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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2011

**Gazettes will not be published on Friday, 22 April or
Tuesday, 26 April 2011.**



A Gazette will be published on Thursday, 21 April at 3.30 pm.
Copy closes at noon on Tuesday, 19 April.



The next Gazette published will be on Friday, 29 April at 3.30 pm.
Copy closes at noon on Wednesday, 27 April.



— PART 1 —

PROCLAMATIONS

AA101*

APPROVALS AND RELATED REFORMS (No. 2) (MINING) ACT 2010

No. 12 of 2010

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Approvals and Related Reforms (No. 2) (Mining) Act 2010* section 2(b) and with the advice and consent of the Executive Council,

- (a) fix 21 March 2011 as the day on which Part 3 of that Act comes into operation; and
- (b) fix 1 July 2011 as the day on which Part 2 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 9 March 2011.

By Command of the Governor,

NORMAN MOORE, Minister for Mines and Petroleum.

Note: Under the *Mining Amendment Regulations (No. 3) 2011* regulation 2(b), regulation 28 of those regulations comes into operation on the day on which the *Approvals and Related Reforms (No. 2) (Mining) Act 2010* section 10 comes into operation, and the rest of the regulations, other than regulations 1 and 2, come into operation on the day on which the *Approvals and Related Reforms (No. 2) (Mining) Act 2010* Part 3 comes into operation.

CORRECTIVE SERVICES

CS301*

Prisons Act 1981

Prisons (Casuarina) Order 2011

Made by the Minister for Corrective Services.

1. Citation

This order is the *Prisons (Casuarina) 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 this order — on the day after that day.

3. Proclamation revoked

Under the *Prisons Act 1981* section 5(3)(b), the proclamation dated 28 May 1991 and published in the *Gazette* on 31 May 1991 p. 2645 is revoked.

4. Casuarina Prison declared

Under the *Prisons Act 1981* section 5(1), Reserve No. 31874, being Lot 520 on Deposited Plan 59904, and the buildings and enclosures on it are declared to be a prison, called the Casuarina Prison, within the meaning and for the purposes of that Act.

Dated: 3/3/2011.

TERRY REDMAN, Minister for Corrective Services.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Busselton

USE OF A PUBLIC JETTY AMENDMENT LOCAL LAW 2011

Under the powers conferred on it by the Local Government Act 1995 and under all other enabling powers, the Council of the Shire of Busselton resolved on 9 February 2011 to make this local law.

1. Citation

This local law may be cited as the shire of Busselton Use of a Public Jetty Amendment Local Law 2011.

2. Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

3. Principal local law

In this local law, the *Shire of Busselton By-laws relating to the Use of a Public Jetty* published in the *Government Gazette* on 17 May 1991 is referred to as the principal local law. The principal local law is amended.

4. Clause 2 amended

In clause 2, after the “jetty” definition, insert—

“no fishing sign” means a sign indicating by words or symbols that fishing is prohibited.

“Underwater Observatory” means the underwater observatory erected towards the northern end of the Busselton Jetty.

5. Clause 7A inserted

Before clause 7, insert—

“ 7A. No person shall—

a. fish from; or

b. spread, hang or land a fishing net or drop net from,

any part of the Busselton Jetty that is—

c. north of the security gate installed approximately 50m south of the Underwater Observatory; or

d. in the absence of that security gate, north of a no fishing sign erected or placed approximately 50m south of the Underwater Observatory. ”

Dated: 2nd March 2011.

The Common Seal of the Shire of Busselton was affixed under authority of a resolution of the Council in the presence of—

I. W. STUBBS, Shire President.
M. S. L. ARCHER, Chief Executive Officer.

MINERALS AND PETROLEUM

MP301*

Mining Act 1978

Mining Amendment Regulations (No. 3) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations (No. 3) 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 28 — when the *Approvals and Related Reforms (No. 2) (Mining) Act 2010* section 10 comes into operation;
- (c) the rest of the regulations — when the *Approvals and Related Reforms (No. 2) (Mining) Act 2010* Part 3 comes into operation.

3. Regulations amended

These regulations amend the *Mining Regulations 1981*.

4. Regulation 2 amended

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

file means file at any mining registrar's office;
lodge means lodge at any mining registrar's office;
working day means a day on which any mining registrar's office is open for business.

- (3) In regulation 2 in the definition of *date of application* delete “at the office of the mining registrar”.
- 5. Regulation 4B amended**
- In regulation 4B delete “Customer Service Coordinator,” and insert:
- Manager Mining Information Counter,
- 6. Regulation 4K amended**
- In regulation 4K(1) delete “notice in writing lodged at the office of the mining registrar or the Department at Perth.” and insert:
- lodging notice in writing.
- 7. Regulation 4N amended**
- In regulation 4N(3)(a) delete “lodged, at the Department at Perth; and” and insert:
- lodged; and
- 8. Regulation 5 amended**
- (1) In regulation 5(1)(a) delete “at the office of a mining registrar”.
- (2) In regulation 5(3):
- (a) delete paragraph (a) and insert:
- (a) Executive Director Mineral Titles Division;
- (b) in paragraph (b) delete “and Title Services” and insert:
- Titles
- 9. Regulation 8 amended**
- In regulation 8(1) delete “application with the Department at Perth,” and insert:
- application,

10. Regulation 9 amended

In regulation 9 delete “map which shall be lodged at the office of the mining registrar.” and insert:

lodged map.

11. Regulation 10 amended

(1) Delete regulation 10(1)(a) and insert:

(a) filed; and

(2) Delete regulation 10(2)(a) and insert:

(a) filed; and

12. Regulation 10A amended

In regulation 10A(1) after “be” insert:

lodged

13. Regulation 13A amended

Delete regulation 13A(1).

14. Regulation 16B amended

In regulation 16B(1)(a) delete “at an office of the Department during the final year of the term of the licence;” and insert:

during the final year of the term of the licence; and

15. Regulation 16C amended

In regulation 16C(1):

(a) in paragraph (a) delete “lodged at an office of the Department;” and insert:

lodged; and

(b) after each of paragraphs (b) and (c) insert:

and

16. Regulation 21A amended

Delete regulation 21A(1).

17. Regulation 22B amended

In regulation 22B delete “lodged at an office of the Department.” and insert:

lodged.

18. Regulation 23A amended

In regulation 23A(1)(a) delete “at an office of the Department during the final year of the term of the licence;” and insert:

during the final year of the term of the licence; and

19. Regulation 23BA amended

In regulation 23BA(1):

- (a) in paragraph (a) delete “lodged at an office of the Department;” and insert:

lodged; and

- (b) After each of paragraphs (b) and (c) insert:

and

20. Regulation 23C inserted

After regulation 23B insert:

23C. Time for lodging statutory declaration

For the purposes of section 70C(2A) the prescribed period is 14 days after the day on which the application for the retention licence is lodged.

21. Regulation 23DA amended

Delete regulation 23DA(1).

22. Regulation 25AA inserted

After regulation 24 insert:

25AA. Time for lodging mining proposal

For the purposes of section 74(1AA) the prescribed period is 14 days after the day on which the application for the mining lease is lodged.

23. Regulation 27 deleted

Delete regulation 27.

24. Regulation 28 amended

In regulation 28 delete “covenants and”.

25. Regulation 28A amended

In regulation 28A(2) delete “to the Department at Perth” and insert:

at any mining registrar’s office

26. Regulation 31A amended

Delete regulation 31A(1).

27. Regulation 32A amended

Delete regulation 32A(2).

28. Regulation 33A inserted

At the end of Part IV Division 3 insert:

33A. Act s. 84AA, prescribed matters for

(1) For the purposes of section 84AA(1)(c), (2)(b) and (3) the prescribed officials are —

- (a) Director, Environment Division in the Department;
- (b) Manager Minerals, Environment Division in the Department.

(2) For the purposes of section 84AA(3) the prescribed time is 30 days after the day on which the applicable review period under section 84AA(1) or (2) expires.

29. Regulation 36 amended

In regulation 36:

- (a) in paragraph (d) delete “with the Department at Perth”;
- (b) after each of paragraphs (a) to (d) insert:

and

30. Regulation 41 amended

In regulation 41:

- (a) in paragraph (d) delete “with the Department at Perth”;
- (b) after each of paragraphs (a) to (d) insert:

and

31. Regulation 51 amended

In regulation 51(d) delete “lodged at the office of the mining registrar” and insert:

made

32. Regulation 54 amended

- (1) In regulation 54(1) delete “at the office of the mining registrar”.
- (2) In regulation 54(3) delete “at the office of the mining registrar,”.

33. Part V Division 1A inserted

At the beginning of Part V insert:

Division 1A — Lodging, filing documents**59A. Prescribed manner of lodging, filing documents**

- (1) In this regulation —
document includes an application, audit statement, caveat, consent, instrument to which section 103C applies, notice, report, return, programme, proposal, security and statutory declaration.
- (2) For the purposes of any provision in the Act that requires a document to be lodged in the prescribed manner, the document is to be lodged at any mining registrar’s office.
- (3) For the purposes of any provision in the Act that requires a document to be filed in the prescribed

manner, the document is to be filed at any mining registrar's office.

- (4) Nothing in subregulation (2) or (3) affects the prescribing of any other requirement in relation to the manner of the lodgment or filing of a document.

59B. Lodging mining tenement documents through Department's website

- (1) In this regulation —
mining tenement document has the meaning given in section 162(3A) of the Act.
- (2) Subject to the requirements of the Department's website and this regulation, a person may lodge a mining tenement document electronically by lodging an electronic version of it by means of the Department's website.
- (3) A mining tenement document that is lodged electronically after 4.30 p.m. on a working day and before 8.30 a.m. on the next working day is to be taken to have been lodged at 8.30 a.m. on that next working day.
- (4) A mining registrar may at any time, require a person who has lodged a mining tenement document electronically to lodge the paper version of the document.

34. Part V Division 2 heading amended

In the heading to Part V Division 2 delete “**and objections**”.

35. Regulation 64 amended

In regulation 64(1) delete “with the warden by being filed at the office of the mining registrar”.

36. Regulation 70A amended

In regulation 70A(1)(a) delete “lodged at the office of the mining registrar;” and insert:

lodged; and

37. Regulations 70BA, 70BB, 70BC and 70BD inserted

After regulation 70A insert:

70BA. Prescribed period for lodging certain applications for areas compulsorily surrendered (s. 105A(3))

(1) In this regulation —

application means an application for a prospecting licence, exploration licence, mining lease or general purpose lease —

- (a) in respect of any land that is the subject of a surrender under section 65; and
- (b) that is lodged on the date chosen under regulation 23(1)(c) for the release.

(2) For the purposes of section 105A(3), the prescribed period for an application is the period starting at the time chosen under regulation 23(1)(c) for the release and ending 15 minutes later.

70BB. Prescribed period for lodging certain applications or marking out land after forfeiture of exploration licence, mining lease or general purpose lease (s. 105A(3))

(1) In this regulation —

application means an application for a prospecting licence, exploration licence, mining lease or general purpose lease —

- (a) in respect of any land that was the subject of an exploration licence forfeited under section 96A or a mining lease or general purpose lease forfeited under section 97; and
- (b) that is lodged, or in respect of which the land concerned is marked out as required under section 105A(4), (as is applicable in the case) on the day on which the forfeiture takes effect.

(2) For the purposes of section 105A(3), the prescribed period for an application is the period starting when the forfeiture takes effect and ending 15 minutes later.

70BC. Prescribed period for lodging certain applications after expiry of mining tenement (s. 105A(3))

(1) In this regulation —

application means an application for an exploration licence, or an application for a prospecting licence, mining lease or general purpose lease where the land concerned is wholly covered by the sea or the waters of any lake, pond, river or stream —

- (a) in respect of any land that was the subject of a mining tenement that has expired; and

(b) that is lodged after the expiry takes effect.

- (2) For the purposes of section 105A(3), the prescribed period for an application is the period starting at the beginning of the next working day after the day on which the expiry took effect and ending at 8.45 a.m. on that next working day.

70BD. Prescribed period for lodging other applications for exploration licences (s. 105A(3))

- (1) In this regulation —
application means an application for an exploration licence that is not one to which regulation 70BA, 70BB or 70BC applies.
- (2) For the purposes of section 105A(3), the prescribed period for an application is the period starting at 4.30 p.m. on a working day and ending at 8.45 a.m. on the next working day.

38. Regulation 84A deleted

Delete regulation 84A.

39. Regulation 84E amended

In regulation 84E delete the passage that begins with “be” and continues to the end of the regulation and insert:

be lodged in the form of Form 30.

40. Regulation 89B amended

In regulation 89B delete “Manager, Customer Services, Mineral and Title Services” and insert:

Manager Mining Information Counter, Mineral Titles

41. Regulation 90A deleted

Delete regulation 90A.

42. Regulation 91 amended

In regulation 91(1) delete “at the Department at Perth”.

43. Regulation 95 amended

In regulation 95(1) delete “shall be lodged with the warden” and insert:

may be lodged at any mining registrar’s office but must be assigned to the mining registrar

44. Regulation 113A amended

In regulation 113A:

- (a) in paragraph (a) before “Director” insert:

Executive

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

(d) Manager Mining Information Counter,

- (c) delete “and Title Services” and insert:

Titles

45. Regulation 113B amended

In regulation 113B:

- (a) delete paragraph (a) and insert:

(a) Executive Director Mineral Titles Division;

- (b) in paragraph (b) delete “and Title Services” and insert:

Titles

46. Regulation 116 amended

In regulation 116 in the definition of *the Director* delete “Director” and insert:

Executive Director

47. Regulation 120A amended

In regulation 120A(3a) delete “Form 16 at the office of the mining registrar.” and insert:

Form 16.

48. Regulation 120E amended

In regulation 120E delete “lodged with the Director.” and insert:

lodged.

49. Regulation 122 amended

In regulation 122(1) delete “fees at the office of the mining registrar.” and insert:

fees.

50. Regulation 137 amended

In regulation 137(1) delete the definition of *lodge*.

51. Regulation 138A inserted

After regulation 137 insert:

138A. Lodging proceedings documents through Department’s website

- (1) Subject to the requirements of the Department’s website and this regulation, a person may lodge electronically a document in relation to proceedings before the warden by lodging an electronic version of it by means of the Department’s website.
- (2) If a document is or must be signed by a person who is not, or who is not acting on behalf of, the person lodging it, the document cannot be lodged electronically unless it is an affidavit.
- (3) If a document is in a form that, before it is lodged, is required to be signed by or on behalf of the person lodging it and the document is being lodged electronically —
 - (a) the document need not be signed by that person; and
 - (b) the person lodging the document electronically must ensure that the electronic version of the document, instead of showing a signature at any place where a signature is required, states the name of the person whose signature is required at the place.
- (4) A person who lodges an affidavit electronically must either lodge an electronic version of it that includes the signatures on it or —
 - (a) lodge an electronic version of it that does not include the signatures on it; and
 - (b) ensure that the electronic version, instead of showing a signature at any place where a signature appears in the paper version, states the name of the person whose signature it is; and

- (c) also lodge an undertaking that the person —
 - (i) has possession of the paper version signed according to law; and
 - (ii) will retain the paper version subject to any order of the warden.
- (5) A document that is lodged electronically after 4.30 p.m. on a working day and before 8.30 a.m. on the next working day is to be taken to have been lodged at 8.30 a.m. on that next working day.
- (6) If a document is sent electronically to the Department but not in accordance with the requirements of the Department's website and this regulation —
 - (a) the document is to be taken not to have been lodged; and
 - (b) the mining registrar must notify the person who sent it of the fact.
- (7) A person who lodges a document electronically must have the paper version of the document with him or her at any hearing of the relevant proceedings.
- (8) The warden may, at any time, order a person who has lodged a document electronically to lodge the paper version of the document.
- (9) This regulation does not affect, and is not affected by, regulation 59B.

52. Regulation 140 amended

In regulation 140(2)(b) delete “fees at the office of the mining registrar.” and insert:

fees.

53. Regulation 141 amended

- (1) In regulation 141(1) delete “at the office of the mining registrar”.
- (2) In regulation 141(2)(b) delete “fees at the office of the mining registrar.” and insert:

fees.

54. Regulations 150A and 150B inserted

After regulation 149 insert:

150A. Electronic addresses for service

- (1) For the purposes of enabling the service by fax of documents that under this Part are required to be served a person may, in addition to providing an address for service under regulation 149, provide a fax number operating at that address.
- (2) For the purposes of enabling the service by email of documents that under this Part are required to be served a person may, in addition to providing an address for service under regulation 149, provide an email address operating at that address.
- (3) If a lawyer practises in a business with one or more other lawyers or people —
 - (a) any fax number provided under subregulation (1) must be the fax number of the business and not that of the lawyer personally; and
 - (b) any email address provided under subregulation (2) must be the email address of the business and not that of the lawyer personally.
- (4) A person who under this regulation provides an email address or a fax number is to be taken to consent to being served with documents by fax at that fax number, or as an attachment to an email sent to that email address, as the case may be.
- (5) If a party's fax number or email address provided under this regulation changes, the party must lodge with the warden and serve a notice of change of address as soon as practicable after the change occurs.

150B. Service electronically

- (1) If under this Part a party is required to serve a document, then, unless the contrary intention appears, the party may serve the document —
 - (a) if the party to be served has provided a fax number under regulation 150A(1), by sending the document by fax to that number; or
 - (b) if the party to be served has provided an email address under regulation 150A(2), by sending the document as an attachment to an email sent to that address.
- (2) A document cannot be served by email under subregulation (1) if under regulation 138A(2) it cannot be lodged electronically.

- (3) A document that is served by fax must have a cover page stating —
 - (a) the sender's name, postal address, telephone number and fax number; and
 - (b) the number of pages (including the cover page) being sent by fax.
- (4) A person that serves a document by fax must —
 - (a) endorse the first page of the original document with —
 - (i) a statement that the document is the original of a document sent by fax; and
 - (ii) the date and time the document was sent by fax;and
 - (b) keep the endorsed original document and the fax machine's report evidencing the successful transmission of the document; and
 - (c) if directed to do so by the warden, produce the items in paragraph (b) to the warden.
- (5) Regulation 138A(3) and (4)(a) and (b), with any necessary changes, apply to a document being served by email in the same way as they apply to a document being lodged electronically.
- (6) A document that is served by email or fax on a person is to be taken to have been served —
 - (a) if the whole document is sent before 4.30 p.m. on a working day, on that day;
 - (b) otherwise, on the next working day.
- (7) Subregulation (1), with any necessary changes, applies to the service by the warden of any document on a party.
- (8) This regulation does not prevent a person from consenting to being served in a manner other than in accordance with this Part.

55. Regulation 160 amended

In regulation 160(1) delete "with the mining registrar".

56. Schedule 1 amended

- (1) In Schedule 1 Form 5 in instruction 10 delete "with the Mining Registrar." and insert:

at any mining registrar's office.

- (2) In Schedule 1 Forms 5, 8 and 10 delete “with the Department at Perth” and insert:

at any mining registrar’s office

- (3) In Schedule 1 Forms 17, 18 and 21 delete “the office of the mining registrar” (each occurrence) and insert:

any mining registrar’s office

57. Various references to “at the office of the mining registrar” deleted

In the provisions listed in the Table delete “at the office of the mining registrar”.

Table

r. 23F(1)(c)	r. 29(1)(c)
r. 36A(1)(c)	r. 37(3)
r. 42A(1)(c)	r. 49(3)
r. 79(2)(b)(ii)(IV)	r. 126
r. 127D(1)	r. 150(1)

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

TRANSPORT

TN301*

Road Traffic Act 1974

**Road Traffic Code Amendment
Regulations 2011**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code 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 Code 2000*.

4. Regulation 3 amended

After regulation 3(2)(c) insert:

- (da) despite paragraphs (a), (b) and (c), in 2011, the period of 6 days beginning with the last Thursday before Good Friday and ending with ANZAC Day holiday (the Tuesday after Easter Monday) is a holiday period; and

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

TN302*

Road Traffic Act 1974

Road Traffic (Miscellaneous) Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Miscellaneous) 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 (Miscellaneous) Regulations 2008*.

4. Regulation 7 amended

After regulation 7(4) insert:

- (5A) Despite subregulations (2), (3) and (4), in 2011, the period of 6 days beginning with the last Thursday before Good Friday and ending with ANZAC Day holiday (the Tuesday after Easter Monday) is a holiday period.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Metropolitan Water Supply, Sewerage, and Drainage Act 1909
Water Agencies (Powers) Act 1984

**Metropolitan Water Supply, Sewerage and
Drainage Amendment By-laws 2011**

Made by the Minister under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* section 146 and the *Water Agencies (Powers) Act 1984* section 34(1).

1. Citation

These by-laws are the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2011*.

2. Commencement

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette* (**gazettal day**);

- (b) the rest of the by-laws —
- (i) if the *Health (Pesticides) Regulations 2011* regulation 3 (**regulation 3**) comes into operation on or before gazettal day — on the day after gazettal day; or
 - (ii) otherwise — when regulation 3 comes into operation.

3. By-laws amended

These by-laws amend the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

4. By-law 4.6 amended

In by-law 4.6.2 delete “the *Health (Pesticides) Regulations 1956* of the Public Health Department.” and insert:

the *Health (Pesticides) Regulations 2011*.

5. By-law 5.4 amended

In by-law 5.4.1 delete “the provisions of the *Health (Pesticides) Regulations 1956* as amended from time to time.” and insert:

the *Health (Pesticides) Regulations 2011*.

B. MARMION, Minister for Water.

— PART 2 —

CONSUMER PROTECTION

CP401*

SUNDAY ENTERTAINMENTS ACT 1979

GOOD FRIDAY ENTERTAINMENT

I, Simon O'Brien, Minister for Commerce, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979*, do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person involved in operating the Pot Black Family Pool and Snooker Centres specified in the Schedule from 12.00 noon to 12.00 midnight on Good Friday, 22 April 2011.

SCHEDULE

- 106 James Street, Northbridge
- 5 Mallard Way, Cannington
- 464 Fitzgerald Street, North Perth
- 8/2209 Albany Highway, Gosnells

SIMON O'BRIEN MLC, Minister for Commerce.

HEALTH

HE401*

MENTAL HEALTH ACT 1996

MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (NO. 2) 2011

Made by the Chief Psychiatrist under section 20.

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) 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) clause 3—on the day after that day.

3. Authorised mental health practitioner

The mental health practitioners specified in Schedule 1 to this order are designated as authorised mental health practitioners.

Schedule 1

Name	Profession
Fisher, Helen	Mental Health Nurse
Jermy, Craig	Mental Health Nurse
Risbey, Lauren	Mental Health Nurse

Date: 14 March 2011.

Dr ROWAN DAVIDSON, Chief Psychiatrist,
Clinical Associate Professor (UWA).

HE402***HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010**
MEDICAL (AREA OF NEED) DETERMINATION (NO. 7) 2011

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 7) 2011*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE

GENERAL MEDICAL SERVICES IN THE SUBURB OF EDGEWATER IN THE CITY OF JOONDALUP.

Dated this 12th day of March 2011.

Dr KIM HAMES MLA, Deputy Premier,
Minister for Health.

HE403***HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010**
MEDICAL (AREA OF NEED) DETERMINATION (NO. 8) 2011

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 8) 2011*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE

CONSULTANT PLASTIC SURGEONS EMPLOYED BY AND ROTATED BETWEEN THE FOLLOWING LOCATIONS—

- ROCKINGHAM GENERAL HOSPITAL
- 29 CHARGROVE AVENUE, ROCKINGHAM
- 1 FREDERICK STREET, BELMONT
- GERALDTON HOSPITAL
- GERALDTON COMMUNITY HEALTH BUILDING, SHENTON STREET, GERALDTON
- JOONDALUP HEALTH CAMPUS
- HOLLYWOOD PRIVATE HOSPITAL

Dated this 12th day of March 2011.

Dr KIM HAMES MLA, Deputy Premier,
Minister for Health.

HERITAGE

HR101*

*CORRECTION***HERITAGE OF WESTERN AUSTRALIA ACT 1990**

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

In the notice published in the *Government Gazette* dated 28 August 2001, item HR401 on page 4801, an error occurred. Under Schedule 1, the land description for **Perth Railway Precinct** on Wellington Street, Perth was incompletely shown. The correct entry for that part of the notice should read—

Perth Lot 1179, being CR 46304 & being the whole of the land comprised in CLR V 3120 F 700; Perth Lot 1181, being part of CR 44308 & being the whole of the land comprised in CLR V 3120 F 702; Perth Lot 1178, being part of CR 44308 & being the whole of the land comprised in CLR V 3120 F 699; Lot 1180 on DP 221067 & being the whole of the land comprised in CLR V 3120 F 701.

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

Dated this 18th day of March 2011.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey*

(BASIS OF RATES)

Department of Local Government.

DLGRD: H5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2011.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA

SHIRE OF HARVEY

All that portion of land being Lot 200 as shown on Deposited Plan 66494.

LG402*

LOCAL GOVERNMENT ACT 1995*City of Swan*

(BASIS OF RATES)

Department of Local Government.

DLG: SW5-4#05

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 18 March 2011.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE
ADDITIONS TO GROSS RENTAL VALUE AREA
CITY OF SWAN

All those portions of land being Lot 22 as shown on Plan 2746; Lot 55 as shown on Plan 2747; Lot 4 as shown on Deposited Plan 24776; Lot 33 as shown on Deposited Plan 38330 and Lot 324 as shown on Deposited Plan 63090.

LG403*

LOCAL GOVERNMENT ACT 1995
Shire of Serpentine Jarrahdale
(BASIS OF RATES)

Department of Local Government.

DLG: SJ5-4#04

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 March 2011.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE
ADDITIONS TO GROSS RENTAL VALUE AREA
SHIRE OF SERPENTINE—JARRAHDAL

All those portions of land being Lots 207 to 211 inclusive, Lots 254 to 265 inclusive, Lot 270, Lot 271, Lots 297 to 318 inclusive, Lot 504, Lot 505 and Lot 9000 as shown on Deposited Plan 67989.

LG404*

LOCAL GOVERNMENT ACT 1995
Shire of Gingin
APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as Authorized Officers for the registration of dogs in accordance with the *Dog Act 1976 (as amended)* and Regulations 1995—

David Tony Burt
 Sebastian Camillo
 Susan Saltmarsh
 Andrea Warren
 Connie Walker
 Sharon Smith

The appointments of Brooke Povah, Ruth Gray, Danica Butler, Chantelle Freeman, Sarah Latimer, Elissa Moore, Hugh McLean, Lisa Riley, Sally Stemp, Caroline Redford, Mellanie Culhane, Kevin Foulkes and Jodi Roser are hereby cancelled.

D. T. BURT, Chief Executive Officer.

Date 14 March 2011.

LG405*

LOCAL GOVERNMENT ACT 1995
City of Belmont
APPOINTMENT

It is hereby notified for public information that Geoff Copley has been appointed an Authorised Officer for the City of Belmont, effective from 14 March 2011, and is an officer authorised to exercise the powers in accordance with the following Acts, Regulations and Local Laws—

- Local Government Act 1995
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Litter Act 1979 and Regulations

- Dog Act 1976 (as amended) and Regulations
- Local Government "Parking for Disabled Persons" Regulations 1996
- City of Belmont Local Laws Relating to Parking Facilities
- City of Belmont Local Laws Relating to Dogs
- All other Council Local Laws or Regulations administered or enforced by the City of Belmont

The previous appointment of Mike Deniese in relation to the above Acts, Regulations and Local Laws is hereby cancelled.

STUART COLE, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

Shire of Chittering

EXTENSION OF PROHIBITED BURNING PERIOD

Notice is hereby given that pursuant to Section 17 of the *Bush Fires Act 1954*, the Shire of Chittering has extended its Prohibited Burning Period for a further 14 days to 14 April 2011 inclusive.

A. DOUGLAS, Shire President.
HARRY HAWKINS, Chief Executive Officer.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

Shire of Irwin

SWIMMING PROHIBITED AREA
Port Denison

Department of Transport,
Fremantle WA, 18 March 2011.

Acting pursuant to the powers conferred by Regulation 10A of the *Navigable Waters Regulations 1958*, I hereby proclaim the following area closed to swimming until further notice—

PORT DENISON BOAT HARBOUR: All the waters contained within an area bounded by the shore and lines commencing at position 29°16.351'S, 114°55.252'E (at the northern end of the boat harbour beach), then to position 29°16.397'S, 114°55.121'E (approximately 230 metres west south west), then to position 29°16.296'S, 114°55.075'E (approximately 200 metres north west on the eastern breakwater). All coordinates based on GDA 94.

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

MINERALS AND PETROLEUM

MP401*

PETROLEUM PIPELINES ACT 1969
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL 40 held by, DBNGP (WA) Nominees Pty Limited varied by instrument of Variation STP-PLV-0005, to authorise the Licensee to design, construct, operate and maintain a Kwinana Power Station HEGT Meter Station and a custody transfer point for gas supply to Verve Energy HEGT (High Efficiency Gas Turbine) located in the existing Kwinana Power station M7 Meter Station on the DBNGP, has been approved.

BEVERLEY BOWER, A/Executive Director,
Petroleum Division.

Date 11 March 2011.

MP402*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

F. ZEMPILAS, Warden.

To be heard by the Warden at Coolgardie on 9th May 2011.

COOLGARDIE MINERAL FIELD
 Prospecting Licences

P 15/5052	Mavia Pty Ltd Brutus Constructions Pty Ltd
P 15/5205	Kay, Andrew Donald
P 15/5237	Hass, Neil William

MP403*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

F. ZEMPILAS, Warden.

To be heard by the Warden at Coolgardie on 9th May 2011.

COOLGARDIE MINERAL FIELD
 Prospecting Licences

P 15/4299	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4876	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4877	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4878	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4879	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4881	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4882	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4883	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4884	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4885	Breakaway Resources Ltd (ACN 061 595 051)
P 15/4886	Breakaway Resources Ltd (ACN 061 595 051)
P 15/5196	Jabara, Redwan
P 15/5205	Kay, Andrew Donald
P 15/5239	Powter, David John Flematti, Albert Douglas Hill, Christopher Graeme
P 15/5240	Powter, David John Flematti, Albert Douglas Hill, Christopher Graeme
P 15/5245	Powter, David John
P 15/5247	Powter, David John
P 15/5258	Lyons, David Charles

COOLGARDIE MINERAL FIELDProspecting Licences—*continued*

P 16/2592	Dolphin Resources Pty Ltd Lake Violet Pty Ltd Rosdarem Pty Ltd Tiger Investments Pty Ltd
P 16/2593	Dolphin Resources Pty Ltd Lake Violet Pty Ltd Rosdarem Pty Ltd Tiger Investments Pty Ltd
P 16/2594	Dolphin Resources Pty Ltd Lake Violet Pty Ltd Rosdarem Pty Ltd Tiger Investments Pty Ltd
P 16/2595	Dolphin Resources Pty Ltd Lake Violet Pty Ltd Rosdarem Pty Ltd Tiger Investments Pty Ltd
P 16/2596	Dolphin Resources Pty Ltd Lake Violet Pty Ltd Rosdarem Pty Ltd Tiger Investments Pty Ltd

MP404*

MINING ACT 1978
INTENTION TO FORFEIT

Department of Mines and Petroleum,
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 20 April 2011 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
EXPLORATION LICENCE		
E 04/1797	Kosasih, Kode	West Kimberley
E 09/1617	Australian Outback Mining Pty Ltd	Gascoyne
E 20/632	Plasia Pty Ltd	Murchison
E 20/670	Black, Ian Adair	Murchison
E 28/1619	Ponton Minerals Pty Ltd	N. E. Coolgardie
E 28/1620	Ponton Minerals Pty Ltd	N. E. Coolgardie
E 28/1621	Ponton Minerals Pty Ltd	N. E. Coolgardie
MINING LEASE		
M 27/166	Boyes, Charles Joseph	N. E. Coolgardie
M 27/200	MPI Nickel Pty Ltd	N. E. Coolgardie

PLANNING

PL401*

ARMADALE REDEVELOPMENT ACT 2001
WUNGONG URBAN WATER REDEVELOPMENT SCHEME 2007
Amendment 15

In accordance with section 35(3)(d) of the *Armadale Redevelopment Act 2001*, it is hereby notified for public information that Amendment 15 to the *Wungong Urban Water Redevelopment Scheme 2007* has been approved by the Minister for Planning; Culture and the Arts; Science and Innovation under section 35(3)(a) of the Act.

Part 7 of the Scheme provides the basis for the equitable distribution of costs associated with redevelopment through a Developer Contribution Scheme (DCS). A key component of Part 7 (specifically, clause 7.18) is the Contribution Rate. The Contribution Rate assigns a 'weighting' to each Master Plan Place Code, based upon development potential, and is used to calculate a landowner's DCS liability in terms of area. Amendment 15 to the Scheme amends the existing clause 7.18 by revising the current Contribution Rates in order to provide a more accurate and equitable basis for calculating cost liability.

The Armadale Redevelopment Authority advises that as a result of the Minister's approval, the amendment to the Redevelopment Scheme comes into operation on Friday 18 March, 2011.

A copy of Amendment 15 is available for inspection at the offices of the Armadale Redevelopment Authority at Unit 5, 210-220 Jull Street, Armadale, between the hours of 8.30 am and 5.00 pm Monday to Friday. The document can also be viewed at the Authority's website at www.wungongurbanwater.com.au

JOHN ELLIS, Chief Executive Officer,
Armadale Redevelopment Authority.

TREASURY AND FINANCE

TR401*

TAXATION ADMINISTRATION ACT 2003 COMMISSIONER'S PRACTICES

Under the provisions of section 30 of the *Taxation Administration Act 2003*, the following Commissioner's Practices are hereby published for public information—

TAA 18.2 REMISSION OF PENALTY TAX—LATE LODGMENT AND NON-LODGMENT OF RETURNS, TRANSACTION RECORDS, ACQUISITION STATEMENTS, INSTRUMENTS AND DUTIABLE STATEMENTS

TAA 20.1 REMISSION OF PENALTY TAX—FOR LATE PAYMENT

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

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

WATER/SEWERAGE

WA401*

WATER BOARDS ACT 1904

WATER SUPPLY IMPROVEMENT WORKS—GLEN IRIS, BUNBURY

Proposed Construction of a Water Storage Tank and Booster Pumpstation and associated pipe work.

Aqwest proposes to construct the following works—

- A reinforced concrete ground level water storage tank of approximately 4,000 cubic meters in capacity, 29 metre diameter, 7.5 metre wall height and with a metal sheeted roof.
- The water storage tank will be constructed on a concrete pad approximately 200mm thick and will include hand rails, access ladders and access platforms.
- A brick plastic rendered booster pumpstation building, which will be 10 metres in length, 7 metres wide, 5 metres tall and will include a colour bond roof.
- Delivery pipe work 400mm in diameter will be constructed to connect the tank to the booster pumpstation, which includes valves and associated fittings.

The location of the proposed works is on the existing Aqwest pumpstation and tank site, which is located approximately 70m south of the intersection of Ince Road and Bluebush Road, Glen Iris.

The proposed works are scheduled to commence construction works in April 2011 and will continue for a period of approximately 8 months.

A copy of this notice and the preliminary drawings is available at Aqwest's Office, located at 5 MacKinnon Way, Bunbury WA during business hours.

Further information may also be obtained by contacting the Project Manager, Mr Mat Watson on (08) 9780 9520.

Objections to the proposed works will be considered if lodged in writing, addressed to Mr Gary Hallsworth, Manager Water Services, Aqwest—Bunbury Water Board, PO Box 400, Bunbury WA 6231.



WA402*

WATER BOARDS ACT 1904

WATER TREATMENT AND DISTRIBUTION IMPROVEMENT WORKS—COLLEGE GROVE, BUNBURY
Proposed Construction of additional office, lab and storage space and associated work.

Aqwest proposes to construct the following works—

- An office and lab building, which will be 14 metres long, 14 metres wide and 5 metres tall.
- A storage building, which will be 15 metres long, 12 metres wide and 6 metres tall.
- A standby generator hard stand will be constructed for a 450kVa generator.
- Parking area will be constructed near the office and storage building, while upgrading the existing access road.
- Utility work will be constructed to connect the office and lab building as well as the storage building to services.

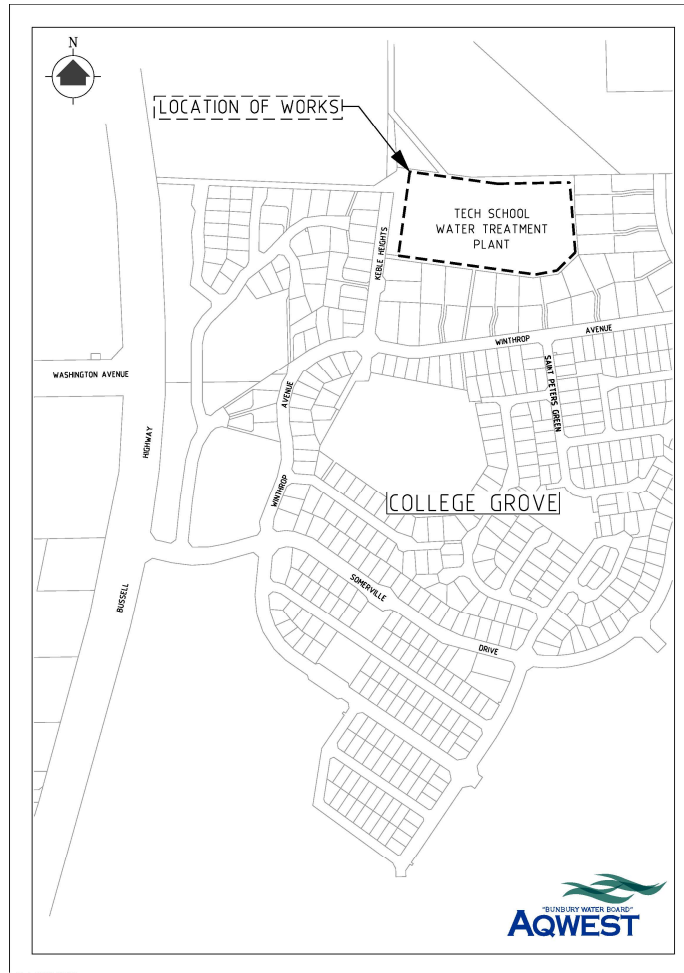
The location of the proposed works is on the existing Aqwest water treatment and reservoir site located approximately 170m north of the intersection of Winthrop Ave and St Peters Green, College Grove.

The proposed works are scheduled to commence construction works in July 2011 and will continue for a period of approximately 5 months.

A copy of this notice and the preliminary drawings is available at Aqwest's Office, located at 5 MacKinnon Way, Bunbury WA during business hours.

Further information may also be obtained by contacting the Project Manager, Mr Graham Currie on (08) 9780 9543.

Objections to the proposed works will be considered if lodged in writing, addressed to Mr Gary Hallsworth, Manager Water Services, Aqwest—Bunbury Water Board, PO Box 400, Bunbury WA 6231.



DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 18 April 2011 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Cannon, Basil William late of 16 Caperton Court, Ferndale 6148 died 24 January 2011
(DE 19630594 EM32)

Nelley, Wayne Robert late of 7 Acacia Street, Mount Tarcoola 6530 died 2 February 2011
(DE 19860776 EM113)

O'Dyer, James late of 51 Alexander Drive, Menora 6050 died 19 February 2011 (DE 19980152 EM16)

Pearce, Philip Trevor late of 38 Corbett Street, Gnowangerup 6335 died 4 November 2010
(DE 33064354 EM15)

Sheppard, Hilda Vera late of 9 Coulson Street, Wilson 6107 died 7 February 2011
(DE 19690612 EM23)

Wilton, Jean late of 29/7 Harman Road, Sorrento 6020 died 8 February 2011 (DE 19992919 EM32)

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

PUBLIC NOTICES

ZZ401*

CHARITABLE TRUSTS ACT 1962
APPLICATION TO VARY TERMS OF WILL

Estate of Alison Margaret Lawrence, deceased.

Take Notice that—

- (a) The Public Trustee has applied to the Supreme Court for the approval of a scheme whereby twenty one hundredth parts of the residue of the estate be paid to Cancer Council Western Australia Inc to be applied towards—
- (i) the ongoing operation expenses and maintenance of Milroy Lodge and any other facility operated by Cancer Council Western Australia Inc which provides accommodation for single country cancer patients requiring treatment in Perth; and
 - (ii) supporting single country cancer patients requiring treatment in Perth.
- (in lieu of the provision of extra single person accommodation at A H Crawford Lodge in Nedlands and towards supporting single country cancer patients requiring treatment in Perth as provided in the deceased's will) upon trust for its charitable objects;
- (b) The date proposed for the hearing of the application by the Court is 21 April 2011 at 9.15am;
- (c) Any person desiring to oppose the scheme is require to give written notice of his intention to do so to the Principal Registrar of the Supreme Court, the Public Trustee (quoting EM37) and the Attorney General not less than 7 clear days before that date.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

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