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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2012

**Gazettes will not be published on Friday, 6 April or
Tuesday, 10 April 2012.**



A Gazette will be published on Thursday, 5 April at noon.
Copy closes at noon on Tuesday, 3 April.



The next Gazette published will be on Friday, 13 April at noon.
Copy closes at noon on Wednesday, 11 April.



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR ANZAC DAY 2012

Due to the public holiday on Wednesday, 25 April 2012,
Copy will close at **noon on Tuesday, 24 April** for the
Gazette published on **Friday, 27 April**.

— PART 1 —

PROCLAMATIONS

AA101*

MANSLAUGHTER LEGISLATION AMENDMENT ACT 2011

No. 58 of 2011

PROCLAMATION

Western Australia
By His Excellency
Malcolm James McCusker,
Companion of the Order of Australia,
Commander of the Royal Victorian Order,
Queen's Counsel,
Governor of the State of Western Australia
M. J. McCUSKER
Governor

[L.S.]

I, the Governor, acting under the *Manslaughter Legislation Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 7 March 2012.

By Command of the Governor,

CHRISTIAN PORTER, Attorney General.

AA102*

STATE SUPERANNUATION AMENDMENT ACT 2011

No. 35 of 2011

PROCLAMATION

Western Australia
By His Excellency
Malcolm James McCusker,
Companion of the Order of Australia,
Commander of the Royal Victorian Order,
Queen's Counsel,
Governor of the State of Western Australia
M. J. McCUSKER
Governor

[L.S.]

I, the Governor, acting under the *State Superannuation Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix 30 March 2012 as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 7 March 2012.

By Command of the Governor,

CHRISTIAN PORTER, Treasurer.

AA103*

INDUSTRIAL LEGISLATION AMENDMENT ACT 2011

No. 53 of 2011

PROCLAMATION

Western Australia
By His Excellency
Malcolm James McCusker,
Companion of the Order of Australia,
Commander of the Royal Victorian Order,
Queen's Counsel,
Governor of the State of Western Australia
M. J. McCUSKER
Governor

[L.S.]

I, the Governor, acting under the *Industrial Legislation Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix 1 April 2012 as the day on which the provisions of that Act, other than Part 1, come into operation.

Given under my hand and the Public Seal of the State on 7 March 2012.

By Command of the Governor,

S. O'BRIEN MLC, Minister for Commerce.

Note: Under the *Employment Dispute Resolution Amendment Regulations 2012* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Industrial Legislation Amendment Act 2011* sections 52 and 54 come into operation.

Note: Under the *Industrial Relations Commission Amendment Regulations 2012* regulation 2(b), regulations 6 and 7 of those regulations come into operation on the day on which the *Industrial Legislation Amendment Act 2011* section 23 comes into operation.

CONSUMER PROTECTION

CP301*

Retail Trading Hours Act 1987

**Retail Trading Hours (City of Albany)
Variation Order No. 3 of 2012**

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

1. Citation

This order is the *Retail Trading Hours (City of Albany) Variation Order No. 3 of 2012*.

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: April 2012

General retail shops within the City of Albany 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
Monday 9 April 2012	From 8.00am until 6.00pm

SIMON O'BRIEN, Minister for Commerce.

EDUCATION

ED301*

Vocational Education and Training Act 1996

Vocational Education and Training (General) Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Vocational Education and Training (General) Amendment Regulations 2012*.

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 *Vocational Education and Training (General) Regulations 2009*.

4. Regulation 26 amended

- (1) After regulation 26(2) insert:
 - (3A) Subregulation (2) does not apply if the Council considers that special circumstances exist that warrant the Council giving a WA registered provider a notice under this regulation.
- (2) In regulation 26(3):
 - (a) in paragraph (b) delete “personal details” and insert:

name, date of birth and gender
 - (b) in paragraph (d) delete “personal details” and insert:

name, date of birth and gender

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

HEALTH

HE301*

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

Hospitals (Services Charges for Pathology Services) Determination 2012

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

1. Citation

This determination is the *Hospitals (Services Charges for Pathology Services) Determination 2012*.

2. Commencement

This determination comes into operation as follows —

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

3. Terms used

In this determination —

MBS amount, for a pathology service, means the amount of the fee specified in the item for that pathology service in the Medicare Benefits Schedule;

Medicare Benefits Schedule means the Medicare Benefits Schedule published by the Commonwealth, as that Schedule is in force on the day on which clause 4 comes into operation.

4. Charges payable for pathology services

The charge payable in respect of a pathology service specified in the Medicare Benefits Schedule is —

- (a) if the service is rendered to —
 - (i) a private in-patient; or
 - (ii) a compensable in-patient; or
 - (iii) a private nursing home type patient; or
 - (iv) an ineligible in-patient; or
 - (v) a compensable day patient; or
 - (vi) an ineligible day patient; or
 - (vii) a compensable out-patient; or
 - (viii) an ineligible out-patient; or
 - (ix) a private same day patient; or
 - (x) a compensable same day patient; or
 - (xi) an ineligible same day patient,the MBS amount for the service; or
- (b) if the service is rendered to a private pathology out-patient — 85% of the MBS amount for the service.

K. HAMES, Minister for Health.

INDUSTRIAL RELATIONS

IR301*

Employment Dispute Resolution Act 2008

Employment Dispute Resolution Amendment Regulations 2012

Made by the Chief Commissioner under the *Employment Dispute Resolution Act 2008* section 31 and the *Industrial Relations Act 1979* section 113.

1. Citation

These regulations are the *Employment Dispute Resolution Amendment Regulations 2012*.

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 — when the *Industrial Legislation Amendment Act 2011* sections 52 and 54 come into operation.

3. Regulations amended

These regulations amend the *Employment Dispute Resolution Regulations 2008*.

4. Regulation 4 replaced

Delete regulation 4 and insert:

**4. Meaning of “Commonwealth enterprise agreement”
(EDR Act section 3)**

An AWA, within the meaning of that term in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Commonwealth), is prescribed for the purposes of the definition of *Commonwealth enterprise agreement* in the EDR Act section 3(1).

5. Regulation 7 amended

In regulation 7(1) delete “27(1) or (2)” and insert:

27

6. Regulation 10 amended

In regulation 10 delete “27(1) or (2)” and insert:

27

7. Schedule 1 amended

In Schedule 1 Form 1:

- (a) delete “s. 27(1) or (2)” and insert:

s. 27

- (b) delete “**or model dispute resolution process**”;

- (c) delete “**Application** [Tick one box]” and insert:

Application

- (d) delete the passage that begins with “I apply” and ends with “27(2)” and insert:

I apply to have a dispute resolution process conducted by the Commission under the *Employment Dispute Resolution Act 2008* section 27

- (e) delete “**Commonwealth workplace agreement**” and insert:

Commonwealth enterprise agreement

A. R. BEECH, Chief Commissioner.

Date: 27 January 2012.

IR302*

Construction Industry Portable Paid Long Service Leave Act 1985

Industrial Relations Commission Amendment Regulations 2012

Made by the Chief Commissioner under the *Construction Industry Portable Paid Long Service Leave Act 1985* section 50 and the *Industrial Relations Act 1979* section 113.

1. Citation

These regulations are the *Industrial Relations Commission Amendment Regulations 2012*.

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* (**gazettal day**);
- (b) regulations 6 and 7 — when the *Industrial Legislation Amendment Act 2011* section 23 comes into operation;
- (c) the rest of the regulations — on the day after gazettal day.

3. Regulations amended

These regulations amend the *Industrial Relations Commission Regulations 2005*.

4. Regulation 97 amended

In regulation 97(1) delete “referral, hearing and determination of matters to” and insert:

referral of matters to, or the hearing or determination of matters by,

5. Regulation 99C replaced

Delete regulation 99C and insert:

99C. Application of certain regulations

- (1) The provisions of these regulations that are set out in the Table to this subregulation apply to the referral of

disputes or matters to, or the hearing or determination of disputes or matters by, the Tribunal as if the references in the provisions to the Commission were references to the Tribunal.

Table

Part 2 except r. 8(1), (3) and (4)	r. 102
Part 3 except r. 13(3)(a) and 28	r. 103
(2) Subregulation (1) applies —	
(a) except as otherwise provided by this Part; and	
(b) in a particular case subject to the direction of the Tribunal.	

6. Regulation 102A inserted

At the end of Part 11 Division 1 insert:

102A. Review of decisions of the Construction Industry Long Service Leave Payments Board

- (1) In this regulation —

Board has the meaning given in the *Construction Industry Portable Paid Long Service Leave Act 1985* section 3(1);

reviewable decision has the meaning given in the *Construction Industry Portable Paid Long Service Leave Act 1985* section 50(1).
- (2) A reviewable decision may be referred for review to the Commission under the *Construction Industry Portable Paid Long Service Leave Act 1985* section 50 by lodging, within 21 days from the date of that decision, a notice of referral in the form of Form 9B.
- (3) A person who lodges a notice of referral under subregulation (2) must, upon the return to him or her of the stamped copies of the notice, serve a stamped copy on —
 - (a) the chief executive officer of the Board; and
 - (b) each other person who was a party to the proceedings before the Board.
- (4) Unless in a particular case the Chief Commissioner otherwise directs, the Registrar is to present a notice of referral to the Chief Commissioner for allocation of the matter as soon as practicable after the notice is lodged.
- (5) Subject to subregulation (6), the filing of a notice of referral lodged under subregulation (2) stays the operation of the reviewable decision concerned

pending the determination of the review of that decision.

- (6) On application by any person referred to in subregulation (3)(b), the Commission may, subject to such conditions as it may determine, direct that a reviewable decision that is referred for review continues to operate according to its tenor pending the determination of the review.
- (7) A person who lodges an application under subregulation (6) must, upon the return to him or her of the stamped copies of the application, serve a stamped copy on —
 - (a) the chief executive officer of the Board; and
 - (b) each other person who was a party to the proceedings before the Board.

7. Schedule 1 amended

In Schedule 1 after Form 9A insert:

Form 9B — Notice of review of a decision of the Construction Industry Long Service Leave Payments Board

[r. 102A(2)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

Notice of review of a decision of the Construction Industry Long Service Leave Payments Board

To: The Construction Industry Long Service Leave Payments Board

.....
.....

(name, address and telephone number of respondent/s)

TAKE NOTICE THAT

(name, address and telephone number of applicant)

has this day referred the decision of the Construction Industry Long Service Leave Payments Board

.....
(give details of the decision)

given on the day of 20

for review to the Commission under the *Construction Industry Portable Paid Long Service Leave Act 1985* section 50 on the following grounds:

.....

(attach schedule if necessary)

.....
 (signature of applicant)

(Stamp of Commission)

A. R. BEECH, Chief Commissioner.

Date: 27 January 2012.

JUSTICE

JU301*

Fines, Penalties and Infringement Notices Enforcement Act 1994

Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2012*.

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 *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

4. Schedule 1 amended

In Schedule 1 insert in alphabetical order:

Associations Incorporation Act 1987

Business Names Act 1962

Charitable Collections Act 1946

Chattel Securities Act 1987

Companies (Co-operative) Act 1943

Credit Act 1984

Credit (Administration) Act 1984

Debt Collectors Licensing Act 1964

Employment Agents Act 1976

Fair Trading Act 2010

Hire-Purchase Act 1959

Land Valuers Licensing Act 1978

Motor Vehicle Dealers Act 1973

Motor Vehicle Repairers Act 2003

Real Estate and Business Agents Act 1978

Residential Tenancies Act 1987

Retail Trading Hours Act 1987

Rights in Water and Irrigation Act 1914

Settlement Agents Act 1981

Street Collections (Regulation) Act 1940

Sunday Entertainments Act 1979

Travel Agents Act 1985

Waterways Conservation Act 1976

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

MINERALS AND PETROLEUM

MP301*

Dangerous Goods Safety Act 2004

**Dangerous Goods Safety (General) Amendment
Regulations 2012**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Goods Safety (General) Amendment Regulations 2012*.

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 April 2012.

3. Regulations amended

These regulations amend the *Dangerous Goods Safety (General) Regulations 2007*.

4. Part 6 inserted

After regulation 13 insert:

Part 6 — Miscellaneous matters**14. Fees, Chief Officer may reduce etc.**

If, in the circumstances of a particular case in which a fee is payable under the Act, the Chief Officer thinks it is fair or reasonable to do so, he or she may reduce, or refund or waive all or part of, the fee.

15. Licences, Chief Officer may synchronise duration of and date for payment of annual fees for

- (1) In this regulation —
licence means —
- (a) any of these licences granted under the *Dangerous Goods Safety (Explosives) Regulations 2007* —
 - (i) an explosives import/export licence;
 - (ii) an explosives manufacture licence;
 - (iii) an explosives manufacture (MPU) licence;
 - (iv) an explosives storage licence;
 - (v) an explosives transport licence;
 - (vi) an explosives supply licence;
 - (b) any of these licences granted under the *Dangerous Goods Safety (Security Risk Substances) Regulations 2007* —
 - (i) an SRS import/export licence;
 - (ii) an SRS manufacture licence;
 - (iii) an SRS storage licence;
 - (iv) an SRS transport licence;
 - (v) an SRS supply licence;
 - (vi) an SRS fertiliser licence;
 - (c) a licence granted under the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* Part 4;
 - (d) a registration for a dangerous goods pipeline granted under the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* Part 5.
- (2) This regulation operates despite the following —
- (a) the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 167;
 - (b) the *Dangerous Goods Safety (Security Risk Substances) Regulations 2007* regulation 35;
 - (c) the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* regulations 34 and 97.
- (3) If a person holds 2 or more licences, the Chief Officer, with the person's consent —
- (a) may reduce the duration of one or more of them in order that all of them will, due to the passage of time, expire simultaneously; and

- (b) may set for all or some of the licences one date in each year as the date on which any fee payable each year for each licence is due (the *due date*).
- (4) If under subregulation (3)(a) the Chief Officer decides to reduce the duration of a licence —
- (a) he or she must cancel the licence and issue a replacement in identical terms that specifies the date on which the licence will expire; and
 - (b) the reduction takes effect on the day on which the replacement licence is issued.
- (5) If under subregulation (3)(b) the Chief Officer decides to set a due date, he or she must give the holder of the licences written notice of —
- (a) the due date; and
 - (b) each licence to which the due date applies; and
 - (c) each fee to which the due date applies.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

MP302*

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Security Risk Substances) Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Goods Safety (Security Risk Substances) Amendment Regulations (No. 2) 2012*.

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 April 2012.

3. Regulations amended

These regulations amend the *Dangerous Goods Safety (Security Risk Substances) Regulations 2007*.

4. Regulation 3 amended

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

annual fee, for a licence, means the annual fee in Schedule 1 for the licence;

5. Regulation 30 amended

Delete regulation 30(1)(c) and insert:

- (c) be accompanied by the annual fee payable for the first year of the licence; and

6. Regulation 32 amended

In regulation 32(3) before “fee.” insert:

annual

7. Regulation 35 amended

Delete regulation 35(1) and insert:

- (1A) In this regulation —
existing licence means a licence that, immediately before 1 April 2012, is in effect.
- (1B) This regulation is subject to the *Dangerous Goods Safety (General) Regulations 2007* regulation 15.
- (1C) Each existing licence has effect for 5 years commencing on —
 - (a) if it has never been renewed, the date on which it was issued; or
 - (b) if it has been renewed, the date on which the last renewal took effect,unless it is cancelled in that period.
- (1D) A licence issued on or after 1 April 2012 has effect for 5 years unless it is cancelled in that period.

8. Regulation 41 replaced

Delete regulation 41 and insert:

41. Licences, renewal of

- (1) The Chief Officer must renew a licence that is about to expire due to the passage of time (the *existing licence*) unless —
 - (a) the holder of the existing licence is dead or, being a body corporate or partnership, is dissolved; or
 - (b) the holder of the existing licence does not want it renewed; or
 - (c) if the existing licence relates to a place specified in it, a licence is not needed for the place; or
 - (d) the annual fee payable for the first year of the new licence has not been paid.
- (2) To renew an existing licence the Chief Officer must grant a new licence that has effect immediately after the existing licence expires and the terms of which are the same as those of the existing licence.

9. Regulation 42 amended

- (1) In regulation 42(1)(b)(i) delete “the terms of”.
- (2) Delete regulation 42(2) and insert:
 - (2) Grounds to suspend or cancel a licence exist if —
 - (a) the holder is convicted in this State or elsewhere of a relevant offence; or
 - (b) the holder has not paid an annual fee for the licence in accordance with regulation 46A; or
 - (c) the holder has not paid a fee in accordance with the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* regulation 34.

10. Regulation 46A inserted

At the beginning of Part 10 Division 4 insert:

46A. Annual fees for licences

- (1) In this regulation —

grace period means the 3 month period referred to in subregulation (3).

- (2) An annual fee is not payable under this regulation in respect of a licence if the licence relates to a place specified in it and a fee is payable under the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* regulation 34 in respect of the place.
- (3) The holder of a licence must pay the annual fee for the licence before, on or within 3 months after —
- (a) if under the *Dangerous Goods Safety (General) Regulations 2007* regulation 15 the Chief Officer has set a due date for the licence — the due date in each year;
 - (b) in any other case, each anniversary of —
 - (i) if the licence has never been renewed, the date on which it was granted; or
 - (ii) if the licence has been renewed, the date on which the last renewal took effect.
- (4) If an annual fee is paid in the grace period, the holder must pay, with the annual fee, a late payment fee equal to 10% of the fee.

11. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Annual fees

[r. 3]

Item	Annual fee	Fee (\$)
1.	Annual fee for a licence (r. 30(1)(c) and 46A) —	
	(a) SRS import/export licence	163
	(b) SRS manufacture licence	306
	(c) SRS storage licence	143
	(d) SRS transport licence	153
	(e) SRS supply licence	133
	(f) SRS fertiliser licence	51

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

MP303*

Dangerous Goods Safety Act 2004

**Dangerous Goods Safety (Explosives)
Amendment Regulations (No. 3) 2012**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Goods Safety (Explosives) Amendment Regulations (No. 3) 2012*.

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 April 2012.

3. Regulations amended

These regulations amend the *Dangerous Goods Safety (Explosives) Regulations 2007*.

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

annual fee, for a trading licence, means the annual fee in Schedule 1 for the licence;

trading licence means —

- (a) an explosives import/export licence; or
- (b) an explosives manufacture licence; or
- (c) an explosives manufacture (MPU) licence; or
- (d) an explosives storage licence; or
- (e) an explosives transport licence; or
- (f) an explosives supply licence;

5. Regulation 157 amended

(1) Delete regulation 157(1)(c) and insert:

- (c) if the application is not for a trading licence, be accompanied by the fee; and

- (da) if the application is for a trading licence, be accompanied by the annual fee payable for the first year of the licence applied for; and
- (2) After regulation 157(1) insert:
- (2A) An annual fee is not payable under subregulation (1)(da) if the licence would relate to a place and a fee would be payable under the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* regulation 34 in respect of the place if the licence were issued.
- 6. Regulation 163 amended**
- (1) In regulation 163(2)(a) delete “licence” and insert:
- licence, or an explosives storage licence,
- (2) In regulation 163(3)(a) delete “licence” and insert:
- licence, or an explosives storage licence,
- 7. Regulation 167 amended**
- Delete regulation 167(1) and insert:
- (1A) In this regulation —
existing trading licence means a trading licence that, immediately before 1 April 2012, is in effect.
- (1B) This regulation is subject to the *Dangerous Goods Safety (General) Regulations 2007* regulation 15.
- (1C) Each existing trading licence has effect for 5 years commencing on —
- (a) if it has never been renewed, the date on which it was issued; or
- (b) if it has been renewed, the date on which the last renewal took effect,
- unless it is cancelled in that period.
- (1D) A trading licence issued on or after 1 April 2012 has effect for 5 years unless it is cancelled in that period.

- (1) A licence other than a trading licence has effect on and from the date it is issued —
 - (a) for the period specified in it, being 3 years or less; or
 - (b) until it is cancelled in that period.

8. Regulation 172 amended

- (1) Delete regulation 172(3)(c) and insert:
 - (c) if the proposed amendment relates to an explosives storage licence and would increase the maximum quantity of explosives specified in it to a quantity that would mean a greater annual fee is payable for the licence than has already been paid — a fee equal to the difference between —
 - (i) the greater annual fee; and
 - (ii) the fee already paid,adjusted proportionally for the remaining part of the year to which the annual fee relates; and
- (2) After regulation 172(3) insert:
 - (4A) A fee is not payable under subregulation (3)(c) if a fee is payable under the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* regulation 34 in respect of the site to which the licence relates.
- (3) After regulation 172(9) insert:
 - (9) If an explosives storage licence is amended to reduce the maximum quantity of explosives specified in it to a quantity that would mean a lower annual fee is payable for the licence, the licence holder is entitled to a refund of the difference between —
 - (a) the annual fee already paid; and
 - (b) the lower annual fee,adjusted proportionally for the remaining part of the year for which the annual fee was paid.

9. Regulation 173 amended

(1) Before regulation 173(1) insert:

(1A) This regulation does not apply to a trading licence.

(2) Delete regulation 173(3)(i) and insert:

(i) be accompanied by the fee; and

(3) In regulation 173(4) delete “licence referred to in regulation 157(7),” and insert:

fireworks contractor licence,

10. Regulation 174A inserted

After regulation 173 insert:

174A. Trading licences, renewal of

- (1) The Chief Officer must renew a trading licence that is about to expire due to the passage of time (the *existing trading licence*) unless —
- (a) the holder of the existing trading licence is dead or, being a body corporate or partnership, is dissolved; or
 - (b) the holder of the existing trading licence does not want it renewed; or
 - (c) if the existing trading licence relates to a place specified in it, a trading licence is not needed for the place; or
 - (d) the annual fee payable for the first year of the new trading licence has not been paid.
- (2) To renew an existing trading licence the Chief Officer must grant a new trading licence that has effect immediately after the existing trading licence expires and the terms of which are the same as those of the existing trading licence.

11. Regulation 174 amended

In regulation 174(2):

(a) in paragraph (b) delete “regulations.” and insert:

regulations; or

(b) after paragraph (b) insert:

- (c) the holder has not paid a fee in relation to the licence in accordance with the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* regulation 34.

12. Regulation 179A inserted

Before regulation 179 insert:

179A. Annual fees for trading licences

- (1) In this regulation —
grace period means the 3 month period referred to in subregulation (3).
- (2) An annual fee is not payable under this regulation in respect of a trading licence if the licence relates to a place specified in it and a fee is payable under the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* regulation 34 in respect of the place.
- (3) The holder of a trading licence must pay the annual fee for the licence before, on or within 3 months after —
- (a) if under the *Dangerous Goods Safety (General) Regulations 2007* regulation 15 the Chief Officer has set a due date for the licence — the due date in each year;
- (b) in any other case, each anniversary of —
- (i) if the licence has never been renewed, the date on which it was granted; or
- (ii) if the licence has been renewed, the date on which the last renewal took effect.
- (4) If an annual fee is paid in the grace period, the holder must pay, with the annual fee, a late payment fee equal to 10% of the fee.

13. Regulation 184 deleted

Delete regulation 184.

14. Regulation 187 replaced

Delete regulation 187 and insert:

187. Fees to be paid annually

The fees payable under this Part by the holder of a licence referred to in this Part for use of an SEF must be paid in advance —

- (a) if the holder was lawfully using the SEF immediately before 1 May 2012, before 1 May in each year;
- (b) in any other case, before —
 - (i) the first day on which the holder is authorised to use the SEF; and
 - (ii) subsequently, before 1 May in each year.

15. Regulation 188 amended

In regulation 188:

- (a) delete “or part of a year”;
- (b) delete paragraph (a) and insert:
 - (a) if the SEF is a type A facility — the greater of —
 - (i) \$3 187; or
 - (ii) \$8.45 per m² or part thereof of the area of land occupied by the holder at the SEF other than for storing explosives;

16. Regulation 189 amended

In regulation 189:

- (a) delete “or part thereof”;
- (b) delete paragraph (a)(i) and (ii) and insert:
 - (i) if the licence authorises the storage of less than 100 kg of explosive — \$200;
 - (ii) if the licence authorises the storage of 100 kg or more but not more than 1 000 kg of explosive — \$200 plus \$1.70 for each 10 kg or part thereof over 100 kg authorised by the licence;

(c) delete paragraph (b) and insert:

- (b) if the explosive is stored in a magazine provided by the holder at a type A facility — \$305 for each 1 000 kg or part thereof of the official capacity of the magazine;

17. Regulation 190 amended

In regulation 190(2):

(a) delete “or part thereof”;

(b) delete paragraph (a) and insert:

(a) if the SEF is a type A facility — the greater of —

(i) \$3 187; or

(ii) \$8.45 per m² or part thereof of the area of land occupied by the holder at the SEF other than for storing explosives;

18. Schedule 1 amended

(1) Delete Schedule 1 item 5(a), (b), (c), (d), (e) and (g).

(2) After Schedule 1 item 5 insert:

6A. Annual fee for a trading licence (r. 157(1)(da) and 174A) —

(a) explosives import/export licence	163
(b) explosives manufacture licence	347
(c) explosives manufacture (MPU) licence	800
(d) explosives storage licence —	
(i) for less than 1 t of explosives	102
(ii) for 1 t or more but less than 5 t of explosives	123
(iii) for more than 5 t of explosives	327
(e) explosives transport licence	817
(f) explosives supply licence	56

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

MP304*

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Major Hazard Facilities) Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Goods Safety (Major Hazard Facilities) Amendment Regulations 2012*.

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 April 2012.

3. Regulations amended

These regulations amend the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007*.

4. Regulation 26 amended

- (1) In regulation 26(1)(b) delete “Schedule 3.” and insert:

Schedule 3 clause 1.

- (2) Delete regulation 26(2).

5. Regulations 33 and 34 inserted

After regulation 32 insert:

33. Classes of major hazard facility for purposes of fees

- (1) For the purposes of Schedule 3, major hazard facilities are to be classified under this regulation.
- (2) A Class A facility is any major hazard facility at which Schedule 1 substances are used in, or produced by means of, an industrial production process that the Chief Officer determines is a process of high complexity.

- (3) A Class B facility is any major hazard facility at which Schedule 1 substances are used in, or produced by means of, an industrial production process that the Chief Officer determines is a process of medium complexity.
- (4) A Class C facility is —
- (a) any major hazard facility at which Schedule 1 substances are used in, or produced by means of, an industrial production process that the Chief Officer determines is a process of low complexity; or
 - (b) any major hazard facility at which Schedule 1 substances —
 - (i) are stored but not used in, or produced by means of, an industrial production process; and
 - (ii) in the view of the Chief Officer, are frequently handled.
- (5) A Class D facility is any major hazard facility at which Schedule 1 substances —
- (a) are stored but not used in, or produced by means of, an industrial production process; and
 - (b) in the view of the Chief Officer, are infrequently handled.

34. Annual fee for major hazard facilities

- (1) In this regulation —
- former regulation** means —
- (a) the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 184; or
 - (b) the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* regulation 134,
- as in force immediately before 1 April 2012;
- grace period** means, as the case requires —
- (a) the one month period referred to in subregulation (4); or
 - (b) the 3 month period referred to in subregulation (6);
- site licence** means —
- (a) an explosives manufacture licence, or an explosives storage licence, granted under the *Dangerous Goods Safety (Explosives) Regulations 2007* in respect of a dangerous goods site; or

- (b) an SRS manufacture licence, or an SRS storage licence, granted under the *Dangerous Goods Safety (Security Risk Substances) Regulations 2007* in respect of a dangerous goods site; or
 - (c) a licence granted under the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* Part 4 in respect of a dangerous goods site.
- (2) The holder of a site licence granted in respect of a dangerous goods site that is a major hazard facility must pay for each year the relevant annual fee specified in Schedule 3 clause 2.
- (3) An annual fee payable under subregulation (2) must be paid annually.
- (4) The first annual payment must be made before, on or within one month after —
 - (a) if the site licence is in force immediately before 1 April 2012 — the date on which the first quarterly payment would have had to be made after 31 March 2012 by the holder under the relevant former regulation;
 - (b) in any other case — 28 days after the date on which both of these conditions are satisfied —
 - (i) the site is subject to a site licence; and
 - (ii) a safety report for the site is approved under Part 5.
- (5) If the date referred to in subregulation (4)(a) or (b) (**date A**) is not the date, or an anniversary of the date, on which the site licence is granted (**date B**), then, despite subregulation (2), the Chief Officer may reduce the first annual payment to an amount that is in proportion to the period that begins on date A and ends on date B.
- (6) Each subsequent annual payment must be made before, on or within 3 months after —
 - (a) if under the *Dangerous Goods Safety (General) Regulations 2007* regulation 15 the Chief Officer has set a due date for the site licence — the due date in each year;
 - (b) in any other case — the anniversary of the date on which the first annual payment has to be made under subregulation (4).
- (7) If under subregulation (4) or (6) a fee (including a fee reduced under subregulation (5)) is paid in the grace

period, the holder must pay, with the fee, a late payment fee equal to 1% of the fee.

6. Schedule 3 replaced

Delete Schedule 3 and insert:

Schedule 3 — Fees

[r. 26 and 34]

1. Safety reports, fees for approval of (r. 26)

The relevant fee to be paid under regulation 26 for an application for approval of a safety report for a major hazard facility is the fee in the Table relevant to the class of the facility.

Table

Class of facility under r. 33	Fee (\$)
Class A	80 000
Class B	40 000
Class C	40 000
Class D	20 000

2. Annual fees for major hazard facilities (r. 34)

The relevant annual fee to be paid under regulation 34 in respect of a major hazard facility is the fee in the Table relevant to the class of the facility.

Table

Class of facility under r. 33	Fee (\$)
Class A	80 000
Class B	40 000
Class C	40 000
Class D	20 000

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Rights in Water and Irrigation Act 1914

**Rights in Water and Irrigation Exemption
(Section 26C) Order 2012**

Made by the Governor in Executive Council under section 26C of the Act.

1. Citation

This order is the *Rights in Water and Irrigation Exemption (Section 26C) Order 2012*.

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. Term used: proclaimed area

In this order —

proclaimed area means an area proclaimed under section 26B of the Act.

4. Exemption from sections 5C and 26B(3) to (6)

- (1) Sections 5C and 26B(3) to (6) of the Act do not apply in relation to a non-artesian well situated, or to be situated, in a proclaimed area if the well is used, or to be used, to take water solely for the purpose of monitoring either or both of the following —
 - (a) water levels;
 - (b) water quality.
- (2) For the purposes of this order, all proclaimed areas are specified.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

— PART 2 —

CEMETERIES

CE401*

CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD

Amendment to Cremation Fees

In pursuance of the powers conferred by section 53 of the Cemeteries Act 1986, the Metropolitan Cemeteries Board hereby records having resolved on 23 February 2012, to set the following fees for Cremation, **effective from 4 April 2012**.

The fees shall be payable upon application for services at Pinnaroo Valley Memorial Park, Rockingham Regional Memorial Park, and Karrakatta, Fremantle, Midland, and Guildford Cemeteries detailed hereunder.

Fees and charges include 10% GST.

Cremation Fees		Fees (inc GST)
Adult	Includes Lounge/Chapel for 1 hour	\$950.40
Adult	Direct delivery to crematorium, or 1 hr in Garden Chapel (Karrakatta), or 30 min service in Dench Chapel, Central Committal area	\$796.40
Child	Under 13 years, includes 1 hour use of Chapel and Lounge	\$608.30
Infant	Under 2 years, includes urn and selected chapels for 30 minutes	\$228.80
Infant	Under 2 years, includes urn and no chapel service	\$147.40
Adult	Pre-Need Cremation Agreement	\$995.50

CONSUMER PROTECTION

CP401*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 1 March 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

ESPERANCE ORGANISED PRIMARY PRODUCERS CO-OPERATIVE LIMITED

WILL MORGAN, Deputy Registrar of Co-operatives.

CP403*

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 who uses any place between 12.00 noon and 12.00 midnight on Good Friday, 6 April 2012, for the screening or viewing of any motion picture considered appropriate for public exhibition under the *Classification (Publications, Films and Computer Games) Enforcement Act 1996*.

SIMON O'BRIEN MLC, Minister for Commerce.

CP402*

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, 6 April 2012.

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.

CORRECTIVE SERVICES

CS401*

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

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

Surname	First Name(s)		Permit Number	Date Permit Revoked
Mowbray	Colin	Frederick	11-0287	28/02/2012

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

COLIN BRANDIS, Manager Court Security & Custodial Services Contract.

CULTURE AND THE ARTS

CZ401*

STATE RECORDS ACT 2000**APPOINTMENT**

The Governor has been pleased to appoint Justine McDermott under section 58(d) of the *State Records Act 2000* to be a member of the State Records Commission for a term of three years commencing on and from 24 March 2012.

CATHRIN CASSARCHIS, State Archivist and
Executive Director State Records.

EDUCATION

ED401*

SCHOOL EDUCATION ACT 1999**HIGHER SCHOOL LEAVING AGE OPTIONS ORDER (1) 2012**

Made by the Minister for Education under section 11(2) and (3) of the *School Education Act 1999*.

1. Citation

This is the *Higher School Leaving Age Options Order (1) 2012*.

2. Prescribed courses and providers

(1) A course specified in column 1 of the table to this clause being a course that does not otherwise come within section 11(1) (b) of the *School Education Act 1999* is prescribed as a course for the purposes of that subsection.

(2) The person or body specified in column 2 of the table to this clause opposite and corresponding to a course referred to in column 1 of the table is specified as the provider for that course.

TABLE

<i>Column 1</i> Course	<i>Column 2</i> Provider	Location
Certificate I (Introductory) in General Education for Adults	Communicare Inc	Kenwick
Certificate I in General Education for Adults		
Certificate II in General Education for Adults		

Dated this 26th day of February 2012.

Dr ELIZABETH CONSTABLE MLA, Minister for Education.

FIRE AND EMERGENCY SERVICES

FE401***BUSH FIRES ACT 1954**

TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Chief Operations Officer of the Fire and Emergency Services Authority of Western Australia, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 9 March 2012, for the local government districts of—

Carnamah; Chapman Valley; Coorow; Dalwallinu; Dandaragan; Greater Geraldton; Irwin; Koorda; Northampton; Mingenew; Moora; Morawa; Perenjori; Three Springs; Victoria Plains; Wongan-Ballidu.

Date: 9 March 2012.

GARY KENNEDY, Assistant Chief Operations Officer of the Fire and Emergency Services Authority of Western Australia, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Authority of Western Australia Act 1998*.

FE402***BUSH FIRES ACT 1954**

TOTAL FIRE BAN

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Chief Operations Officer of the Fire and Emergency Services Authority of Western Australia, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 10 March 2012, for the local government districts of—

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

Date: 10 March 2012.

GARY KENNEDY, Assistant Chief Operations Officer of the Fire and Emergency Services Authority of Western Australia, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Authority of Western Australia Act 1998*.

FE403*

BUSH FIRES ACT 1954**TOTAL FIRE BAN**

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Chief Operations Officer of the Fire and Emergency Services Authority of Western Australia, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 12 March 2012, for the local government districts of Esperance, Jerramungup and Ravensthorpe.

Date: 12 March 2012.

GARY KENNEDY, Assistant Chief Operations Officer
of the Fire and Emergency Services Authority of
Western Australia, as a sub-delegate of the Minister
under section 16 of the *Fire and Emergency Services
Authority of Western Australia Act 1998*.

LOCAL GOVERNMENT

LG401*

HEALTH ACT 1911*City of Armadale***HEALTH FEES AND CHARGES**

Notice is hereby given that, pursuant to the provisions of Section 344C of the *Health Act 1911*, the Council of the City of Armadale at its meeting of 20th February 2012 resolved that, effective from 1st July 2012, the following registration fees will apply—

Registration of Lodging Houses

- | | |
|--|-------|
| • New Premises (maximum fee) | \$308 |
| • Renewals Paid by 30 June (early payment incentive) | \$277 |
| • Renewals Paid after 30 June | \$308 |

R. S. TAME, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

MINING ACT 1978**INSTRUMENT OF CANCELLATION OF EXEMPTION OF LAND**

The Minister responsible for the *Mining Act 1978* pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby cancels the exemption of land described hereunder.

Description of Land

Land designated S19/321 in the Tengraph electronic plan of the Department of Mines and Petroleum. A geospatial description is filed at pages 50 and 51 of Department of Mines and Petroleum File No. T2149/200901.

Area of Land

718.5199 hectares

Locality

Gindalbie

Dated at Perth this 2nd day of March 2012.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

MP402***MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
KALGOORLIE WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following 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 Kalgoorlie on 4 May 2012.

EAST COOLGARDIE MINERAL FIELD

Prospecting Licences

P 26/3401	KB GOLD PTY LTD
P 26/3402	KB GOLD PTY LTD
P 26/3696	YAMARNA GOLDFIELDS NL
P 26/3697	YAMARNA GOLDFIELDS NL
P 26/3698	YAMARNA GOLDFIELDS NL

N. E. COOLGARDIE MINERAL FIELD

Prospecting Licences

P 27/1868	KESLI CHEMICALS PTY LTD
P 27/1869	KESLI CHEMICALS PTY LTD
P 27/1870	KESLI CHEMICALS PTY LTD
P 27/1871	KESLI CHEMICALS PTY LTD
P 27/1872	KESLI CHEMICALS PTY LTD
P 27/1902	KESLI CHEMICALS PTY LTD
P 27/1903	KESLI CHEMICALS PTY LTD
P 27/1904	KESLI CHEMICALS PTY LTD
P 27/1905	KESLI CHEMICALS PTY LTD
P 27/1906	KESLI CHEMICALS PTY LTD
P 27/1907	KESLI CHEMICALS PTY LTD
P 27/1908	KESLI CHEMICALS PTY LTD
P 27/1909	KESLI CHEMICALS PTY LTD
P 27/1910	KESLI CHEMICALS PTY LTD
P 27/1911	KESLI CHEMICALS PTY LTD
P 27/1912	KESLI CHEMICALS PTY LTD
P 27/1913	KESLI CHEMICALS PTY LTD
P 27/1914	KESLI CHEMICALS PTY LTD
P 27/1950-S	KIELHAUSER, Manfred
P 27/1952	ROGERS, Sharon Marie
P 27/1982	DOYLE, Michael Laurence John SMITH, Ross William
P 27/1983	DOYLE, Michael Laurence John SMITH, Ross William

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

P 29/2094	REGAL RESOURCES LTD
P 29/2095	REGAL RESOURCES LTD
P 29/2096	REGAL RESOURCES LTD

MP403*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
KALGOORLIE WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following 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 Kalgoorlie on 4 May 2012.

BROAD ARROW MINERAL FIELD
Prospecting Licence

P 24/4509 COLLARD, Brendon Mark

MP404*

MINING ACT 1978
FORFEITURE

Department of Mines and Petroleum,
PERTH WA 6000.

I hereby declare in accordance with the provisions of section 96A of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant, being non payment of rent.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

<i>Number</i>	<i>Holder</i>	<i>Mineral Field</i>
	Exploration Licence	
63/1402	ILMENITE RESOURCES PTY LTD	Dundas

MP405*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
MT. MAGNET WA 6638.

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.

KEVIN TAVENER, Warden.

To be heard by the Warden at Mt. Magnet on 3 May 2012.

EAST MURCHISON MINERAL FIELD
Prospecting Licence

P 57/1231 ROWE, Heather Ione

MP406***MINING ACT 1978**
RESTORATION OF MINING LEASEDepartment of Mines and Petroleum,
PERTH WA 6000.

In accordance with section 97A of the *Mining Act 1978*, I hereby cancel the forfeiture of the undermentioned mining lease previously forfeited for non payment of fine/penalty and restore the mining lease to the former holder.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

<i>Number</i>	<i>Holder</i>	<i>Mineral Field</i>
		Mining Lease
80/247	3D RESOURCES LTD	Kimberley

MP407***MINING ACT 1978**
FORFEITUREDepartment of Mines and Petroleum,
PERTH WA 6000.

I hereby declare in accordance with the provisions of sections 96A and 97 of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant, being non payment of rent.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

<i>Number</i>	<i>Holder</i>	<i>Mineral Field</i>
		Exploration Licence
77/1720	PARRY; Brenton Anthony	Yilgarn

PLANNING**PL401*****PLANNING AND DEVELOPMENT ACT 2005**
APPROVED LOCAL PLANNING SCHEME AMENDMENT*Shire of Northam*

Town Planning Scheme No. 3—Amendment No. 25

Ref: TPS/0473

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Northam local planning scheme amendment on 1 March 2012 for the purpose of—

1. Amending the Scheme Map, insofar as it relates to Lots 1 and 2 Chitty and Augustini Roads, Northam by removing the land from the “Agriculture—Local Zone” and including it within the “Rural Smallholding Zone”.
2. Inserting within the boundary of the Rural Smallholding Zone created in accordance with paragraph 1. the number RSH 21.
3. Amending the Scheme Text at Schedule 11—Rural Smallholding Zone by inserting a new entry as Number 21 as follows—

No.	Description of Land	Conditions
21	Lots 1 and 2 Chitty and Augustini Roads, Bakers Hill.	1. Subdivision shall generally be in accordance with the Subdivision Guide Plan prepared for the subject land as adopted by the local government and endorsed by the Western Australian Planning Commission and any approved modification thereto.

No.	Description of Land	Conditions
		<p>2. Second hand transportable dwellings shall not be permitted.</p> <p>3. The subdivider shall prepare and implement an Environmental Management Plan to the satisfaction and approval of the local government prior to the subdivision of the land. The plan shall include—</p> <ul style="list-style-type: none"> (a) vegetation protection except that necessary to provide for the provision of roads, other infrastructure and building development within building envelopes as approved by the local government; (b) drainage and nutrient management; and (c) ‘Watercourse Protection Areas’ the extents of which are to be determined after consultation with the relevant government agency, and where the following will apply— <ul style="list-style-type: none"> • Except with the approval of the local government, the clearing of trees except for the purpose of fire-breaks or fences is prohibited and, in order to assist in reducing erosion, planting of vegetation indigenous to the area shall be undertaken by the subdivider to the satisfaction of the local government; • except with the approval of the local government and only after consultation with the relevant authority, the construction of dams or artificial retention flow, pumping, diversion of water or modification of stream course bed or banks is prohibited; • development of buildings or other structures is not permitted; and • with the intention of preventing degradation of the streams and their contiguous areas, the keeping of livestock in the area is prohibited and the area is to be fenced to preclude livestock; (d) The areas identified for protection and rehabilitation, including revegetated areas, are to be maintained by the owners in accordance with the adopted Environmental Management Plan. There shall be no planting of non- indigenous species outside of the building envelope of each lot. The keeping of livestock shall not be permitted in these areas which are to be fenced to exclude stock where approval has been granted on adjacent land for the keeping of livestock. <p>4. Any application for a rural pursuit that involves the stabling and keeping of stock (including horses) is to be accompanied by a stock management plan to the satisfaction and approval of the local government. The stock management plan shall require all native vegetation and any area recognised for protection or rehabilitation in the Environmental Management Plan to be fenced.</p> <p>5 All buildings and on-site waste water treatment and disposal are to be confined to the building envelope for each lot. All building envelopes shall be—</p> <ul style="list-style-type: none"> (a) shown on the Subdivision Guide Plan; (b) located to avoid as far as practicable, the removal of any native vegetation or any area recognised for protection or rehabilitation identified on the Subdivision Guide Plan or the Environmental Management Plan; and (c) located to ensure that on-site waste water treatment and disposal facilities meet the minimum setback requirements from watercourses and wetlands. <p>6. The subdivider shall prepare a Fire Management Plan that identifies the need for, and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local government and the relevant government agency.</p>

No.	Description of Land	Conditions
		<p>The approved Fire Management Plan shall be implemented, as appropriate, incrementally consistent with staging of the subdivision or prior to the subdivision of the land as the case may require.</p> <p>7. All lots to be provided with a reticulated water supply.</p> <p>8. Stormwater drainage shall be controlled through appropriate drainage systems to avoid erosion and discharge while maintaining natural flow of discharge at pre-development levels and shall be to the satisfaction and specifications of the local government. The storm automation system should be designed in accordance with the guidelines contained within the 'Stormwater Management Manual of WA' (Department of Water 2004).</p> <p>9 The permissibility of uses shall be—</p> <p>(a) Dwelling (Single) (P)</p> <p>(b) Additional Accommodation (P)</p> <p>(c) Home Occupation (D): and</p> <p>(d) Rural Pursuit (D)</p> <p>All other uses are not permitted (X).</p> <p>10. These conditions are to read in conjunction with the Scheme requirements for the Rural Smallholdings Zone. In the event of any conflict, the provisions of this Schedule shall prevail.</p> <p>11. Landscape buffers are to be provided and maintained along the Chitty Road to preserve the rural amenity to the satisfaction of the Local Government.</p> <p>12. Stocking rates shall not exceed those recommended by the Department of Agriculture.</p> <p>13 At the time of subdivision application, the Shire will request the subdivider to upgrade both Chitty Road and Augustini Road to the satisfaction of the local government.</p>

S. B. POLLARD, Shire President.
N. A. HALE, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Kwinana
Town Planning Scheme No. 2—Amendment No. 136

Ref: TPS/0760

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of Kwinana local planning scheme amendment on 14 February 2012 for the purpose of—

1. Modifying the Subdivision Guide Plan for Special Rural Zone No. 2 to allow for the subdivision of Lots 7 and 10 Robinson Road and Lot 133 Stefanelli Close, Wandii.
2. Renaming "Subdivision Guide Plan No. 2 (Special Rural Zone No. 2) dated June 2008" to "Subdivision Guide Plan No. 2 (Special Rural Zone No. 2) dated November 2010 for Special Rural Zone No. 2" and modifying the Development Conditions of Special Rural Zone No. 2 under the Second Schedule of the Scheme to reflect this.
3. Including an additional provision within the Second Schedule—Special Rural Zone No. 2, of the Scheme that states "All dwellings within Special Rural Zone No. 2 shall be constructed to the Australian Standard—Construction of Buildings in Bush Fire Prone Areas".

C. E. ADAMS, Mayor.
N. P. HARTLEY, Chief Executive Officer.

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 1962*, relates) in respect of the estate of Susan Laura Maria Janon, late of 2 Dale Street, South Fremantle, Western Australia, who died on the 7th day of February 2011, are required by the personal representatives of care of Culshaw Miller Lawyers, Suite 2, Ground Floor, 2 Victoria Avenue, Perth, Western Australia to send particulars of their claims to them by the 16th day of April 2012, after which date the personal representatives may convey or 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

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

Allsop, Kathleen Jean formerly of Unit 8/80 Mooroo Drive, Claremont WA 6010 late of Kimberley Nursing Home, 78 Kimberley Street, Leederville 6007 died 13 February 2012 (DE 33088085 EM36)

Carson, Michael Joseph also known as Alias late of 127 Varden Street, Kalgoorlie 6430 died 29 December 2011 (DE 19912735 EM23)

Davis, Harvey Joseph late of 47/16 Freedman Road, Menora 6050 died 17 February 2012 (DE 19652318 EM13)

Parker, Eileen May late of Unit 1 186 Kew Street, Kewdale WA 6105 died 9 February 2012 (DE 19702004 EM24)

Gissane, George Joseph late of Unit 12/19-23 Glyde Street, Mosman Park 6012 died 13 January 2012 (DE 33095109 EM110)

Kessell, Elizabeth Elaine late of Carinya Nursing Home, 220 Preston Point Road, Bicton 6157 died 21 January 2012 (DE 19883371 EM35)

Sharpless, Brian James late of 195 West Coast Drive, North Beach 6020 died 22 January 2012 (DE 19620802 EM26)

Sherlock, Rene Mary late of Banksia Tourist and Park Home Village, 74/219 Midland Road, Midland died 27 January 2012 (DE 33095342 EM32)

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

ZX403*

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 16th day of March 2011.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Frank Elliott (DE 3305992 EM15)	3/18 Knutsford Street, Fremantle	30 November 2011	8 March 2012

PUBLIC NOTICES

ZZ401

DISPOSAL OF UNCOLLECTED GOODS ACT 1970
DISPOSAL OF UNCOLLECTED GOODS

Notice under Part vi of intention to apply to court for an order to sell or otherwise dispose of goods valued in excess of \$300.

To Mr Aaron Haworth, Bailor—

1. You were given notice on 24 November 2011 that the following goods: Mazda 323 Hatch, Registration GNG 902, situated at Automasters South Fremantle, 219 Hampton Road, corner of Douro Road, South Fremantle WA 6162 was ready for delivery.
2. Unless not more than one month after the date of the giving of this notice you either take the redelivery of the goods or give directions for their redelivery, Peter Cicchini of Automasters South Fremantle, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

Dated: 9 March 2012.

PETER CICCHINI, Bailee.

WESTERN AUSTRALIA

CONTAMINATED SITES ACT 2003***Price: \$17.35 plus postage**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

MOTOR VEHICLE REPAIRERS ACT 2003***Price: \$28.30 plus postage**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

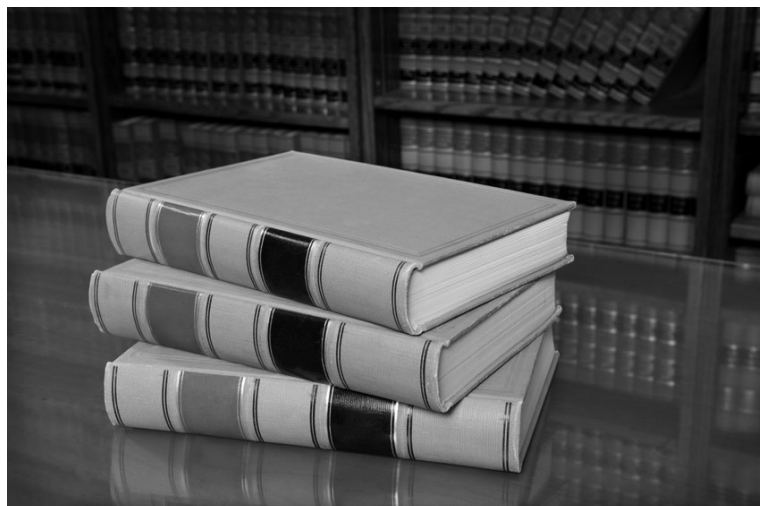
LEGAL PROFESSION ACT 2008***Price: \$57.30 plus postage**

* Prices subject to change on addition of amendments.



WESTERN AUSTRALIA

LAW ALMANAC 2012



**Cost: \$19.65 (incl. GST)
(plus postage)**

AVAILABLE FROM:

STATE LAW PUBLISHER

10 WILLIAM ST, PERTH

PHONE: 9426 0000

FAX: 9321 7536

www.slp.wa.gov.au