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— PART 1 —

PROCLAMATIONS

AA101*

ROAD TRAFFIC AMENDMENT ACT (No. 2) 2007

No. 39 of 2007

PROCLAMATION

Western Australia

*By the Honourable**Wayne Stewart Martin,**Chief Justice of Western Australia,**Lieutenant-Governor and deputy of the
Governor of the State of Western Australia*

[L.S.]

WAYNE STEWART MARTIN

Lieutenant-Governor and deputy of the Governor

I, the Lieutenant-Governor and deputy of the Governor, acting under the *Road Traffic Amendment Act (No. 2) 2007* section 2(g) and with the advice and consent of the Executive Council, fix 1 December 2010 as the day on which Part 2 Division 4, other than section 26, of that Act comes into operation.

Given under my hand and the Public Seal of the State on 2 November 2010.

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

SIMON O'BRIEN, Minister for Transport.

LOCAL GOVERNMENT

LG301*

HEALTH ACT 1911**LOCAL GOVERNMENT ACT 1995***Shire of Goomalling***HEALTH REPEAL LOCAL LAW 2010**

Made by the Local Government of the Shire of Goomalling under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Part 3 of the *Local Government Act 1995* the local government of the Shire of Goomalling resolved to make the following local law on the 18 August 2010

1. Citation

This Local Law may be cited as the *Shire of Goomalling Health Repeal Local Law 2010*.

2. Repeal

The following Local Law is repealed—

Shire of Goomalling Health Amendment Local Law 2010 published in the *Government Gazette* No. 76 on the 11 May 2010.

Dated this 10th day of September 2010.

The Common Seal of the Shire of Goomalling was affixed by authority of a resolution of the Council in the presence of—

JOHN HERBERT BIRD, President.

CORNELIS CLEMENT JOHN KERP, Chief Executive Officer.

Dated this 10th day of September 2010.

Consented to—

Dr. TARUN WEERAMANTHRI, Executive Director Public Health.

Dated this 4th day of October 2010.

POLICE

PO301*

Misuse of Drugs Act 1981

**Misuse of Drugs Amendment Regulations
(No. 2) 2010**

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

1. Citation

These regulations are the *Misuse of Drugs Amendment Regulations (No. 2) 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Misuse of Drugs Regulations 1982*.

4. Regulation 4A inserted

After regulation 4 insert:

4A. Authorised persons

- (1) In this regulation —
departmental officer means a person employed or engaged in the department of the Public Service principally assisting in the administration of the *Police Act 1892*.
- (2) A departmental officer, while performing a function of his or her position on police premises, is a person authorised —
 - (a) for the purposes of sections 5(1), 6(2), 7(2) and 14(3) of the Act to have possession of any of the following —
 - (i) a pipe or other utensil;

- (ii) a prohibited drug;
 - (iii) a prohibited plant;
 - (iv) an item that is a category 1 item or a category 2 item;
 - (v) a substance that contains, or substances that together contain, a quantity of a category 1 or category 2 item that exceeds the quantity prescribed in relation to the item;
- and
- (b) for the purposes of the Act, to have possession of a dangerous substance.

5. Regulation 7B replaced

Delete regulation 7B and insert:

7B. Analysis or examination at request of accused

- (1) In this regulation —

chosen analyst means the analyst chosen by the relevant applicant under section 27A of the Act;

chosen botanist means the botanist chosen by the relevant applicant under section 27A of the Act;

drug movement bag means a special bag used by police officers for the conveyance, free of contamination, of dangerous substances, prohibited drugs or prohibited plants;

investigating officer means the police officer in charge of any investigation concerning a thing, sufficient samples of which are dealt with under this regulation;

prescribed person means the prescribed person referred to in subregulation (2)(a);

sufficient samples has the meaning given by section 27(6) of the Act.

- (2) For the purposes of section 27A(2) of the Act —

- (a) a person who is the police officer for the time being in charge of the Organised Crime Squad is a prescribed person; and
- (b) the prescribed period is 28 days; and
- (c) an application must be accompanied by a fee of \$50.

- (3) For the purposes of section 27A(3) of the Act, an application must be in the form of Form M.D. 8B.

- (4) When an application is made under section 27A of the Act, the Commissioner or prescribed person receiving

the application must, as soon as practicable, cause sufficient samples of the thing to which the application relates to be conveyed in a numbered and sealed drug movement bag, together with an unused drug movement bag —

- (a) in the case of a prohibited drug or dangerous substance, to an approved analyst at the Chemistry Centre (W.A.); or
 - (b) in the case of a prohibited plant, to an approved botanist at the Western Australian Herbarium.
- (5) The investigating officer in respect of the samples conveyed to the approved analyst or approved botanist under subregulation (4), or a police officer authorised by that investigating officer, must immediately on that conveyance arrange with —
 - (a) the chosen analyst and the approved analyst, for the chosen analyst to attend at the Chemistry Centre (W.A.) for the purpose of analysing those samples; or
 - (b) the chosen botanist and the approved botanist, for the chosen botanist to attend at the Western Australian Herbarium for the purpose of examining those samples.
- (6) The approved analyst or approved botanist to whom the drug movement bag has been conveyed under subregulation (4) must, in the presence of the chosen analyst or chosen botanist —
 - (a) open the drug movement bag; and
 - (b) give the samples to the chosen analyst or chosen botanist, who must immediately proceed to analyse or examine them.
- (7) When the chosen analyst or chosen botanist has completed his or her analysis or examination, he or she must return any residue of the samples to the approved analyst or approved botanist, who must —
 - (a) place that residue, together with the opened drug movement bag, in the unused drug movement bag; and
 - (b) seal that unused drug movement bag; and
 - (c) give the sealed drug movement bag to the investigating officer or to a police officer authorised by the investigating officer.
- (8) The police officer to whom a sealed drug movement bag is given under subregulation (7) must —
 - (a) convey it to —
 - (i) a police officer; or

- (ii) a departmental officer (as defined in regulation 4A) who is an authorised person under that regulation;
- and
- (b) obtain a receipt for it.

6. Regulation 11A replaced

Delete regulation 11A and insert:

11A. Applications by accused for copies of certificates

For the purposes of section 38A of the Act, an application for a copy of a certificate must be in the form of Form M.D 15.

7. Schedule 1 amended

In Schedule 1:

- (a) in Form M.D. 8B in the heading delete “DEFENDANT” and insert:

ACCUSED

- (b) in Form M.D. 15 delete “defendant” (each occurrence) and insert:

accused

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

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE

AG401*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Pursuant to section 23(2b)(d) of the *Soil and Land Conservation Act 1945*, being persons actively engaged in, or affected by, or associated with land use in the District, Karen Warner is appointed a member of the North Swan Land Conservation District (*The Committee was established by an Order in Council and approved by Executive Council on 26 August 1997, an amendment order approved by Executive Council on 2 June 1998 {Department of Agriculture reference: 970643V01P07} and amended in the Gazettes of 16 December 2005 at p. 6088 and 5 September 2008 at p. 4141*).

The appointment is for a term ending on 30 June 2012.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 27th of October 2010.

AG402*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Under Section 23 of the *Soil and Land Conservation Act 1945*, the following person is appointed a member of the District Committee for the Nyabing-Pingrup Land Conservation District, (*the Committee was established by an Order in Council, published in the Government Gazette of 22 September 1989 at pp. 3492-3493 and amended in the Gazettes of 29 May 1992 at pp. 2179-2180, 31 December 1992 at p. 6318, 7 June 1996 at p. 2388, 27 February 2001 at pp. 1213-1214 and 16 July 2010 at p. 3370*). The appointment is for a term ending on 31 May 2012.

- (1) pursuant to Section 23 (2b) (b) of the Act, Gordon Browne of Nyabing is appointed a member of the Committee on the nomination of the Shire of Kent.
- (2) delete Neil Grant-Williams of Pingrup from representing the Shire of Kent.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 27th of October 2010.

AG404*

SOIL AND LAND CONSERVATION ACT 1945

DANDALUP-MURRAY LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2010

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Dandalup-Murray Land Conservation District (Appointment of Members) Instrument 2010*.

2. Appointment of members

Under section 23(2b) of the Act and clause 4(1) of the *Soil and Land Conservation (Dandalup-Murray Land Conservation District) Order 2004**, the following members are appointed to the land conservation district committee for the Dandalup-Murray Land Conservation District—

- (a) on the nomination of the Shire of Murray: Morris Ashley Bessant of North Dandalup;
- (b) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Kathleen (Kathy) Elliott of North Dandalup
 - (ii) Denise Elaine Honeybone of North Dandalup
 - (iii) Darrell Honeybone of North Dandalup

(iv) Fleur Margaret Ambrosa of North Dandalup

(v) Dumitru Ambrosa of North Dandalup

(*Published in the Gazette of 18 June 2004 at pp. 2120-2121).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 July 2013.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 25th of August 2010.

AG403*

SOIL AND LAND CONSERVATION ACT 1945

APPOINTMENT

Pursuant to section 23(2b)(d) of the *Soil and Land Conservation Act 1945*, being persons actively engaged in, or affected by, or associated with land use in the District, Evelyn Margaret Taylor is appointed a member of the Capel Land Conservation District (*the Committee was established by an Order in Council, published in the Gazette of 23 April 1993 at pp. 2170-2172 and Amendment Orders approved by Executive Council on 2 July 1996, 13 August 1996 and 1 December 1998 {refer to Department of Agriculture reference: 881848V02P0T}*). The appointment is for a term ending on 31 March 2011.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 9th of November 2010.

AG405*

SOIL AND LAND CONSERVATION ACT 1945

WALPOLE-TINGLEDAL LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2010

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Walpole-Tingledale Land Conservation District (Appointment of Members) Instrument 2010*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Walpole-Tingledale Land Conservation District) Order 1987**, the following members are appointed to the land conservation district committee for the Walpole-Tingledale Land Conservation District—

- (a) on the nomination of the Shire of Manjimup: David Tapley of Walpole;
- (b) to represent the Western Australian Farmers Federation (Inc)—
Leslie Trevor Ravenhill of Tingledale; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Beryl Margaret Meulenbroek of Kentdale
 - (ii) Martinus (Mick) Meulenbroek of Kentdale
 - (iii) Robin John Rosling of Hazelvale
 - (iv) Glennys Yvonne Rosling of Hazelvale
 - (v) David Guthrie of Kent River
 - (vi) Michael Fewings of Denmark
 - (vii) John Robert Russell of Hazelvale
 - (viii) District Manager, Department of Environment and Conservation, Frankland District

(*Published in the Gazette of 20 March 1987 at pp. 984-85 and amended in the Gazettes of 1 December 1989 at pp. 4439-40 and 14 July 1995 at pp. 2963-64).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 30 September 2013.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this day 4th of October 2010.

CONSERVATION

CA401*

CONSERVATION AND LAND MANAGEMENT ACT 1984
CONSERVATION AND LAND MANAGEMENT (REVOCAION OF STATE FOREST)
ORDER (NO. 2) 2010

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 9(2) of the *Conservation and Land Management Act 1984*.

1. Citation

This order may be cited as the *Conservation and Land Management (Revocation of State Forest) Order (No. 2) 2010*.

2. Background to this order

(1) Under section 9(2) of the Act, a proposal dated 11 August 2009 that an area of about 165 hectares and an area of about 1.2 hectares be revoked from State Forest Nos. 4 and 65 respectively was laid before both Houses of Parliament.

(2) Resolutions that the proposal referred to in sub-clause (1) be carried out were passed by the Legislative Council on 24 November 2009 and by the Legislative Assembly on 25 November 2009.

(3) The areas referred to in sub-clause (1) are now defined on the deposited plans mentioned in Schedules 1 and 2.

3. Portions of State Forest Nos. 4 and 65 revoked

The areas described in Schedules 1 and 2 are declared to be no longer State forest.

Schedule 1—Land no longer State Forest No. 4

All that portion of land situated about eight kilometres east of Collie and comprising Lot 556 (four severances) on Deposited Plan 67881.

Total Area: 165.3620 hectares

Subject to survey

On Landgate Plans: Collie NE (25), BG30 (2) 38.26, Collie SE (25) and Muja SW (25).

Schedule 2—Land no longer State Forest No. 65

All that portion of land situated about eight kilometres west of Ellenbrook and comprising Lot 3000 on Deposited Plan 50674.

Area: 1.2 hectares

On Landgate Plans: BG35 (5) 06.01 and BG35 (10) 4.1.

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

PETER CONRAN, Clerk of the Executive Council.

CA402*

CONSERVATION AND LAND MANAGEMENT ACT 1984
CONSERVATION AND LAND MANAGEMENT (REVOCAION OF STATE FOREST)
ORDER (NO. 3) 2010

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 9(2) of the *Conservation and Land Management Act 1984*.

1. Citation

This order may be cited as the *Conservation and Land Management (Revocation of State Forest) Order (No. 3) 2010*.

2. Background to this order

(1) Under section 9(2) of the Act, a proposal dated 9 October 2007 that areas of about 0.65 hectares and 1.6 hectares be revoked from State Forest Nos. 22 and 38 respectively was laid before both Houses of Parliament.

(2) Resolutions that the proposal referred to in sub-clause (1) be carried out were passed by the Legislative Council on 24 March 2010 and by the Legislative Assembly on 17 June 2010.

(3) The areas referred to in sub-clause (1) are now defined on the deposited plans mentioned in Schedules 1 and 2.

3. Portions of State Forest Nos. 22 and 38 revoked

The areas described in Schedules 1 and 2 are declared to be no longer State forest.

Schedule 1—Land no longer State Forest No. 22

All that portion of land situated about eight kilometres south-east of Byford and comprising Lot 501 (three severances) on Deposited Plan 43239.

Total Area: 0.6446 hectares

On Landgate Plan: BG33 (5) 10.13.

Schedule 2—Land no longer State Forest No. 38

All that portion of land situated about 20 kilometres east of Pemberton and comprising Lot 300 on Deposited Plan 40462.

Area: 1.6513 hectares

Subject to survey

On Landgate Plans: BG27 (2) 37.30 and BG27 (2) 38.30.

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

PETER CONRAN, Clerk of the Executive Council.

CA403*

CONSERVATION AND LAND MANAGEMENT ACT 1984**CONSERVATION AND LAND MANAGEMENT (REVOCAION OF STATE FOREST)
ORDER (No. 4) 2010**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 9(2) of the *Conservation and Land Management Act 1984*.

1. Citation

This order may be cited as the *Conservation and Land Management (Revocation of State Forest) Order (No. 4) 2010*.

2. Background to this order

(1) In accordance with section 9(2) of the Act, a proposal dated 9 October 2007 that several areas (about 62.5 hectares in total) be revoked from State Forest Nos. 2, 12, 16, 38, 55 and 57 was laid before both Houses of Parliament.

(2) Resolutions that the proposal referred to in sub-clause (1) be carried out were passed by the Legislative Council on 24 March 2010 and by the Legislative Assembly on 17 June 2010.

(3) The areas referred to in sub-clause (1) fall within the Shires of Busselton, Capel, Harvey and Manjimup. They are required to formally dedicate several roads and are defined on the deposited plans mentioned in Schedules 1–5.

3. Portions of State Forest Nos. 2, 12, 16, 38, 55 and 57 revoked

The areas described in Schedules 1–5 are declared to be no longer State forest.

Schedule 1—Land no longer part of State Forest Nos. 2 and 12**Bussell Highway (Ludlow Deviation)****Sub-Schedule A: State Forest No. 2**

Lots 500 (1.1583 hectares) and 501 (8.3448 hectares) on Plan 19312.

Total area: 9.5031 hectares

On Landgate Plans: BF29 (10) 6.8 and Busselton SE (25).

Sub-Schedule B: State Forest No. 12

Lot 305 (7.1110 hectares) on Plan 18907 and Lots 300 (0.3076 hectares), 301 (5.8648 hectares), 302 (0.1547 hectares), 303 (8.6804 hectares) and 304 (15.6425 hectares) on Plan 18908.

Total area: 37.7610 hectares

On Landgate Plans: Busselton NE (25) and Capel NW (25).

Schedule 2—Land no longer part of State Forest No. 16**Old Coast Road (Perth-Bunbury Highway)**

Lot 300 on Deposited Plan 192805 3.1110 hectares

On Landgate Plans: Lake Preston NE and SE (25).

Schedule 3—Land no longer part of State Forest Nos. 38 and 55**Muir's Highway****Sub-Schedule A: State Forest No. 38**

Lot 506 (three severances) on Deposited Plans 59699 and 59700 4.2676 hectares

On Landgate Plan: Deeside SE (25).

Sub-Schedule B: State Forest No. 55

Lot 504 (three severances) on Deposited Plan 59699 1.8442 hectares
 On Landgate Plan: Deeside SE (25).

Schedule 4—Land no longer part of State Forest No. 55**Radburn Road**

Lot 300 on Deposited Plan 54633 1.8391 hectares
 Subject to survey
 On Landgate Plan: Deeside SE (25).

Schedule 5—Land no longer part of State Forest No. 57**Graphite Road**

Lot 13914 (four severances) on Deposited Plan 39679 4.2358 hectares
 On Landgate Plan: Carlotta Brook SE (25).
 By Command of the Lieutenant-Governor and deputy of the Governor,

PETER CONRAN, Clerk of the Executive Council.

CA404*

CONSERVATION AND LAND MANAGEMENT ACT 1984
CONSERVATION AND LAND MANAGEMENT (REVOCAION OF STATE FOREST)
ORDER (NO. 5) 2010

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 9(2) of the *Conservation and Land Management Act 1984*.

1. Citation

This order may be cited as the *Conservation and Land Management (Revocation of State Forest) Order (No. 5) 2010*.

2. Background to this order

(1) In accordance with section 9(2) of the Act, a proposal dated 25 August 2009 that several areas (about 11.7 hectares in total) be revoked from State Forest Nos. 22, 23 and 25 was laid before both Houses of Parliament.

(2) Resolutions that the proposal referred to in sub-clause (1) be carried out were passed by the Legislative Council on 24 March 2010 and by the Legislative Assembly on 17 June 2010.

(3) The areas referred to in sub-clause (1) fall within the City of Armadale and the Shires of Dardanup and Murray. They are required to formally dedicate several roads and are defined on the deposited plans mentioned in Schedules 1–4.

3. Portions of State Forest Nos. 22, 23 and 25 revoked

The areas described in Schedules 1–4 are declared to be no longer State forest.

Schedule 1—Land no longer part of State Forest No. 22**Canning Dam Road**

Lot 3100 (three severances—2.3511 hectares) and Lot 3102 (two severances—5.7875 hectares) on Sheets 8-11 of Deposited Plan 47340.

Total area: 8.1386 hectares
 On Landgate Plans: BG33 (10) 6.8 and BG34 (10) 6.1.

Schedule 2—Land no longer part of State Forest No. 23**Briggs Close**

Lot 300 on Deposited Plan 58296 0.5907 hectares
 Subject to survey
 On Landgate Plan: Dwellingup SW (25).

Schedule 3—Land no longer part of State Forest No. 23**Warren Road**

Lot 501 on Deposited Plan 61471 2.1976 hectares
 On Landgate Plans: BG32 (2) 25.20 and BG32 (2) 25.21.

Schedule 4—Land no longer part of State Forest No. 25**Pile Road**

Lot 7000 on Deposited Plan 40706 0.7998 hectares
 On Landgate Plan: Burekup SE (25).

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

PETER CONRAN, Clerk of the Executive Council.

CORRECTIVE SERVICES

CS401*

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

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Mkulo	Linda Ann	CS9-143	04/11/2010
Weston	Steven Mark	CS9-382	04/11/2010

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

MIKE REINDL, CS&CS Contract Manager.

ENERGY

EN401*

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

Notice is given that the following Transmission licence has been granted—

Licensee:	Karara Power Pty Ltd
Issue Date:	27 October 2010
Address of Licensee:	Level 8, London House 216 St Georges Terrace PERTH WA 6000
Classification:	Transmission (ETL6)
Term of Licence:	Up to and including 26 October 2040
Area Covered:	The area within the South West Interconnected System of Western Australia as set out in ERA-EL-123.
Inspection of Licence:	Economic Regulation Authority 6th Floor 197 St Georges Terrace Perth WA 6000 http://www.erawa.com.au

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

FISHERIES

FI401*

FISHERIES ADJUSTMENT SCHEMES ACT 1987**SHARK BAY PRAWN MANAGED FISHERY VOLUNTARY FISHERIES
ADJUSTMENT SCHEME NOTICE 2010**

FD 11/07 [986]

Made by the Minister under section 10B of the Act.

1. Citation

This notice is the *Shark Bay Prawn Managed Fishery Voluntary Fisheries Adjustment Scheme Notice 2010*.

2. Interpretation

In this notice—

“**authorisation**” means a commercial fishing licence, a fishing boat licence, or a managed fishery licence;

“**committee**” means the West Australian Trawl and Related Fisheries Voluntary Fisheries Adjustment Scheme Committee of Management established by written instrument dated 8 April 2009 made under section 11 of the Act, and varied by written instrument dated 21 January 2010;

“**Fishery**” means the Shark Bay Prawn Managed Fishery as declared in the *Shark Bay Prawn Management Plan 1993*;

“**managed fishery licence**” means a licence that authorises a person to fish in the Fishery or the Related Fisheries;

“**Related Fisheries**” means any other fishery in which a person authorised or entitled to fish in the Fishery is also authorised or entitled to engage in fishing in accordance with an authorisation;

“**scheme**” means the *Shark Bay Prawn Managed Fishery Voluntary Fisheries Adjustment Scheme 2010* established by clause 3.

3. Establishment of fisheries adjustment scheme

A fisheries adjustment scheme is established in respect of the Fishery and the Related Fisheries to be known as the *Shark Bay Prawn Managed Fishery Voluntary Fisheries Adjustment Scheme 2010*.

4. Objective

The objective of the scheme is to reduce the size of the Fishery and the Related Fisheries by reducing—

- (a) the number of authorisations in the Fishery and the Related Fisheries; and
- (b) the number of boats that may be used for fishing in the Fishery and the Related Fisheries.

5. The fishery to which the scheme applies

The fishery to which the scheme applies is the Fishery and the Related Fisheries.

6. Who may offer to surrender an authorisation

Any person who is the holder of an authorisation that authorises the person to fish in the Fishery is entitled to offer the surrender of an authorisation.

7. Manner of operation

The manner of operation of the scheme shall be that—

- (a) invitations for offers to surrender authorisations shall be made in accordance with section 10C(4) of the Act and not later than 21 days after this notice is published in the *Government Gazette*; and
- (b) any offer shall be submitted to the committee in the form approved by the committee; and
- (c) the committee shall forward any offers to the Minister and advise the Minister whether to accept or decline any offer or to make a counter offer; and
- (d) the Minister shall respond to any offer in accordance with section 10C(5) of the Act after considering any advice of the committee.

8. Duration of the scheme

The scheme shall commence operation on the date it is published in the *Gazette* and cease operation on 1 July 2021.

9. Terms of the scheme

The terms of the scheme are that, provided that the objective specified in clause 4 is attained, compensation in an amount agreed between the Minister and the holder of an authorisation shall be paid for the surrender of the authorisation.

Dated this 2nd day of November 2010.

NORMAN MOORE, Minister for Fisheries.

HEALTH

HE401*

POISONS ACT 1964

POISONS (SECTION 24) (REGISTERED PESTICIDE STRYCHNINE ALKALOID) NOTICE 2010

Made by the Chief Executive Officer under section 24 of the Act.

1. Citation

This notice may be cited as the *Poisons (Section 24) (Registered Pesticide Strychnine Alkaloid) Notice 2010*.

2. Commencement

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

2A. Revocation

The *Poisons (Section 24) (Registered Pesticide Strychnine Alkaloid) Notice 2004** and the *Poisons (Section 24) (Registered Pesticide Strychnine Alkaloid) Amendment Notice 2005*** are revoked.

[*Published in the *Gazette*, 23 November 2004, pp.5225-5229.

**Published in the *Gazette*, 14 June 2005, pp.2632-2633.]

3. Interpretation

(1) In this notice, unless the context otherwise requires—

“**Agvet Code of Western Australia**” has the same meaning as it has in the *Agricultural and Veterinary Chemicals (Western Australia) Act 1995*;

“**approved label**”, in relation to a container, means a label that is—

- (a) approved under Part 2 of the Agvet Code of Western Australia for the container; and
- (b) attached to the container in accordance with section 8 of the Agvet Code of Western Australia;

“**commercial pesticide firm**” has the same meaning as it has in the Pesticides Regulations;

“**chief executive officer**” means the Chief Executive Officer of the Department of Health;

“**director general**” means the person holding or acting in the position of Director General of the Department of Agriculture and Food;

“**district**” has the same meaning as it has in the *Local Government Act 1995*;

“**pesticide operator**” has the same meaning as it has in the Pesticides Regulations;

“**Pesticides Regulations**” means the *Health (Pesticides) Regulations 1956*;

“**Poisons Regulations**” means the *Poisons Regulations 1965*;

“**prescribed pests**” means dingoes, wild dogs and emus;

“**registered pesticide**” has the same meaning as it has in the Pesticides Regulations;

“**Strychnine Alkaloid**” means a registered pesticide that contains strychnine.

(2) A reference in this notice to “**appropriate training**” is a reference to adequate training—

- (a) in the correct use of Strychnine Alkaloid against one or more of the prescribed pests;
- (b) in the precautions necessary for the safe handling of Strychnine Alkaloid; and
- (c) in the first aid treatment appropriate to a person affected by Strychnine Alkaloid.

(3) A reference in this notice to the “**director general**”, in relation to the performance of a function under this notice by the director general, includes a reference to—

- (a) an officer of the Department of Agriculture and Food authorised in writing by the director general to perform the function, or
- (b) subject to subclause (4), an employee of a local government of a district specified in Schedule 1 authorised in writing by the director general to perform the function and the function is restricted by the written authorisation to authorising—
 - (i) the sale, supply, possession and use of Strychnine Alkaloid in respect to persons who reside in the local government district in which the authorised person is employed for the destruction of prescribed pests, other than emus, and
 - (ii) the use of Strychnine Alkaloid only within the local government district in which the authorised person is employed.

(4) The director general shall—

- (a) only issue an authorisation under subclause (3)(b) if—
 - (i) the local government employee is employed in a local government district in which no officer of the Department of Agriculture and Food is permanently located;
 - (ii) the local government has been consulted and neither the local government nor the employee has raised any objection to the authorisation being issued; and
 - (iii) the local government employee has been given—
 - A. appropriate Strychnine Alkaloid training prior to the authorisation being given, and
 - B. the director general is satisfied that the employee has the necessary training and skills to be able to effectively and competently perform his/her functions under the authorisation.
- (b) notify the chief executive officer of the details of each written authorisation given under subclause (3)(b) within 7 days of the authorisation being issued.

4. Conditions imposed on sale, supply, use and possession of Strychnine Alkaloid, and exemptions

(1) Subject to subclause (2), the conditions and restrictions on the sale, supply, use and possession of Strychnine Alkaloid that are set out in clauses 5, 6, 7, 8 and 9 are imposed.

(2) The conditions and restrictions imposed under subclause (1) do not apply to—

- (a) the supply of Strychnine Alkaloid to a person, or the use and possession of Strychnine Alkaloid by the person, for research or other purposes approved by the chief executive officer, if the person is authorised by the chief executive officer to be supplied with, and to use and possess, Strychnine Alkaloid for those purposes;

- (b) the possession of Strychnine Alkaloid by a person licensed under the Poisons Regulations to manufacture Strychnine Alkaloid and supply Strychnine Alkaloid by wholesale to a person licensed under those regulations to sell Strychnine Alkaloid by retail;
 - (c) the possession of Strychnine Alkaloid by a person licensed under the Poisons Regulations to sell Strychnine Alkaloid by retail;
 - (d) the possession of Strychnine Alkaloid by a person licensed under the Poisons Regulations to manufacture Strychnine Alkaloid and supply Strychnine Alkaloid by wholesale to—
 - (i) a pesticide operator licensed under the Pesticides Regulations to use Strychnine Alkaloid for the destruction of prescribed pests in any one or more of the districts specified in Schedule 1; or
 - (ii) a commercial pesticide firm by which a pesticide operator referred to in subparagraph (i) is employed or engaged;
- or
- (e) the use and possession of Strychnine Alkaloid by a pesticide operator referred to in subparagraph (i) of paragraph (d) or a commercial pesticide firm referred to in subparagraph (ii) of that paragraph in accordance with the provisions of the Pesticides Regulations and any conditions specified on the pesticide operator's license applying to the use and possession of that particular registered pesticide.

5. General conditions relating to sale and supply of Strychnine Alkaloid

(1) The sale or supply of Strychnine Alkaloid is subject to the restriction that it is to be sold or supplied only—

- (a) to a person—
 - (i) who is an officer of the Department of Agriculture and Food who is authorised in writing by the director general to be sold or supplied Strychnine Alkaloid;
 - (ii) who is authorised in writing by the chief executive officer to be sold or supplied Strychnine Alkaloid; or
 - (iii) (not being an officer of the Department of Agriculture and Food) who is authorised in writing by the director general to be sold or supplied Strychnine Alkaloid;

and

- (b) by a person licensed under the Poisons Regulations to sell Strychnine Alkaloid by retail.

(2) The sale or supply of Strychnine Alkaloid to a person referred to in subclause (1)(a)(i) or (ii) is subject to the conditions that—

- (a) the sale or supply is only for purposes of destroying prescribed pests; and
- (b) to the satisfaction of the director general or chief executive officer, as the case requires, the person has been given appropriate training.

(3) The sale or supply of Strychnine Alkaloid to a person referred to in subclause (1)(a)(iii) is subject to the conditions that—

- (a) the sale or supply is only for purposes of destroying prescribed pests, other than emus, on a property in any one or more of the districts specified in Schedule 1 as approved by the director general; and
- (b) to the satisfaction of the director general, the person has been given appropriate training.

6. General conditions relating to use and possession of Strychnine Alkaloid

(1) The use or possession of Strychnine Alkaloid is subject to the restriction that it is to be used or possessed only by a person—

- (a) who is an officer of the Department of Agriculture and Food and authorised in writing by the director general to use or possess Strychnine Alkaloid for the purpose of destroying prescribed pests;
- (b) who is authorised in writing by the chief executive officer to use or possess Strychnine Alkaloid for the purpose of destroying prescribed pests; or
- (c) who, to the satisfaction of the director general, has been given appropriate training.

(2) The use or possession of Strychnine Alkaloid by a person referred to in subclause (1)(a) is subject to the conditions that that use or possession—

- (a) is only for purposes approved by the director general; and
- (b) complies with written procedures established by the Department of Agriculture and Food and approved by the chief executive officer.

(3) The use or possession of Strychnine Alkaloid by a person referred to in subclause (1)(b) is subject to the conditions that that use or possession—

- (a) is only for purposes approved by the chief executive officer; and
- (b) complies with written procedures established by the Department of Health.

(4) The use or possession of Strychnine Alkaloid by a person referred to in subclause (1)(c) is subject to the conditions that that use or possession—

- (a) is only for the purposes of destroying prescribed pests, other than emus, on a property in any one or more of the districts specified in Schedule 1 as approved by the director general; and
- (b) complies with written instructions given to the person on the proper and safe use and possession of Strychnine Alkaloid by an officer of the Department of Agriculture and Food who is authorised in writing by the director general to use or possess Strychnine Alkaloid.

(5) The possession of Strychnine Alkaloid is subject to the condition that it is not to be given to a person who is not authorised to use or possess it under this clause.

7. Condition relating to use of Strychnine Alkaloid that is to be mixed and prepared before use

- (1) This clause applies to Strychnine Alkaloid—
- (a) that is to be used for purposes approved—
 - (i) by the director general; or
 - (ii) by the chief executive officer; and
 - (b) that needs to be mixed and prepared before it is used.
- (2) The use of Strychnine Alkaloid to which this clause applies is subject to the condition that, immediately before it is used, it is to be mixed and prepared—
- (a) if subclause (1)(a)(i) applies, by an officer of the Department of Agriculture and Food or other person who, to the satisfaction of the director general, has been given appropriate training; or
 - (b) if subclause (1)(a)(ii) applies, by a person authorised by the chief executive director to mix and prepare Strychnine Alkaloid.

8. Conditions relating to use of Strychnine Alkaloid on land

- (1) The use of Strychnine Alkaloid on any land is subject to the condition—
- (a) if it is to be used for purposes approved by the director general—that the use of Strychnine Alkaloid on that land is to be authorised by the director general;
 - or
 - (b) if it is to be used for purposes approved by the chief executive officer—that the use of Strychnine Alkaloid on that land is to be authorised by the chief executive officer.
- (2) The use of Strychnine Alkaloid on any land (the “subject land”) is subject to the condition that, before it is used on the subject land, the person who proposes to use it is to give 72 hours prior notice in writing, or in a form approved by the director general, to each occupier of land adjoining the subject land of the period during which, and the place or places at which, Strychnine Alkaloid is proposed to be used.
- (3) The use of Strychnine Alkaloid on any land (the “subject land”) is subject to the condition that, for the period during which Strychnine Alkaloid is used on the subject land and for 14 days after that period, the person who uses Strychnine Alkaloid is to dispose of any animals that are found dead on the subject land, or on any land adjoining that land, by, subject to subclause 4—
- (a) burying the bodies of the dead animals without first removing the skins; or
 - (b) burning the bodies of the dead animals without first removing the skins and then burying the remains.
- (4) The bodies or the remains of the bodies after having been burnt shall be buried on the subject land at least 0.5 m below natural ground level in a dry site that is at least 10 m from any water course.

9. Disposal of Strychnine Alkaloid

Strychnine Alkaloid shall be disposed of—

- (a) by being used in accordance with the approved label and the conditions specified in this notice; or
- (b) if contained—
 - (i) on an unused or disused bait prepared in accordance with clause 7;
 - (ii) in a container that contains unused Strychnine Alkaloid, or
 - (iii) in a container that contained Strychnine Alkaloid,by burning the bait or the container, together with any contents contained therein, and burying the remains on the subject land at least 0.5 m below natural ground level in a dry site that is at least 10 m from any water course.
- (c) by any other method approved in writing by the chief executive officer.

10. Annual report by chief executive officer

- (1) The director general shall, during the month of December in each year (other than December 2004) and at such other times as the chief executive officer may direct, report to the chief executive officer on—
- (a) the general administration of the provisions of the notice that have application to the Department of Agriculture and Food;
 - (b) the various authorisations issued by the director general under the notice, and
 - (c) the effect that the authorisations issued by the chief executive officer under clauses 5(1)(a)(i) and (iii); 6(1)(a) and (c) and 7(1)(a) of the notice have had on the control of prescribed pests.
- (2) The report required by subclause (1) shall provide details of—
- (a) the training courses approved as satisfying the level of appropriate training for the purposes of clause 3(2) of the notice;
 - (b) the numbers, titles and locations of officers holding authorisations under clause 3(3)(a);
 - (c) the numbers and titles of local government employees holding authorisations under clause 3(3)(b) and the districts covered by those authorisations;

- (d) the numbers of authorisations issued under clause 5(1)(a)(i) and (iii) by—
- (i) the director general (him/herself);
 - (ii) officers holding authorisations under clause 3(3)(a);
 - (iii) local government employees holding authorisations under clause 3(3)(b) and the districts covered by those authorisations; and
 - (iv) the total quantity of Strychnine Alkaloid sold or supplied under those authorisations;
- (e) the numbers of authorisations issued under clause 6(1)(a) and (c) by—
- (i) the director general (him/herself);
 - (ii) officers holding authorisations under clause 3(3)(a);
 - (iii) local government employees holding authorisations under clause 3(3)(b) and the districts covered by those authorisations;
 - (iv) the total quantity of Strychnine Alkaloid authorised for use in each district and the quantity used for the purposes of destroying—
 - A. prescribed pests other than emus, and
 - B. emus; and
 - (v) the approximate quantity of Strychnine Alkaloid that was unused under authorisations issued under clause 6(1)(a) and (c) and therefore disposed of in accordance with clause 9 of the notice;
- (f) the number of prescribed pests destroyed in each district;
- (g) the number of animals in each district, other than prescribed pests, suspected of being destroyed through the authorised use of Strychnine Alkaloid; and
- (h) the details of any adverse incidents reported and their outcomes.

Schedule 1

Those areas of the State covered by the local government districts of—

PART 1 (Pastoral districts)

Ashburton	Meekatharra
Broome	Menzies
Carnarvon	Mt.Magnet
Coolgardie	Murchison
Cue	Ngaanyatjarraku
Derby—West Kimberley	Port Hedland
Dundas	Roebourne
East Pilbara	Sandstone
Exmouth	Shark Bay
Halls Creek	Upper Gascoyne
Kalgoorlie—Boulder	Wiluna
Laverton	Wyndham—East Kimberley
Leonora	Yalgoo

PART 2 (Agricultural districts)

Chapman Valley	Mt. Marshall
Dalwallinu	Mukinbudin
Esperance	Mullewa
	Narembeen
Kondinin	Northampton
Koorda	Perenjori
Kulin	Ravensthorpe
Lake Grace	Westonia
Morawa	Yilgarn

Dr. REVLE BANGOR-JONES, delegate of the Chief Executive Officer.

HERITAGE

HR101*

CORRECTION

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

In the notice published in the *Government Gazette* dated 27 February 1998, item HR401 on page 1035 an error occurred. The land description for **P2174 East Perth Primary School (fmr)** at 76 Wittenoom Street, East Perth was shown as: Lot 5 on D92489 being the whole of the land comprised in C/T V2093 F400; and

That part of Perth Lot X44, being part of the land comprised in C/T V1947 685, referred to as Lot 3 and defined in HCWA survey drawing No 2174 prepared by Benetti, Grogan and Associates.

That land description is incorrect. The correct entry for that part of the notice should read—

Lot 5 on D92489 being the whole of the land contained in C/T V2093 F400.

That portion of Lot 3 on D92487 being part of the land contained in C/T V2146 F998, shown as "M" on DP59526.

In the notice published in the *Government Gazette* dated 29 October 2010 on page 5336, an error occurred. Under Amendments to Curtilage of a Permanently Registered Place, the land description and place name for **P3273 Midland Railway Workshop** at Montreal Street, Midland was incorrect.

The correct place name is **P3273 Midland Railway Workshops**, Midland and Woodbridge. The correct land description is—

Lot 8007 on DP 50641 being part of Res 48866 and the whole of the land contained in CLT V3139 F220. Lot 8011 on DP 50641 being part of Res 48866 and the whole of the land contained in CLT V3139 F221. Lot 15299 on DP 38765 being part of Res 47684 and the whole of the land contained in CLT V3128 F987. Lot 15300 on DP 38765 being part of Res 47684 and the whole of the land contained in CLT V3128 F988. Ptn of Lot 9018 on DP 50641 being part of the land contained in C/T V2631 F77. Lot 9019 on DP 50641 being the whole of the land contained in C/T V2631 F78. Portion of Lot 9021 on DP 57646 being part of the land contained in C/T V2697 F375. Lot 9503 on DP 48323 being the whole of the land contained in C/T V2614 F290. Ptn of Lot 9504 on DP 48323 being part of the land contained in C/T V2614 F291. Lot 9502 on DP 48323 being the whole of the land contained in C/T V2614 F289. Ptn of Lot 9011 on DP 48323 being part of the land contained in C/T V2614 F287. Lot 707 on DP 49263 being the whole of the land contained in C/T V2615 F195. Lot 9016 on DP 49263 being the whole of the land contained in C/T V2615 F198. Lot 703 on DP 49263 being the whole of the land contained in C/T V2615 F192. Lot 704 on DP 49263 being the whole of the land contained in C/T V2615 F193. Lot 705 on DP 49263 being the whole of the land contained in C/T V2615 F194. Wallsend Road and Foundry Road, portions of Wyvern Lane, Centennial Place, and Helena Street road reserves together as shown on HCWA survey drawing 3273 Rev F prepared by McMullen Nolan.

In the notice published in the *Government Gazette* dated 29 October 2010, item HR401 on page 5336 an error occurred. Under Amendments to Curtilage of a Proposed Registered Place, **P5250 Sailmaker's Shed, Broome** was listed.

That entry was included due to an administrative error and therefore has no effect.

Dated this 12th day of November 2010.

(sgd) GRAEME GAMMIE, Executive Director,
Office of the Heritage Council of W.A.,
108 Adelaide Terrace, East Perth WA 6004.

JUSTICE

JU401

CHARITABLE TRUSTS ACT 1962
IN THE SUPREME COURT OF WESTERN AUSTRALIA
CIV 2223 of 2010

The Public Trustee in and for the State of Western Australia as Executor of The Will of Raymond Dalgliesh Hillbrick deceased Applicant.

Order before The Honourable Justice Corboy in Chambers on 30 September 2010.

Upon the application of the Public Trustee as Executor of the Will of Raymond Dalgliesh Hillbrick deceased by Originating Motion dated 6 August 2010 and upon hearing its Solicitor it is ordered that—

1. The scheme a copy of which is attached hereto in relation to a one sixth share in the estate of Raymond Dalgliesh Hillbrick be approved.
2. The costs of this application be paid from the one sixth share.

By the Court,
D. POWELL, Registrar.

SCHEME

Estate of Raymond Dalgliesh Hillbrick (Deceased)
Charitable Trusts Act 1962 [s10(1)(b)]
ATTORNEY GENERAL'S REPORT

- A. On 21 October 2009, the Public Trustee submitted a scheme under s10 (1) of the Charitable Trusts Act 1962 (CTA) (Scheme) in relation to a trust created by the will of Mr Raymond Dalgliesh Hillbrick (Hillbrick).

- B. The disposition in question was of a one sixth share of Hillbrick's estate to an incorporated association known as the Native Animal and Bird Rehabilitation Association (NABRA), which ceased operations in 1987.
- C. The proposed Scheme would substitute the Fauna Rehabilitation Foundation (Inc) (FRF) for NABRA, as the recipient of the relevant share. It reads—
- One sixth of the estate be paid by the executor of the deceased's estate to the Fauna Rehabilitation Foundation (in lieu of the Native Animal and Bird Rehabilitation Association) upon trust for its charitable objects.

Having considered the material provided by the Public Trustee, I am satisfied—

1. That the disposition related to a "charitable purpose" within the meaning of CTA s7 (1): [see CTA s4 (defn "charitable purpose"); AG (NSW) v. Sawtell [1978] 2 NSWLR 200 (Holland J); In re Wedgwood [1915] 1 Ch 113 @ 122 (Swinfen Eady LJ); AG (SA) v. Bray (1964) 111 CLR 402 @ 417-18 (Kitto J); @ 424 (Windeyer J)].
2. That it is now impossible for the Public Trustee "to carry out the purpose" of that disposition within the meaning of CTA s7 (1)(a).
3. That the Scheme adequately provides for an alternative disposition which is as close as possible to the original charitable purpose.

In reaching this conclusion, I have particularly had regard to the very high degree of similarity between the objects of the former NABRA and the FRF.

CHRISTIAN PORTER MLA, Hon Attorney General for WA.

Dated: 8/11/2009.

CHARITABLE TRUSTS ACT 1962
SCHEME

Estate of Raymond Daqleish Hillbrick

One sixth of the estate be paid by the executor of the deceased's estate to the Fauna Rehabilitation Foundation (in lieu of the Native Animal and Bird Rehabilitation Association) upon trust for its charitable objects.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
PROHIBITED SWIMMING AREA
Jurien Bay
Shire of Dandaragan

Department of Transport
Fremantle WA, 12 November 2010.

Acting pursuant to the powers conferred by Regulation 10A of the Navigable Waters Regulations 1958, the Department of Transport hereby declares the following area a swimming prohibited area—

JURIEN BAY: All the waters within a 100 meter radius of the firing point, located on the foreshore at a point positioned approximately 30° 18.024'S 115° 22.292'E, parallel to Heaton Street, Jurien Bay are closed to swimming between 8:30pm and 9:45pm on Saturday 13th November 2010.

RAYMOND BUCHHOLZ, A/General Manager,
Marine Safety, Department of Transport.

MINERALS AND PETROLEUM

MP401*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967
RENEWAL OF RETENTION LEASE R 1 (R1)

Renewal of Retention Lease R 1 (R1) has been granted to Arc Energy Limited, First Australian Resources Limited, Gulliver Productions Pty Ltd, Indigo Oil Pty Ltd, Pancontinental Oil & Gas NL and Phoenix Resources PLC to have effect from and including 8 November 2010 for a period of five (5) years.

WILLIAM L. TINAPPLE, Executive Director, Petroleum Division.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM and GREENHOUSE GAS STORAGE ACT 2006**PETROLEUM PRODUCTION LICENCE WA-8-L (R1)**

Renewal of Production Licence WA-8-L (R1) has been granted to Santos Limited, Tap (Shelfal) Pty Ltd and Kufpec Australia Pty Ltd for a period of 21 years, from and including 8 November 2010.

WILLIAM L. TINAPPLE, Executive Director, Petroleum Division.

MP403***MINING ACT 1978****INSTRUMENT OF EXEMPTION—EXTENSION OF PERIOD**

The Minister for Mines and Petroleum, pursuant to the powers conferred on him by section 19 of the *Mining Act 1978*, hereby further extends the exemption granted on the 8 November 2002 and published in the *Government Gazette* dated 15 November 2002 and previously extended until 7 November 2010 for that area of land described in the schedule hereunder, not being private land or land that is the subject of a mining tenement or application there for, from Division 1 to 5 of Part IV of the *Mining Act 1978*.

The exemption is extended for a period of two years from 8 November 2010 to 7 November 2012.

Description of Land Schedule

That area of land shown hachured pink on the plan at page 234 of Department of Mines and Petroleum File 8981/00 Vol. 4.

Area: 95.647 hectares

Designated "S19/172" in TENGRAPH.

Dated at Perth this 1st day of November 2010.

NORMAN MOORE, Minister for Mines and Petroleum.

MP404***MINING ACT, 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following Prospecting Licences are liable to forfeiture under the provisions of Section 96(1) (a) of the Mining Act 1978 for breach of covenant, viz non-compliance with the expenditure condition &/or non-compliance with the reporting requirement.

T. WATTS and F. ZEMPHILAS, Warden.

To be heard by the Warden at Kalgoorlie on the 26th November, 2010.

BROAD ARROW MINERAL FIELD

24/3920	FE Ltd
24/3921	FE Ltd
24/4099	Hayes Mining Pty Ltd
24/4105	Hayes Mining Pty Ltd
24/4288	Morphett; Terrence Leslie
24/4314	Carrick Gold Ltd
24/4315	Carrick Gold Ltd

EAST COOLGARDIE MINERAL FIELD

25/1405	Buchhorn; Ian James
25/1406	Buchhorn; Ian James
25/1777	Rubicon Resources Ltd
25/1928	Solomon(Australia) Pty Ltd and Integra Mining Ltd
25/1929	Solomon(Australia) Pty Ltd and Integra Mining Ltd
25/1930	Solomon(Australia) Pty Ltd and Integra Mining Ltd
25/1931	Solomon(Australia) Pty Ltd and Integra Mining Ltd
25/1992	Rubicon Resources Ltd
26/3495	Heron Resources Ltd
26/3496	Heron Resources Ltd

26/3591	Murchison Resources Pty Ltd and Jackson Minerals Ltd
26/3592	Murchison Resources Pty Ltd and Jackson Minerals Ltd
26/3593	Murchison Resources Pty Ltd and Jackson Minerals Ltd
26/3594	Murchison Resources Pty Ltd and Jackson Minerals Ltd
26/3595	Murchison Resources Pty Ltd and Jackson Minerals Ltd
26/3623	Maher Mining Contractors Pty Ltd
26/3624	Maher Mining Contractors Pty Ltd
NORTH EAST COOLGARDIE MINERAL FIELD	
27/1575	Rubicon Resources Ltd
27/1576	Rubicon Resources Ltd
28/1165	Shehan; Richard Thomas and Trutwein; Erika Cecelia
NORTH COOLGARDIE MINERAL FIELD	
29/1932	Scotia Nickel Pty Ltd
29/1933	Scotia Nickel Pty Ltd
29/2025	Scotia Nickel Pty Ltd
31/1971	Dalla-Costa; Heath Bradley

MP405***MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Act 1978 notice is hereby given that the Prospecting Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

T. WATTS, Warden.

To be heard in the Warden's Court, Kalgoorlie on the 26th November, 2010.

BROAD ARROW MINERAL FIELD

25/1405	Buchhorn; Ian James
25/1406	Buchhorn; Ian James

MP406***DANGEROUS GOODS SAFETY ACT 2004****DANGEROUS GOODS SAFETY APPOINTMENT NOTICE (NO. 4) 2010**

Made by the Chief Dangerous Goods Officer under s 27(1) of the *Dangerous Goods Safety Act 2004*.

1. Citation

This notice may be cited as the *Dangerous Goods Safety Appointment Notice (No. 4) 2010*.

2. Dangerous goods officers appointed

(i) I appoint each person listed below to be a dangerous goods officer—

Pranjal Bora	Andrew John Kempton
Ryan Ritchie Brogden	Stephen Gerald Christopher Lane
Richard Lee Carter	Lawrence Kao Lim
Daryl John Colgan	Daphne Mary Barbara Lobo
Mark Francis Comber	Peter Macrae
Dean Leslie Cunningham	Michael George Malec
Mariola Cunningham	Kevin Michael Goldsmith Mancini
Peter Bas Dane	Kathy Mai Nguyen
Jeffrey Ronald Davis	Amon Okeyo Okoko
Leanne Maree Downes	Gerardo Oscar Osorio
Peter Friedrich Drygala	Kristin Laura Priest
Bevan Michael Fernandez	Patrick Senycia
Darren James Gould	Jaroslav Eric Shewchuk
Linda Maria Grannas	Peter Muir Wilson
Philip Thomas Hine	Peter Geoffrey Xanthis
Andrew James Johnson	Hendrik Siemon Zuidersma

- (ii) I appoint each person who is a person appointed as a warden by the Director General under section 7(2) of the Road Traffic Act 1974, and who is employed in the Heavy Vehicle Operations Unit of Main Roads Western Australia to be a dangerous goods officer, with power limited to enforcing the provisions of the Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007 and Part 10 of the Dangerous Goods Safety (Explosives) Regulations 2007, while the person is so appointed by the Director General and so employed.

Signed—

M. P. RUSSELL, Chief Dangerous Goods Officer.
(Executive Director of the Resources Safety
Division of the Department of Mines and
Petroleum, Western Australia)

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Claremont

Town Planning Scheme No. 3—Amendment No. 118

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the Town of Claremont local planning scheme amendment on 28 October 2010 for the purpose of—

1. Rezoning No. 328 (Lots 9582, 9723 and 10240) Stirling Highway, Claremont to 'Special Zone—Restricted Use' zone;
2. Amending the scheme Map accordingly; and
3. Inserting the following in Appendix VII—Location Particulars.

Location	Particulars of Land	Permitted Use	Standards/Conditions
No. 328 Stirling Hwy, Claremont.	Swan Locations 9582, 9723 and 10240, being all of the land on Certificate of Title Volume 1873 Folio 529.	Civic Building, Consulting Room, Dwelling (Self-contained), Home Occupation, Office.	Development on the subject site shall be in accordance with the development standards applicable to the Highway Zone, Density not to exceed R40.

STEPHEN GOODE, Chief Executive Officer.

PI403*

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

Local Planning Scheme No. 17—Amendment No. 21

Ref: TPS/0259

It is hereby notified for public information, in accordance with Section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Swan Local Planning Scheme Amendment on 28 October 2010 for the purpose of—

1. Rezoning the rear portion of Lot 467 (SN 110) Terrace Road, Guildford from 'Private Clubs and Institutions' to 'General Commercial'; and
2. Including an Additional Use provision of 'Residential—(Multiple Dwellings)' as a 'D' (Discretionary) use for Lot 467 (110) Terrace road, Guildford in Schedule 2.

No	Description of Land	Additional Use	Conditions
77.	Lot 467 (SN 110) Terrace Road, Guildford	'D'—Residential (Multiple Dwellings)	

C. ZANNINO, Mayor.
M. J. FOLEY, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Joondalup
 District Planning Scheme No. 2—Amendment No. 49

Ref: TPS/0258

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Joondalup local planning scheme amendment on 28 October 2010 for the purpose of—

1. Rezoning Lot 500 (1) Arawa Place, Craigie from Civic and Cultural to Urban Development.
2. Changing the density code for Lot 500 (1) Arawa Place, Craigie from R20 to uncoded.

T. PICKARD, Mayor.
 G. HUNT, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Albany
 Town Planning Scheme No. 1A—Amendment No. 175

Ref: TPS/0202

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Albany local planning scheme amendment on 28 October 2010 for the purpose of—

1. Including Special Additional Use S45 on Lot 104 Cockburn Road, Mira Mar and amending the Scheme Maps accordingly.
2. Amending Appendix II—'Schedule of Special Sites' to include the following—

	Code No.	Particulars of the Land	Base Zone	Additional Use	Conditions
<i>S45</i>	45	Lot 104 Cockburn Road, Mira Mar	Residential R30	Medical Clinic	1. On-site car parking to be provided in accordance with Council's car parking requirements.

M. J. EVANS, Mayor.
 J. BONKER, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Albany
 Town Planning Scheme No. 3—Amendment No. 271

Ref: 853/5/4/5 Pt 271

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Albany local planning scheme amendment on 21 October 2010 for the purpose of—

1. Rezoning portion of Lot 55 Lancaster Road, McKail from the Rural Zone to the Residential Development Zone; and
2. Amending the Scheme Maps accordingly.

M. J. EVANS, Mayor.
 J. BONKER, Chief Executive Officer.

POLICE

PO401

MISUSE OF DRUGS ACT 1981 MISUSE OF DRUGS REGULATIONS 1982

APPROVED ANALYSTS

I, Karl Joseph O'Callaghan, Commissioner of Police in the State of Western Australia, under section 3A of the *Misuse of Drugs Act 1981* approve the following persons, employed by ChemCentre, as an Approved Analysts for the purpose of the Act.

Title	Given Names	Family Name	DOB	Qualifications
Ms.	Lecinda Anne	Collins-Brown	26/7/1981	BSc(Forensic Science)(Hons)
Dr.	Oliver Brett	Locos	27/5/1980	B.App.Sc (Chemistry and Forensics) (Hons) (Ph.D)(Chemistry)
Ms.	Melissa Suzanne	Davies	23/3/1982	BSc(Forensic Science)(Hons)

Dated 28 October 2010.

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

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* 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, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
13513	Forrestfield Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in Caversham and known as Mandoon Brewery	29/11/2010
13699	Toi Van Nguyen	Application for the grant of a Restaurant licence in respect of premises situated in Rockingham and known as Palm Beach Cafe	02/12/2010
13757	Bhagwani & Bir Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in East Perth and known as Skye Cafe	05/12/2010
APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
37500	The Old Brewery Bar Grill & Functions Pty Ltd	Application for the grant of a Liquor Without a Meal Extended Trading Permit in respect of premises situated in Perth and known as The Old Brewery Grill, Functions and Private Dining	23/11/2010

This notice is published under section 67(5) of the Act.

Dated: 9 November 2010.

B. A. SARGEANT, Director of Liquor Licensing.

ROTTNEST ISLAND AUTHORITY

RX401*

ROTTNEST ISLAND REGULATIONS 1988**NOTICE TO MARINERS
CLOSURE OF WATERS TO BOATING**

School Leavers Event 2010

Acting pursuant to the powers conferred by regulation 38B of the *Rottnest Island Regulations 1988*, the Rottnest Island Authority hereby closes the following waters to all vessels, excluding bona fide emergency vessels, between Midnight on Sunday 21st November 2010 and Midnight on Thursday 25th November 2010—

Thomson Bay

All the waters within 400 metres of the shoreline, from a point on the foreshore 400 metres south-east of the Hotel Jetty and extending in a north-westerly direction to the Rottnest Main Jetty and the waters from a point on the foreshore 206 metres north-west of the Rottnest Main Jetty and extending to the end of Thomson Bay at Bathurst Point.

This has been introduced to assist in achieving public safety and appropriate signage will be placed on site.

Mariners are advised to navigate with caution and maintain a 100 metre clearance when transiting this area.

PAOLO AMARANTI, Chief Executive Officer,
Rottnest Island Authority.

TREASURY AND FINANCE

TF401*

TAXATION ADMINISTRATION ACT 2003**COMMISSIONER'S PRACTICE**

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

LT 1.1 Land Tax—Private Residential Property, two or more lots of land established and used as a Single Property

LT 7.1 Land Tax—Exemption for Trust Property used by Disabled Beneficiary

DA 28.0 Duties—Reduction in Consideration

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

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

WATER/SEWERAGE

WA401*

WATER AGENCIES (POWERS) ACT 1984**WATER SUPPLY IMPROVEMENTS: SHIRE OF MUNDARING—MUNDARING WEIR****Proposal to Construct a Water Treatment Plant**

This notice relates to *The Water Agencies (Powers) Act 1984* ("WAPA").

To improve the water supply to the Goldfields and Agricultural Water Supply Scheme, the Water Corporation proposes to construct a 160ML/d water treatment plant expandable to 240ML/d that consists of the following works—

- Pre-treatment
- Filtration
- Post treatment
- Clear water storage tanks
- Clear water pumping station

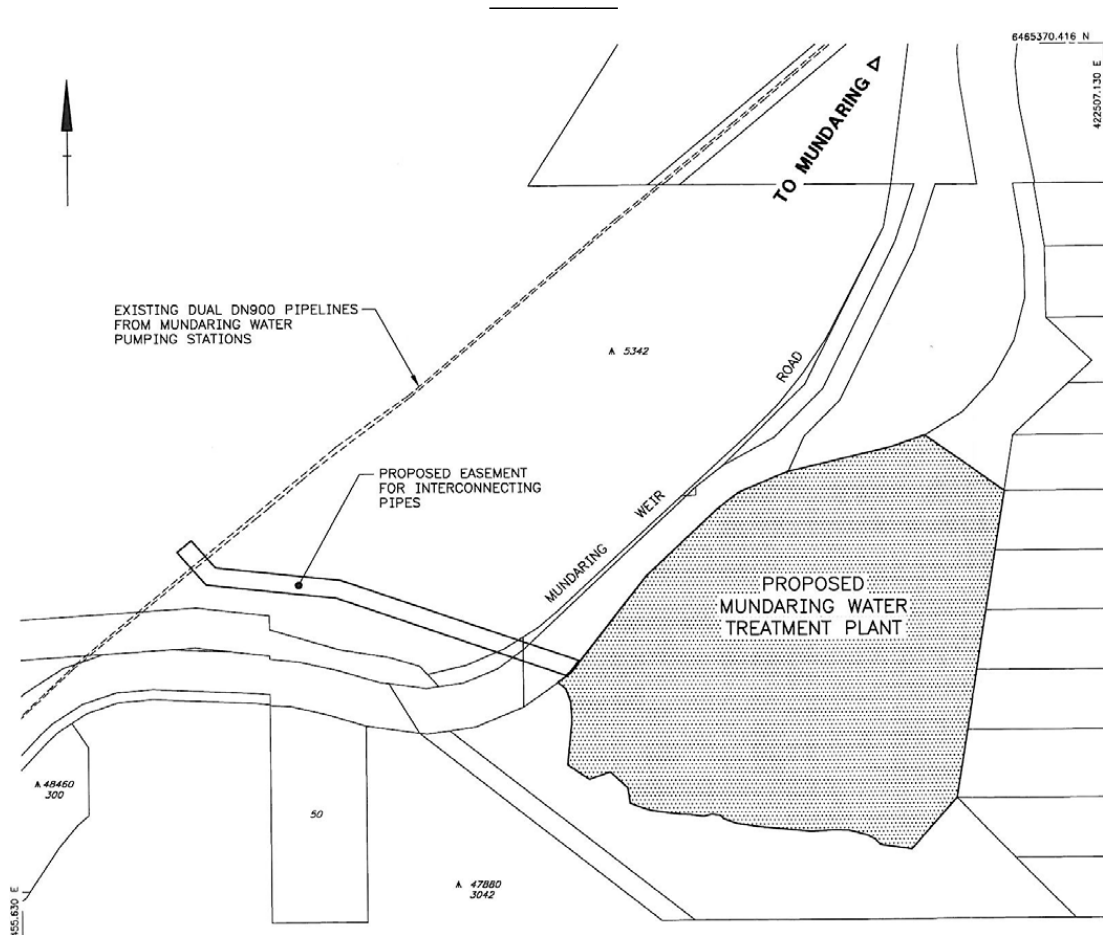
The location of the proposed works is on land near Mundaring Weir approximately 30km east of Perth as shown on the plan.

The proposed works are scheduled to commence in September 2011 and will continue for approximately 24 months. All works are subject to Approvals.

A copy of this Notice of Proposal (referred to as JH42-0-1) is available for viewing, during office hours, at Water Corporation's head office, John Tonkin Water Centre, 629 Newcastle St, Leederville.

Further information may also be obtained by contacting the Project Manager Mark Donoghue on (08) 9420 2614.

Objections to the proposed works will be considered if lodged in writing, addressed to the Project Manager, Mark Donoghue, Project Management Branch, Water Corporation, PO Box 100, Leederville, WA 6902, before the close of business on 15 December 2010.



DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Jean Mae Lubcke, late of Unit 2, 54-56 Lion Street, Albany in the State of Western Australia, Retired Farmer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Jean Mae Lubcke deceased who died on 14 August 2010 at Albany, in the said State are required by the personal representative David Malcolm Moss of 45 Duke Street, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets, having regard only to the claims for which he has then had notice.

ZX402**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Edwina Langford Henderson, late of Kingia Care Centre, 5 Allen Court, Bentley, Western Australia, Retired Army Officer, 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 20 July 2010, are required by the Trustee ANZ Trustees Limited ACN 006 132 332 of Level 36, 55 Collins Street, Melbourne VIC 3000 to send particulars of their claims to them by 24 December 2010 after which date the Trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX403***TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Edna Mavis Lawry, late of 31 Berry Road, Maida Vale, died 17 July 2010.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovementioned deceased person, are required by the Solicitor for the Trustees, David Kirchner of Templar Legal Pty Ltd, Unit 3/94 Hay Street, Subiaco WA 6008, to send particulars of such claims to him within 30 days of this notice. After such date, the Trustee may convey or distribute the assets of the abovementioned estate, having regard only to the claims of which the Trustee then has notice.

ZX404***TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Colin Maxwell Thomson, late of Lot 55 Harrington Road, Margaret River, 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 2 May 2009 at District Hospital Margaret River, Western Australia, are required by the Administrator, Sita Rama Murty Bhamidipati c/- Murfett Legal, Solicitors of 21 Hay Street, Subiaco, Western Australia, to send particulars of their claims to him within one (1) month of the date of publication of this notice, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated the 12th day of November 2010.

MURFETT LEGAL.

ZX405***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 12 December 2010 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bailey, Minnie Gwendoline Roy, late of 545 Orton Road, Oakford, died 26.09.2010 (DE19600105 EM37)

Barrie, Joan Edith, late of Annersley Uniting Church Home, 4-10 Hayman Road, Bentley, died 28.09.2010 (DE31054645 EM22)

Davies, Dorothy Maud, late of 26b Corrigan Way, Greenwood, died 15.10.2010 (DE19881703 EM23)

Martin, Nannie Mary, also known as Nan Mary Martin, late of Cypress Gardens, 22 Coongan Avenue, Greenmount, died 4.09.2010 (DE19924398 EM17)

Mays, Doreen Violet Margaret, late of Annesley House, Nursing Home, Hillview Terrace, Bentley, died 18.09.2010 (DE19831645 EM32)

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

PUBLIC NOTICES

ZZ401

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

DISPOSAL OF UNCOLLECTED GOODS

Mitsubishi Canter of All Terrain Safaris

Please be advised that unless the owner or any interested party in the above vehicle contact Graeme Russell on 0408 884 440 or email: ghrussell@live.com.au within 30 days, the vehicle will be disposed of to recover outstanding debt.

It is intended to make an application to the court for an order to sell or otherwise dispose of the vehicle in accordance with the Act.

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