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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2011 AND NEW YEAR HOLIDAY PERIOD 2012

Publishing Dates and times	Closing Dates and Times for copy
Friday, 23 December 2011 at 3.30 pm	Wednesday, 21 December 2011 at 12 noon
Friday, 30 December 2011 at 2.30 pm	Wednesday, 28 December 2011 at 12 noon
Friday, 6 January 2012 at 3.30 pm	Wednesday, 4 January 2012 at 12 noon



— PART 1 —

PROCLAMATIONS

AA101*

SHIPPING AND PILOTAGE ACT 1967

PROCLAMATION

Western Australia

*By His Excellency**Malcolm James McCusker,**Officer of the Order of Australia,**Queen's Counsel,**Governor of the State of Western Australia*

[L.S.]

M. J. McCUSKER

Governor

I, the Governor, acting under the *Shipping and Pilotage Act 1967* section 10(2) and with the advice and consent of the Executive Council—

- (a) declare the place described in Schedule 1 to be a mooring control area, called the Oyster Harbour Mooring Control Area, for the purposes of that Act; and
- (b) specify the Department, as defined in section 3 of that Act, as the controlling authority of the mooring control area.

Schedule 1—Oyster Harbour Mooring Control Area

All that area that is below high water mark and upstream of the entrance to Oyster Harbour, being a line from Emu Point to a point east on the opposite side of the entrance, to the Chester Pass Road bridge over the King River and to the South Coast Highway bridge over the Kalgan River, excluding the Emu Point Boat Harbour Mooring Control Area, as depicted on Plan 1239-10-06 held by the Department of Transport.

Given under my hand and the Public Seal of the State on 29 November 2011.

By Command of the Governor,

TROY BUSWELL, Minister for Transport.

CONSUMER PROTECTION

CP301*

RETAIL TRADING HOURS ACT 1987**RETAIL TRADING HOURS (SHIRE OF MURRAY) VARIATION ORDER 2011**

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (Shire of Murray) Variation 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 order—on the day after that day.

3. Variation of retail trading hours: December 2011

General retail shops within the town boundaries of the town site of Pinjarra are authorised to be open at times when the shops would otherwise be required to be closed—

- (a) on a day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Friday 2 December 2011	from 6.00pm until 9.00pm
Sunday 4 December 2011	from 10.00am until 5.00pm
Monday 5 December 2011	from 6.00pm until 9.00pm
Tuesday 6 December 2011	from 6.00pm until 9.00pm
Wednesday 7 December 2011	from 6.00pm until 9.00pm
Friday 9 December 2011	from 6.00pm until 9.00pm
Sunday 11 December 2011	from 10.00am until 5.00pm
Monday 12 December 2011	from 6.00pm until 9.00pm
Tuesday 13 December 2011	from 6.00pm until 9.00pm
Wednesday 14 December 2011	from 6.00pm until 9.00pm
Friday 16 December 2011	from 6.00pm until 9.00pm
Sunday 18 December 2011	from 10.00am until 5.00pm
Monday 19 December 2011	from 6.00pm until 9.00pm
Tuesday 20 December 2011	from 6.00pm until 9.00pm
Wednesday 21 December 2011	from 6.00pm until 9.00pm
Friday 23 December 2011	from 6.00pm until 9.00pm

SIMON O'BRIEN, Minister for Commerce.

CP302*

Retail Trading Hours Act 1987

Retail Trading Hours (Shire of Northam) Variation Order (No. 2) 2011

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (Shire of Northam) Variation 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 order — on the day after that day.

3. Variation of retail trading hours: general retail shops

- (1) General retail shops, other than motor vehicle shops, within the Shire of Northam are authorised to be open at times when the shops would otherwise be required to be closed —
 - (a) on Monday, Tuesday, Wednesday and Friday in each week, from and after 6 p.m. until 9 p.m.; and

- (b) on Sunday in each week, from and after 8 a.m. until 5 p.m.; and
 - (c) on each public holiday or public half-holiday in the Shire of Northam —
 - (i) if the day is a Monday, Tuesday, Wednesday, Thursday or Friday, from and after 8 a.m. until 9 p.m.; and
 - (ii) if the day is a Saturday or Sunday, from and after 8 a.m. until 5 p.m.
 - (2) Despite subclause (1), this order does not authorise general retail shops referred to in that subclause to be open on —
 - (a) New Year's Day; or
 - (b) Good Friday; or
 - (c) Anzac Day; or
 - (d) Christmas Day.
- 4. *Retail Trading Hours Exemption Order (No. 1) 1994* revoked**
- The *Retail Trading Hours Exemption Order (No. 1) 1994* is revoked.

SIMON O'BRIEN, Minister for Commerce.

CP303*

Retail Trading Hours Act 1987

Retail Trading Hours Variation Order 2011

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours Variation 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 order — on the day after that day.

3. Variation of retail trading hours: December 2011

- (1) This order varies the trading hours of general retail shops, other than motor vehicle shops, in the metropolitan area.

- (2) General retail shops, other than motor vehicle shops, are authorised to be open, when those general retail shops would otherwise be required to be closed under section 12(3) of the Act, in accordance with the Table.

Table

Day	Hours open
Sunday 11 December 2011	from 10.00 a.m. until 5.00 p.m.
Sunday 18 December 2011	from 10.00 a.m. until 5.00 p.m.
Monday 26 December 2011	from 10.00 a.m. until 5.00 p.m.
Tuesday 27 December 2011	from 8.00 a.m. until 5.00 p.m.

SIMON O'BRIEN, Minister for Commerce.

CP304*

Retail Trading Hours Act 1987

Retail Trading Hours (Special Trading Precincts) Variation Order 2011

Made by the Minister for Commerce under section 12A of the Act.

1. Citation

This order is the *Retail Trading Hours (Special Trading Precincts) Variation 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 order — on the day after that day.

3. Order varied

- (1) This order varies the *Retail Trading Hours (Special Trading Precincts) Order (No. 2) 2010* for general retail shops, other than motor vehicle shops, in —
 - (a) the Armadale special trading precinct; or

- (b) the Fremantle special trading precinct; or
 - (c) the Joondalup special trading precinct; or
 - (d) the Midland special trading precinct; or
 - (e) the Perth special trading precinct.
- (2) Despite the *Retail Trading Hours (Special Trading Precincts) Order (No. 2) 2010*, general retail shops, other than motor vehicle shops, in a special trading precinct referred to in subclause (1) are required to be closed in accordance with the Table.

Table

Day	Hours closed
Sunday 11 December 2011	until 10.00 a.m. and from and after 5.00 p.m.
Sunday 18 December 2011	until 10.00 a.m. and from and after 5.00 p.m.
Monday 26 December 2011	until 10.00 a.m. and from and after 5.00 p.m.
Tuesday 27 December 2011	until 8.00 a.m. and from and after 5.00 p.m.
Sunday 1 January 2012	until 10.00 a.m. and from and after 5.00 p.m.

SIMON O'BRIEN, Minister for Commerce.

EDUCATION

ED301*

Western Australian College of Teaching Act 2004

Western Australian College of Teaching Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Western Australian College of Teaching 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 1 January 2012.

3. Regulations amended

These regulations amend the *Western Australian College of Teaching Regulations 2004*.

4. Regulation 12 replaced

Delete regulation 12 and insert:

12. Registration fee (section 34(1)(b))

The registration fee is —

- (a) \$70.00, if the grant of registration is in accordance with the mutual recognition principle or the Trans-Tasman mutual recognition principle; or
- (b) \$100.00, otherwise.

5. Regulation 16 amended

- (1) In regulation 16(1) delete “is \$50.00.” and insert:

is —

- (a) \$50.00, if the application involves the consideration for approval of a qualification in teaching that is conferred by a body that is established, or primarily based, in Australia or New Zealand; or
- (b) \$330.00, otherwise.

- (2) In regulation 16(2) delete “\$20.00” and insert:

reduced by \$30.00

6. Various provisions amended

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

Table

Provision	Delete	Insert
r. 8	\$50.00	\$70.00
r. 14	\$50.00	\$150.00
r. 17(1)	\$76.00	\$80.00

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

FIRE AND EMERGENCY SERVICES

FE301*

Bush Fires Act 1954

Bush Fires Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Bush Fires 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 *Bush Fires Regulations 1954*.

4. Regulation 24A amended

- (1) In regulation 24A(1) delete the definitions of:
fire fighting vehicle
necessary agricultural activity
- (2) In regulation 24A(4)(c) delete “the conditions applicable under subregulation (5) are” and insert:

the condition applicable under subregulation (5) is

- (3) In regulation 24A(5A):
- (a) in paragraph (a) delete “a necessary” and insert:

an
 - (b) after paragraph (a) insert:
 - (ba) the use or operation is not, and is not part of, a process or operation specified for the purposes of section 27A(1)(a)(ii) of the Act as being a process or operation likely to create a bush fire danger; and
 - (c) in paragraph (c) delete “the conditions applicable under subregulation (5) are” and insert:

the condition applicable under subregulation (5) is
 - (d) in paragraph (e) delete “vehicle movement”.
- (4) Delete regulation 24A(5) and (6) and insert:
- (5) The condition is that the internal combustion engine that is, or that activates, the engine, vehicle, plant, equipment or machinery being used or operated is mechanically sound and has an exhaust system that —
- (a) is clean and free from gas leaks; and
 - (b) except in the case of a motor vehicle, is fitted with a suitable spark arrester that is maintained in a clean, sound and efficient condition.

5. Regulation 24C amended

In regulation 24C delete “vehicle movement” (each occurrence).

Note: The heading to amended regulation 24C is to read:

Bans for the purposes of r. 24A(5A)

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of Rockingham

EXTRACTIVE INDUSTRIES AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Rockingham resolved on 22 November 2011 to make the following local law.

1. Citation

This local law may be cited as the *City of Rockingham Extractive Industries Amendment Local Law 2011*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law, the *City of Rockingham Extractive Industries Local Law 2000* published in the *Government Gazette* on 21 March 2001, is referred to as the principal local law. The principal local law is amended.

4. Clause 1.1 amended

In clause 1.1 insert in alphabetical order—

occupier has the meaning given to it in the Act;

owner has the meaning given to it in the Act;

person does not include the local government;

5. Clause 2.3 amended

In clause 2.3(1)—

(a) after “of the land” insert “and any occupier of the land”;

(b) in paragraph (c)—

(i) in subparagraph (v) delete “and”

(ii) at the end of subparagraph (vi) insert “and”

(iii) after subparagraph (vi) insert—

(vii) how any face is to be made safe and batters sloped;

(c) in paragraph (i) delete “and”;

(d) in paragraph (j) delete “time.” and insert “time; and”

(e) after paragraph (j) insert—

(k) copies of any geotechnical information relating to the excavation site;
and

(l) written notification from the local government of planning approval to
conduct the extractive industry.

6. Clause 3.1 amended

(1) In clause 3.1(1) delete “may refuse to consider” and insert “will not consider”.

(2) In clause 3.1(4)—

(a) in paragraph (a) delete “31st December” and insert “30 June”;

(b) in paragraph (b) delete “and”;

(c) in paragraph (c) delete “CEO,” and insert “CEO; and”;

(d) after paragraph (c) insert—

(d) a copy of the public liability insurance policy required under clause
7.1(1).

(3) In subclause (5) delete paragraphs (q) and (r) and insert—

(q) requiring the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence;

(r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and

(s) any other matter for properly regulating the carrying on of an extractive industry.

7. Clause 3.2 amended

In clause 3.2 delete “31 December” and insert, “30 June”.

8. Clause 5.2 amended

In clause 5.2(1) delete “then” and insert—

then subject to the local government giving the licensee 14 days notice of its intention to do so—

9. Clause 6.1 amended

In clause 6.1—

- (a) in paragraph (c) delete “or”
- (b) in paragraph (d) delete “watercourse.” and insert “watercourse;”
- (c) after paragraph (d) insert—
 - (e) the minimum clearance to the estimated water table stipulated by the Department of Water or otherwise as adopted by the local government.

10. Clause 6.2 amended

Delete clause 6.2 and insert—

6.2 Obligations of the licensee

A licensee shall—

- (a) where the local government so requires, securely fence the excavation to a standard determined by the local government and keep the gateways locked when not actually in use in order to prevent unauthorised entry;
- (b) erect and maintain warning signs along each of the boundaries of the area excavated under the licence so that each sign—
 - (i) is not more than 200 metres apart;
 - (ii) is not less than 1.8 metres high and not less than 1 metre wide; and
 - (iii) bears the words “DANGER EXCAVATIONS KEEP OUT”;
- (c) except where the local government approves otherwise, drain and keep drained to the local government’s satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;
- (d) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government;
- (e) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and
- (f) otherwise comply with conditions imposed by the local government in accordance with clause 3.1.

Penalty \$5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.

11. Clause 6.3 amended

Renumber clause 6.3 as clause 6.4

12. Clause 6.3 inserted

After clause 6.2 insert—

6.3 Prohibitions

A licensee shall not—

- (a) remove any trees or shrubs within 40 metres (or such lesser distance as may be allowed, in writing, by the local government) of the boundary of any thoroughfare on land in respect of which a licence has been granted, except for the purpose of constructing access thoroughfares, erecting buildings or installing plant for use in connection with the excavation and then only with the express approval of the local government and subject to any conditions which the local government may impose in accordance with clause 3.1;
- (b) store, or permit to be stored, any explosives or explosive devices on the site to which the licence applies other than with the approval of the local government and the Department of Minerals and Energy; or
- (c) fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation programme approved by the local government.

Penalty \$5,000 for each offence, and if an offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.

13. Clause 7.1 amended

In clause 7.1(1) delete “\$10,000,000” and insert, “\$20,000,000”.

14. Clause 8.1 amended

In clause 8.1 delete “regulations 33 and 34” and insert, “regulation 33”.

15. Part 9 inserted

After clause 8.1 insert—

Part 9—Modified Penalties**9.1 Modified penalties**

- (1) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

9.2 Forms

For the purposes of this local law—

- (a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

16. Schedule inserted

After clause 9.2 insert—

Schedule—Prescribed Offences

Clause	Description	Modified Daily Penalty (\$)
2.1(a)	Excavate without a licence	500.00
2.1(b)	Carry on Extractive Industry without a licence or in breach of terms and conditions	500.00
6.1	Excavate not within boundary limits	500.00
6.2(a)	Gateways not kept locked where required	500.00
6.2(b)	Warning signs not erected or maintained as required	500.00
6.2(c)	Excavation area not drained of water adequately	500.00
6.2(d)	In breach of terms and conditions of licence	500.00
6.2(e)	Did not take reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance on excavation site	500.00
6.2(f)	Did not comply with conditions in accordance to clause 3.1	500.00
6.3(a)	Remove trees or shrubs near boundary without approval	500.00
6.3(b)	Store without required approval explosive or explosive devices	500.00
6.3(c)	Fill or excavate in breach of licence	500.00
6.4(1)(a)	Blasting without approval of the local government	500.00
6.4(1)(b)	Blasting outside times authorised	500.00
6.4(1)(c)	Blasting in breach of AS2187 SAA Explosives Code, the <i>Mines Safety and Inspection Act 1994</i> , the <i>Environmental Protection Act 1986</i> and all relevant local laws of the local government	500.00
6.4(1)(d)	Blasting in breach of conditions imposed by the local government	500.00
6.4(2)	Blasting without approval on Saturday, Sunday or public holiday	200.00
7.4(a)	Does not restore and reinstate excavated site in accordance with the local government or a manner local government may agree in writing	500.00
7.4(b)	Any face permitted to remain on excavation site is not left safe with all loose materials removed	500.00
7.4(c)	Agreed floor level of the excavation site is not graded to an even surface as approved by the local government	500.00

Clause	Description	Modified Daily Penalty (\$)
7.4(d)	Stockpiles of materials are left so that portions of material can escape onto other land, stream, watercourse or drain	500.00
7.4(e)	Retaining walls not erected where necessary to prevent subsidence of land	500.00
7.4(f)	Buildings, plant, equipment erected, installed or used and all holes remaining from the site are not removed or filled.	500.00
7.4(g)	Does not break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment erected or installed and all areas of site which were used for stockpiling	500.00

Dated: 28 November 2011.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

BARRY SAMMELS, Mayor.

ANDREW HAMMOND, Chief Executive Officer.

PLANNING

PL301*

Armadale Redevelopment Act 2001

Armadale Redevelopment (Return of Redeveloped Land) Order (No. 3) 2011

Made by the Minister under the *Armadale Redevelopment (Subtracted Land) Regulations 2011* regulation 5(1).

1. Citation

This order is the *Armadale Redevelopment (Return of Redeveloped Land) Order (No. 3) 2011*.

Note: Under the *Armadale Redevelopment (Subtracted Land) Regulations 2011* regulation 5(2), this order takes effect at the beginning of the day after the day on which it is published in the *Gazette*.

2. Term used: subtracted area

In this order —

subtracted area has the meaning given in the *Armadale Redevelopment (Subtracted Land) Regulations 2011* regulation 3.

3. Metropolitan Region Scheme amended

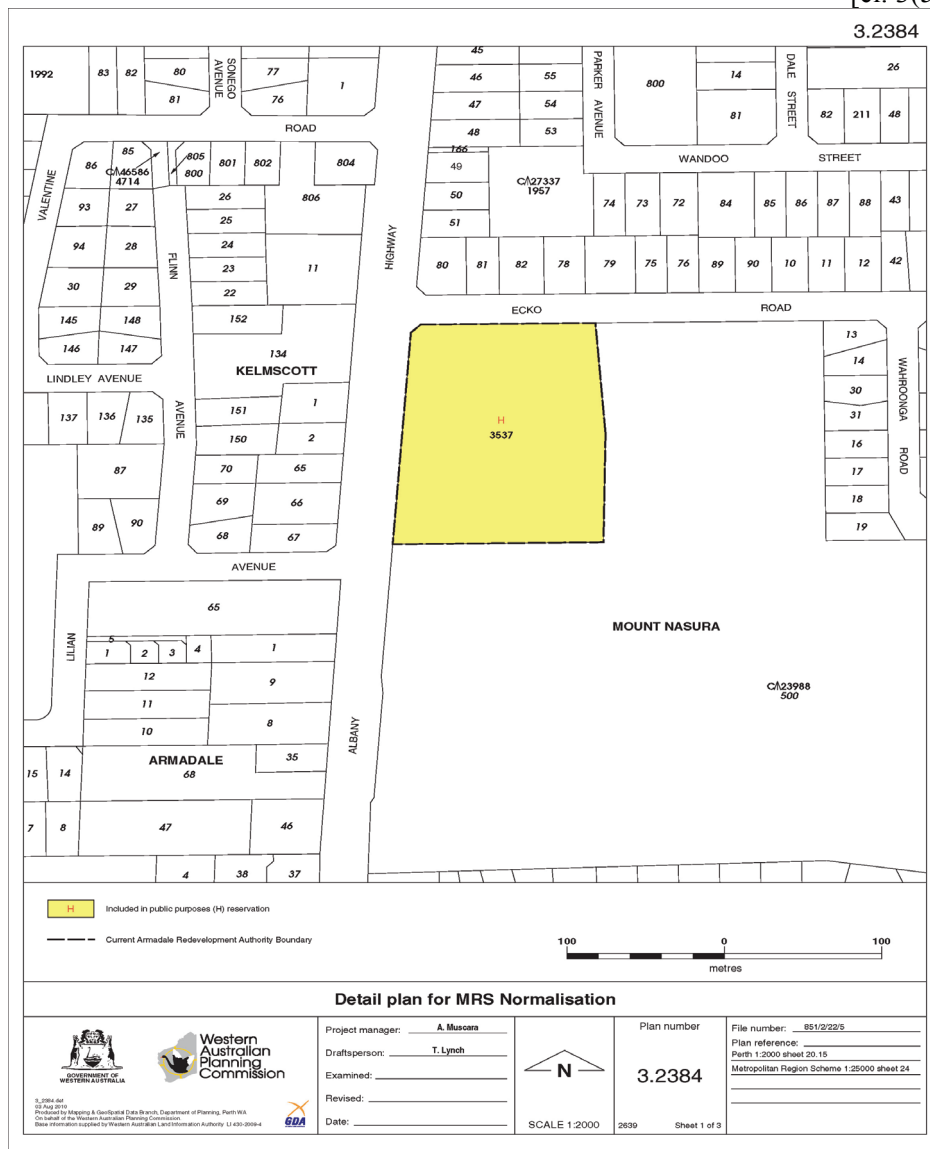
- (1) In this clause —
WAPC means the Western Australian Planning Commission established by the *Planning and Development Act 2005* section 7.
- (2) This clause amends the Metropolitan Region Scheme continued under the *Planning and Development Act 2005* section 33.
- (3) Amend the scheme by including in the area to which it applies the land in the subtracted area.
- (4) Amend the scheme as required to give the land included under subclause (3) the appropriate reservation or zoning under the scheme that is shown in the 3 plans numbered 3.2384, 3.2385 and 3.2386 that are —
 - (a) described as “Detail plan for MRS Normalisation”; and
 - (b) dated respectively 3 August 2010, 4 August 2010 and 3 August 2010; and
 - (c) held at the office of the WAPC.
- (5) Schedule 1 contains a representation of each of those 3 plans.

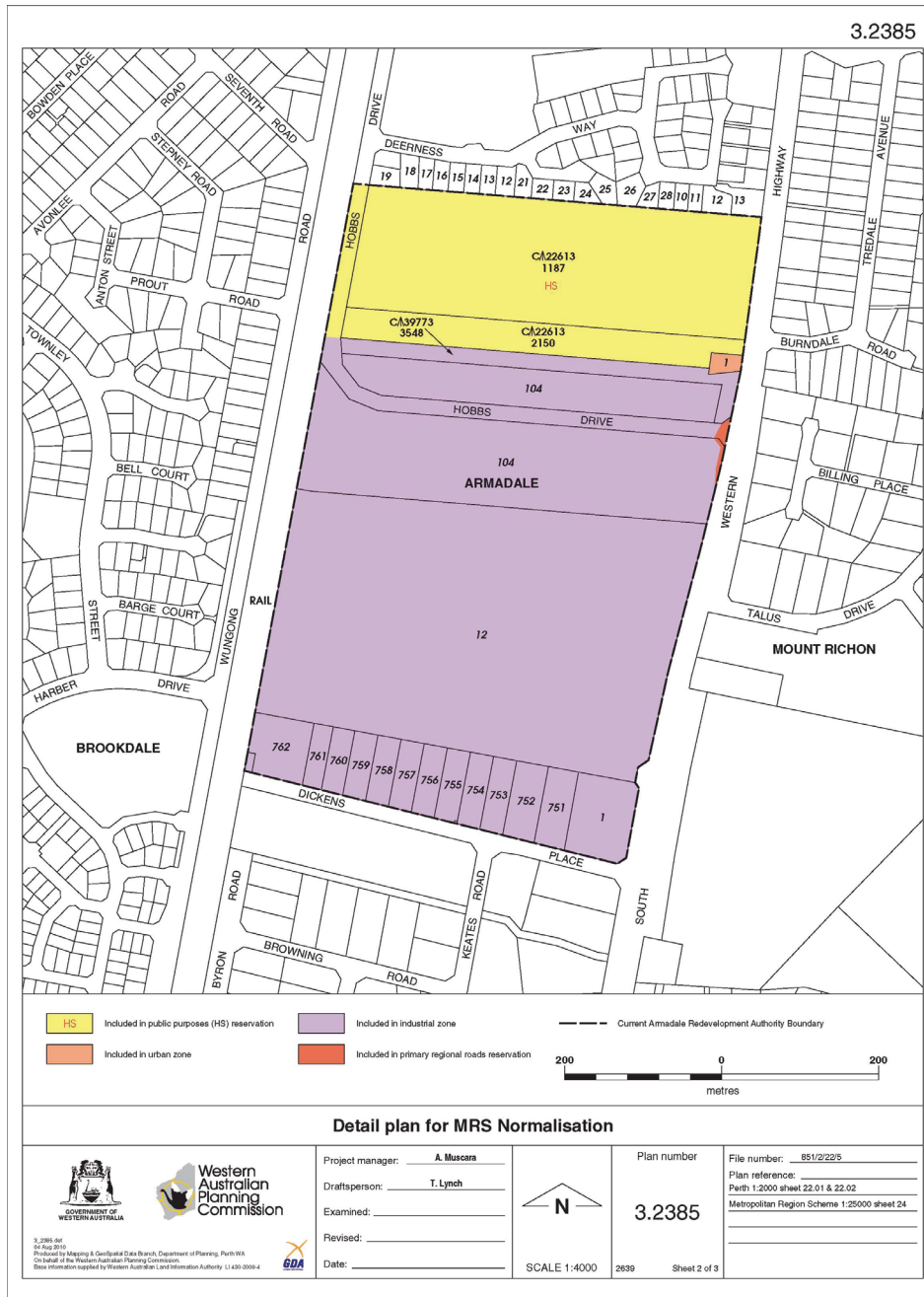
4. City of Armadale Town Planning Scheme No. 4 amended

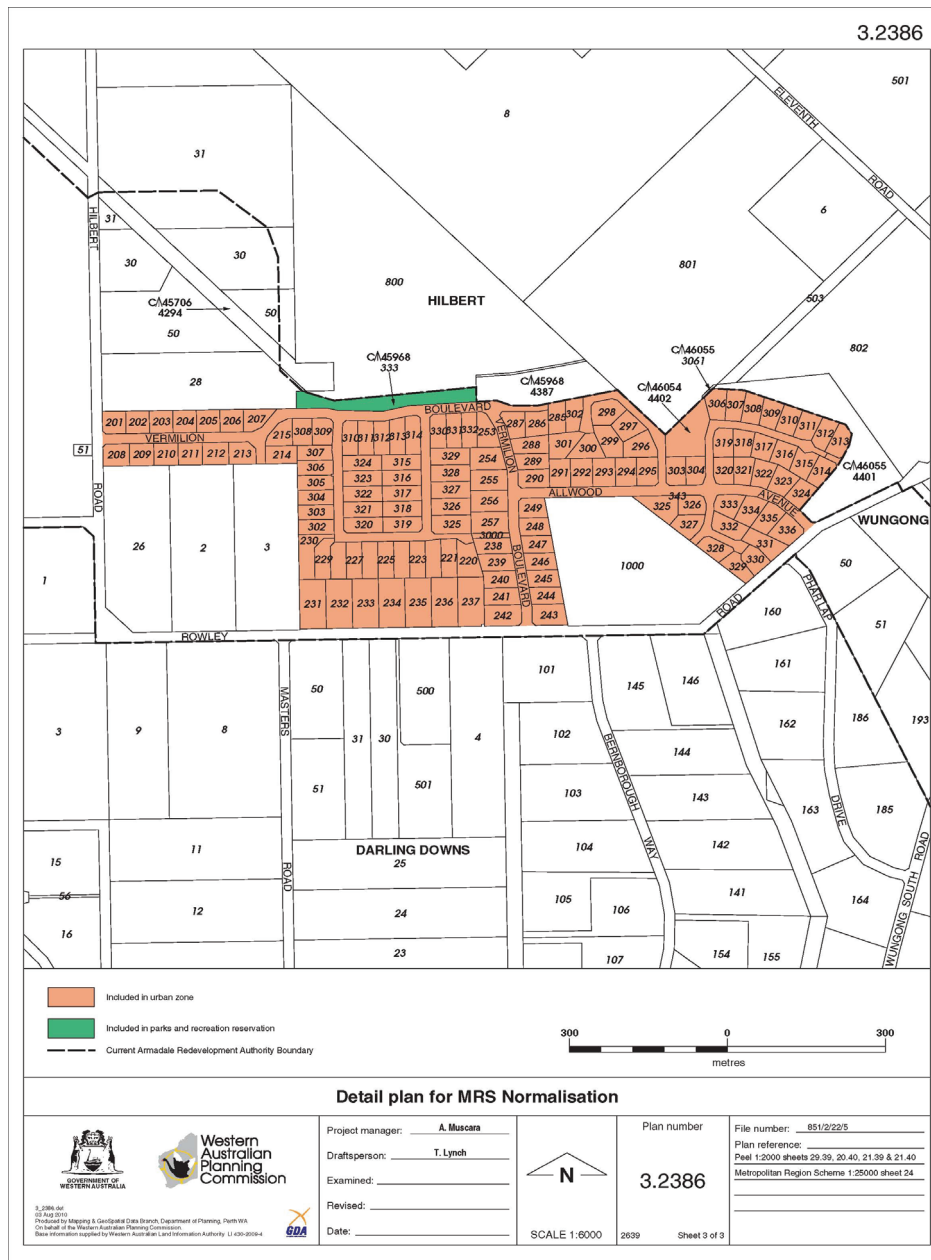
- (1) This clause amends the *City of Armadale Town Planning Scheme No. 4* continued under the *Planning and Development Act 2005* section 68.
- (2) Amend the scheme by including in the area to which it applies the land in the subtracted area.
- (3) Amend the scheme as required to give the land included under subclause (2) the appropriate reservation or zoning under the scheme that is shown in the 3 plans that are —
 - (a) described as “City of Armadale Town Planning Scheme No. 4 Scheme Amendment”; and
 - (b) held at the office of the City of Armadale.
- (4) Schedule 2 contains a representation of each of those 3 plans.

Schedule 1 — Representations of MRS Normalisation plans 3.2384, 3.2385 and 3.2386

[cl. 3(5)]

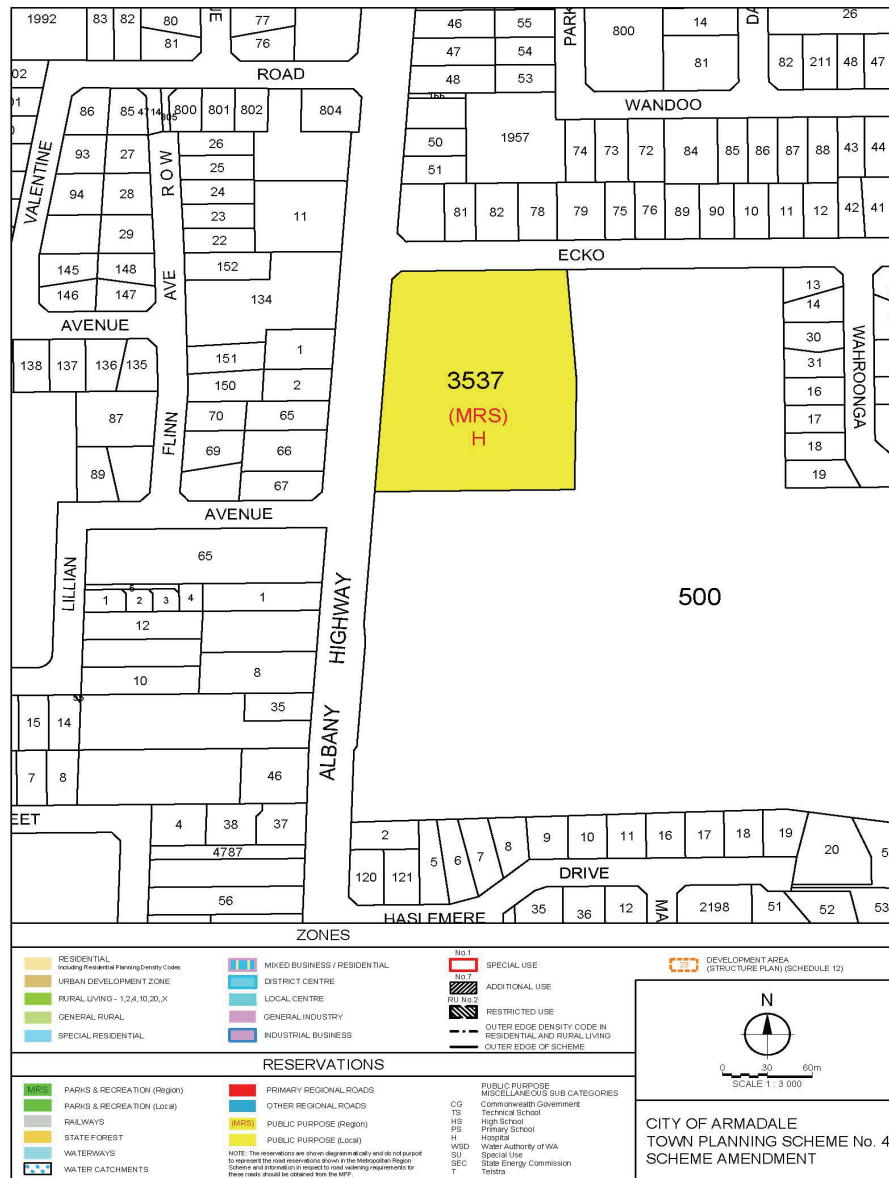


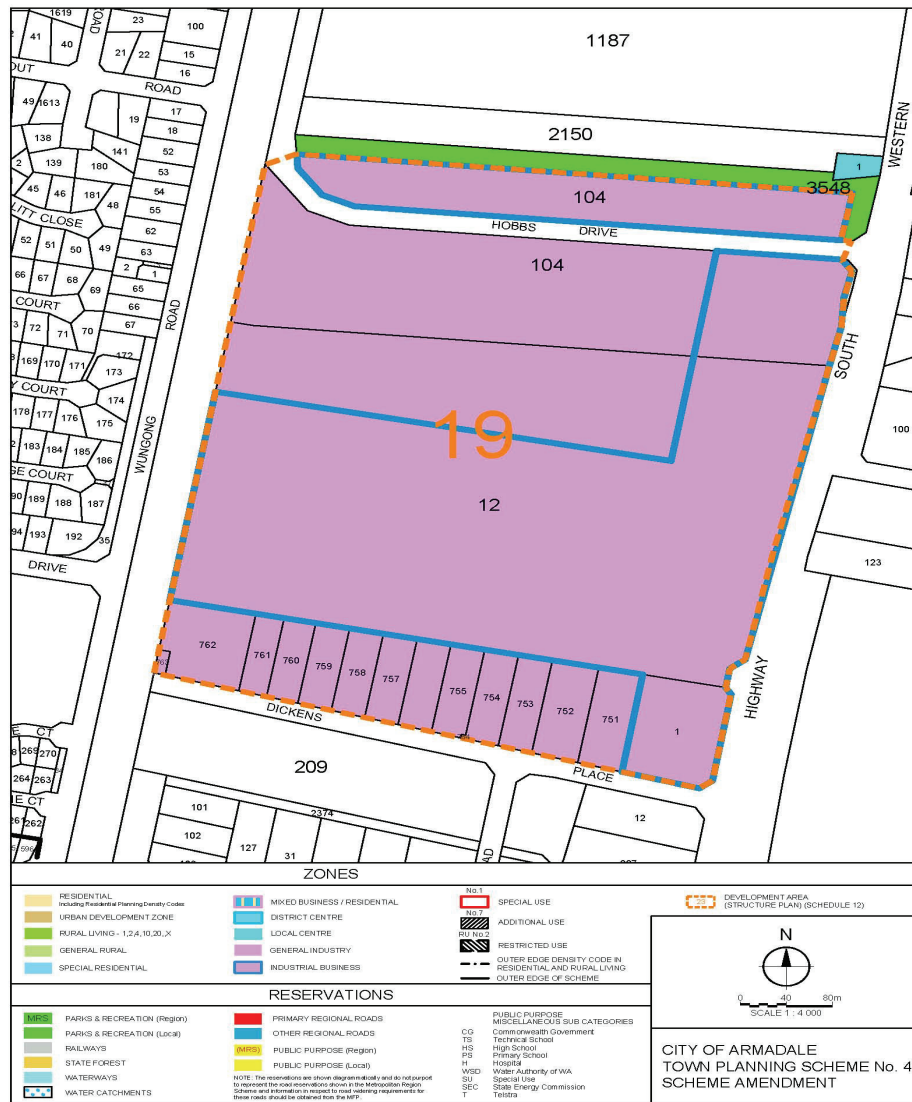


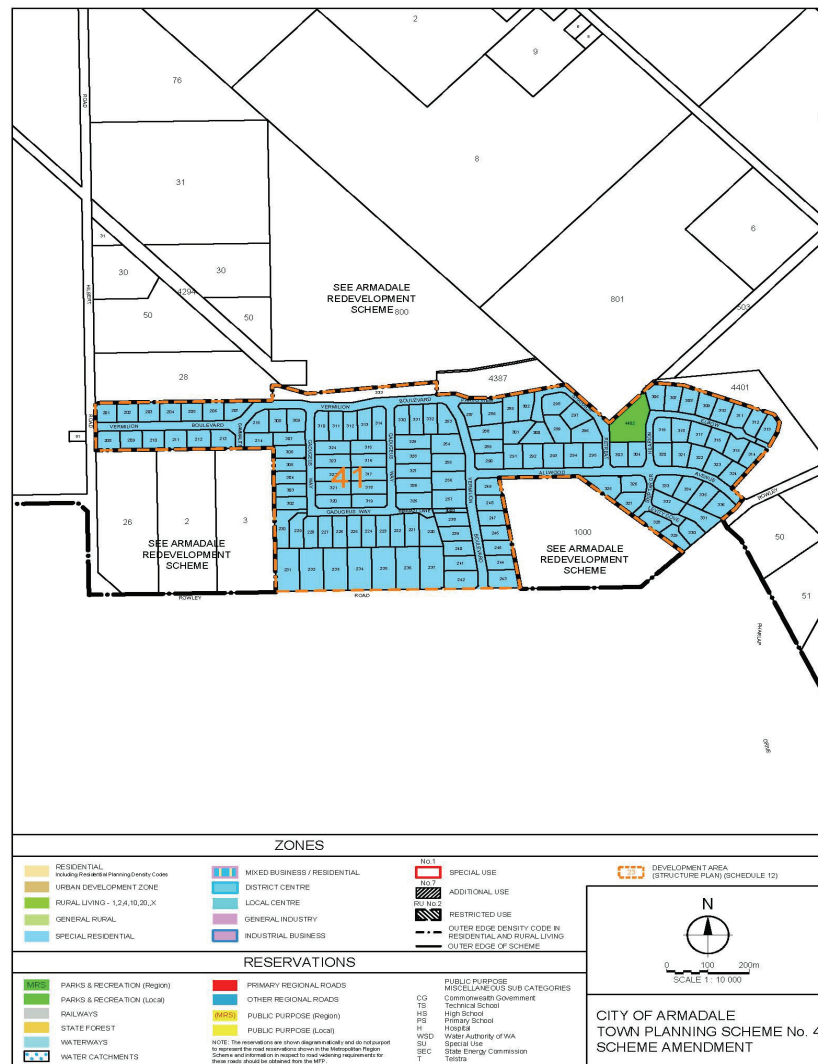


Schedule 2 — Representations of City of Armadale Town Planning Scheme No. 4 Scheme Amendment plans

[cl. 4(4)]







JOHN DAY, Minister for Planning.

Note: This order supersedes the *Armadale Redevelopment (Return of Redeveloped Land) Order 2011* that was published in the *Gazette* on 11 November 2011 but did not have legal effect.

POLICE

PO301*

Police Act 1892

Police Force Amendment Regulations 2011

Made by the Commissioner of Police, with the approval of the Minister for Police, under section 9.

1. Citation

These regulations are the *Police Force 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 *Police Force Regulations 1979*.

4. Regulation 614 amended

In regulation 614 delete “member or”.

Date: 25 November 2011.

Signed: K. O’CALLAGHAN, Commissioner of Police.

Approved: ROB JOHNSON, Minister for Police.

PREMIER AND CABINET

PR301*

Supreme Court Act 1935

Acting Attorney General Designation Order (No. 3) 2011

Made by the Governor in Executive Council.

1. Citation

This order is the *Acting Attorney General Designation Order (No. 3) 2011*.

2. Minister designated

Under the *Supreme Court Act 1935* section 154, the Honourable Robert Frank Johnson MLA, the Minister for Police; Emergency Services; Road Safety, is designated as the Minister of the State —

- (a) who may exercise the powers referred to in section 154(3) of that Act; and

- (b) by, to or with reference to whom acts may be done under section 154(4) of that Act,

during the period 3 to 25 December 2011 (both dates inclusive).

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TRANSPORT

TN301*

Road Traffic Act 1974

Road Traffic (Licensing) Amendment Regulations (No. 3) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Licensing) 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) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Road Traffic (Licensing) Regulations 1975*.

4. Regulation 15 amended

In regulation 15(3) after “in writing” insert:

or in any other manner approved in writing by the
Director General

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TN302*

Road Traffic Act 1974

Road Traffic (Authorisation to Drive) Amendment Regulations (No. 2) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Authorisation to Drive) Amendment Regulations (No. 2) 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 (Authorisation to Drive) Regulations 2008*.

4. Regulation 40 amended

In regulation 40(1) after “in writing” insert:

or in any other manner approved in writing by the
Director General

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TN303*

Road Traffic Act 1974

Road Traffic (Licensing) Amendment Regulations (No. 2) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Licensing) Amendment Regulations (No. 2) 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 (Licensing) Regulations 1975*.

4. Regulation 5A deleted

Delete regulation 5A.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TN304*

Road Traffic Act 1974

Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations (No. 6) 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. Regulation 24 deleted

Delete regulation 24.

5. Regulation 57 inserted

At the end of Part 5 insert:

57. Fees and charges prescribed for purposes of *Road Traffic Act 1974* ss. 12 and 13

- (1) In subregulation (2) —
data storage device means any article or material (for example, a disk) from which information is capable of being reproduced, with or without the aid of any other article or device.
- (2) The fees specified in the Table to this subregulation are payable in relation to information disclosed by the Director General under the *Road Traffic Act 1974* section 12.

Table

Service	Fee \$
For searching records manually, per record	15.20
For searching records by computer where a list of vehicles to be searched is supplied to the Director General on a data storage device, per record	3.00
For production of an extract of a record, per extract	16.50
For detailed searching of current and historical information about a record, including production of supporting documentation, per search	20.40

- (3) The charges specified in the Table to this subregulation are payable in relation to information disclosed by the Director General under the *Road Traffic Act 1974* section 13.

Table

Service	Charge \$
For writing and running a program to extract records or information, per hour	82.61
For preparing a report compiling records or information extracted, per report	43.12

6. Schedule 1 amended

Delete Schedule 1 Division 2 item 9.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TN305*

Road Traffic Act 1974

Road Traffic (Information) Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Information) 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. Disclosure of information by Commissioner of Police to Director General

Under section 8(4)(d) of the Act, details of a charge for any offence, whether relating to a road traffic matter or any other matter, against a person who has applied for or holds —

- (a) a driver's licence with an endorsement under the *Road Traffic (Authorisation to Drive) Regulations 2008* regulation 12(2); or
- (b) a licence or permit under the *Motor Vehicle Drivers Instructors Act 1963*,

is prescribed for the purposes of section 8(4) of the Act.

4. Exchange of information between Director General and other authorities

For the purposes of paragraph (d) of the definition of **relevant authority** in section 9(1) of the Act, Austroads Limited (ACN 136 812 390), registered under the *Corporations Act 2001* (Commonwealth), is prescribed.

5. Disclosure of information to prescribed persons

- (1) In this regulation —

APS employee has the meaning given in the *Public Service Act 1999* (Commonwealth) section 7.

- (2) For the purposes of the definition of **prescribed person** in section 12(1) of the Act, the following persons, or classes of person, are prescribed —

- (a) the Chairperson of ASIC, as defined in the *Australian Securities and Investments Commission Act 2001* (Commonwealth) section 5(1), or a staff member, as defined in that subsection, nominated by the Chairperson to the Director General (which nomination has not been revoked by the Chairperson);
- (b) the Inspector-General, as defined in the *Bankruptcy Act 1966* (Commonwealth) section 5(1), or an APS employee whose duties include supporting the Inspector-General in the performance of his or her functions, or in the exercise of his or her powers, under that Act nominated by the Inspector-General to the Director General (which nomination has not been revoked by the Inspector-General);
- (c) the chief executive officer, as defined in the *Botanic Gardens and Parks Authority Act 1998* section 3, or —
 - (i) another member of the staff of the Botanic Gardens and Parks Authority; or
 - (ii) a person designated a park management officer under section 26 of that Act,

nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);

- (d) the Registrar, as defined in the *Child Support (Registration and Collection) Act 1988* (Commonwealth) section 4(1), or an officer or employee to whom the Registrar's powers or functions may be delegated under section 15(1) of that Act nominated by the Registrar to the Director General (which nomination has not been revoked by the Registrar);
- (e) the Electoral Commissioner, as defined in the *Commonwealth Electoral Act 1918* (Commonwealth) section 4(1), or a member of the staff referred to in section 29 of that Act nominated by the Electoral Commissioner to the Director General (which nomination has not been revoked by the Electoral Commissioner);
- (f) the Commissioner, as defined in the *Corruption and Crime Commission Act 2003* section 3(1), or another officer of the Commission, as defined in that subsection, nominated by the Commissioner to the Director General (which nomination has not been revoked by the Commissioner);
- (g) the person appointed chief executive officer under the *Curtin University of Technology Act 1966* section 14(1), or any member of the staff of Curtin University of Technology nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
- (h) the CEO, as defined in the *Customs Administration Act 1985* (Commonwealth) section 3, or a member of the staff referred to in section 15 of that Act nominated by the CEO to the Director General (which nomination has not been revoked by the CEO);
- (i) the chief executive officer, as defined in the *Edith Cowan University Act 1984* section 3(1), or another member of the staff, as defined in that subsection, nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
- (j) the Electoral Commissioner, as defined in the *Electoral Act 1907* section 4(1), or a person employed in the Western Australian Electoral Commission nominated by the Electoral Commissioner to the Director General (which nomination has not been revoked by the Electoral Commissioner);
- (k) the chief executive officer, as defined in the *Fire and Emergency Services Authority of Western Australia Act 1998* section 3, or another member of staff, as

- defined in that section, nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
- (l) the Chief Executive Centrelink, as defined in the *Human Services (Centrelink) Act 1997* (Commonwealth) section 3, or a Departmental employee, as defined in that section, nominated by the Chief Executive Centrelink to the Director General (which nomination has not been revoked by the Chief Executive Centrelink);
 - (m) the managing director, as defined in the *Insurance Commission of Western Australia Act 1986* section 3, or an officer or employee of the Insurance Commission of Western Australia nominated by the managing director to the Director General (which nomination has not been revoked by the managing director);
 - (n) a CEO, as defined in the *Local Government Act 1995* section 1.4, of a local government or an employee as defined in that section employed by that local government and nominated by the CEO to the Director General (which nomination has not been revoked by the CEO);
 - (o) the Vice-Chancellor, as defined in the *Murdoch University Act 1973* section 3(1), or any member of the staff of Murdoch University nominated by the Vice-Chancellor to the Director General (which nomination has not been revoked by the Vice-Chancellor);
 - (p) a CEO, as defined in the *Port Authorities Act 1999* section 3(1), of a port authority or a member of staff, as defined in that subsection, of that port authority nominated by the CEO to the Director General (which nomination has not been revoked by the CEO);
 - (q) the chief executive officer of a department, as defined in the *Public Sector Management Act 1994* section 3(1), or a person employed in that department nominated by the chief executive officer to the Director General (which nomination has not been revoked by the chief executive officer);
 - (r) an Agency Head, as defined in the *Public Service Act 1999* (Commonwealth) section 7, or an APS employee of the Agency Head's Agency nominated by the Agency Head to the Director General (which nomination has not been revoked by the Agency Head);
 - (s) the Commissioner, as defined in the *Taxation Administration Act 1953* (Commonwealth) section 2(1), or a member of the staff referred to in section 4A of that Act nominated by the Commissioner to the Director General (which nomination has not been revoked by the Commissioner);

- (t) the person appointed Vice-Chancellor under the *University of Western Australia Act 1911* section 27, or any member of the staff of University of Western Australia nominated by the Vice-Chancellor to the Director General (which nomination has not been revoked by the Vice-Chancellor);
- (u) the chief executive officer of a college, as defined in the *Vocational Education and Training Act 1996* section 5(1), or an employee of a college nominated by the chief executive officer of the college to the Director General (which nomination has not been revoked by the chief executive officer).

6. Disclosure of photographs

For the purposes of the definition of ***law enforcement official*** in section 44AA of the Act, the following persons are prescribed —

- (a) the Commissioner, as defined in the *Australian Federal Police Act 1979* (Commonwealth) section 4(1);
- (b) the Commissioner, as defined in the *Corruption and Crime Commission Act 2003* section 3(1);
- (c) the Commissioner, as defined in the *Police Act 1990* (New South Wales) section 3(1);
- (d) the Commissioner, as defined in the *Police Act 1998* (South Australia) section 3;
- (e) the Commissioner, as defined in the *Police Administration Act* (Northern Territory) section 4(1);
- (f) the Chief Commissioner of Police appointed under the *Police Regulation Act 1958* (Victoria), section 4(1);
- (g) the Commissioner, as defined in the *Police Service Act 2003* (Tasmania) section 3;
- (h) the commissioner, as defined in the *Police Service Administration Act 1990* (Queensland) section 1.4.

**7. Road Traffic (Authorisation to Drive)
Regulations 2008 amended**

- (1) This regulation amends the *Road Traffic (Authorisation to Drive) Regulations 2008*.
- (2) Delete regulation 43.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401

EXOTIC DISEASES OF ANIMALS ACT 1993**IMPORT RESTRICTION ORDER NO. 1/2011—EXTENSION**

The Import Restriction Order made by the Minister for Agriculture and Food under section 24 of the *Exotic Diseases of Animals Act 1993* and published in the *Gazette* on 7 September 2011 is extended for a further period of 30 days from the publication of this notice.

TONY HIGGS, Chief Veterinary Officer.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994**COCKBURN SOUND CRAB FISHERY MANAGEMENT PLAN AMENDMENT 2011**

FD 2316/99 [1067]

Made by the Minister under section 54.

1. Citation

This instrument is the *Cockburn Sound Crab Fishery Management Plan Amendment 2011*.

2. Management plan amended

The amendments in this instrument are to the *Cockburn Sound Crab Fishery Management Plan 1995*.

3. Clause 10 amended

1. In clause 10(1) delete “1 April” and insert—

16 June

2. Delete clause 10(2) and insert—

(2) A person must not set or pull a crab pot in the waters of the Fishery at any time other than between 0300 and 1500 hours on any day.

4. Clause 16 replaced

Delete clause 16 and insert—

16. Minimum size

The holder of a licence or a person acting on that person's behalf must not take from the waters of the Fishery or be in possession of—

(a) any male crab which measures less than 130mm; or

(b) any female crab which measures less than 135mm,

when measured from tip to tip of the posterior carapace spikes.

Dated this 28th day of November 2011.

NORMAN MOORE, Minister for Fisheries.

FI402*

FISH RESOURCES MANAGEMENT ACT 1994**PROHIBITION ON RECREATIONAL FISHING FOR CRABS (COCKBURN SOUND) AMENDMENT ORDER 2011**

Order No. 15 of 2011

FD 1620/98 [1069]

Made by the Minister under section 43.

1. Citation

This instrument is the *Prohibition on Recreational Fishing for Crabs (Cockburn Sound) Amendment Order 2011*.

2. Order amended

The amendment in this instrument is to the *Prohibition on Recreational Fishing for Crabs (Cockburn Sound) Order 2006*.

3. Clause 3 amended

In clause 3 delete “May” and insert—
September

Dated this 28th day of November 2011.

NORMAN MOORE, Minister for Fisheries.

FI403***NORTHERN DEMERSAL SCALEFISH FISHERY MANAGEMENT PLAN 2000****Notice of Determination****Capacity of Area 2 of the Northern Demersal Scalefish Managed Fishery for the
2012 Licensing Period**

I, Stuart Smith, Director General of the Department of Fisheries, as CEO in accordance with Subclause 19(1) of the Northern Demersal Scalefish Fishery Management Plan 2000, do hereby determine the capacity of Area 2 of the Northern Demersal Scalefish Managed Fishery shall be limited to 985.6 fishing days for the period commencing 1 January 2012 and ending on 31 December 2013.

STUART SMITH, Director General,
as Chief Executive Officer.

Dated this 28th day of November 2011.

HERITAGE

HR401***HERITAGE OF WESTERN AUSTRALIA ACT 1990****ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES****PERMANENT REGISTRATIONS**

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

2/1 Australian General Hospital (ruins), Merredin at Lot 1450 Mackenzie Cr, Merredin and Lot 1452 Goldfields Rd, Merredin; Pt of Res 20811 being ptn of Lot 1450 on DP 193673 and being pt of the land contained in CLT V 3029 F 396; Pt of Res 2914 being ptn of Lot 1452 on DP 219868 and being pt of the land contained in CLT V 3018 F 219; as to those ptns labelled “M” on DP 71467.

AMENDMENTS TO CURTILAGE OF A PROPOSED REGISTERED PLACE

Notice is hereby given in accordance with Section 49(1) of the Heritage of Western Australia Act 1990 that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described below be entered in the Register of Heritage Place on a permanent basis. This proposal is for a smaller curtilage than previously advertised on 28 August 1992. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 13 January 2012. The smaller curtilage of this place will be entered in the Register on an interim basis with effect from today in accordance with Section 50(1) of the *Heritage of Western Australia Act 1990*.

Wubin Wheatbin (fmr) at Great Northern Highway, Wubin; Pt of Wubin Railway Reserve as shown on HCWA survey drawing 666 v3.

GRAEME GAMMIE, Executive Director, Office of Heritage,
108 Adelaide Terrace East Perth WA 6004.

Date 2 December 2011.

JUSTICE

JU401***JUSTICES OF THE PEACE ACT 2004****APPOINTMENT**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Louis Romeo Prospero of 2 Burley Griffen Mews, Joondalup

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401***DOG ACT 1976***Shire of Donnybrook-Balingup***APPOINTMENTS**

It is hereby notified for public information that the following persons have been appointed as 'authorised persons' for the Shire of Donnybrook-Balingup as pursuant to the *Dog Act 1976*.

- Mr Robert Jeffreys
- Mr Greg Harris
- Mr John Attwood
- Leigh Guthridge
- Mr Clive Howes
- Mr Matthew Stannard

All previous appointments are hereby cancelled.

J. R. ATTWOOD, Chief Executive Officer.
PO Box 94 Donnybrook WA 6239.

LG402***DOG ACT 1976***Shire of Donnybrook-Balingup***APPOINTMENTS**

It is hereby notified for public information that the following persons have been appointed as 'Registration Officers' for the Shire of Donnybrook-Balingup as pursuant to the *Dog Act 1976*.

- Mrs Lynelle Leathard
- Ms Tarnya Box
- Mrs Belinda Richards
- Ms Terina Ormsby
- Mrs Salena Lyons
- Ms Kira Williams
- Ms Jessie Cooper

All previous appointments are hereby cancelled.

J. R. ATTWOOD, Chief Executive Officer.
PO Box 94 Donnybrook WA 6239.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**GRANT OF PETROLEUM RETENTION LEASE WA-44-R**

Petroleum Retention Lease No. WA-44-R has been granted to Apache Energy Limited to have effect for a period of five (5) years from and including 23 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**GRANT OF PETROLEUM RETENTION LEASE WA-45-R**

Petroleum Retention Lease No. WA-45-R has been granted to Apache Energy Limited to have effect for a period of five (5) years from and including 23 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP403*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**GRANT OF PETROLEUM RETENTION LEASE WA-46-R**

Petroleum Retention Lease No. WA-46-R has been granted to Apache Energy Limited to have effect for a period of five (5) years from and including 23 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP404***MINING ACT 1978****INTENTION TO FORFEIT**

Department Mines and Petroleum,
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless an Unconditional Performance Bond for the under mentioned lease is lodged on or before 30 December 2011 it is the intention of the Minister for Mines and Petroleum under the provisions of section 97(1) of the *Mining Act, 1978* to forfeit such for breach covenant, being failure to lodge the Unconditional Performance Bond.

DIRECTOR GENERAL.

Number	Holder	MINING LEASE	Mineral Field
47/113	Corps; Darryl John		West Pilbara

MP405***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 30 December 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	EXPLORATION LICENCE	Mineral Field
E 28/1797	Chitty, Charles George		N. E. Coolgardie
E 39/1441	King Eagle Resources Pty Ltd		Mt Margaret
E 77/1720	Parry, Brenton Anthony		Yilgarn
		MINING LEASE	
M 15/1791	Chitty, Charles George		Coolgardie
M 53/1085	Glintan Pty Ltd		East Murchison
M 70/1048	Sachse, Paul Anthony Jones, Robert Joseph Couper, Barry James		South West

MP406***MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Meekatharra WA 6642.

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.

K. TAVENER, Warden.

To be heard by the Warden at MEEKATHARRA on 11 January 2012.

EAST MURCHISON MINERAL FIELD
MISCELLANEOUS LICENCES

L 53/41	Apex Gold Pty Ltd
L 53/42	Apex Gold Pty Ltd
L 53/43	Apex Gold Pty Ltd
L 53/44	Apex Gold Pty Ltd
L 53/45	Apex Gold Pty Ltd

PARLIAMENT

PA401***CITY OF GOSNELLS WASTE LOCAL LAW 2011**
Disallowance of local law

It is hereby notified for public information that the Legislative Council has disallowed the following Local Law made under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*—

The *City of Gosnells Waste Local Law 2011* published in the *Gazette* on 22 July 2011 and tabled in the Legislative Council on 10 August 2011.

Disallowance is effective on and from Thursday, 24 November 2011.

MALCOLM PEACOCK, Clerk of the Parliaments.

Date 24 November 2011.

PLANNING

PL401***PLANNING AND DEVELOPMENT ACT 2005**
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Wyalkatchem
Local Planning Scheme No. 4

Ref: TPS/0251

Notice is hereby given that the local government of the Shire of Wyalkatchem has prepared the abovementioned local planning scheme for the purpose of—

1. setting out the local government's planning aims and intentions for the scheme area;
2. setting aside land as reserves for public purposes;
3. zoning land within the scheme area for the purposes defined in the scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the scheme; and
7. addressing other matters set out in the First Schedule to the Town Planning Act.

Plans and documents setting out and explaining the local planning scheme have been deposited at Council Offices, corner Honour Avenue and Flint Street, Wyalkatchem and at the Western Australian Planning Commission, 140 William Street, Perth, and will be available for inspection during office hours up to and including 6 March 2012.

Submissions on the local planning scheme may be made in writing on Form No. 4 and lodged with the undersigned on or before 6 March 2012.

P. J. KOCIAN, Chief Executive Officer.

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 Hon R F Johnson MLA to act temporarily in the office of Treasurer; Attorney General in the absence of the Hon C C Porter MLA for the period 3 to 25 December 2011 (both dates inclusive).

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

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION ON THE REMUNERATION OF COURT REGISTRARS

PREAMBLE

The Tribunal has today issued a report under Section 7 of the *Salaries and Allowances Act 1975* to the Minister recommending an adjustment of 3.0 per cent effective from 1 January 2012 in the remuneration to be paid to Judges of the Supreme and District Courts, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission.

The Under Section 7 the report is required to be laid before each House of Parliament within five sitting days of the House after its receipt by the Minister. Either House of Parliament, within 15 sitting days of that House after a copy of the report has been laid before it, may pass a resolution disapproving a recommendation made by the Tribunal.

This determination provides for a 3.0 per cent increase to flow through to the linked positions of Registrar and Deputy Registrar in both the Supreme and District Courts.

CURRENT ENQUIRY

In discharging its statutory requirements with respect to the remuneration of the Registrars and Deputy Registrars of the Courts, the Tribunal's approach has been to—

- advertise for public submissions;
- write to key office holders; and
- consider relevant labour market and economic data.

This process provides an opportunity for members of the public, the Government, the office holders themselves or any other interested party to make a submission. It also helps to inform the Tribunal of changes which might have taken place in the roles or responsibilities of the office holders over the past year and other remuneration issues.

The Principal Registrar and the Registrars of the Supreme Court submitted that the registrars should receive the same percentage salary increase as is allowed to the judges and master of the Supreme Court. The submission also recommended that the current vehicle entitlements and travel allowances should continue.

CONSIDERATIONS

The Tribunal considered a range of economic data and commentary from peak economic bodies as detailed in the Tribunal's Recommendation Report Remuneration of Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission.

In view of the current economic climate and in consideration of the submissions received, the Tribunal has determined to maintain the existing relativities between the Registrars and members of the judiciary by determining a 3.0 per cent increase to the remuneration payable to the Registrars of the Supreme and District Courts.

DETERMINATION VARIATION

The determination of the Salaries and Allowances Tribunal made on 31 March 2011 under Sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975* (as varied from time to time) is hereby varied by a further determination, to make amendments set out below.

Insert and replace, as the case requires, in the Third Schedule the following—

COURT REGISTRARS

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975*, the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of the offices listed below effective from 1 January 2012.

POSITION	REMUNERATION
Supreme Court	
Principal Registrar	\$309,222
Registrar	\$273,837
District Court	
Principal Registrar	\$287,987
Registrar	\$270,599
Deputy Registrar	\$262,481

The remuneration is inclusive of Annual Leave Loading.

The holders of these offices have an entitlement to a motor vehicle under the conditions set out in the first Schedule, Part 3 of the determination of 31 March 2011 for holders of offices included in the Special Division of the Public Service and Prescribed Offices.

Dated at Perth this 25th day of November 2011.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SA402*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION ON THE REMUNERATION OF FULL-TIME SENIOR AND ORDINARY MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL

Section 6(1)(e) of the *Salaries and Allowances Act 1975* ("the Act") requires the Salaries and Allowances Tribunal ("the Tribunal"), at intervals of not more than twelve months, to inquire into and determine the remuneration to be paid to a person holding any office prescribed for this section.

BACKGROUND

The Tribunal has today issued a report under Section 7 of the Act to the Minister recommending an adjustment of 3.0 per cent effective from 1 January 2012 in the remuneration to be paid to Judges of the Supreme and District Courts, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission.

This determination provides for a remuneration increase of 3.0 per cent to flow through to the full-time Senior and Ordinary non-judicial Members of the State Administrative Tribunal ("Members").

CURRENT INQUIRY

In discharging its statutory requirements with respect to the remuneration of Members, the Tribunal's approach has been to—

- advertise for public submissions;
- write to key office holders; and
- consider relevant labour market and economic data.

This process provides an opportunity for members of the public, the Government, Members themselves or any other interested party to make a submission. It also helps to inform the Tribunal of changes which might have taken place in the roles or responsibilities of Members over the past year and other remuneration issues for Members.

Public Submissions

Public submissions were sought by advertisement in *The West Australian* with a closing date of Friday, 7 October 2011.

Invitation to Office Holders

The Tribunal wrote to the President of the State Administrative Tribunal, inviting submissions to its enquiry.

Labour Market and Economic Data

Relevant labour market and economic data were sought from a variety of sources. For example, the Tribunal sought current data on the Wage Price Index, Average Weekly Earnings, the Consumer Price Index and Total Employment Growth. Economic forecasts at a national and state level were also considered.

SUBMISSIONS

The Tribunal received a submission from Mr Maurice Spillane, Senior Member and Mr Jack Mansveld, Ordinary Member on behalf of the full-time Senior and Ordinary Members of the State Administrative Tribunal with a covering letter from Judge Timothy Sharp, Acting President of the State Administrative Tribunal.

The submission sought an adjustment to the remuneration of Members “in line with any increase that may be granted to other judicial officers in Western Australia”. The submission also proposed that entitlements to a motor vehicle for private use should continue as at present

CONSIDERATIONS

In exercising its statutory responsibilities, the Tribunal applies broad principles upon which levels of remuneration are determined for all categories of offices and positions coming within the scope of the Act. These principles, particularised to Members of the State Administrative Tribunal, have been applied by the Tribunal to make judgements with respect to the remuneration in this determination. These principles are—

- the value of Members to the state and our democratic system of government;
- measures of the “work value” of Members; and
- the level of remuneration of Members within the context of wage and salary rates applying generally in the community.

DETERMINATION

The Tribunal has adjusted the remuneration of Members in line with the framework of rates payable to judicial office holders and court registrars in Western Australia. The adjustment has taken into account levels of remuneration in other relevant jurisdictions and maintains existing relativities.

Motor Vehicle Entitlements

In the Tribunal’s 2010 Recommendation Report on Judicial Remuneration, it was noted that changes to the nominated benchmark vehicles by the manufacturers had “effectively adjusted the motor vehicle availability for the judiciary through factors outside the Tribunal’s control.” In order to avoid some of these market driven changes in the future, the Tribunal made the decision to nominate a notional dollar value rather than a benchmark vehicle for office holders.

This represents no real change to the existing entitlement of a motor vehicle for Members’ private use. The changes are designed to increase the choice of motor vehicles available to Members and to aid in the administration of the entitlement.

The Tribunal determines that the remuneration paid or provided to Senior and Ordinary Members of the State Administrative Tribunal will be as set out in the attached Schedule.

SCHEDULE**PART 1 Remuneration**

1.1 Remuneration shall be payable at the following rates to Senior and Ordinary full-time members effective from 1 January 2012.

POSITION	REMUNERATION
Senior full-time member	\$296,986
Ordinary full-time member	\$222,740

1.2 The remuneration is based on the offices being of a full-time nature. The salary specified in this Part shall be payable on a pro rata basis in accordance with the proportion of full-time hours worked subject to the employment being at least half of the full-time rate.

1.3 A person holding more than one Special Division or Prescribed Office, shall receive remuneration for one such office only, being the office classified or remunerated at the highest level.

PART 2 Motor Vehicles**Section 1 General**

1.1 In addition to the remuneration determined for the officers and persons holding offices listed in Part 1 of this Schedule, the office holders have an entitlement to a motor vehicle for private use provided through State Fleet in accordance with the criteria below.

1.2 The provision of vehicles remains an administrative responsibility of the relevant Government Department to manage in a cost effective manner.

1.3 An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage, however slight, should be reported to the Fleet Manager.

1.4 While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.

1.5 Should the officer choose not to use the vehicle, supplied through State Fleet, for business, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, he/she is not entitled to access another government vehicle for his/her private use.

1.6 The notional value of the lease per annum for Senior and Ordinary full-time members shall be the \$24,000.

1.7 Should the officer choose not to use the vehicle, supplied through State Fleet, for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, he/she is not entitled to access another government vehicle for his/her private use, including transport to and from work.

1.8 Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, he/she is not entitled to claim a mileage allowance for use of their private vehicle for work purposes. Neither is he/she entitled to access another government vehicle for their personal use including transport to and from work.

Section 2: Determining the Cost of the Lease and the Cost to the Office Holder

2.1 Where the total lease cost of the chosen vehicle and accessories exceeds the relevant motor vehicle benefit determined in this section, the additional cost must be borne by the office holder. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.

2.2 Where the cost of leasing a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in cost to Government is to be paid fortnightly as part of the individual's remuneration.

2.3 The method of determining whether an additional contribution must be made by the office holder or the surplus paid as part of salary, shall be based on the notional lease cost to Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.

2.4 The motor vehicle costs must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is:

$L + R + aD + \text{FBT}$, where

L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

2.5 FBT is costed at applicable Australian Taxation Office rates. For the year ending 31 March 2012, FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0647) x FBT rate (0.465).

2.6 Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

Section 3: Choice of Motor Vehicle

3.1 Where an office holder elects to access a leased vehicle under State Fleet arrangements, he/she may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.

3.2 Vehicles with V8 engines are not included. Turbo charged and super charged engines with a capacity greater than 3.0 litres are not included.

3.3 Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to receive the relevant cash value set out in section 4 below.

3.4 Motor vehicles leased for members shall not be changed prior to the expiration of the lease unless it is for operational reasons approved by the President of the State Administrative Tribunal in consultation with the relevant Government Department.

Section 4: Cash Value

4.1 Where a person elects not to be provided with a motor vehicle through State Fleet he/she is entitled to the cash value being paid fortnightly as additional remuneration. For that purpose, the full value of the vehicle is assessed at \$24,000 per annum.

4.2 The cash value of a motor vehicle and the notional whole of life value of a leased vehicle shall be payable on a pro rata basis in accord with the proportion of full-time hours worked by an office holder, subject to the employment being at least half of the full-time rate.

Dated at Perth this 25th day of November 2011.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SA403*

SALARIES AND ALLOWANCES ACT 1975**DETERMINATION VARIATION**

Department of Indigenous Affairs

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Director General, Department of Indigenous Affairs.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 31 March 2011 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

The variation is effective from the date of appointment.

Remove from Part 1 of the First Schedule the following—

OFFICE	DEPARTMENT OR AGENCY	SALARY	OFFICE HOLDER
Director General	Indigenous Affairs	\$238,641	P Walker

Include in Part 1 of the First Schedule the following—

OFFICE	DEPARTMENT OR AGENCY	SALARY	OFFICE HOLDER
Director General	Indigenous Affairs	\$215,000	C Weeks

Dated at Perth this 23rd day of November 2011.

W. S. COLEMAN AM,
Chairman.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SA404*

SALARIES AND ALLOWANCES ACT 1975**DETERMINATION VARIATION**

WA Electoral Commission

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Deputy Electoral Commissioner.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 31 March 2011 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

The variation is effective from 18 October 2011.

Remove from Part 1 of the First Schedule the following—

OFFICE	DEPARTMENT OR AGENCY	SALARY	OFFICE HOLDER
Deputy Electoral Commissioner	Western Australian Electoral Commission	\$141,419	L Sirkett

Include in Part 1 of the First Schedule the following—

OFFICE	DEPARTMENT OR AGENCY	SALARY	OFFICE HOLDER
Deputy Electoral Commissioner	Western Australian Electoral Commission	\$141,419	C Avent

Dated at Perth this 23rd day of November 2011.

W. S. COLEMAN AM,
Chairman.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Any creditors having claims on the estate of the late Percy Mofflin of Woodlake Aged Care Facility, 40 Woodlake Retreat, Kingsley in the State of Western Australia, deceased 16 August 2011, are required to send particulars of their claims to Steven Brown and Jacqueline Brown, executors, Lynn & Brown Lawyers, PO Box 1114, Morley, WA 6943 by 6 January 2012, after which date the executors may distribute the assets having regard only to the claims of which they then have notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Claimants and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estate of Bernard Ralph Francis, who died on 10/10/11, are required by the Solicitor for the Executor, David Kirchner of Templar Legal Pty Ltd, PO Box 8243, Subiaco East, 6008, to send particulars of such claims to him within 30 days of this notice. After such date, the Executor may convey or distribute the assets of the above mentioned Estate, having regard only to the claims of which the Executor then has notice.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Trustees Act 1962 in the estate of Reginald Henry Coppins who died on 26 October 2011, of Frank Prendergast House, 27 Pearson Drive, Success in 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 said deceased person are required by the Executor of the deceased's estate being Russell Henry Coppins, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming Western Australia, to send particulars of their claims to him by the 30 December 2011, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX404*

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 2 January 2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bednarz, Edmund late of 23 Hassett Street, Colverdale 6105 died 14 February 2011 (DE 33089846 EM13)

Bell, Ian George late of Italian Aged Care 33 Kent Road, Marangaroo 6064 died 29 October 2011 (DE 19942351 EM32)

Bennett, Tima also known as Thelma Bennett late of 441 Rokeby Road, Subiaco 6008 died 22 September 2011 (DE 19753247 EM213)

Blitz, Julianus late of 23 Erpingham Road, Hamilton Hill 6163 died 23 October 2011 (DE 19962634 EM16)

Bywaters, Marjorie Thelma late of Seaforth Gardens, Aged Care 2542 Albany Highway, Gosnells 6110 died 13 October 2011 (DE 19850826 EM110)

Cox, Arthur Edwin late of 86 Modillion Avenue, Riverton 6148 died 23 October 2011 (DE 19980335 EM17)

Darrington, Roland Kenneth late of 137 William Street, Beckenham 6107 died 18 September 2011 (DE 19972710 EM16)

Fulford, Irene May late of 221 Surrey Road, Rivervale 6103 died 3 November 2011 (DE 19551109 EM22)

Greenwell, Sylvia Joan formerly of Unit 8, 146 Strickland Street, Bunbury WA 6230 late of Bethanie Elanora Nursing Home, 37 Hastie Street, Bunbury WA 6230 died 24 October 2011 (DE 19754561 EM36)

Lehmann, Charlotte late of Regis Aged Care 118-120 Monash Avenue, Nedlands WA 6009 died 17 November 2011 (DE 20010943 EM36)

Parfitt, Jean late of 91a Wichmann Road, Attadale 6156 died 26 October 2011 (DE 198742410 EM15)

Penfold, Naomi Olive late of John Bryant House, 95 Rawlinson Drive, Marangaroo WA 6064 (DE 19990069 EM38)

Robinson, June Constance formerly for 2B Nields Street, Ferndale 6148 late of Carrington Aged Care Facility Ivermey Road, Hamilton Hill 6163 died 15 November 2011 (DE 33083802 EM26)

Woods, Norman Owen late of 27 Shaftebury Avenue, Bayswater 6053 died 4 May 2010 (DE 33092525 EM36)

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

ZX405*

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 2 December 2011.

BRIAN ROCHE, Public Trustee,
565 Hay Street,
Perth WA 6000.

Name of Deceased	Address	Date of Death	Date Election Filed
Vivian Henry Daniels	95 Rawlinson Drive Marangaroo	20 June 2009	25 November 2011
George Thomas Beasy	1 French Road Melville	23 January 2011	25 November 2011
Gwenyth Lorraine Whitaker	17 Boreham Street Cottesloe	29 August 2011	22 November 2011

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