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— PART 1 —

PROCLAMATIONS

AA101*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

No. 23 of 2007

PROCLAMATION

Western Australia
By His Excellency
Doctor Kenneth Comninos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia
KENNETH COMNINOS MICHAEL
Governor

[L.S.]

I, the Governor, acting under the *Biosecurity and Agriculture Management Act 2007* section 2(2) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which Part 6 Division 1 Subdivision 3 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 25 January 2011.

By Command of the Governor,

T. REDMAN, Minister for Agriculture and Food.

AA102*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

No. 23 of 2007

PROCLAMATION

Western Australia
By His Excellency
Doctor Kenneth Comninos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia
KENNETH COMNINOS MICHAEL
Governor

[L.S.]

I, the Governor, acting under the *Biosecurity and Agriculture Management Act 2007* section 2(2) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which Part 7 Division 5 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 25 January 2011.

By Command of the Governor,

T. REDMAN, Minister for Agriculture and Food.

HEALTH

HE301*

Hospitals and Health Services Act 1927

Hospitals (Services Charges) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Hospitals (Services Charges) Amendment Regulations 2011*.

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 *Hospitals (Services Charges) Regulations 1984*.

4. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

| Provision | Delete | Insert |
|------------------------|---------------|---------------|
| Sch. 1 it. 5(b) | \$5.40 | \$5.60 |
| Sch. 1 it. 5(c)(i)(I) | \$33.30 | \$34.20 |
| Sch. 1 it. 5(c)(i)(II) | \$26.60 | \$27.40 |
| Sch. 1 it. 5(c)(ii) | \$26.60 | \$27.40 |

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE302*

Hospitals and Health Services Act 1927
Hospitals (Services Charges) Regulations 1984

Hospitals (Services Charges for Compensable Patients) Amendment Determination 2011

Made by the Minister for Health under the *Hospitals and Health Services Act 1927* section 37(3)(af) and the *Hospitals (Services Charges) Regulations 1984* regulation 5(2).

1. Citation

This determination is the *Hospitals (Services Charges for Compensable Patients) Amendment Determination 2011*.

2. Commencement

This determination comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this determination is published in the *Gazette*;
- (b) the rest of the determination — on the day after that day.

3. Determination amended

This determination amends the *Hospitals (Services Charges for Compensable Patients) Determination 2005*.

4. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

| Provision | Delete | Insert |
|---------------------|---------|---------|
| Sch. 1 it. 7(a)(i) | \$33.30 | \$34.20 |
| Sch. 1 it. 7(a)(ii) | \$26.60 | \$27.40 |
| Sch. 1 it. 7(b) | \$26.60 | \$27.40 |

Dr K. HAMES, Minister for Health.

MARINE/MARITIME

MA301*

Shipping and Pilotage Act 1967

**Shipping and Pilotage (Mooring Control Areas)
Amendment Regulations 2011**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Shipping and Pilotage (Mooring Control Areas) Amendment Regulations 2011*.

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 *Shipping and Pilotage (Mooring Control Areas) Regulations 1983*.

4. Regulation 5 amended

- (1) After regulation 5(1) insert:
 - (2A) Except as provided in subregulation (2), a person must not use a mooring for a vessel or other floating object in a mooring control area unless the mooring site is registered by the controlling authority.
- (2) Delete regulation 5(2) and insert:
 - (2) Despite subregulation (2A), where a mooring has been established in a mooring control area before the proclamation of that mooring control area, a person may use that mooring —
 - (a) within 60 days after the proclamation; and
 - (b) more than 60 days after the proclamation if —
 - (i) an application for the registration of the relevant mooring site has been made to the controlling authority in accordance with regulation 6; and

- (ii) the controlling authority has not refused to register that mooring site.

5. Regulation 6 amended

In regulation 6(1) delete “of Form 1 in the Schedule” and insert:

approved by the controlling authority

6. Schedule deleted

Delete the Schedule.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

MA302*

Western Australian Marine Act 1982

W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2011*.

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 *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definition of *endorsement*.
- (2) In regulation 3 insert in alphabetical order:

Annex C means Annex C to NSCV Part D;

endorsement means any annotation made by the chief executive officer on a certificate of competency indicating the chief executive officer's approval or acceptance under regulation 9 of any extension of the authority conferred by the certificate;

NSCV Part D means the provisions of Part D of the NSCV declared under the *Navigation Act 1912* (Commonwealth) section 427(3)(a) as in existence by order published in the *Commonwealth of Australia Gazette* on 27 September 2006;

restriction means any annotation made by the chief executive officer on a certificate of competency indicating the chief executive officer's approval or acceptance under regulation 9 of any limitation on the authority conferred by the certificate;

5. Regulation 6 amended

Delete regulation 6(2) and (3).

6. Regulation 7 replaced

Delete regulation 7 and insert:

7. Functions of certificates of competency

- (1) The chief executive officer must annotate a certificate of competency to show the functions to which the certificate relates, which are to be in accordance with Schedule 2.
- (2) Without limiting subregulation (1), the chief executive officer must annotate a certificate of competency to which this subregulation applies to show whether the certificate is valid for sea service on a trading vessel or on a fishing vessel.
- (3) Subregulation (2) applies to the following certificates of competency —
 - (a) Master Class III;

- (b) Master Class IV;
- (c) Mate Class IV;
- (d) Master Class V.

7. Regulation 9 amended

- (1) In regulation 9(1) after “purposes may be” insert:

restricted or
- (2) After regulation 9(1) insert:
 - (2A) Without limiting subregulation (1), the limitations that may be approved under that subregulation include limitations relating to —
 - (a) the duties, operations, area, vessel or class of vessel for which a certificate of competency is valid; and
 - (b) the period during which a certificate of competency is valid.
- (3) In regulation 9(2) delete “an endorsement” and insert:

a restriction or endorsement

Note: The heading to amended regulation 9 is to read:

Restriction or endorsement of certificate of competency

8. Regulation 10 amended

- (1) Delete regulation 10(1) and insert:
 - (1) This regulation does not apply to a certificate of competency for sea service on a fishing vessel if the certificate was valid immediately before the commencement of the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2011* regulation 8.
 - (1AA) If, because of a limitation referred to in regulation 9(2A)(b), the period for which a certificate of competency is valid is less than 5 years, a reference in subregulation (1a) to the period of 5 years is to be read as a reference to that lesser period.
- (2) In regulation 10(1a) delete “for sea service on a trading ship”.

- (3) After regulation 10(1b) insert:
- (2A) If a person —
- (a) is the holder of —
- (i) a certificate of competency referred to in regulation 7(3) for sea service on a trading vessel; and
- (ii) the same class of certificate of competency for sea service on a fishing vessel;
- and
- (b) applies for revalidation of both certificates at the same time,
- only one fee is payable under regulation 31A for the revalidation of both certificates.
- (4) In regulation 10(2):
- (a) in paragraph (a) delete “competency to satisfy him as to the certificate —” and insert:
- competency —
- (b) in paragraph (a)(i) delete “Annex C to NSCV Part D; and” and insert:
- Annex C; and
- (c) after paragraph (a)(ii)(A) insert:
- (BA) for a certificate of competency for sea service on a fishing vessel — by continuous employment in each fishing season during the preceding 5 years; or
- (d) after each of paragraph (a)(ii)(A), (B) and (C) insert:
- or
- (5) After regulation 10(3) insert:
- (4A) If, when considering the revalidation of a certificate of competency, the chief executive officer —
- (a) is not satisfied as to a person’s professional competency in relation to one or more of the matters referred to in subregulation (2)(a)(ii); and

- (b) is satisfied as to the person's professional competency for the purposes of a certificate of competency that is of a lower class or subject to restrictions,

the chief executive officer may revalidate the certificate accordingly.

- (6) In regulation 10(4)(a):
 - (a) in subparagraph (i) delete "Annex C to NSCV Part D; and" and insert:

Annex C; and
 - (b) in subparagraph (ii) delete "clause C4 to NSCV Part D; and" and insert:

clause C4; and

Note: The heading to amended regulation 10 is to read:

Revalidation of certificates of competency

9. Regulation 11 amended

- (1) In regulation 11(1):
 - (a) after "competency, or for the" insert:

restriction,
 - (b) after "certificate or to" insert:

restrict,
- (2) In regulation 11(2) after "refuses to" insert:

restrict,

10. Regulation 15A inserted

After regulation 14 insert:

15A. Requirement to maintain medical fitness

A person who holds a certificate of competency must maintain a level of medical fitness —

- (a) that enables the person to perform safely the functions to which the certificate relates; and

- (b) that complies with the requirements set out in Annex C clause C6.

11. Regulation 17 amended

- (1) Delete regulation 17(1)(c) and insert:

- (c) evidence of medical fitness in accordance with regulation 18A; and

- (2) Delete regulation 17(2), (3), (4), (5) and (6).

12. Regulation 18A inserted

After regulation 17 insert:

18A. Evidence of medical fitness

- (1) An applicant for examination for a certificate of competency to which this subregulation applies must provide —
 - (a) a current certificate of medical fitness in accordance with the requirements set out in Annex C; and
 - (b) if required to do so by the chief executive officer, further evidence as to medical fitness.
- (2) Subregulation (1) applies to the following certificates of competency —
 - (a) Master Class III;
 - (b) Master Class IV;
 - (c) Mate Class IV;
 - (d) Marine Engineer Class III;
 - (e) Marine Engine Driver Grade I.
- (3) An applicant for examination for a certificate of competency to which this subregulation applies must provide —
 - (a) a declaration of medical fitness in accordance with the requirements set out in Annex C; and
 - (b) evidence of passing an eyesight test in accordance with the requirements set out in Annex C clauses C4 and C5; and
 - (c) if required to do so by the chief executive officer, further evidence as to medical fitness.
- (4) Subregulation (3) applies to the following certificates of competency —
 - (a) Master Class V;

- (b) Coxswain;
 - (c) Marine Engine Driver Grade II.
- (5) For the purposes of subregulation (1)(b) or (3)(c), the chief executive officer may require the applicant to be examined by a medical practitioner specified by the chief executive officer.

13. Regulation 18 amended

In regulation 18(2) delete “by endorsement of” and insert:

with

14. Schedule 2 amended

- (1) In Schedule 2 after the heading “**MASTER CLASS IV**”:
- (a) in notes 1, 2 and 4 delete “endorsed” (each occurrence) and insert:

restricted
 - (b) in notes 1, 2 and 4 delete “unendorsed” and insert:

unrestricted
- (2) In Schedule 2 after the heading “**MATE CLASS IV**”:
- (a) in notes 1, 2 and 4 delete “endorsed” (each occurrence) and insert:

restricted
 - (b) in notes 1, 2 and 4 delete “unendorsed” and insert:

unrestricted
- (3) In Schedule 2 after the heading “**MASTER CLASS V**”:
- (a) in notes 1 and 2 delete “endorsed” (each occurrence) and insert:

restricted
 - (b) in notes 1 and 2 delete “unendorsed” and insert:

unrestricted

- (4) In Schedule 2 after the heading “**COXSWAIN**”:
- (a) in paragraph (b) delete “endorsed” (each occurrence) and insert:

restricted
 - (b) in paragraph (b) delete “unendorsed” and insert:

unrestricted

15. Schedule 3 amended

In Schedule 3 item 4 after “deletion of” insert:

restriction or

16. Schedule 4 amended

- (1) In Schedule 4 after the heading “**MASTER CLASS III**”:
- (a) in paragraph (b) delete “endorsement” (first occurrence) and insert:

annotation
 - (b) in paragraph (b) delete “ “Fishing” endorsement” and insert:

“Fishing” —
 - (c) in paragraph (b) delete “to the endorsement,” and insert:

to the annotation,
 - (d) in paragraph (d)(ii)(a) delete “for use within State jurisdiction;” and insert:

by the chief executive officer;
 - (e) in paragraph (d)(ii)(b) delete “anticollision exercises” and insert:

anticollision exercises.
 - (f) in paragraph (d)(ii) delete “produce an acceptable certificate indicating a specified minimum standard of physical fitness.”.

- (2) In Schedule 4 after the heading “**MASTER CLASS IV**”:
- (a) in paragraph (b) delete “endorsement” (first occurrence) and insert:

annotation
 - (b) in paragraph (b) delete “ “Fishing” endorsements —” and insert:

“Fishing” —
 - (c) in paragraph (b) delete “to the endorsement,” and insert:

to the annotation,
 - (d) in paragraph (d)(ii) delete “injured;” and insert:

injured.
 - (e) in paragraph (d)(ii) delete “produce an acceptable certificate indicating a specified minimum standard of physical fitness.”.
 - (f) after the heading “**Examination Subjects**” in note 3 delete “endorsed” and insert:

restricted
- (3) In Schedule 4 after the heading “**MATE CLASS IV**”:
- (a) in paragraph (b) delete “endorsement” (first occurrence) and insert:

annotation
 - (b) in paragraph (b) delete “ “Fishing” endorsements —” and insert:

“Fishing” —
 - (c) in paragraph (b) delete “to the endorsement,” and insert:

to the annotation,
 - (d) in paragraph (d)(ii) delete “injured;” and insert:

injured.

- (e) in paragraph (d)(ii) delete “produce an acceptable certificate indicating a specified minimum standard of physical fitness.”
- (f) after the heading “**Examination Subjects**” in the notes delete “endorsed” and insert:

restricted

- (4) In Schedule 4 after the heading “**MASTER CLASS V**”:
 - (a) in paragraph (b) delete “endorsement” (each occurrence) and insert:

annotation
 - (b) in paragraph (b) delete “ “Fishing” endorsements —” and insert:

“Fishing” —
 - (c) in paragraph (d)(ii) delete “radiotelephony; and” and insert:

radiotelephony.
 - (d) in paragraph (d)(ii) delete “produce an acceptable certificate indicating a specified minimum standard of physical fitness.”.
- (5) In Schedule 4 after the heading “**COXSWAIN — INSTRUCTOR OF COMMERCIAL SKI BOAT**”:
 - (a) in paragraph (e)(iii) delete “craft; and” and insert:

craft.
 - (b) delete paragraph (e)(iv);
 - (c) after each of paragraphs (a), (b) and (c) and (e)(i) and (ii) insert:

and
- (6) In Schedule 4 after the heading “**MARINE ENGINEER CLASS III**”:
 - (a) in paragraph (b) delete “sea;” and insert:

sea.

- (b) in paragraph (b) delete “produce evidence of a satisfactory minimum standard of medical fitness.”.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

PUBLIC SERVICE

PS301*

Public Sector Management Act 1994

Public Sector Management (Breaches of Public Sector Standards) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Public Sector Management (Breaches of Public Sector Standards) Amendment Regulations 2011*.

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 21 February 2011.

3. Regulations amended

These regulations amend the *Public Sector Management (Breaches of Public Sector Standards) Regulations 2005*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of *appointment pool*.
- (2) In regulation 3(1) insert in alphabetical order:

acting movement means the temporary movement of an employee from an office, post or position in a public

sector body to another office, post or position in the same body with an equivalent or higher level of classification;

appointment pool means —

- (a) a number of persons selected by the employing authority of a public sector body as suitable to be considered for appointment to fill a future vacancy or future vacancies of a particular class in that public sector body; or
- (b) a shared appointment pool;

notifiable employment decision means a reviewable decision in respect of —

- (a) the appointment of a person to fill a vacancy, otherwise than from an appointment pool or by way of acting movement or transfer —
 - (i) for a period of more than 6 months; or
 - (ii) for a period of 6 months or less if the vacancy was advertised on the basis that the period of the appointment could later be extended to more than 6 months or the person appointed could later become a permanent officer;

or

- (b) the appointment of a person to fill a temporary vacancy, by way of acting movement, if the vacancy was advertised on the basis that the person appointed could later become a permanent officer;

or

- (c) the selection of a person to form part of an appointment pool;

public sector employment standard means the Commissioner's instructions issued under section 21(1)(a)(i) or (ii) of the Act establishing public sector standards in respect of recruitment, selection, appointment, transfer, secondment and temporary deployment (acting) of employees;

shared appointment pool means a number of persons selected by employing authorities of public sector bodies as suitable to be considered for appointment to fill a vacancy or future vacancy of a particular class in those public sector bodies;

transfer means the permanent movement of an employee from an office, post or position in a public sector body to another office, post or position with the same level of classification in a public sector body;

- (3) In regulation 3(1) in the definition of *reviewable decision* after “decision made by” insert:

the employing authority of

5. Regulation 5A inserted

At the end of Part 1 insert:

5A. Shared appointment pools

- (1) If a shared appointment pool is established for 2 or more public sector bodies, the employing authorities of the public sector bodies must designate in writing one of the public sector bodies, and its employing authority, as the body and employing authority responsible for compliance with regulation 5(3A) and for dealing with any claim made under these regulations in relation to the shared appointment pool.
- (2) A notice given under regulation 5(3A) in respect of a reviewable decision in relation to a shared appointment pool must specify the public sector body and employing authority responsible for dealing with any claim in relation to the reviewable decision.

6. Regulation 5 amended

Delete regulation 5(1) and (2) and insert:

- (1) If an employing authority makes a reviewable decision as the result of the completion of a process to which a public sector standard that is established in respect of the resolution of employees’ grievances applies, the employing authority must give written notice that complies with subregulation (3) to —
- (a) the person whose grievance resulted in the making of the reviewable decision; and
 - (b) each person (if any) who was the subject of the grievance.
- (2) If an employing authority makes a notifiable employment decision in respect of an appointment to fill a vacancy as the result of the completion of a process to which a public sector employment standard applies, the employing authority must give written notice that complies with subregulation (3) to any person who applied unsuccessfully to be appointed to fill the vacancy.

- (3A) If an employing authority makes a notifiable employment decision in respect of selection for inclusion in an appointment pool as the result of the completion of a process to which a public sector employment standard applies, the employing authority must give written notice that complies with subregulation (3) to any person who applied unsuccessfully to be selected to form part of the appointment pool.

7. Regulation 6 amended

- (1) In regulation 6(1)(a) after “public sector body” insert:
- or an employing authority of a public sector body
- (2) Delete regulation 6(3) and insert:
- (3) Only the following persons may make a claim in respect of a breach of a public sector employment standard —
- (a) a person who has applied unsuccessfully to be appointed to fill a vacancy, otherwise than from an appointment pool or by way of acting movement or transfer —
- (i) for a period of more than 6 months; or
- (ii) for a period of 6 months or less if the vacancy was advertised on the basis that the period of the appointment could later be extended to more than 6 months or more or the person appointed could later become a permanent officer,
- and claims there has been a breach of the standard in relation to the process of appointment;
- (b) a person who has applied unsuccessfully to be appointed to fill a temporary vacancy, by way of acting movement —
- (i) for a period of more than 6 months; or
- (ii) for a period of 6 months or less if the vacancy was advertised on the basis that the period of the appointment could later be extended to more than 6 months or more or the person appointed could later become a permanent officer,
- and claims there has been a breach of the standard in relation to the process of appointment;

- (c) a person who has applied unsuccessfully to be selected to form part of an appointment pool, and claims there has been a breach of the standard in relation to the process of selection;
- (d) a person who has applied unsuccessfully to be appointed to fill a vacancy by way of transfer, or is being transferred, and claims there has been a breach of the standard in relation to the process of transfer.

8. Regulation 7 amended

Delete regulation 7(5) and insert:

(5) In this regulation —

prescribed lodgement period means —

- (a) for a notifiable employment decision — such period, being a period of not less than 4 days after the claimant was given notice under regulation 5(2) or (3A), as is specified in the notice;
- (b) for a reviewable decision referred to in regulation 5(1) — 10 days after the claimant was given notice under that subregulation;
- (c) for any other reviewable decision — 10 days after the claimant first became aware of the reviewable decision or 30 days after the reviewable decision was made, which period expires first.

9. Regulation 8A deleted

Delete regulation 8A.

10. Regulation 8 amended

(1) In regulation 8(1):

(a) delete paragraph (a) and insert:

- (a) an employing authority of a public sector body makes —
 - (i) a notifiable employment decision in relation to the appointment of a person to fill a vacancy; or
 - (ii) a reviewable decision to transfer an employee;

and

- (b) delete “the public sector body cannot” and insert:

the employing authority cannot

- (2) In regulation 8(3):

- (a) in paragraph (a) delete “public sector body makes” and insert:

employing authority of the public sector body makes

- (b) in paragraph (a) delete “public sector body should” and insert:

employing authority should

- (c) in paragraph (b) delete “public sector body” and insert:

employing authority

11. Regulation 9 amended

- (1) In regulation 9(1)(a):

- (a) delete “a public sector body” and insert:

the employing authority of a public sector body

- (b) delete “the public sector body — ” and insert:

the employing authority —

- (2) In regulation 9(3):

- (a) in paragraph (a) delete “public sector body makes” and insert:

employing authority of the public sector body makes

- (b) in paragraph (a) delete “public sector body should” and insert:

employing authority should

- (c) in paragraph (b) delete “public sector body” and insert:

employing authority

12. Regulation 10 amended

(1) Before regulation 10(a) insert:

(aa) is to make reasonable attempts to resolve the claim with the claimant before the claim must be sent to the Commissioner under paragraph (a); and

(2) In regulation 10(a) delete “is to send to the Commissioner as soon as is practicable but in any event within 15 days after the claim was lodged —” and insert:

if the claim is not resolved within 15 days after it is lodged, is to send to the Commissioner —

13. Regulation 11A inserted

After regulation 10 insert:

11A. Commissioner may decide not to deal with a claim

(1) The Commissioner may, at any time after receiving a claim, decide not to deal with the claim, or to stop dealing with the claim, because —

- (a) the claim does not relate to a matter the Commissioner has power to deal with; or
- (b) in the opinion of the Commissioner, the claim is vexatious, frivolous or lacking in substance or does not warrant further action; or
- (c) the subject matter of the claim is being dealt with, or has already been dealt with, adequately by the Commissioner or another entity; or
- (d) the claim is solely about the competitive merit of the claimant.

(2) If the Commissioner decides not to deal with the claim, or to stop dealing with the claim, the Commissioner must inform the person who made the claim, in writing, of the decision and the reason for the decision.

14. Regulation 12 amended

(1) In regulation 12(1) delete “the public sector body” and insert:

the employing authority of the relevant public sector body

- (2) In regulation 12(2) delete “public sector body” and insert:
- employing authority
- 15. Regulation 14 amended**
- In regulation 14 delete “public sector body” and insert:
- employing authority of the relevant public sector body
- 16. Regulation 15 amended**
- In regulation 15 delete “public sector body” and insert:
- employing authority of the relevant public sector body
- 17. Regulation 18 amended**
- (1) In regulation 18(1):
- (a) in paragraph (a) delete “public sector body” and insert:
- employing authority of the relevant public sector body
- (b) in paragraph (c) delete “public sector body” and insert:
- employing authority
- (2) In regulation 18(2) delete “public sector body —” and insert:
- employing authority —
- 18. Regulation 19 amended**
- In regulation 19(c) after “public sector body” insert:
- or its employing authority
- 19. Regulation 20 amended**
- In regulation 20(2):
- (a) in paragraph (a) after “that the public sector body” insert:
- or its employing authority

- (b) in paragraph (b) delete “public sector body has” and insert:

public sector body and its employing authority have

20. Regulation 22 amended

- (1) In regulation 22(1) delete “the public” (each occurrence) and insert:

the employing authority of the public

- (2) In regulation 22(2) and (3) delete “public sector body” (each occurrence) and insert:

employing authority

- (3) In regulation 22(1) after paragraph (a) insert:

or

21. Regulation 23 amended

In regulation 23(2) delete “the public” and insert:

the employing authority of the public

22. Regulation 27 amended

In regulation 27(2) after “public sector body” (each occurrence) insert:

or employing authority

23. Part 5 replaced

Delete Part 5 and insert:

Part 5 — Transitional matters

31. Transitional

- (1) In this regulation —

commencement day means the day on which the
Public Sector Management (Breaches of Public Sector

Standards) Amendment Regulations 2011 come into operation;

former regulations means these regulations as in force immediately before commencement day.

- (2) If —
- (a) a claim has been lodged under Part 2 before commencement day; and
 - (b) immediately before commencement day, the claim has not been completely dealt with under these regulations or withdrawn by the claimant,
- then the former regulations, and the Commissioner's instructions as in force before the commencement day continue to have effect for the purposes of dealing with the claim.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

PS302*

Public Sector Management Act 1994

Public Sector Reform (Consequential Amendments) Regulations 2011

Made by the Governor in Executive Council on the recommendation of the Premier under Schedule 7 clause 11 or Schedule 8 clause 5 of the Act.

Part 1 — Preliminary

1. Citation

These regulations are the *Public Sector Reform (Consequential Amendments) Regulations 2011*.

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) regulation 15(b) and (d) — on the day on which the *Public Sector Reform Act 2010* section 97 comes into operation;
- (c) regulation 15(c) — on the day on which the *Public Sector Reform Act 2010* section 100 comes into operation;
- (d) the rest of the regulations — on the day after the day on which these regulations are published in the *Gazette*.

Part 2 — *Electricity (Licensing) Regulations 1991* amended

3. Regulations amended

This Part amends the *Electricity (Licensing) Regulations 1991*.

4. Regulation 12 amended

In regulation 12 delete “Minister to whom the administration of the *Public Sector Management Act 1994* is committed, from” and insert:

Public Sector Commissioner, from

Part 3 — *Electricity Industry (Independent Market Operator) Regulations 2004* amended

5. Regulations amended

This Part amends the *Electricity Industry (Independent Market Operator) Regulations 2004*.

6. Regulation 3 amended

In regulation 3 delete the definition of *Commissioner for Public Sector Standards*.

7. Various references to “Commissioner for Public Sector Standards” amended

In the provisions listed in the Table delete “Commissioner for Public Sector Standards” and insert:

Public Sector Commissioner

Table

| | |
|-----------------------|------------------|
| r. 15(1), (5) and (6) | r. 16(1) and (3) |
| r. 18(2) and (4) | r. 19(1) and (3) |
| r. 20(2) | |

Note: The heading to amended regulation 16 is to read:

Reports to Public Sector Commissioner

Note: The heading to amended regulation 19 is to read:

Reports to Public Sector Commissioner

Part 4 — *Legal Profession Regulations 2009* amended

8. Regulations amended

This Part amends the *Legal Profession Regulations 2009*.

9. Regulation 11 amended

In regulation 11 in the Table delete item 23.

Part 5 — *Marketing of Potatoes Regulations 1987* amended

10. Regulations amended

This Part amends the *Marketing of Potatoes Regulations 1987*.

11. Regulation 25 amended

In regulation 25 delete “Commissioner for Public Sector Standards.” and insert:

Public Sector Commissioner.

Part 6 — *Pay-roll Tax Assessment Regulations 2003* amended

12. Regulations amended

This Part amends the *Pay-roll Tax Assessment Regulations 2003*.

13. Schedule 1 amended

- (1) In Schedule 1 delete “The Office of the Public Sector Standards Commissioner”.

- (2) In Schedule 1 insert in alphabetical order:

The Public Sector Commission

**Part 7 — *Security and Related Activities (Control)*
Regulations 1997 amended**

14. Regulations amended

This Part amends the *Security and Related Activities (Control) Regulations 1997*.

15. Regulation 13A amended

In regulation 13A:

- (a) in paragraph (a) delete “directed under section 11 of the *Public Sector Management Act 1994* to hold” and insert:

appointed under the *Public Sector Management Act 1994* section 24H to carry out

- (b) delete paragraph (c) and insert:

(c) a person authorised under the *Public Sector Management Act 1994* section 81(1) to deal with a matter as a disciplinary matter, while acting in the ordinary course of investigating that matter;

(da) a person directed under the *Public Sector Management Act 1994* section 81(2) to prepare a report, while acting in the ordinary course of investigating for the purpose of preparing that report;

- (c) in paragraph (d) delete “directed under section 86 of the *Public Sector Management Act 1994* to hold a disciplinary inquiry, or” and insert:

directed under the *Public Sector Management Act 1994* section 87 to carry out

- (d) in paragraph (e) delete “(c) or (d),” and insert:

(c), (da) or (d),

**Part 8 — *State Superannuation
Regulations 2001* amended**

16. Regulations amended

This Part amends the *State Superannuation Regulations 2001*.

17. Schedule 1 amended

In Schedule 1 Division 1 delete item 9.

**Part 9 — *State Trading Concerns (Authorisation)
Regulations 1998* amended**

18. Regulations amended

This Part amends the *State Trading Concerns (Authorisation) Regulations 1998*.

19. Schedule 1 amended

- (1) In Schedule 1 Part 1 delete “Office of the Public Sector Standards Commissioner”.
- (2) In Schedule 1 Part 1 insert in alphabetical order:

Public Sector Commission
- (3) In Schedule 1 Part 2 delete the item relating to the Office of the Public Sector Standards Commissioner.
- (4) In Schedule 1 Part 2 insert in alphabetical order:

Public Sector Commission

The provision by the Public Sector Commission of —

- (a) training services; or
- (b) advertising opportunities, or opportunities to participate in arrangements having a purpose similar to advertising.

Part 10 — Miscellaneous amendments

20. Various references to “Minister for Public Sector Management” amended

- (1) This Part amends the regulations listed in the Table.
- (2) In the provisions listed in the Table delete “Minister for Public Sector Management” and insert:

Public Sector Commissioner

Table

| | |
|--|---------------------|
| <i>Biosecurity and Agriculture Management Industry Funding Scheme (Cattle) Regulations 2010</i> | r. 5, 10 and 23(10) |
| <i>Biosecurity and Agriculture Management Industry Funding Scheme (Grains) Regulations 2010</i> | r. 5, 10 and 24(10) |
| <i>Biosecurity and Agriculture Management Industry Funding Scheme (Sheep and Goats) Regulations 2010</i> | r. 5, 10 and 23(10) |
| <i>Energy Coordination (General) Regulations 1995</i> | r. 12(4)(b) |
| <i>Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999</i> | r. 31B(4)(b) |
| <i>Land Administration Regulations 1998</i> | r. 26 |
| <i>Legal Aid Commission (Costs) Rules 1990</i> | r. 14(1) |
| <i>Local Government (Building Surveyors) Regulations 2008</i> | r. 14 |
| <i>Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000</i> | r. 7(1) and (2) |

Recommended

Premier

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TRANSPORT

TN301*

Transport Co-ordination Act 1966

Country Taxi-cars (Fares and Charges) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Country Taxi-cars (Fares and Charges) Amendment Regulations 2011*.

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 *Country Taxi-cars (Fares and Charges) Regulations 1991*.

4. Schedule 1 Division 1 amended

In Schedule 1 Division 1 delete the Tables headed “**Metered rates**”, “**Off meter rates**” and “**Other charges**” and insert:

| Metered rates | | | |
|--------------------------------------|-----------------|----------------------|------------------|
| | Flagfall | Distance rate | Detention |
| Tariff 1 | | | |
| Monday to Friday 6 a.m. to 6 p.m. | \$3.80 | \$1.59/km | \$44.60/hour |
| Tariff 2 | | | |
| Monday to Friday 6 p.m. to 6 a.m. | | | |
| Friday 6 p.m. to Monday 6 a.m. | | | |
| All day Public Holidays | \$5.60 | \$1.59/km | \$44.60/hour |

| | Flagfall | Distance rate | Detention |
|---|-----------------|----------------------|------------------|
| Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$5.60 | \$2.30/km | \$69.10/hour |

Off meter rates

| | Distance rate (during hiring and for forward or return journey) |
|--|---|
| When carrying fewer than 5 passengers | \$1.03/km |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$1.51/km |

Other charges

| | |
|---|--------------|
| Cleaning (when soiled during hiring — for time required to clean) | \$44.60/hour |
| Call out fee | \$1.50 |
| Surcharges | |
| Ultra-Peak — Between midnight Friday to 5 a.m. Saturday or midnight Saturday to 5 a.m. Sunday | \$2.00 |
| Christmas Day — midnight to midnight | \$4.65 |
| New Year's Eve — 6 p.m. New Year's Eve to 6 a.m. New Year's Day | \$5.20 |

5. Schedule 1 Division 2 amended

In Schedule 1 Division 2 delete the Tables headed “**Metered rates**”, “**Off meter rates**” and “**Other charges**” and insert:

| Metered rates | | | |
|---|-----------------|----------------------|------------------|
| | Flagfall | Distance rate | Detention |
| Tariff 1 Monday to Friday 6 a.m. to 6 p.m. | \$3.80 | \$1.58/km | \$44.60/hour |

| | Flagfall | Distance rate | Detention |
|---|-----------------|----------------------|------------------|
| Tariff 2 | | | |
| Monday to Friday 6 p.m. to 6 a.m. | | | |
| Friday 6 p.m. to Monday 6 a.m. | | | |
| All day Public Holidays | \$5.60 | \$1.58/km | \$44.60/hour |
| Tariff 3 | | | |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$5.60 | \$2.33/km | \$69.10/hour |

Off meter rates

| | Distance rate (during hiring and for forward or return journey) |
|---|--|
| When carrying fewer than 5 passengers | \$0.95/km |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$1.43/km |

Other charges

| | |
|---|--------------|
| Cleaning (when soiled during hiring — for time required to clean) | \$44.60/hour |
| Call out fee | \$1.50 |
| Surcharges | |
| Ultra-Peak — | |
| Between midnight Friday to 5 a.m. Saturday or midnight Saturday to 5 a.m. Sunday | \$2.00 |
| Christmas Day — midnight to midnight | \$4.65 |
| New Year's Eve — 6 p.m. New Year's Eve to 6 a.m. New Year's Day | \$5.20 |

6. Schedule 1 Division 3 amended

In Schedule 1 Division 3 delete the Tables headed “**Metered rates**”, “**Off meter rates**” and “**Other charges**” and insert:

| Metered rates | | | |
|---|--|----------------------|------------------|
| | Flagfall | Distance rate | Detention |
| Tariff 1 | | | |
| Monday to Friday 6 a.m. to 6 p.m. | \$3.80 | \$2.05/km | \$44.60/hour |
| Tariff 2 | | | |
| Monday to Friday 6 p.m. to 6 a.m. | | | |
| Friday 6 p.m. to Monday 6 a.m. | | | |
| All day Public Holidays | \$5.60 | \$2.05/km | \$44.60/hour |
| Tariff 3 | | | |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$5.60 | \$3.02/km | \$69.10/hour |
| Off meter rates | | | |
| | Distance rate (during hiring and for forward or return journey) | | |
| When carrying fewer than 5 passengers | \$1.15/km | | |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$1.74/km | | |
| Other charges | | | |
| Cleaning (when soiled during hiring — for time required to clean) | \$44.60/hour | | |
| Call out fee | \$1.50 | | |
| Surcharges | | | |
| Ultra-Peak — | | | |
| Between midnight Friday to 5 a.m. Saturday or midnight Saturday to 5 a.m. Sunday | \$2.00 | | |
| Christmas Day — midnight to midnight | \$4.65 | | |

| | |
|--|--------|
| New Year's Eve — 6 p.m. New Year's Eve to 6 a.m. New Year's Day | \$5.20 |
|--|--------|

7. **Schedule 1 Division 4 amended**

In Schedule 1 Division 4 delete the Tables headed “**Metered rates**”, “**Off meter rates**” and “**Other charges**” and insert:

Metered rates

| | Flagfall | Distance rate | Detention |
|--|-----------------|----------------------|------------------|
| Tariff 1 Monday to Friday 6 a.m. to 6 p.m. | \$3.80 | \$1.55/km | \$44.60/hour |
| Tariff 2 Monday to Friday 6 p.m. to 6 a.m. Friday 6 p.m. to Monday 6 a.m. All day Public Holidays | \$5.60 | \$1.55/km | \$44.60/hour |
| Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$5.60 | \$2.32/km | \$69.10/hour |

Off meter rates

| | Distance rate (during hiring and for forward or return journey) |
|---|--|
| When carrying fewer than 5 passengers | \$0.95/km |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$1.43/km |

Other charges

| | |
|--|--------------|
| Cleaning (when soiled during hiring — for time required to clean) | \$44.60/hour |
| Call out fee | \$1.50 |

| | |
|---|--------|
| Surcharges | |
| Ultra-Peak — Between midnight Friday to 5 a.m. Saturday or midnight Saturday to 5 a.m. Sunday | \$2.00 |
| Christmas Day — midnight to midnight | \$4.65 |
| New Year's Eve — 6 p.m. New Year's Eve to 6 a.m. New Year's Day | \$5.20 |

8. Schedule 1 Division 5 amended

In Schedule 1 Division 5 delete the Tables headed “**Metered rates**”, “**Off meter rates**” and “**Other charges**” and insert:

| Metered rates | | | |
|--|--|----------------------|------------------|
| | Flagfall | Distance rate | Detention |
| Tariff 1 Monday to Friday 6 a.m. to 6 p.m. | \$3.80 | \$2.09/km | \$44.60/hour |
| Tariff 2 Monday to Friday 6 p.m. to 6 a.m. Friday 6 p.m. to Monday 6 a.m. All day Public Holidays | \$5.60 | \$2.09/km | \$44.60/hour |
| Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$5.60 | \$3.08/km | \$69.10/hour |
| Off meter rates | | | |
| | Distance rate (during hiring and for forward or return journey) | | |
| When carrying fewer than 5 passengers | \$1.13/km | | |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$1.71/km | | |

Other charges

| | |
|---|--------------|
| Cleaning (when soiled during hiring — for time required to clean) | \$44.60/hour |
| Call out fee | \$1.50 |
| Surcharges | |
| Ultra-Peak — Between midnight Friday to 5 a.m. Saturday or midnight Saturday to 5 a.m. Sunday | \$2.00 |
| Christmas Day — midnight to midnight | \$4.65 |
| New Year's Eve — 6 p.m. New Year's Eve to 6 a.m. New Year's Day | \$5.20 |

9. Schedule 1 Division 6 amended

In Schedule 1 Division 6 delete the Tables headed “**Metered rates**”, “**Off meter rates**” and “**Other charges**” and insert:

Metered rates

| | Flagfall | Distance rate | Detention |
|--|-----------------|----------------------|------------------|
| Tariff 1 Monday to Friday 6 a.m. to 6 p.m. | \$3.80 | \$1.55/km | \$44.60/hour |
| Tariff 2 Monday to Friday 6 p.m. to 6 a.m. Friday 6 p.m. to Monday 6 a.m. All day Public Holidays | \$5.60 | \$1.55/km | \$44.60/hour |
| Tariff 3 When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$5.60 | \$2.33/km | \$69.10/hour |

Off meter rates

| | Distance rate (during hiring and for forward or return journey) |
|--|--|
| When carrying fewer than 5 passengers | \$0.95/km |

| | |
|--|---|
| | Distance rate (during hiring and for forward or return journey) |
| When carrying 5 or more passengers (if the vehicle was manufactured to carry 6 or more adult passengers) | \$1.43/km |
| Other charges | |
| Cleaning (when soiled during hiring — for time required to clean) | \$44.60/hour |
| Call out fee | \$1.50 |
| Surcharges | |
| Ultra-Peak — Between midnight Friday to 5 a.m. Saturday or midnight Saturday to 5 a.m. Sunday | \$2.00 |
| Christmas Day — midnight to midnight | \$4.65 |
| New Year's Eve — 6 p.m. New Year's Eve to 6 a.m. New Year's Day | \$5.20 |

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TN302*

Road Traffic Act 1974

Road Traffic (Charges and Fees) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations 2011*.

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 *Road Traffic (Charges and Fees) Regulations 2006*.

4. Schedule 1 Division 2 amended

In Schedule 1 Division 2 item 27 delete “93.60” and insert:

91.70

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954
TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 28 January 2011, for the local government districts of—

Carnamah, Chapman Valley, Coorow, Dandaragan, Mingenew, Moora, Morawa, Mullewa, Northampton, Perenjori, Three Springs, Victoria Plains, Dalwallinu, Koorda, Wongan-Ballidu, Beverley, Northam, York, Cunderdin, Dowerin, Goomalling, Quairading, Tammin, Wyalkatchem, Narrogin (Town), Narrogin (Shire), Boddington, Brookton, Cuballing, Pingelly, Wandering, Wickepin, Williams, Corrigin, Kondinin, Kulin.

JO HARRISON-WARD, Chief Executive Officer,
Fire and Emergency Services Authority.

FE402*

BUSH FIRES ACT 1954
TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 29 January 2011, for the local government districts of—

Albany, Armadale, Augusta-Margaret River, Bassendean, Bayswater, Belmont, Beverley, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, Broomehill-Tambellup, Bruce Rock, Bunbury, Busselton, Cambridge, Canning, Capel, Carnamah, Chapman Valley, Chittering, Claremont, Cockburn, Collie, Coorow, Corrigin, Cottesloe, Cranbrook, Cuballing, Cunderdin, Dalwallinu, Dandaragan, Dardanup, Denmark, Donnybrook-Balingup, Dowerin, Dumbleyung, East Fremantle, Esperance, Fremantle, Geraldton-Greenough, Gingin, Gnowangerup, Goomalling, Gosnells, Harvey, Irwin, Jerramungup, Joondalup, Kalamunda, Katanning, Kellerberrin, Kent, Kojonup, Kondinin, Koorda, Kulin, Kwinana, Lake Grace, Mandurah, Manjimup, Melville, Merredin, Mingenew, Moora, Morawa, Mosman Park, Mount Marshall, Mukinbudin, Mullewa, Mundaring, Murray, Nannup, Narembeen, Narrogin (Shire), Narrogin (Town), Northam, Northampton, Nungarin, Perenjori, Perth, Pingelly, Plantagenet, Quairading, Ravensthorpe, Rockingham, Serpentine-Jarrahdale, South Perth, Stirling, Subiaco, Swan, Tammin, Three Springs, Toodyay, Trayning, Victoria Park, Victoria Plains, Vincent, Wagin, Wandering, Wanneroo, Waroona, West Arthur, Westonia, Wickepin, Williams, Wongan-Ballidu, Woodanilling, Wyalkatchem, Yilgarn, York.

JO HARRISON-WARD, Chief Executive Officer,
Fire and Emergency Services Authority.

FE403*

BUSH FIRES ACT 1954
TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 30 January 2011, for the local government districts of—

Armadale, Bassendean, Bayswater, Belmont, Beverley, Bruce Rock, Cambridge, Canning, Carnamah, Chapman Valley, Chittering, Claremont, Cockburn, Coorow, Cottesloe, Cunderdin,

Dalwallinu, Dandaragan, Dowerin, East Fremantle, Fremantle, Geraldton-Greenough, Gingin, Goomalling, Gosnells, Irwin, Joondalup, Kalamunda, Kellerberrin, Koorda, Kwinana, Mandurah, Melville, Merredin, Mingenew, Moora, Morawa, Mosman Park, Mount Marshall, Mukinbudin, Mullewa, Mundaring, Murray, Narembeen, Northam, Northampton, Nungarin, Perenjori, Perth, Quairading, Rockingham, Serpentine-Jarrahdale, South Perth, Stirling, Subiaco, Swan, Tammin, Three Springs, Toodyay, Trayning, Victoria Park, Victoria Plains, Vincent, Wanneroo, Waroona, Westonia, Wongan-Ballidu, Wyalkatchem, Yilgarn, York.

JO HARRISON-WARD, Chief Executive Officer,
Fire and Emergency Services Authority.

FE404*

BUSH FIRES ACT 1954

TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 5 February 2011, for the local government districts of—

Armadale, Bassendean, Bayswater, Belmont, Cambridge, Canning, Chittering, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Gingin, Gosnells, Joondalup, Kalamunda, Kwinana, Mandurah, Melville, Mosman Park, Mundaring, Murray, Perth, Rockingham, Serpentine-Jarrahdale, South Perth, Stirling, Subiaco, Swan, Toodyay, Victoria Park, Vincent, Wanneroo, Waroona.

JO HARRISON-WARD, Chief Executive Officer,
Fire and Emergency Services Authority.

FE405*

BUSH FIRES ACT 1954

TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 6 February 2011, for the local government districts of—

Armadale, Bassendean, Bayswater, Belmont, Beverley, Cambridge, Canning, Chittering, Claremont, Cockburn, Cottesloe, Cunderdin, Dowerin, East Fremantle, Fremantle, Gingin, Goomalling, Gosnells, Joondalup, Kalamunda, Kwinana, Mandurah, Melville, Mosman Park, Mundaring, Murray, Northam, Perth, Quairading, Rockingham, Serpentine-Jarrahdale, South Perth, Stirling, Subiaco, Swan, Tammin, Toodyay, Victoria Park, Vincent, Wanneroo, Waroona, Wyalkatchem, York.

JO HARRISON-WARD, Chief Executive Officer,
Fire and Emergency Services Authority.

FE406*

BUSH FIRES ACT 1954

TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Fire and Emergency Services Authority of Western Australia, hereby declare under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 7 February 2011, for the local government districts of—

Armadale, Bassendean, Bayswater, Belmont, Beverley, Cambridge, Canning, Carnamah, Chapman Valley, Chittering, Claremont, Cockburn, Coorow, Cottesloe, Cunderdin, Dandaragan, Dowerin, East Fremantle, Fremantle, Geraldton-Greenough, Gingin, Goomalling, Gosnells, Irwin, Joondalup, Kalamunda, Kwinana, Mandurah, Melville, Mingenew, Moora, Morawa, Mosman Park, Mullewa, Mundaring, Murray, Northam, Northampton, Perenjori, Perth, Quairading, Rockingham, Serpentine-Jarrahdale, South Perth, Stirling, Subiaco, Swan, Tammin, Three Springs, Toodyay, Victoria Park, Victoria Plains, Vincent, Wanneroo, Waroona, Wyalkatchem, York.

JO HARRISON-WARD, Chief Executive Officer,
Fire and Emergency Services Authority.

HEALTH

HE401*

POISONS ACT 1964**POISONS (AUTHORISED POSSESSION OF SUBSTANCES) REVOCATION ORDER 2011**

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

1. CitationThis order may be cited as the *Poisons (Authorised Possession of Substances) Revocation Order 2011*.**2. Revocation**The *Poisons (Authorized Possession of Substances) Order 2005** is revoked.

[*Published in Gazette 15 April 2005, pp.1208-1209 and amended in Gazettes 24 July 2007, p.3675 and 24 June 2008, p2919]

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE402*

POISONS ACT 1964**POISONS (AUTHORISED POSSESSION OF SUBSTANCES) ORDER 2011**

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

1. CitationThis order may be cited as the *Poisons (Authorised Possession of Substances) Order 2011*.**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

3. Interpretation

In this order—

“**CEO**” means the Chief Executive Officer of the Department of Health;“**specified place**” means the premises occupied by Clinipath Pathology at 647 Murray Street, West Perth;“**specified substances**” means the amount of the substances included in Schedule 9 to the Act, possession and use of which is authorised under clause 4.**4. Possession and use of certain substances authorised**

Subject to clause 5, the people listed in the table to this clause are authorised to together possess and use at the specified place, for analytical chemical analysis purposes, not more than 1 gram each of—

- (a) N,a-dimethyl-3,4-(methylenedioxy)phenethylamine (MDMA) isomers and their salts, esters and derivatives;
- (b) 3,4-methylenedioxyamphetamine (MDA) isomers and their salts, esters and derivatives, and
- (c) Ecgonine and its salts, esters and derivatives.

Table**Justine Chi Yum Chow**, Medical Scientist.**Frank Gerard Del Rosso**, Laboratory Technician**Kumi Marie Ellis**, Laboratory Technician**Mai Thi Phuong Huynh**, Medical Scientist**Eleanor Charlotte Matthews**, Medical Scientist**William James Quentin McConnell**, Scientist in Charge of Biochemistry**Sally Anne McMahon**, Laboratory Assistant**Kelly Ann McNally**, Laboratory Technician**Marina Modric**, Laboratory Technician**Amanda Tafara Mudege**, Laboratory Technician**Thi Ngoc Nguyen**, Laboratory Technician**Cheryl Anne Quinlan**, Medical Scientist**Sydney Soloman Sacks**, Chemical Pathologist and Head of Department**5. Conditions of authorised preparation, possession and use**

The possession and use authorised under clause 4 is subject to the conditions that—

- (a) the specified substances, when not required for the purposes referred to in clause 4, are stored at the specified place in a secure manner, as directed by the CEO;

- (b) written records relating to the specified substances are maintained by the people listed in the table to clause 4 at the specified place, as directed by the CEO; and
- (c) that, if requested by the CEO, any oral information or written report relating to the specified substances is given by the people listed in the table to clause 4 to the Chief Executive Officer.

6. Revocation

The *Poisons (Authorised Possession of Substances) Order 2008** is revoked.

[*Published in Gazette 24 June 2008, pp.2919-2920]

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE403*

POISONS ACT 1964

POISONS (AUTHORISED POSSESSION OF SUBSTANCES) ORDER (NO. 2) 2011

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

1. Citation

This order may be cited as the *Poisons (Authorised Possession of Substances) Order (No. 2) 2011*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

3. Interpretation

In this order—

“CEO” means the Chief Executive Officer of the Department of Health;

“Hakea Complex” means the Hakea Prison Complex, Nicholson Road, Canning Vale;

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

4. Possession of certain substances authorised

Subject to clause 5, the people listed in the table to this clause are authorised to together possess at the places mentioned in Schedule 1, and while travelling directly between any of those places, not more than—

- (a) 1kg of cannabis;
- (b) 5g of cannabis resin;
- (c) 1000g of heroin; and
- (d) 1kg of N,a-Dimethyl-3,4-(Methylenedioxy) Phenylethylamine (MDMA),

for the purpose of training animals in the detection of those substances.

Table

Daniel Armstrong, prison officer, Department of Corrective Services, Drug Detection Unit
James Fisher, prison officer, Department of Corrective Services, Drug Detection Unit
Robert Hands, prison officer, Department of Corrective Services, Drug Detection Unit
Chris Harper, prison officer, Department of Corrective Services, Drug Detection Unit
Colin Harrison, prison officer, Department of Corrective Services, Drug Detection Unit
Janice Keelan, prison officer, Department of Corrective Services, Drug Detection Unit
Dawn Kennedy, prison officer, Department of Corrective Services, Drug Detection Unit
Phillip Leonard, prison officer, Department of Corrective Services, Drug Detection Unit
Glen Marriott, prison officer, Department of Corrective Services, Drug Detection Unit
Glen Minnorgan, prison officer, Department of Corrective Services, Drug Detection Unit
David Pickett, prison officer, Department of Corrective Services, Drug Detection Unit
Gail Raven, prison officer, Department of Corrective Services, Drug Detection Unit
Mark Sheehan, prison officer, Department of Corrective Services, Drug Detection Unit
David Stephens, co-ordinator of training and drug control, Department of Corrective Services, Drug Detection Unit

5. Conditions of authorised possession

The possession authorised under clause 4 is subject to the conditions that—

- (a) the specified substances, when not required for the purpose referred to in clause 4, are stored at the Hakea Complex in a secure manner, as directed by the CEO;
- (b) written records relating to the specified substances are maintained at the Hakea Complex, as directed by the CEO; and
- (c) that, if requested by the CEO, any oral information or written report relating to the specified substances is given to the Chief Executive Officer.

6. Revocation

The *Poisons (Authorized Possession of Substances) Order (No. 7) 2005** is revoked.

[*Published in *Gazette* 4 November 2005, pp.5329-5330 and amended in *Gazettes* 24 July 2007, p.3674 and 24 June 2008, pp.2917-2918]

SCHEDULE 1**PART A—METROPOLITAN AREA**

1. Acacia Prison, Wooroloo.
2. Australian Federal Police Regional Headquarters, 619 Murray Street, West Perth.
3. Bandyup Women's Prison, 100 Middle Swan Road, Guildford.
4. Casuarina Prison, Orton Road, Casuarina.
5. Karnet Prison Farm, Kingsbury Drive, via Serpentine.
6. Hakea Prison Complex, Nicholson Road, Canning Vale.
7. Nyandi Prison, 3 Allen Court, Bentley.
8. Riverbank Prison, Hamersley Road, Guildford.
9. Western Australian Police Service's Drug Receiving Unit, 2 Adelaide Terrace, Perth.
10. Wooroloo Prison Farm, Great Eastern Highway, Linley Valley, Wooroloo.

PART B—REGIONAL AREAS

1. Albany Regional Prison, Princess Avenue, Albany.
2. Broome Regional Prison, Hamersley Street, Broome.
3. Bunbury Regional Prison, Centenary Road, Bunbury.
4. Eastern Goldfields Regional Prison, Vivian Street, Boulder.
5. Greenough Regional Prison, Narngulu Road, Rangeway via Geraldton.
6. Pardelup Prison Farm, Muir Highway, Mount Barker.
7. Roebourne Regional Prison, Sampson Road, Roebourne.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE404***POISONS ACT 1964****POISONS (AUTHORISED POSSESSION OF SUBSTANCES) ORDER (NO. 3) 2011**

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

1. Citation

This order may be cited as the *Poisons (Authorised Possession of Substances) Order (No. 3) 2011*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

3. Interpretation

In this order—

“CEO” means the Chief Executive Officer of the Department of Health;

“specified place” means the premises occupied by the Perth Zoo, Labouchere Road, South Perth;

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

4. Possession of certain substances authorised

Subject to clause 5, the persons listed in the table to this clause are authorised to together possess at the specified place, for the purpose of anaesthesia of exotic animals, not more than 450mg of etorphine.

Table

Paul Eden, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Cree Monaghan, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Karen Payne, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Andrea Reiss, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Anna Le Souef, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Kim Skogvold, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Rebecca Vaughan, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth

Simone Vitali, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth
Kristin Warren, veterinary surgeon, Perth Zoo, Labouchere Road, South Perth

5. Conditions of authorised possession

The possession authorised under clause 4 is subject to the conditions that—

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

6. Revocation

The *Poisons (Authorised Possession of Substances) Order (No. 8) 2005** is revoked.

[*Published in Gazette 4 November 2005, pp.5330-5331 and amended in Gazette 24 July 2007, p.3673]

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE405*

POISONS ACT 1964

POISONS (AUTHORISED POSSESSION OF SUBSTANCES) ORDER (NO. 4) 2011

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

1. Citation

This order may be cited as the *Poisons (Authorised Possession of Substances) Order (No. 4) 2011*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

3. Interpretation

In this order—

“CEO” means the Chief Executive Officer of the Department of Health;

“specified place” means the premises occupied by the ChemCentre (WA) at Resources and Chemistry Precinct, South Wing, Building 500, South Entrance Drive, Curtin University, Bentley WA 6102;

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

4. Possession of certain substances authorised

Subject to clause 5, the persons mentioned in the table to this clause are authorised to together possess at the specified place, for the purpose of analytical chemical analysis, the substances in Schedule 9 to the Act.

Table

Warren Ayliffe, officer, ChemCentre (WA)
Neil Thomas Campbell, officer, ChemCentre (WA)
Peter Andrew Collins, officer, ChemCentre (WA)
Lecinda Anne Collins-Brown, officer, ChemCentre (WA)
Hannah Crisp, officer, ChemCentre (WA)
Melissa Suzanne Davies, officer, ChemCentre (WA)
David De Tata, officer, ChemCentre (WA)
Helen Dierson, officer, ChemCentre (WA)
Rohan Thomas Edmunds, officer, ChemCentre (WA)
Michael William Edwards, officer, ChemCentre (WA)
Robert Charles Hansson, officer, ChemCentre (WA)
Antoinette Harvey, officer, ChemCentre (WA)
Allison Rosemary Hewitt, officer, ChemCentre (WA)
Murray Hoare, officer, ChemCentre (WA)
Phuong Le, officer, ChemCentre (WA)
Jennifer Liepold, officer, ChemCentre (WA)
Oliver Brett Locos, officer, ChemCentre (WA)
Katie Elizabeth McKean, officer, ChemCentre (WA)
Peter Norman Miles, officer, ChemCentre (WA)

Jessica Marie Murdock, officer, ChemCentre (WA)
Sam Ngo, officer, ChemCentre (WA)
Alison Louise O'Leary, officer, ChemCentre (WA)
Francois Jacobus Oosthuizen, officer, ChemCentre (WA)
Kari Margaret Pitts, officer, ChemCentre (WA)
Rees Allan Powell, officer, ChemCentre (WA)
Colin Roderick Priddis, officer, ChemCentre (WA)
Meena Kersa Raghvani, officer, ChemCentre (WA)
Dominic Reynolds, officer, ChemCentre (WA)
Charles Ivan Russo, officer, ChemCentre (WA)
Bianca Jane Stevens, officer, ChemCentre (WA)
Nathan Ashley Sumner, officer, ChemCentre (WA)
Sarah Louise Thomas, officer, ChemCentre (WA)
Edward Toh, officer, ChemCentre (WA)
Hayley Patricia Vickers, officer, ChemCentre (WA)
James Andrew Charles White, officer, ChemCentre (WA)
Tanya, Lorraine Whitehead, officer, ChemCentre (WA)

5. Conditions of authorised possession

The possession authorised under clause 4 is subject to the conditions that—

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

6. Revocation

The *Poisons (Authorised Possession of Substances) Order 2009** is revoked.

[*Published in Gazette 2 October 2009, pp.3907-3908]

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE406*

POISONS ACT 1964

POISONS (AUTHORISED POSSESSION OF SUBSTANCES) ORDER (NO. 5) 2011

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

1. Citation

This order may be cited as the *Poisons (Authorised Possession of Substances) Order (No. 5) 2011*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

3. Interpretation

In this order—

“CEO” means the Chief Executive Officer of the Department of Health;

“specified place” means the premises occupied by the WA Police Dog Squad, Western Australian Police Service, 2 Swanbank Road, Maylands;

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

4. Possession of certain substances authorised

Subject to clause 5, the persons mentioned in the table to this clause are authorised to together possess at the places mentioned in Schedule 1, and while travelling directly between any of those places, not more than—

- (a) 1kg of cannabis;
- (b) 100g of cannabis oil;

- (c) 300g of heroin; and
- (d) 500g of N,a-Dimethyl-3,4-(Methylenedioxy)Phenylethylamine (MDMA), in tablet formulation, for the purpose of training dogs for the detection of those substances.

Table

Melissa Ellery, police officer, WA Police Dog Squad, Western Australian Police Service, 2 Swanbank Road, Maylands.

Todd Justin Littmann, police officer, WA Police Dog Squad, Western Australian Police Service, 2 Swanbank Road, Maylands.

Barry Francis Staple, police officer, WA Police Dog Squad, Western Australian Police Service, 2 Swanbank Road, Maylands.

Justin Peter Watts, police officer, WA Police Dog Squad, Western Australian Police Service, 2 Swanbank Road, Maylands.

5. Conditions of authorised possession

The possession authorised under clause 4 is subject to the conditions that—

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

6. Revocation

The *Poisons (Authorised Possession of Substances) Order (No.3) 2009** is revoked.

[*Published in Gazette 2 October 2009, pp.3905-3906]

SCHEDULE 1

1. Western Australian Police Academy, 81 Lakeside Drive, Joondalup.
2. Western Australian Police Air Wing, Jandakot Airport, Jandakot.
3. Western Australian Police Drug Receival Unit, 2 Adelaide Terrace, East Perth.
4. Western Australian Police Traffic Branch, Wellington Street, East Perth.
5. Western Australian Police Headquarters, 2 Adelaide Terrace, East Perth.
6. Perth Police Station, Curtin House, 60 Beaufort Street, Perth.
7. Water Police Fremantle, Harvest Road, North Fremantle.
8. Australian Federal Police Regional Headquarters, 619 Murray Street, West Perth.
9. Albany Regional Prison, Princess Avenue, Albany.
10. Bandyup Women's Prison, 100 Middle Swan Road, Guildford.
11. Broome Regional Prison, Hammersley Street, Broome.
12. Bunbury Regional Prison, Centenary Road, Bunbury.
13. Casuarina Prison, Orton Road, Casuarina.
14. CW Campbell Remand Centre, Nicholson Road, Canning Vale.
15. Hakea Prison Complex, Nicholson Road, Canning Vale.
16. Eastern Goldfields Regional Prison, Vivian Street, Boulder.
17. Greenough Regional Prison, Narngulu Road, Rangeway via Geraldton.
18. Karnet Prison Farm, Kingsbury Drive, via Serpentine.
19. Nyandi Prison, 3 Allen Court, Bentley.
20. Pardelup Prison Farm, Muir Highway, Mount Barker.
21. Riverbank Prison, Hamersly Road, Guildford.
22. Roubourne Regional Prison, Sampson Road, Roebourne.
23. Wooroloo Prison Farm, Great Eastern Highway, Linley Valley, Wooroloo.
24. Australian Customs Service, WA Regional Head Office, 2 Henry Street, Fremantle.
25. Australian Customs Service, Perth International Airport, Redcliffe.
26. Perth Domestic Airport, Brearley Avenue, Redcliffe.
27. Perth International Airport, Horrie Miller Drive, Redcliffe.
28. Fremantle Port Authority, Fremantle.
29. Hillarys Boat Harbour, West Coast Highway, Hillarys.
30. Ministry of Housing's Mirrabooka Office, Ilkeston Place, Mirrabooka.
31. Westrail Workshops, Midland.
32. Royal Showgrounds, Claremont.
33. Burswood International Resort Casino, Great Eastern Highway, Burswood.
34. Hale School, Hale Road, Wembley Downs.
35. Each police station in the State.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

MARINE/MARITIME

MA401*

**WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958**

PROHIBITED SWIMMING AREA

Matilda Bay, Swan River

Department of Transport,
Fremantle WA, 8 February 2011.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming, between 9:30 pm and 10:20 pm on Friday 11th February 2011.

MATILDA BAY: All the waters within a 45 metre radius around the firing point; located at the end of the jetty in front of the Mounts Bay Sailing Club, in a approximate position of 31° 59' 07.45'S, 115° 49' 35.71'E.

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

DAVID HARROD FNI, General Manager, Marine Safety,
Department of Transport.

MINERALS AND PETROLEUM

MP401*

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PIPELINE LICENCE

Pipeline Licence WA-21-PL was granted to Apache Oil Australia Pty Ltd, Apache East Spar Pty Limited, Apache Kersail Pty Limited and Santos (BOL) Pty Ltd to remain in force indefinitely from 20 January 2011.

W. L. TINAPPLE, Executive Director,
Petroleum Division.

MP402*

PETROLEUM (SUBMERGED LANDS) ACT 1982

SURRENDER OF PETROLEUM EXPLORATION PERMIT TP/9

The surrender of Petroleum Exploration Permit TP/9 has been registered and will take effect on the date this notice appears in the *Government Gazette*.

W. L. TINAPPLE, Executive Director,
Petroleum Division,
Department of Mines and Petroleum.

MP403*

MINING ACT 1978

Section 19

INSTRUMENT OF EXEMPTION OF LAND

Extension of Period

The Minister responsible for the *Mining Act 1978*, pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby extends the exemption originally declared on 8 February 2001 and published in *Government Gazette* dated 16 February 2001, with the most recent extension being until 7 February 2011, of that area described hereunder (not being private land or land that is the subject of a mining tenement or an application therefore) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Description of Land:

All those portions of land, not being private land or land the subject of a mining tenement or application for a mining tenement, bordered 'green' on the plan at page 114 of Department of Mines and Petroleum File No. 606/98 and designated 'S19/153' in Tengraph.

Area: 46,654 hectares approximately

Period of Extension: 8 February 2011 to 7 February 2013

Dated at Perth this 3rd day of February 2011.

SIMON O'BRIEN, MLC, A/Minister for Mines and Petroleum.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

GREATER BUNBURY REGION SCHEME AMENDMENT 0017/57

Lot 2009 Giorgi Road and Part Lot 2010 South Western Highway, Picton East

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Greater Bunbury Region Scheme (GBRS) for land in the local government of Dardanup and is seeking public comment.

The purpose of the Amendment is to rezone Lot 2009 Giorgi Road and Part Lot 2010 South Western Highway, Picton East from 'Rural' zone to 'Industrial' zone under the Greater Bunbury Region Scheme in order to facilitate industrial development over the land.

Display locations

The plan showing the proposed changes and the WAPC's amendment report which explains the proposal, will be available for public inspection from Friday 11 February 2011 to Monday 11 April 2011 at each of the following places—

- Western Australian Planning Commission, 469 Wellington Street, Perth
 - Department of Planning, 61 Victoria Street, Bunbury
 - J S Battye Library
Level 3, Alexander Library Building
Perth Cultural Centre
- Municipal office of the—
- Shire of Dardanup

Documents are also available from the WAPC's website www.planning.wa.gov.au (Public Comment page).

Submissions

Any person who desires to make a submission to support, object or provide comment on the proposed amendment should do so on a Form 57. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 61 Victoria Street, Bunbury WA 6230; on or before 5.00pm Monday, 11 April 2011.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PL501*

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1199/41

WEST PERTH REGENERATION PRECINCT

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme for land in the local government of Vincent and is seeking public comment.

The amendment seeks to rezone approximately 9.3 ha of land bounded by Loftus Street, Charles Street, Newcastle Street and the Mitchell / Graham Farmer Freeways from the industrial zone to the urban zone in the Metropolitan Region Scheme.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection, free of charge from Friday, 10 December 2010 to Friday, 18 March 2011 at—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Perth
- City of Fremantle
- Town of Vincent
- City of Subiaco

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a Form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5 pm **Friday, 18 March 2011**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PREMIER AND CABINET

PR401*

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 C C Porter MLA to act temporarily in the office of Minister for Police; Emergency Services; Road Safety in the absence of the Hon R F Johnson MLA for the period 27 April to 15 May 2011 (both dates inclusive).

PETER CONRAN, Director General,
Department of the Premier and Cabinet.

PUBLIC SERVICE

PS401*

PUBLIC SECTOR MANAGEMENT ACT 1994
EMPLOYMENT STANDARD

Commissioner's instruction issued under section 21(1)(a)(i) and (ii) of the *Public Sector Management Act 1994* establishing public sector standards in respect of recruitment, selection, appointment, transfer, secondment and temporary deployment (acting) of employees.

Signed—

M. C. WAUCHOPE, Public Sector Commissioner.

1 February 2011.

Title
EMPLOYMENT STANDARD

Statement of Intent

This Commissioner's instruction (CI) establishes the minimum standards of merit, equity and probity to be complied with by the employing authority of each public sector body when filling a vacancy.

Scope and application

This CI applies to public service officers appointed under Part 3 of the *Public Sector Management Act 1994* (PSMA) and to employees otherwise employed by employing authorities of public sector bodies, as defined in the PSMA.

This CI repeals under section 21(2) of the PSMA (and replaces)—

- (a) Public Sector Standards in Human Resource Management 2001—Recruitment, Selection and Appointment Standard;
- (b) Public Sector Standards in Human Resource Management 2001—Transfer Standard;
- (c) Public Sector Standards in Human Resource Management 2001—Secondment Standard; and
- (d) Public Sector Standards in Human Resource Management 2001—Temporary Deployment (Acting) Standard.

Reference

When making employment decisions and exercising employment powers and functions the employing authority of each public sector body and its employees must comply with the minimum standards of merit, equity and probity established by the Commissioner under the Employment Standard, set out below, and the CI on Filling a Public Sector Vacancy. This requirement is in addition to compliance with the *Public Sector Management Act 1994* (particularly section 8(1)(a), (b) and (c), section 8(3) and section 9), the *Western Australian Public Sector Code of Ethics* and other relevant legislation.

Supporting information produced by the Public Sector Commission may assist the employing authorities of public sector bodies fill vacancies. Such material is explanatory and does not form part of the legislative framework. A list of products is available at the end of this CI.

Effect

This CI is effective on and from: 21 February 2011.

THE EMPLOYMENT STANDARD (EFFECTIVE ON AND FROM 21 FEBRUARY 2011)

The Employment Standard applies when filling a vacancy (by way of recruitment, selection, appointment, secondment, transfer and temporary deployment (acting)) in the Western Australian Public Sector.

The Employment Standard requires four principles to be complied with when filling a vacancy:

Merit Principle

The Western Australia public sector makes employment decisions based on merit. Merit usually involves the establishment of a competitive field.

In applying the merit principle a proper assessment must take into account—

- (a) the extent to which the person has the skills, knowledge and abilities relevant to the work related requirements and outcomes sought by the public sector body; and
- (b) if relevant, the way in which the person carried out any previous employment or occupational duties.

Equity Principle

Employment decisions are to be impartial and free from bias, nepotism and patronage.

For secondment the employee consents.

For transfer employment conditions are comparable.

Interest Principle (applies to secondments, transfers and acting)

Decisions about an employee's secondment, transfer or acting take account of the employee's interests and the work related requirements of the relevant public sector body.

Transparency Principle

Decisions are to be transparent and capable of review.

Terminology

Acting—

The temporary movement of an employee to the same or a higher classification level within the same public sector body.

Competitive Field—

A field which includes more than one person who meets the requirements of the vacant position; competitive fields are generally achieved through the advertising of a vacancy.

Employee—

Includes an officer, in which case "employment" is to be taken to include "appointment".

Employment decision—

A decision to recruit, select, appoint, transfer, second or act an employee.

Employment Standard—

Sets out the minimum standards of merit, equity and probity to be complied with by the employing authority of each public sector body when filling a vacancy by recruitment, selection, appointment, transfer, secondment and temporary deployment (acting) activities.

Public sector body—

As defined in s.3 in the PSMA.

Public Sector Standards—

The Commissioner's functions include the issuing of CIs that establish Public Sector Standards in Human Resource Management. The standards set out minimum standards of merit, equity and probity to be complied with in the public sector.

As at 21 February 2011, there are five other established standards (in addition to the Employment Standard)—

- i. Redeployment Standard;
- ii. Discipline Standard;
- iii. Grievance Resolution Standard;
- iv. Performance Management Standard; and
- v. Termination Standard.

Recruitment—

The process used by an agency to attract, assess and select applicants to fill a vacancy.

Secondment—

The temporary movement of an employee to a different employing authority or outside of the public sector.

Transfer—

The permanent movement at the same classification level. Transfers occur in accordance with the employment standard, industrial awards and agreements or other applicable legislation.

Vacancy—

A vacant post, office or position within the public sector. A vacancy can result from the creation of a new office, post or position or by the temporary or permanent movement of another employee.

For redeployment purposes a vacancy is defined as all offices, posts or positions, newly created, recently vacated or to be filled on a temporary basis in excess of six months.

Work related requirements—

The requirements determined and documented by the CEO or the employing authority to undertake the functions of a role.

Guidelines

The Public Sector Commission's *Filling a Vacancy Manual* discusses the key elements of managing a vacancy.

Your Questions Answered is an interactive tool that provides answers to issues public sector bodies may encounter when managing vacancies.

Managing the Breach of Standard Claim Process: An Agency Guide assists public sector bodies manage their own breach processes.

Contact for Further Information

For further information on the Employment Standard, please contact the Public Sector Commission's Assistance Line on 1800 676 607.

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

Notice to Creditors and Claimants

Estate of the late Fredrick Robert Rogers, of Lot 828 Hewett Road, Wongan Hills, Western Australia deceased.

Creditors and other persons having claims to which section 63 of the *Trustee Act 1962* as amended relates in respect of the estate of the deceased, who died on 4/11/2010 are required by the Executors Mrs Robyn Scholz, Mrs Mary-Jane Hannaford and Mr Peter Rogers C/- 16 Jean Hulley Road, High Wycombe WA 6057 to send particulars of their claims to them by 12 March 2011, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated 4 February 2011.

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

Notice to Creditors and Claimants

Estate of the late Heather Marian Dreyer, late of 5 Beauchamp Street, Albany, deceased.

Creditors and other persons having claims to which section 63 of the *Trustees Act 1962* as amended relates in respect of the estate of the deceased, who died on 1 April 2010 are required by the Executor Gerald Guy Cook c/- PO Box 5333, Albany WA 6332 to send particulars of their claims to them by 12 March 2011, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated the 11 February 2011.

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

Notice to Creditors and Claimants

Ethelbert Alexander Munroe, late of 15 Derril Avenue, Dianella in the State of Western Australia, Builder, died on 22 October 2007.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased person are required by the deceased's personal representative, Linda Kay Munroe, to send particulars of their claims to her c/o Robertson Hayles Lawyers Pty Ltd of P.O. Box Z5403, Perth WA 6831 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 the 11 February 2011.

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

Notice to Creditors and Claimants

Estate of the late Eric William Wilson, of 78B Moolanda Boulevard, Kingsley Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, as amended relates) in respect of the estate of the deceased, who died on 19 November 2010, are required by the Executors Messrs Peter Wilson and Kelvin Wilson c/- 32 Limetree Circuit, Mindarie WA 6030 to send particulars of their claims to them by 10 March 2011, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated the 11th day of February 2011.

This replaces notice ZX402 in *Government Gazette* Tuesday 8 February 2011, No. 17 page 432.

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

Notice to Creditors and Claimants

Wayne Stapley, late of 2/8 Collier Avenue, Balcatta, Western Australia

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 December 2010 at Balcatta aforesaid are required by the Executor and Trustee of care of Messrs Dwyer Durack Lawyers of 8th Floor, 40 St George's Terrace, Perth to send particulars of their claims to her by 14 March 2011 after which date the Trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

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

Notice to Creditors and Claimants

Derek Richard Bosse, late of 11/69 Hotham Avenue, Boddington 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 28 July 2010 are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 18 March 2011 after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

ZX407*

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 11/03/2011 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Bellairs, Harold Leslie, late of 40 Pembroke Street, Bicton, died 9.12.2010 (DE33085852 EM32)
 Carroll, Evelyn, late of Kununura Aged Care Facility 96 Coolibah Drive, Kununurra, died 22.10.2010 (DE31055540 EM26)
 Cormack, Donald Baden Stewart, late of 31 Maisie Crescent, Wembley Downs, died 8.01.2011 (DE19540365 EM16)
 Eather, Rose Adelaide, late of Balmoral Nursing Home, Gardner Street, Como, died 9.01.2011 (DE33048100 EM37)
 Grant, Margaret Alice, late of Regents Garden, 495 Marmion Street, Booragoon, died 12.12.2010 (DE19791818 EM16)
 Heard, Meryle Lauraine, late of c/Mosman Park Nursing Home, 57 Palmerston Street, Mosman Park, formerly of 7 Glenn Avenue, Mosman Park, died 16.01.2011 (DE33023685 EM32)
 Littlefield, Christine Alice, late of 72 Fourth Avenue, Shoalwater, died 20.01.2011 (DE19754819 EM36)
 Marjorie, Molly, late of Post Office Box 67 Fitzroy Crossing, died 19.08.2010 (DE33084358 EM17)
 McDonough, Edith Constance Joan, late of 165 Daly Street, Belmont, formerly of 4/183 Kooyong Road, Rivervale, died 18.12.2010 (DE19861707 EM22)
 Mcencroe, Gillian Mary, late of 3/63 Lockhart Street, Como, died 29.12.2010 (DE19952586 EM36)
 Moraday, Francis Norman Harry, late of 27 Ivermey Street, Hamilton Hill, formerly of 8 McMahon Way, Kardinya, died 15.12.2010 (DE19511067 EM23)
 Phillips, Frank William, late of Bethany Waters 18 Olivenza Crescent, Port Kennedy, died 13.12.2010 (DE19762516 EM38)
 Rennardson, Shirley, late of 100 Guildford Road, Maylands, died 2.11.2010 (DE20001226 EM13)
 Ritchie, Iris Dorothy Ivy, late of 30 Pilgrim Way, Hamilton Hill, died 25.12.2010 (DE19972947 EM15)
 Thomas, James William, late of 3/11 Fagan Street, Yokine, died 5.12.2010 (DE19822206 EM13)

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

ZX408*

PUBLIC TRUSTEE ACT 1941**ADMINISTERING OF ESTATES**

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

Dated at Perth the 11 February 2011.

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

| Name of Deceased | Address | Date of Death | Date Election Filed |
|--|---------------------------------|----------------------|----------------------------|
| Margaret Elizabeth Matthew DE19961597EM36 | 5 Kemp Place Rivervale | 16 September 2010 | 2/2/2011 |
| Neil Reginald Penfold DE19990068EM26 | 14 Glendale Avenue Hamersley | 28 September 2010 | 2/2/2011 |



WESTERN AUSTRALIA

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