coolgardie

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## PARLIAMENT

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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.
Solicitor-General Amendment Bill 2006	30 June 2006	29 of 2006
Royal Commissions (Powers) Amendment Bill 2005	4 July 2006	30 of 2006
Revenue Laws Amendment Bill 2006	4 July 2006	31 of 2006
Residential Parks (Long-stay Tenants) Bill 2005	4 July 2006	32 of 2006
Appropriation (Consolidated Fund) Bill (No. 1) 2006	4 July 2006	33 of 2006
Appropriation (Consolidated Fund) Bill (No. 2) 2006	4 July 2006	34 of 2006
Family Legislation Amendment Bill 2006	4 July 2006	35 of 2006
Labour Relations Legislation Amendment Bill 2006	4 July 2006	36 of 2006
Statute Law Revision Bill 2005	4 July 2006	37 of 2006

10 July 2006.

MIA BETJEMAN, Clerk of the Parliaments.

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## PLANNING AND INFRASTRUCTURE

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Albany*  
Town Planning Scheme No. 3—Amendment No. 245

Ref: 853/5/4/5 Pt 245

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 Albany local planning scheme amendment in 27 June 2006 for the purpose of—

(1) Replacing Clause 3.2 with—

3.2 Table No. 1 appended to Clause 3.3 of this part indicates the several uses permitted by this Scheme in the various zones, such uses being determined by cross reference between the list of "Use Classes" on the left hand side of the table and the list of "zones" on the top of that table.

Where an application is received for permission to use land for a proposed use which is not contained in the "Use Class" table and the table does not, in the opinion of the Council contain a use class with which the proposed use is comparable, Council may determine that the proposed use—

- (a) is considered to be consistent with the objectives of the zone and is therefore permitted;
  - (b) may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of Clause 5.1.4 in considering an application for planning approval; or
  - (c) is not consistent with the objectives of the particular zone and is therefore not permitted.
- (2) Replace the text after 3.3 "AA" with—  
a use that is not permitted unless planning consent to it is granted by the Council after notice has been given in accordance with Clause 5.1.4.
- (3) Deleting sub-clause 5.1.2 (b) (ix).

A. E. GOODE, Mayor.  
A. C. HAMMOND, Chief Executive Officer.

**PI402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Capel*  
Town Planning Scheme No. 7—Amendment No. 31

Ref: 853/6/7/7 Pt 31

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 Shire of Capel local planning scheme amendment on 27 June 2006 for the purpose of amending the Scheme Maps by changing the density code of Lot 195 Kookaburra Way, Capel depicted as a 'Residential Density Code R10/R15' to a 'Residential Density Code R20'.

M. T. SCOTT, Shire President.  
P. F. SHEEDY, Chief Executive Officer.

**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Melville*  
Local Planning Scheme No. 5—Amendment No. 40

Ref: 853/2/17/12 Pt 40

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 Melville Local planning scheme amendment on 19 April 2006 for the purpose of—

1. Amending Clause 7.14 (b) as follows—  
Deleting the words "shall upon the grant of planning approval be deemed to always have been lawful development" and substituting with "is taken to be lawful upon the grant of planning approval."
2. Adding a new Clause 7.14 (d) after Clause 7.14 (c)—  
The approval by the Council of an existing development does not affect the power of the Council to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.

KATHERINE JACKSON, Mayor.  
ERIC LUMSDEN, Chief Executive Officer.

**PI404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Town of Vincent*  
Town Planning Scheme No.1—Amendment No. 22

Ref: 853/2/33/2 Pt 22

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 Town

of Vincent local planning scheme amendment on 6 July 2006 for the purpose of modifying Clauses 20 (4) (c) (ii) and 20 (4) (h) (i) by deleting "1 July 2006" and inserting "30 December 2007".

Enquiries should be directed to the Town's Senior Planning Officer (Strategic) Kylie Batina on phone 9273 6013, fax 9273 6099, TTY 9273 6078 or email mail@vincent.wa.gov.au.

N. CATANIA, Mayor.  
J. GIORGI, JP, Chief Executive Officer

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## PREMIER AND CABINET

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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 J. Bowler MLA to act temporarily in the office of Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt in the absence of the Hon K. M. Chance MLC for the period 22 to 23 July 2006 (both dates inclusive)

Hon F. M. Logan MLA to act temporarily in the office of Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt in the absence of the Hon K. M. Chance MLC for the period 24 July to 1 August 2006 (both dates inclusive).

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

PC402\*

### INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

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

Hon A. 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 12 to 16 July 2006 (both dates inclusive).

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

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## RACING, GAMING AND LIQUOR

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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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
11505	Paula Clare Thomas & Stephen Allan Halliday	Application for the grant of a Restaurant licence in respect of premises situated in Broome and known as Black Pearl Restaurant	23/07/2006

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i></b>			
11511	KPG Licensing Pty Ltd	Application for the grant of a Hotel Restricted licence in respect of premises situated in Bunbury and known as Barracuda's Bar	10/08/2006
11487	David John Maynard Bennett & Julia Ann Bennett	Application for the grant of a Producer's licence in respect of premises situated in Margaret River and known as Jade Vineyard Estate	31/07/06
11483	Compass Group (Australia) Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Cue and known as Mount Hale Accommodation Village	19/07/06
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
27583	C-Bear Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Kalbarri and known as Kalbarri Cellars	27/07/2006

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

Dated: 12 July 2006.

P. MINCHIN, Director of Liquor Licensing.

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## WORKSAFE

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WS401\*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984**  
**OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996**  
 EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13  
 (No. 15 of 2006)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Burrup Fertilisers Pty Ltd from the requirements of Regulation 4.14(1)(a) of the *Occupational Safety and Health Regulations 1996* with respect to the need to ensure that—

- the 150TPH Boiler (HCFM 220-97) (2001-MU); and
- the 50TPH Boiler (HCFM 140-91) (2001-MUA)

installed at the Burrup Fertilisers Pty Ltd fertiliser plant, Village Road, Burrup Peninsular, Western Australia, are not used at a workplace unless registered by the WorkSafe Western Australia Commissioner.

This exemption is valid from 5pm on 14 July 2006 until 5pm on 14 October 2006.

Dated this 6th day of July 2006.

NINA LYHNE, WorkSafe Western Australia Commissioner.

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## DECEASED ESTATES

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ZX101

*PRINTERS CORRECTION*  
**TRUSTEES ACT 1962**  
 DECEASED ESTATES

Notice to Creditors and Claimants

An error occurred in the notice published under the above heading on page 2387 of *Government Gazette* No. 109 dated 30th June 2006 and is corrected as follows.

Delete the line—

“Cram, Sara”

and insert—

“ Crain, Sara ”.

**ZX401****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Patricia Lorraine Floyd, late of St Ives Eldercare, Unit 52, 44 Rome Road, Myaree in Western Australia, Pensioner.

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 23 June 2005 at Fremantle Hospital, Fremantle in Western Australia, are required by the personal representative, being Steven Raymond Fidock to send particulars of their claims to Suite 2, 11 Richardson Street, South Perth WA 6151 within 30 days of publication of this notice after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

**ZX402****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the Estate of Thomas Fleming Allison, late of 7 Marlin Way, Golden Bay in the State of Western Australia, Painter, deceased.

Creditors and other persons having claims to which Section 63 of the Trustees Act 1962 relate in respect of the Estate of the deceased, who died on the 16th day of January 2006, are required by the Executrix, Dianne Kaye Allison to send the particulars of their claim to Messrs Taylor Smart Solicitors of Level 8, 50 St George's Terrace, Perth in the State of Western Australia, by the 14th day of August 2006, after which date the said Executrix may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 6th day of July 2006.

GARRY E. SAME, Taylor Smart.

**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Edna May Fisher late of 6A Alyxia Place, Duncraig, Western Australia, deceased.

Creditors and other persons having claims in respect of the estate mentioned below to which Section 63 of the Trustees Act 1962 as amended relates in respect of the estate of the deceased, who died on the 3rd day of July 2005 are required by the personal representative Roger Adrian Polak to send particulars of claims to the personal representative c/- McCallum Donovan Sweeney, Solicitors of 2nd Floor, 16 Irwin Street, Perth by one month after the date of this advertisement after which date the personal representative may convey or distribute the assets having regard only to the claims of which they have notice and the personal representative shall not be liable to any person of whose claim they have had no notice at the time of distribution.

Dated this 7th day of July 2006.

McCALLUM DONOVAN SWEENEY, for the Personal Representative.

**ZX404****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Brewer, Ivy May late of 134 Renou Street, East Cannington, Musician died on 19 September 2003.

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 19 September 2003 are required by the deceased's personal representative, Gerald Charles John of to send particulars of their claims to him at Robertson Hayles, Solicitors of Level 3, 33 Barrack Street, Perth WA 6000 within one month of the date of publication hereof after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated: 14 July 2006.

ERIC TAN.

**ZX405****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of Colin Edward Chalmers, late of 133F View Terrace, Bicton, Western Australia, Retired Public Servant, 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 30 August 2005, are required by us, the Trustees, Graeme Lloyd Morgan and David John Chalmers to send particulars of any such claim to the Estate's solicitor Trainor Legal, PO Box 500, Leederville, Western Australia 6903 by 15 August 2006. After that date we will convey or distribute the assets with regard only to the claims of which we have notice.

**ZX406****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the Estate of Maurice Paul Shenton, late of Chauncey Place, Beechboro, in the State of Western Australia, Retired Clothing Distributor, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the Estate of the deceased who died on the 10th day of March 2006, are required by the Executor, Robert Vojakovic, to send the particulars of their claim to Messrs Taylor Smart Solicitors of Level 8, 50 St Georges Terrace, Perth in the State of Western Australia, by the 14th day of August 2006, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 12th day of July 2006.

GARRY E. SAME, Taylor Smart.

**ZX407****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the estate of Brian Malcolm Glatz, late of 78/106 Oakleigh Drive, Mandurah, retired Farmer in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on 25 June 2006 are required by the personal representatives Peter Brian Glatz, Michael Geoffrey Glatz and Earle Russell Scarff to send particulars of their claims to them care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 20 August 2006 after which date the personal representatives may convey or distribute the assets having regard to the claims of which they then have notice.

CLEMENT & CO, as solicitors for the personal representatives.

**ZX408****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the estate of Helen Jean Smith, late of McNamara Lodge, Royal Australian Air Force Association Estate, 41 Portrush Parade, Meadow Springs in the State of Western Australia, widowed 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 1 June 2006 are required by the personal representatives Anne Lorraine Haseldine and Lynette Edna Smith to send particulars of their claims to them care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 20 August 2006 after which date the personal representatives may convey or distribute the assets having regard to the claims of which they then have notice.

CLEMENT & CO, as solicitors for the personal representatives.

**ZX409****TRUSTEES ACT 1962  
DECEASED ESTATES**

## Notice to Creditors and Claimants

Dorothy Iris Raynham, late of Hollywood Senior Citizens Village Nursing Home, Monash Avenue, Nedlands, Western Australia, Retired Matron, 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 23 May 2006 are required by the Trustee ANZ Executors & Trustee Company Limited ABN 33 006 132 332) of Level 21, 530 Collins Street, Melbourne, VIC 3000 to send particulars of their claim to them by 25 August 2006 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

**ZX410\*****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 14th August 2006 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Appleyard, Queenie Haywood McKenzie, late of Chrystal Halliday Nursing Home, 27 Prisk Street, Karrinyup, died 21/05/06, (DE19560002EM26)

Balancy, Marie Helene Laurence, late of Unit 3/5 Tonik Place, Girrawheen, died 18/06/06, (DE19840612EM37)

Beleski, Pande, late of 6 Narryer Heights, Marangaroo, died 25/04/06, (DE19972808EM313)

Bennetts, Harry, late of Armadale Nursing Centre, 21 Angelo Street, Armadale, died 25/06/06, (DE19701352EM37)

Candy, Rodney Albert, late of 32 Stinton Street, Mandurah, died 11/01/06, (DE33044797EM38)

Carville, Zilpah, late of Warwick Nursing Home, 98 Ellersdale Avenue, Warwick, formerly of 75 Austin Drive, Sorrento, died 24/04/06, (DE19894796EM22)

Colley, Larry, late of Jigalong Community, Private Mailbag 7 Newman, died 29/04/2005, (DE33050031EM26)

Cooper, Eveline Gwen, late of Nazareth House, Crowtherston Street, Bluff Point, died 17/06/06, (DE31052197EM34)

Davies, Kevin Stewart, late of Unit 14/23B Redgum Way, Morley, died 23/05/06, (DE19924068EM27)

Green, Isla Myrtle, late of 4 Britton Place, Wandi, died 07/06/06, (DE33044204EM23)

Hart, Sheila Patricia, late of 29 Gardner Street, Como, died 01/05/06, (DE30324472EM35)

Knight, Anthony Richard, late of 1/42 Camden Street, Dianella, died 11/06/06, (DE33019101EM36)

Lobb, Olive Jean, late of 24 Kathleen Street, Trigg, died 24/05/06, (DE19712381EM113)

McLaren, Phylis Maud, late of Midland Nursing Home, 44 John Street, Midland, died 25/06/06, (DE30288855EM16)

Newby, Doris Ethel, late of Chrystal Halliday Nursing Home, 27 Prisk Street, Karrinyup, died 01/06/06, (DE19901696EM16)

Pippin, Barbara Iris, late of Greenfields Aged Care Facility, Lakes Road, Greenfields, died 26/02/06, (DE19763776EM17)

Prpic, Caroline, late of 23 Kirkpatrick Crescent, Noranda, died 12/06/06, (DE19773766EM110)

Rogers, Elsie Louise, late of Wanneroo Community Nursing Home, 9 Amos Road, Wanneroo, died 13/06/06, (DE19723080EM26)

Sugget, Doris Melvena, late of 66 Clifton Street, Collie, died 14/06/06, (DE19731074EM12)

Thompson, Harold, late of Lathlain Care Facility, 63 Archer Street, Carlisle, died 27/02/05, (DE30312502EM13)

Villa, Patrick Paul Anthony, late of 26 Barranjoey Way, Sorrento, died 08/05/06, (DE19792697EM16)

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

