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— PART 1 —

PROCLAMATIONS

AA101*

RESTRAINING ORDERS AMENDMENT ACT 2011

No. 32 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*

[L.S.]

M. J. McCUSKER
Governor

I, the Governor, acting under the *Restraining Orders 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 17 April 2012.

By Command of the Governor,

CHRISTIAN PORTER, Attorney General.

JUSTICE

JU301*

Restraining Orders Act 1997

Restraining Orders Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Restraining Orders 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 *Restraining Orders Regulations 1997*.

4. Schedule 1 amended

- (1) In Schedule 1 under the heading “**Table of forms**” after the item relating to Form 13 insert:

14A.	Application to have final order under section 32(2) of the Act set aside	Section 32(5)
------	--	---------------

- (2) Delete Schedule 1 Form 2 Parts A to D and insert:

Form 2 — Violence restraining order
Part A — Violence restraining order

<small>Restraining Orders Act 1997 s. 29, 32, 43, 49 and 63</small> Violence Restraining Order		Number: _____ Jurisdiction: _____ Location: _____
Person who is bound by this order	Family name: _____ Date of birth: _____ Other names: _____ Home street: _____ address: suburb: _____ postcode: _____ Work street: _____ address: suburb: _____ postcode: _____ Phone nos.: work: _____ home: _____	
Person protected	Family name: _____ Date of birth: _____ Other names: _____	
Type of order	The order is <input type="checkbox"/> for 72 hours or less <input type="checkbox"/> an interim order <input type="checkbox"/> a final order	
Terms of this order		
Information about unlawful behaviour and activities	In addition to the terms of this order, the court informs you that the following behaviour and activities are unlawful: _____ _____	
Order made	Date order made: _____	Time order made: _____
Registrar		Date: _____

Form 2 — Violence restraining order

Part B — Information to be on the copy of order given to the person who is bound by the order

**IMPORTANT INFORMATION
FOR PERSON BOUND BY THIS ORDER****If the order is for 72 hours or less**

A violence restraining order has been made against you for 72 hours or less on the terms set out on the front of this order. This order came into force when it was served on you, or at a later time, if this is specified on the front of this order. You must comply with this order until the end of the duration period set out in the order.

Penalty: It is an offence to breach a violence restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both. If you breach the order in the presence of a child with whom you are in a family and domestic relationship (e.g. your child, your partner's child or a child who ordinarily resides with you) the court sentencing you will consider this an aggravating factor.

Counselling and support services may be of assistance to you.

If the order is an interim order

An interim violence restraining order has been made against you on the terms set out on the front of this order. This order came into force when it was served on you, or a later time, if this is specified on the front of this order, and it will remain in force until a final order is made or a court decides not to make a final order. You must comply with this order at all times while it is in force.

You have an opportunity to object to the order before it becomes a final order.

If you want to object to this order being made final you must fill in the "Objection" section on the back of the other copy of this order and return it to the court within 21 days from the date this order was served on you. The court will then arrange a final order hearing at which it will consider anything you want to say before deciding whether to make a final violence restraining order. The court will let you know where and when the final order hearing will be held.

If you do not object to this order being made final you should fill in the "Consent" section on the back of the other copy of this order and return it to the court within 21 days from the date this order was served on you. You will then not need to attend a final order hearing and the order will automatically become a final order which remains in force for the period specified in the order, or —

- (a) if no period is specified and you are not a child, for 2 years; or
- (b) if no period is specified and you are a child, for 6 months,

from the date this interim order was served on you.

If you do nothing and do not fill in and return the other copy of this order within 21 days the court will assume that you do not object and the interim order **will automatically become a final order**.

Penalty: It is an offence to breach a violence restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

If the order is a final order

A final violence restraining order has been made against you on the terms set out on the front of this order.

This order came into force when it was served on you, or a later time, if this is specified on the front of this order, and it will remain in force until it expires or is varied or cancelled by a court. You must comply with this order at all times while it is in force.

If there is a duration specified in the order the order expires at the end of the specified period.

If there is no duration specified in the order the order expires:

- if it was made at a final order hearing and —

- (a) you are not a child, 2 years; or
- (b) you are a child, 6 months,

after this final order comes into force; or

- if it was a telephone order which became a final order because you did not object, 3 months, or any shorter period specified in the order, after the telephone order was served on you.

If, in the future, you want the order varied or cancelled you may apply to the court. If you would like more information about doing this you should consult your lawyer or the registrar of the court.

Penalty: It is an offence to breach a violence restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

Additional information about conviction for breaching the order

Note 1: If you are convicted of breaching this order, the fact that the person protected by the order aided you in the breach is not a mitigating factor for the purposes of your sentencing (see the *Restraining Orders Act 1997* section 61B(2)).

Note 2: If you are convicted of breaching this order and you have been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before your conviction for breaching this order, **you will face a penalty that is or includes imprisonment (or, if you are a child, detention)** unless the court decides under section 61(6) of the Act not to impose such a penalty.

Affidavit evidence may be provided on request

If you, or the person protected by this order, request a copy of any affidavit received in evidence in relation to this order the registrar of the court where the application for the order was made is to provide a copy of the affidavit to the person who made the request.

**THIS ORDER COMES INTO FORCE IMMEDIATELY IF YOU WERE
PRESENT IN COURT WHEN IT WAS MADE**

Form 2 — Violence restraining order

Part C — Information to be on the respondent's endorsed copy of the order

IMPORTANT INFORMATION**FOR THE PERSON WHO IS BOUND BY THIS ORDER**

For interim orders only

If you object to this interim order being made final you must fill in the "Objection" section below and return this copy of the order to the court within 21 days of the date it was served on you.

If you do not object to this order being made final you must fill in the "Consent" section below and return this copy of the order to the court within 21 days of the date it was served on you.

Remember if you do nothing and do not fill in and return this copy of the order to the court within 21 days this interim order will automatically become a final order.

Objection	
Order	Restraining Order No.: Court of Issue:
Family name:	Date of birth:
Other names:	
Address: street: suburb: postcode:	
Will you be represented by a lawyer at the final order hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes: Lawyer's name: Lawyer's firm:	
How many witnesses (including yourself) do you intend to call? _____	
Does this interim order prevent you from —	
• going to where you normally live?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• having contact with your children?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• going to where you work or otherwise prevent you from doing your job?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• being in possession of a firearm which is essential for your job?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Signature:	Date:

OR

Consent	
Order	Restraining Order No.: Court of Issue:
Family name:	Date of birth:
Other names:	
Address: street: suburb: postcode:	
I do not object to a final order being made on the same terms as this interim order. I understand that this interim order will automatically become a final order which will stay in force for the period specified in the order, or —	
(a) if no period is specified and I am not a child, for 2 years; or	
(b) if no period is specified and I am a child, for 6 months,	
from the date on which this interim order was served on me.	
Signature:	Date:

Form 2 — Violence restraining order

Part D — Information to be on the copy of the order given to the person protected by the order

IMPORTANT INFORMATION**FOR THE PERSON PROTECTED BY THIS ORDER****If the order is for 72 hours or less**

A violence restraining order has been made to protect you for 72 hours or less on the terms set out on the front of this order. This order will come into force when it is served on the person who is bound by this order, or at a later time, if this is specified on the front of this order. The person who is bound by this order must comply with this order until the end of the duration period set out in the order.

Penalty: It is an offence to breach a violence restraining order. If the person bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

If the order is an interim order	
<p>An interim violence restraining order has been made to protect you on the terms set out on the front of this order. This order will come into force when it is served on the person bound by this order, or at a later time, if this is specified on the front of this order, and it will remain in force until a final order is made or a court decides not to make a final order. The person who is bound by this order must comply with this order at all times while it is in force.</p> <p>The person who is bound by this order has 21 days within which to object to the order before it becomes a final order.</p> <p>If the person who is bound by this order does object you will need to attend a final order hearing. At that hearing the court will consider anything you and the person who is bound by this order want to say before deciding whether to make a final restraining order. The court will let you know if a final order hearing is to be held and where and when you need to attend. Even if the person who is bound by this order does object, this interim order will remain in force until the final order hearing.</p> <p>If the person who is bound by this order does not object this order will automatically become a final order which remains in force for the period specified in the order, or —</p> <p>(a) if no period is specified and the person bound by the order is not a child, for 2 years; or</p> <p>(b) if no period is specified and the person bound by the order is a child, for 6 months,</p> <p>from the date this interim order was served on the person bound by this order. You will then not need to attend a final order hearing.</p> <p>Penalty: It is an offence to breach a violence restraining order. If the person who is bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.</p> <p>Counselling and support services may be of assistance to you.</p>	
If the order is a final order	
<p>A final violence restraining order has been made to protect you on the terms set out on the front of this order. This order will come into force when it is served on the person who is bound by this order, or at a later time, if this is specified on the front of this order, and it will remain in force until it expires or is varied or cancelled by a court. The person who is bound by this order must comply with this order at all times while it is in force.</p> <p>If there is a duration specified in the order the order expires at the end of the specified period.</p> <p>If there is no duration specified in the order the order expires:</p> <ul style="list-style-type: none"> • if it was made at a final order hearing and — <ul style="list-style-type: none"> (a) you are not a child, 2 years; or (b) you are a child, 6 months, • if it was a telephone order which became a final order because the person who is bound by the order did not object, 3 months (or any shorter time specified in the order) after the telephone order was served on the person who is bound by the order. <p>If, in the future, you want the order varied or cancelled you may apply to the court. The person who is bound by this order may also apply to have the order varied or cancelled. If you would like more information about doing this you should consult your lawyer or the registrar of the court.</p> <p>Penalty: It is an offence to breach a violence restraining order. If the person who is bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.</p> <p>Counselling and support services may be of assistance to you.</p>	
Additional information about breaching the order	
<p>Note 1: If the person bound by this order breaches it and you aid the person in that breach, you will not commit an offence however the court might decide to vary or cancel the order (see the <i>Restraining Orders Act 1997</i> section 61B(3) and (4)).</p> <p>Note 2: If the person who is bound by this order is convicted of breaching the order and the person has been convicted of at least 2 other offences under the <i>Restraining Orders Act 1997</i> section 61(1) or (2a) within the period of 2 years before the conviction for breaching this order, the person will face a penalty that is or includes imprisonment (or, if the person is a child, detention) unless the court decides under section 61(6) of the Act not to impose such a penalty.</p>	
Affidavit evidence may be provided on request	
	<p>If you, or the person bound by this order, request a copy of any affidavit received in evidence in relation to this order the registrar of the court where the application for the order was made is to provide a copy of the affidavit to the person who made the request.</p>
THIS ORDER COMES INTO FORCE IMMEDIATELY IF THE PERSON WHO IS BOUND BY THE ORDER WAS PRESENT IN COURT WHEN IT WAS MADE	

(3) In Schedule 1 Form 3 Part A delete “Signature:”.

(4) Delete Schedule 1 Form 3 Parts B and C and insert:

Form 3 — Section 63A violence restraining order

Part B — Information to be on the copy of the order given to the person who is bound by the order

**IMPORTANT INFORMATION
FOR THE PERSON WHO IS BOUND BY THIS ORDER****Section 63A violence restraining order**

A violence restraining order has been made against you under section 63A of the *Restraining Orders Act 1997*. The order is in the terms set out on the front of this order. This order came into force when it was served on you, or at a later time, if this is specified on the front of this order. You must comply with this order for the rest of your life.

Penalty: It is an offence to breach a violence restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both. If you breach the order in the presence of a child with whom you are in a family and domestic relationship (eg. your child, your partner's child or a child who ordinarily resides with you) the court sentencing you will consider this an aggravating factor.

Note 1: If you are convicted of breaching this order, the fact that the person protected by the order aided you in the breach is not a mitigating factor for the purposes of your sentencing (see the *Restraining Orders Act 1997* section 61B(2)).

Note 2: If you are convicted of breaching this order and you have been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before your conviction for breaching this order, **you will face a penalty that is or includes imprisonment (or, if you are a child, detention)** unless the court decides under section 61(6) of the Act not to impose such a penalty.

Counselling and support services may be of assistance to you.

THIS ORDER COMES INTO FORCE IMMEDIATELY IF THE PERSON WHO IS BOUND BY THE ORDER WAS PRESENT IN COURT WHEN IT WAS MADE

Form 3 — Section 63A violence restraining order

Part C — Information to be on the copy of the order given to the person protected by the order

**IMPORTANT INFORMATION
FOR THE PERSON WHO IS PROTECTED BY THIS ORDER****Section 63A violence restraining order**

A violence restraining order has been made to protect you under section 63A of the *Restraining Orders Act 1997*. The order is in the terms set out on the front of this order. This order came into force when it was served on the person who is bound by the order, or at a later time if this is specified on the front of this order. The person who is bound by this order must comply with this order for the rest of his or her life.

Penalty: It is an offence to breach a violence restraining order. If the person who is bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

Note 1: If the person bound by this order breaches it and you aid the person in that breach, you will not commit an offence however the court might decide to vary or cancel the order (see the *Restraining Orders Act 1997* section 61B(3) and (4)).

Note 2: If the person who is bound by this order is convicted of breaching this order and the person has been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before the conviction for breaching this order, the person will face a penalty that is or includes imprisonment (or, if the person is a child, detention) unless the court decides under section 61(6) of the Act not to impose such a penalty.

Counselling and support services may be of assistance to you.

THIS ORDER COMES INTO FORCE IMMEDIATELY IF THE PERSON WHO IS BOUND BY THE ORDER WAS PRESENT IN COURT WHEN IT WAS MADE

- (5) In Schedule 1 Form 4 delete “Signature of registrar.” (each occurrence) and insert:

Registrar:

- (6) In Schedule 1 Form 5 Part A delete “Signature:”.
- (7) Delete Schedule 1 Form 5 Parts B and C and insert:

Form 5 — Misconduct restraining order

Part B — Information to be on the copy of the order given to the person who is bound by the order

**IMPORTANT INFORMATION
FOR THE PERSON WHO IS BOUND BY THIS ORDER**

Misconduct Restraining Order
<p>A misconduct restraining order has been made against you on the terms set out on the front of this order. This order comes into force when it was served on you, or at a later time, if this is specified on the front of this order, and it will remain in force until it expires or is varied or cancelled by a court. You must comply with this order at all times while it is in force.</p> <p>If there is a duration specified in the order the order expires at the end of the specified period.</p> <p>If there is no duration specified in the order the order expires 12 months after it comes into force.</p> <p>If, in the future, you want the order varied or cancelled you may apply to the court. The person who is bound by this order may also apply to have the order varied or cancelled. If you would like more information about doing this you should consult your lawyer or the registrar of the court.</p> <p>Penalty: It is an offence to breach a misconduct restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$1 000.</p> <p>Note: If you are convicted of breaching this order, the fact that the person protected by the order aided you in the breach is not a mitigating factor for the purposes of your sentencing (see the <i>Restraining Orders Act 1997</i> section 61B(2)).</p> <p>Counselling and support services may be of assistance to you.</p>
Affidavit evidence may be provided on request
<p>If you, or the person protected by this order, request a copy of any affidavit received in evidence in relation to this order the registrar of the court where the application for the order was made is to provide a copy of the affidavit to the person who made the request.</p>
THIS ORDER COMES INTO FORCE IMMEDIATELY IF THE PERSON WHO IS BOUND BY THE ORDER WAS PRESENT IN COURT WHEN IT WAS MADE

Form 5 — Misconduct restraining order

Part C — Information to be on the copy of the order given to the person protected by the order

**IMPORTANT INFORMATION
FOR THE PERSON PROTECTED BY THE ORDER**

Misconduct Restraining Order
<p>A misconduct restraining order has been made to protect you on the terms set out on the front of this order. This order comes into force when it is served on the person who is bound by this order, or at a later time, if this is specified on the front of this order, and it will remain in force until it expires or is varied or cancelled by a court. The person who is bound by this order must comply with this order at all times while it is in force.</p> <p>If there is a duration specified in the order the order expires at the end of the specified period.</p> <p>If there is no duration specified in the order the order expires 12 months after it comes into force.</p> <p>If, in the future, you want the order varied or cancelled you may apply to the court. The person who is bound by this order may also apply to have the order varied or cancelled. If you would like more information about doing this you should consult your lawyer or the registrar of the court.</p> <p>Penalty: It is an offence to breach a misconduct restraining order. If the person bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$1 000.</p> <p>Note: If the person bound by this order breaches it and you aid the person in that breach, you will not commit an offence however the court might decide to vary or cancel the order (see the <i>Restraining Orders Act 1997</i> section 61B(3) and (4)).</p> <p>Counselling and support services may be of assistance to you.</p>
Affidavit evidence may be provided on request
<p>If you, or the person bound by this order, request a copy of any affidavit received in evidence in relation to this order the registrar of the court where the application for the order was made is to provide a copy of the affidavit to the person who made the request.</p>
THIS ORDER COMES INTO FORCE IMMEDIATELY IF THE PERSON WHO IS BOUND BY THE ORDER WAS PRESENT IN COURT WHEN IT WAS MADE

(8) Delete Schedule 1 Form 6 Parts C, D and E and insert:

Form 6 — Telephone order

Part C — Information to be on the copy of the order to be given to the person who is bound by the order

**IMPORTANT INFORMATION
FOR PERSON WHO IS BOUND BY THIS ORDER**

If the order is for 72 hours or less

A violence restraining order has been made against you for 72 hours or less on the terms set out on the front of this order. This order came into force when it was served on you, or at a later time, if this is specified on the front of this order. You must comply with this order until the end of the duration period set out in the order.

Penalty: It is an offence to breach a violence restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both. If you breach the order in the presence of a child with whom you are in a family and domestic relationship (eg. your child, your partner's child or a child who ordinarily resides with you) the court sentencing you will consider this an aggravating factor.

Counselling and support services may be of assistance to you.

If the order is an interim order

An interim violence restraining order has been made against you on the terms set out on the front of this order. This order came into force when it was served on you, or a later time, if this is specified on the front of this order, and it will remain in force until a final order is made or a court decides not to make a final order. You must comply with this order at all times while it is in force.

You have an opportunity to object to the order before it becomes a final order.

If you want to object to this order being made final you must fill in the "Objection" section on the back of the other copy of this order and return it to the court within 21 days from the date this order was served on you. The court will then arrange a final order hearing at which it will consider anything you want to say before deciding whether to make a final violence restraining order. The court will let you know where and when the final order hearing will be held.

If you do not object to this order being made final you should fill in the "Consent" section on the back of the other copy of this order and return it to the court within 21 days from the date this order was served on you. You will then not need to attend a final order hearing and the order will automatically become a final order which remains in force for the period specified in the order, or —

- (a) if no period is specified and you are not a child, for 2 years; or
 - (b) if no period is specified and you are a child, for 6 months,
- from the date this interim order was served on you.

If you do nothing and do not fill in and return the other copy of this order within 21 days the court will assume that you do not object and the interim order **will automatically become a final order**.

Penalty: It is an offence to breach a violence restraining order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

Additional information about conviction for breaching the order

If you are convicted of breaching this order, the fact that the person protected by the order aided you in the breach is not a mitigating factor for the purposes of your sentencing (see the *Restraining Orders Act 1997* section 61B(2)).

Affidavit evidence may be provided on request

If you, or the person protected by this order, request a copy of any affidavit received in evidence in relation to this order the registrar of the court where the application for the order was made is to provide a copy of the affidavit to the person who made the request.

Form 6 — Telephone order

Part D — Information to be on the respondent's endorsed copy

IMPORTANT INFORMATION**FOR THE PERSON WHO IS BOUND BY THIS ORDER**

For interim orders only

If you object to this interim order being made final you must fill in the "Objection" section below and return this copy of the order to the court within 21 days of the date it was served on you.

If you do not object to this order being made final you must fill in the "Consent" section below and return this copy of the order to the court within 21 days of the date it was served on you.

Remember if you do nothing and do not fill in and return this copy of the order to the court within 21 days this interim order will automatically become a final order.

Objection	
Order	Restraining Order No.: Court of Issue:
Family name:	Date of birth:
Other names:	
Address: street: suburb: postcode:	
Will you be represented by a lawyer at the final order hearing? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes: Lawyer's name: Lawyer's firm:	
How many witnesses (including yourself) do you intend to call? _____	
Does this interim order prevent you from —	
• going to where you normally live?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• having contact with your children?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• going to where you work or otherwise prevent you from doing your job?	<input type="checkbox"/> Yes <input type="checkbox"/> No
• being in possession of a firearm which is essential for your job?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Signature:	Date:

OR

Consent	
Order	Restraining Order No.: Court of Issue:
Family name:	Date of birth:
Other names:	
Address: street: suburb: postcode:	
I do not object to a final order being made on the same terms as this interim order. I understand that this interim order will automatically become a final order which will stay in force for the period specified in the order, or —	
(a) if no period is specified and I am not a child, for 2 years; or	
(b) if no period is specified and I am a child, for 6 months,	
from the date on which this interim order was served on me.	
Signature:	Date:

Form 6 — Telephone order

Part E — Information to be on the copy of the order given to the person protected by the order

IMPORTANT INFORMATION**FOR PERSON PROTECTED BY THIS ORDER**

If the order is for 72 hours or less
A violence restraining order has been made to protect you for 72 hours or less on the terms set out on the front of this order. This order will come into force when it is served on the person who is bound by this order, or at a later time, if this is specified on the front of this order. The person who is bound by this order must comply with this order until the end of the duration period set out in the order.

Penalty: It is an offence to breach a violence restraining order. If the person bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

If the order is an interim order

An interim violence restraining order has been made to protect you on the terms set out on the front of this order. This order will come into force when it is served on the person bound by this order, or at a later time, if this is specified on the front of this order, and it will remain in force until a final order is made or a court decides not to make a final order. The person who is bound by this order must comply with this order at all times while it is in force.

The person who is bound by this order has 21 days within which to object to the order before it becomes a final order.

If the person who is bound by this order does object you will need to attend a final order hearing. At that hearing the court will consider anything you and the person who is bound by this order want to say before deciding whether to make a final restraining order. The court will let you know if a final order hearing is to be held and where and when you need to attend. Even if the person who is bound by this order does object, this interim order will remain in force until the final order hearing.

If the person who is bound by this order does not object this order will automatically become a final order which remains in force for the period specified in the order, or —

- (a) if no period is specified and the person bound by the order is not a child, for 2 years; or
- (b) if no period is specified and the person bound by the order is a child, for 6 months, from the date this interim order was served on the person bound by this order. You will then not need to attend a final order hearing.

Penalty: It is an offence to breach a violence restraining order. If the person who is bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

Counselling and support services may be of assistance to you.

Additional information about breaching the order

If the person bound by this order breaches it and you aid the person in that breach, you will not commit an offence however the court might decide to vary or cancel the order (see the *Restraining Orders Act 1997* section 61B(3) and (4)).

Affidavit evidence may be provided on request

If you, or the person bound by this order, request a copy of any affidavit received in evidence in relation to this order the registrar of the court where the application for the order was made is to provide a copy of the affidavit to the person who made the request.

- (9) In Schedule 1 Form 8 Part A delete “Signature of registrar:” and insert:

Registrar:

- (10) In Schedule 1 Form 9 Part A delete “Signature of registrar:” and insert:

Registrar:

- (11) Delete Schedule 1 Form 10 and insert:

Form 10 — Police order

Part A — Police order

Restraining Orders Act 1997 Part 2 Division 3A

Police Order

Person who is bound by this order	Family name:			Date of birth:
	Other names:			
	Home street:			
	address: suburb:			postcode:
	Work street:			
	address: suburb:			postcode:
	Phone nos.:	work:	home:	mobile:

Person protected	Family name:	Date of birth:
	Other names:	
Terms of the order		
Order made	Date order made:	Time order made:
Order expires	This order will expire at a.m./p.m. on the day of 20	
[Note that this order cannot remain in force for a period longer than 72 hours after it has been served.]		
Issuing police officer	Name and other identifying information:	
	Signature:	

Form 10 — Police order

Part B — Information to be on the proof of service copy

Certificate of Service		
Person served [Person who is bound by the order]	Name:	
	Date of birth:	
	Signature:	
Details of Service	Place where order served:	
	Date of service:	Time of service:
Officer servicing order	Name and other identifying information:	
	I certify that on the day and at the time and place set out above:	
	<input type="checkbox"/> I personally served this order on the person bound by this order. <input type="checkbox"/> I gave the explanation required by the <i>Restraining Orders Act 1997</i> section 30E(3) to the person bound by this order and the person protected by this order.	
	Signature:	Date:

ISSUING POLICE OFFICER

IMPORTANT INFORMATION: ORDERS AGAINST CHILDREN

Note that the *Restraining Orders Act 1997* section 30D reads as follows:

30D. Police orders against children

- (1) A police order cannot impose restraints on a child unless the child is in a family and domestic relationship with the person for whose benefit the order is made.
- (2) A police officer must not make a police order against a child that might affect the care and wellbeing of the child unless the police officer is satisfied that appropriate arrangements have been made for the care and wellbeing of the child.

Form 10 — Police order

Part C — Information to be on the copy of order given to the person bound by a police order

PERSON BOUND BY THIS ORDER**IMPORTANT INFORMATION**

This is a police order which has been made against you.
 In this police order you are referred to as the person who is bound by this order.
 This police order came into force when it was served on you.
 You must comply with the terms of this order until it expires.
 The date and time of expiry are written on the front of this order.
 The terms of this police order are written on the front of this order. You should read the terms carefully so that you are aware of the restraints that have been imposed on you — this means that you are not to do certain things.
 This police order has been issued to —

- ensure that a person is protected from acts of family and domestic violence;
- prevent behaviour that could reasonably be expected to cause fear that a person will have committed against them an act of family and domestic violence; or
- ensure that children are not exposed to acts of domestic violence.

Penalty: It is an offence to breach a police order. If you breach this order you may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both. If you breach the order in the presence of a child with whom you are in a family and domestic relationship (eg. your child, your partner's child or a child who ordinarily resides with you) the court sentencing you will consider this an aggravating factor.

Note 1: If you are convicted of breaching this order, the fact that the person protected by the order aided you in the breach is not a mitigating factor for the purposes of your sentencing (see the *Restraining Orders Act 1997* section 61B(2)).

Note 2: If you are convicted of breaching this order and you have been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before your conviction for breaching this order, **you will face a penalty that is or includes imprisonment (or, if you are a child, detention)** unless the court decides under section 61(6) of the Act not to impose such a penalty.

Counselling and support services may be of assistance to you.

Form 10 — Police order

Part D — Information to be on the copy of a police order given to a person protected by a police order

IMPORTANT INFORMATION**FOR PERSON PROTECTED BY A POLICE ORDER**

This is a police order which has been made for your benefit.
 In this police order you are referred to as the person protected.
 This police order came into force when it was served on the person who is bound by the order.
 The person bound by this order must comply with the terms of this order until it expires.
 The date and time of expiry are written on the front of this order.
 The terms of this police order are written on the front of this order. You should read the terms carefully so that you are aware of the restraints that have been imposed to protect you.
 This police order has been issued to —

- ensure that a person is protected from acts of family and domestic violence;
- prevent behaviour that could reasonably be expected to cause fear that a person will have committed against them an act of family and domestic violence; or
- ensure that children are not exposed to acts of domestic violence.

The person bound by this order commits an offence if he or she fails to comply with this order.

You must not —

- invite or encourage the person bound by this order to breach this order; or
- by your actions cause the person bound by this order to breach the order.

Penalty: It is an offence to breach a police order. If the person bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to \$6 000 or imprisonment for 2 years, or both.

Note 1: If the person bound by this order breaches it and you aid the person in that breach, you will not commit an offence however the court might decide to vary or cancel the order (see the *Restraining Orders Act 1997* section 61B(3) and (4)).

Note 2: If the person who is bound by this order is convicted of breaching this order and the person has been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before the conviction for breaching this order, the person will face a penalty that is or includes imprisonment (or, if the person is a child, detention) unless the court decides under section 61(6) of the Act not to impose such a penalty.

Counselling and support services may be of assistance to you.

(12) In Schedule 1 Form 12 Part A delete “Signature of registrar:” (each occurrence) and insert:

Registrar:

(13) In Schedule 1 Form 13 Part A delete “Signature of registrar:” and insert:

Registrar:

(14) After Schedule 1 Form 13 insert:

Form 14A — Application to have final order under section 32(2) of the Act set aside

<p style="text-align: center; font-size: small;"><i>Restraining Orders Act 1997 s. 32(5)</i></p> <p style="text-align: center; font-weight: bold; font-size: large;">Application to set aside final order under the <i>Restraining Orders Act 1997</i> section 32(2)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Number:</td></tr> <tr><td style="padding: 2px;">Jurisdiction:</td></tr> <tr><td style="padding: 2px;">Location:</td></tr> </table>	Number:	Jurisdiction:	Location:			
Number:							
Jurisdiction:							
Location:							
Applicant's details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 65%; padding: 2px;">Name:</td> <td style="width: 35%; padding: 2px;">Date of birth:</td> </tr> <tr><td colspan="2" style="padding: 2px;">Address:</td></tr> <tr> <td style="padding: 2px;">Phone nos.:</td> <td style="padding: 2px;">work: home: mobile:</td> </tr> </table>	Name:	Date of birth:	Address:		Phone nos.:	work: home: mobile:
Name:	Date of birth:						
Address:							
Phone nos.:	work: home: mobile:						
Respondent's details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Name:</td></tr> </table>	Name:					
Name:							
Details of final order	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;"> </td></tr> </table>						
Date of application	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;"> <input type="checkbox"/> This application is made within 21 days from the date that I was notified that the interim order had become a final order. <input type="checkbox"/> This application is not made within 21 days from the date that I was notified that the interim order had become a final order. </td> </tr> </table>	<input type="checkbox"/> This application is made within 21 days from the date that I was notified that the interim order had become a final order. <input type="checkbox"/> This application is not made within 21 days from the date that I was notified that the interim order had become a final order.					
<input type="checkbox"/> This application is made within 21 days from the date that I was notified that the interim order had become a final order. <input type="checkbox"/> This application is not made within 21 days from the date that I was notified that the interim order had become a final order.							
Application	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">I apply for the following orders —</td> </tr> <tr> <td style="padding: 2px;"> <input type="checkbox"/> Leave be granted to proceed with this application out of time. <input type="checkbox"/> The final order be set aside. </td> </tr> </table>	I apply for the following orders —	<input type="checkbox"/> Leave be granted to proceed with this application out of time. <input type="checkbox"/> The final order be set aside.				
I apply for the following orders —							
<input type="checkbox"/> Leave be granted to proceed with this application out of time. <input type="checkbox"/> The final order be set aside.							
Grounds for application	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">I rely on the following grounds in support of this application. (Outline grounds, if insufficient space please attach further information.)</td> </tr> <tr><td style="padding: 2px;"> </td></tr> </table>	I rely on the following grounds in support of this application. (Outline grounds, if insufficient space please attach further information.)					
I rely on the following grounds in support of this application. (Outline grounds, if insufficient space please attach further information.)							

Signature of applicant and date	
Notice of court hearing	Court:
	Address:
	Date and time of hearing:

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

HEALTH ACT 1911

LOCAL GOVERNMENT ACT 1995

Shire of Kalamunda

HEALTH AMENDMENT LOCAL LAW 2012

Under the powers conferred by the *Health Act 1911*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kalamunda resolved on 19 March 2012 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Kalamunda Health Amendment Local Law 2012*.

2. Commencement

This local law will come into operation on the day in which it is published in the *Government Gazette*.

3. Principal Local Law

In this local law the *Shire of Kalamunda Health Local Law 2011*, published in the *Government Gazette* on 7 October 2011 is referred to as the principal local law. The principal local law is amended.

4. Clause 4.4 replaced

Delete clause 4.4 and insert—

4.4 Occupier obligations

(1) The occupier of a building site shall—

- (a) at all times ensure the provisions of containers or enclosures approved by the Manager Health Service for the deposit of trade and other refuse whether of light or heavy bulk, on the building site; and
- (b) on completion of construction, structural alteration, demolition or erection on the building site, clear the same of all refuse.

(2) Refuse referred to in subclause (1) is to be disposed of at a Department of Environment and Conservation licensed facility.

5. Clause 5.7 amended

In clause 5.7(b)(i) delete “or/and” and insert “and”.

6. Clause 6.16 amended

In clause 6.16(3)(c) delete “than”.

Dated: 26 March 2012.

The common Seal of the Shire of Kalamunda was affixed by authority of a resolution of Council in the presence of—

DONALD McKECHNIE, Shire President.
JAMES TRAIL, Chief Executive Officer.

Consented to—

ANDREW ROBERTSON, Executive Director,
Public Health.

Dated: 24 April 2012.

LG302***LOCAL GOVERNMENT ACT 1995***Shire of Kalamunda***KEEPING AND CONTROL OF ANIMALS AND NUISANCE
AMENDMENT LOCAL LAW 2012**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kalamunda resolved on 16 April 2012 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Kalamunda Keeping and Control of Animals and Nuisance Amendment Local Law 2012*.

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 *Shire of Kalamunda Keeping and Control of Animals and Nuisance Local Law 2011*, published in the *Government Gazette* on 5 September 2011 is referred to as the principal local law. The principal local law is amended.

4. Clause 3.1 amended

In clause 3.1 delete “not cause or permit” and insert “take reasonable and effective measures to prevent”.

5. Clause 3.2 amended

In clause 3.2—

- (a) delete “not cause or permit” and insert “take reasonable and effective measures to prevent”;
- (b) delete “to be” and insert “being”; and
- (c) delete “to escape” and insert “escaping”.

6. Clause 3.4 amended

In clause 3.4(2)(b) delete “, green garden materials”.

7. Clause 4.5 amended

In clause 4.5(1)—

- (a) delete paragraph (e); and
- (b) renumber the remaining paragraphs accordingly.

8. Clause 4.1 amended

In clause 4.1 after “*animal* includes any large animal, dog, cat,” insert—
restricted poultry,

9. Clause 4.7 amended

Delete clause 4.7 and insert—

4.7 Keeping of cats

- (1) A person may keep up to 3 cats without obtaining approval of the local government.
- (2) A person shall not keep more than 3 cats unless—
 - (a) it is for the purpose of boarding or breeding ; and
 - (b) the person has the approval from the local government in accordance with clause 4.8.
- (3) For the purpose of this clause, the number of cats kept does not include any cats less than 6 months in age.

10. Clause 4.8 amended

Delete clause 4.8 and insert—

4.8 Keeping of more than 3 cats for the purpose of breeding or boarding

- (1) An owner or occupier of land who intends to keep more than 3 cats and not more than 6 cats for the purpose of breeding must first obtain approval of the local government in accordance with clause 4.5.
- (2) An owner or occupier of land who intends to keep more than 3 cats for the purpose of boarding or more than 6 cats for the purpose of breeding, must first obtain approval of the local government to register a cattery in accordance with clause 4.10.

11. Schedule 2 amended

In schedule 2, column 1 of table delete the number 4.7 and insert 4.7(2).

Dated: 24 April 2012.

The common seal of the Shire of Kalamunda was affixed by authority of a resolution of Council in the presence of—

DONALD McKECHNIE, Shire President.
JAMES TRAIL, Chief Executive Officer.

— PART 2 —

CEMETERIES

CE401*

CEMETERIES ACT 1986

Shire of Laverton

FEES AND CHARGES

In pursuance of the powers conferred by Section 53 of the *Cemeteries Act 1986* the Council of the Shire of Laverton hereby records having resolved on the 19th April 2012 to set the following fees and charges effective from 1 July 2012. The fees shall be payable upon application for services detailed hereunder at Laverton Public Cemetery.

Laverton Public Cemetery

Scale of Fees and Charges Payable to Council

On application for an "Order for Burial" the following fees shall be payable in advance—

<u>Grave preparation and burial fee</u>	Fee	GST	Total
Standard burial	900.00	90.00	990.00
Infant/stillborn burial	830.00	83.00	913.00
<u>2nd Interment in existing grave</u>			
Standard burial	600.00	60.00	660.00
Infant/stillborn burial	415.00	41.50	456.50
For each interment without due notice	200.00	20.00	220.00
For copy of "Grant of Right of Burial"	20.00	2.00	22.00
Re-opening grave for exhumation	450.00	45.00	495.00
Re-interment in new grave after exhumation	900.00	90.00	990.00
<u>Miscellaneous</u>			
For permission to erect a headstone or monument	50.00	5.00	55.00
For permission to erect a brick grave	50.00	5.00	55.00
For permission to erect a vault	50.00	5.00	55.00
For permission to erect a nameplate	25.00	2.50	27.50
For permission to enclose with a kerb	25.00	2.50	27.50
Undertaker's Annual Licence Fee	100.00	N/A	100.00

ROBERT WEDGE, President.
STEVEN DECKERT, Chief Executive Officer.

COMMUNITY AND CHILD SERVICES

CN401

ADOPTION ACT 1994

CONTACT AND MEDIATION LICENCE

I, Andrea Nixon, Director, Fostering and Adoption Services, Department for Child Protection, issue the following person with a licence to act as a Contact and Mediation Licensee under Sections 105 and 106 of the *Adoption Act 1994* and subject to the Adoption Regulations, the *Code of Practice 1995* and conditions as stipulated for a period of three years—

Georgina Doran
Unit 2, 19 Hindmarsh Avenue
YOKINE WA 6060

Dated this 30th day of April 2012.

ANDREA NIXON, Director,
Fostering and Adoption Services,
Department for Child Protection.

CONSUMER PROTECTION

CP401*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 23 April 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

KOJONUP CO-OPERATIVE LIMITED

GREG GOAD, Acting Deputy Registrar of Co-operatives.

CP402*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 24 April 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

MILING CO-OPERATIVE COMPANY LIMITED

GREG GOAD, Acting Deputy Registrar of Co-operatives.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

APPROVED

Notice No. 1 of 2012

FD 10/07

For the purposes of regulation 55AA of the *Fish Resources Management Regulations 1995*, the documents specified in the Schedule are approved directions for the installation, use and testing of automatic location communicators in the Fishery specified in the title of the document.

The Approved Directions notice signed by L. Joll as delegate for the Chief Executive Officer on 18 August 2010 and published in the *Gazette* on 20 August 2010 is revoked.

Schedule

Approved Directions

Document Name	Date Document signed
Abrolhos Island and Mid West Trawl Managed Fishery Automatic Location Communicator Approved Directions for Use	26/03/2001
Broome Prawn Managed Fishery Automatic Location Communicator (ALC) Approved Directions	04/07/2007
Exmouth Gulf Prawn Managed Fishery Automatic Location Communicator Approved Directions for Use Version 3.2	11/04/2002
Automatic Location Communicator Gascoyne Demersal Scalefish Managed Fishery Approved Directions	18/08/2010
Kimberley Prawn Managed Fishery Automatic Location Communicator Approved Directions for Use	02/05/2002
Vessel Monitoring System Approved Directions Mackerel Managed Fishery	31/01/2012

Document Name	Date Document signed
Nickol Bay Prawn Fishery Management Plan Automatic Location Communicator Approved Directions for Use	06/03/2002
Northern Demersal Scalefish Managed Fishery Approved Directions	02/12/2008
Automatic Location Communicator Approved Directions WA North Coast Shark Fishery	12/11/2008
Onslow Prawn Fishery Management Plan Automatic Location Communicator Approved Directions for Use	14/02/2003
Pilbara Trap Managed Fishery Automatic Location Communicator Approved Directions for Use	28/06/2006
Pilbara Trawl Interim Managed Fishery Automatic Location Communicator Approved Directions for Use	14/03/2002
Shark Bay Prawn Managed Fishery Automatic Location Communicator Approved Directions for Use	20/02/2003
Shark Bay Scallop Managed Fishery Automatic Location Communicator Approved Directions for Use	20/02/2003
Automatic Location Communicator South West Trawl Managed Fishery Approved Directions	09/04/2009
Automatic Location Communicator West Coast Demersal Gillnet and Demersal Longline (Interim) Managed Fishery Approved Directions	01/06/2010
Vessel Monitoring System Approved Directions West Coast Demersal Scalefish (Interim) Managed Fishery	31/01/2012
Wetline Fishing Boat Licence Holder Automatic Location Communicator (ALC) Approved Directions	11/04/2007

Dated this 27th day of April 2012.

BRUNO MEZZATESTA, Executive Director Regional Services
as delegate for the Chief Executive Officer.

FI402*

FISH RESOURCES MANAGEMENT ACT 1994

**WEST COAST DEMERSAL GILLNET AND DEMERSAL LONGLINE INTERIM
MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2012**

FD 435/02 [1093]

Made by the Minister under section 54.

1. Citation

This instrument is the *West Coast Demersal Gillnet and Demersal Longline Interim Managed Fishery Management Plan Amendment 2012*.

2. Management plan amended

The amendments in this instrument are to the *West Coast Demersal Gillnet and Demersal Longline Interim Managed Fishery Management Plan 1997*.

3. Clause 4 amended

Insert in the appropriate alphabetical place—

“ **coastal waters of the State** ” has the definition provided for in section 3 of the *Coastal Waters (State Powers) Act 1980* (Commonwealth);

4. Clause 23 replaced

Delete clause 23 and insert—

Temporary transfer of entitlement

23. (1) An entitlement, or part of an entitlement, conferred by a permit may be temporarily transferred to another permit for a period ending at the time the permit expires, provided that—

- (a) the value of the units of entitlement (including the value of units temporarily transferred to the permit but excluding the value of units temporarily transferred from the permit to another permit) that would be conferred by the permit after the transfer would be not less than the extent of fishing carried out under the permit in the relevant year; and
- (b) the transfer is of a whole number of units; and
- (c) the permit to which the units are being temporarily transferred would, after the temporary transfer, confer an entitlement of not more than 2 640 units.

5. Clause 25A amended

Delete subclause (2) and insert—

(2) A person must not use an authorised boat in the Fishery unless the approved ALC installed in that boat has been tested, and is being used, in accordance with the approved directions.

6. Clause 25B replaced

Delete clause 25B and insert—

Nominations by approved ALC

25B. (1) The master of an authorised boat who engages in any fishing in the Fishery must, not more than two hours before the commencement of each fishing trip, nominate and specify accurate details of—

- (a) the name of the Fishery in which fishing is to be undertaken; and
 - (b) the relevant permit under which fishing may be carried out; and
 - (c) the amount of fishing gear that is to be used to convert fishing effort to units of entitlement in accordance with Schedule 7, either in metres of gillnet, or the number of hooks on a longline; and
 - (d) the full name of the master of the boat for that fishing trip.
- (2) The amount of gear nominated under subclause (1)(c)—
- (a) is the maximum amount of gear that may be used for that fishing trip; and
 - (b) may, within 28 days, be converted to an equivalent amount of the type of gear not nominated; and
 - (c) is the amount of fishing gear that is used to convert fishing effort into units of entitlement for that fishing trip in accordance with Schedule 7.
- (3) For the purposes of subclause (2)(c), where the master of an authorised boat does not nominate an amount of gear under subclause (1)(c) in respect of the commencement of a fishing trip, the greater of—
- (a) the amount of gear specified under subclause (1)(c) in the most recent prior nomination; or
 - (b) the amount of fishing gear used,
- will apply.
- (4) Where the master of an authorised boat fishes in accordance with a nomination made under subclause (1), the master must nominate—
- (a) when any fishing gear is being placed in the water for the purposes of the first fishing session of the fishing trip, and the location of the authorised boat at the time that fishing gear is placed in the water; and
 - (b) when all fishing gear has been fully removed from the water at the completion of the last fishing session of the fishing trip, and the location of the authorised boat at the time that all gear is removed.
- (5) The master of an authorised boat must not allow that boat to be used—
- (a) in contravention of a nomination made under this clause; or
 - (b) unless all nominations required to be made under this clause have been made.
- (6) Where the master of an authorised boat being used on a fishing trip does not make a nomination in accordance with subclause (4)(a) or (4)(b), the time during which gear is to be taken to be in the water is the time—
- (a) commencing from the most recent prior nomination received under subclause (1) or subclause (4)(b), in the case of a failure to nominate under subclause (4)(a); or
 - (b) until the next nomination is received under subclause (1) or subclause (4)(a), in the case of a failure to nominate under subclause (4)(b).
- (7) The master of an authorised boat must not—
- (a) fish in any waters of the Fishery with gear in excess of the amount nominated under subclause (1)(c) for that fishing trip; or
 - (b) change the amount of gear nominated under subclause (1)(c) for at least 28 days; or

- (c) fish in any waters of the Fishery at any time when the sleep mode facility of the relevant approved ALC is in operation; or
- (d) switch an ALC to sleep mode outside a port area.

(8) Where the master of an authorised boat fishes with gear in excess of the amount nominated under subclause (1)(c) in respect of that fishing trip, the amount of gear used will be taken to convert fishing effort into units of entitlement, in accordance with Schedule 7.

7. Clause 25C repealed

Delete clause 25C.

8. Clause 27 replaced

Offences

27. A person who contravenes a provision of clause 9, 10, 10A, 11, 12, 12A, 13, 17, 19B, 25, 25A, 25B, 26, or 26A commits an offence.

9. Schedule 4 replaced

Delete Schedule 4 and insert—

Schedule 4

Abrolhos Islands Fish Habitat Protection Area

The area of WA waters adjacent to the Abrolhos Islands from the high water mark to the seaward limits of the coastal waters of the State.

Dated this 2nd day of May 2012.

NORMAN MOORE, Minister for Fisheries.

FI403*

FISH RESOURCES MANAGEMENT ACT 1994

JOINT AUTHORITY SOUTHERN DEMERSAL GILLNET AND DEMERSAL LONGLINE MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2012

FD 1782/99 [1094]

Made by the Minister under section 54.

1. Citation

This instrument is the *Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan Amendment 2012*.

2. Management plan amended

The amendments in this instrument are to the *Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan 1992*.

3. Clause 12 replaced

Delete clause 12 and insert—

Temporary transfer of part of an entitlement

12. The CEO may temporarily transfer an entitlement, or part of an entitlement, conferred by a licence to another licence, for a period of time ending at the time that the licence from which the units are to be transferred expires, provided that—

- (a) the transfer is for a whole number of units; and
- (b) the fee to be paid in respect of the renewal of the licence from which the units are to be transferred has been paid in full; and
- (c) the value of the units of entitlement of the relevant Zone remaining on the licence from which the units are to be transferred would not be less than the extent of the fishing in the waters of that Zone that has already been carried out under that licence; and
- (d) the value of all the units of entitlement remaining on the licence from which the units are to be transferred would not be less than the extent to which fishing has been carried out under the licence.

4. Clause 15B replaced

Delete clause 15B and insert—

Requirement for an ALC to be installed in an authorised boat

15B.(1) A person must not use an authorised boat in the Fishery unless an approved ALC has been installed in that boat in accordance with the approved directions.

(2) A person must not use an authorised boat in the Fishery unless the approved ALC installed in that boat has been tested, and is being used, in accordance with the approved directions.

(3) It is a condition of the licence that at any time that an approved ALC is required to have been installed in an authorised boat that boat must not be used in the Fishery unless an ALC is fitted to the boat and the ALC is being used in the manner specified in the approved directions.

5. Clause 15E replaced

Delete clause 15E and insert—

Nominations by approved ALC

15E. (1) The master of an authorised boat must, not more than two hours before the commencement of each fishing trip, nominate and specify accurate details of—

- (a) the name of the Fishery and the Zone or Zones of the Fishery in which fishing is intended to occur; and
- (b) the relevant licence under which fishing may be carried out; and
- (c) the amount of fishing gear that is to be used to convert fishing effort into units of entitlement in accordance with Schedule 7, either in metres of gillnet, or the number of hooks on a longline; and
- (d) the full name of the master of the boat for that fishing trip.

(2) The amount of gear nominated under subclause (1)(c)—

- (a) is the maximum amount of gear that may be used for that fishing trip; and
- (b) may, within 28 days, be converted to an equivalent amount of the type of gear not nominated; and
- (c) is the amount of fishing gear that is used to convert fishing effort into units of entitlement for that fishing trip in accordance with Schedule 7.

(3) For the purposes of subclause (2)(c), where the master of an authorised boat does not nominate an amount of fishing gear under subclause (1)(c) in respect of the commencement of a fishing trip, the greater of—

- (a) the amount of gear specified under subclause (1)(c) in the most recent prior nomination; or
 - (b) the amount of fishing gear used,
- will apply.

(4) Where the master of an authorised boat fishes in accordance with a nomination made under subclause (1) the master must nominate—

- (a) when any fishing gear is being placed in the water for the purposes of the first fishing session of the fishing trip, and the location of the authorised boat at the time that fishing gear is placed in the water; and
- (b) when all fishing gear has been fully removed from the water at the completion of the last fishing session of the fishing trip, and the location of the authorised boat at the time that all gear is removed.

(5) The master of an authorised boat must not allow that boat to be used—

- (a) in contravention of a nomination made under this clause; or
- (b) unless all nominations required to be made under this clause have been made.

(6) Where the master of an authorised boat being used on a fishing trip does not make a nomination in accordance with subclause (4)(a) or (4)(b) the time during which gear is to be taken to be in the water is the time—

- (a) commencing from the most recent prior nomination received under subclause (1) or subclause (4)(b), in the case of a failure to nominate under subclause (4)(a); or
- (b) until the next nomination is received under subclause (1) or subclause (4)(a), in the case of a failure to nominate under subclause (4)(b).

(7) The master of an authorised boat must not—

- (a) fish in any waters of the Fishery with gear in excess of the amount nominated under subclause (1)(c) for that fishing trip; or
- (b) change the amount of gear nominated under subclause (1)(c) for at least 28 days; or
- (c) fish in any waters of the Fishery at any time when the sleep mode facility of the relevant approved ALC is in operation.

(8) Where the master of an authorised boat fishes with gear in excess of the amount nominated under subclause (1)(c) in respect of that fishing trip, the amount of gear used will be taken to convert fishing effort into units of entitlement, in accordance with Schedule 7.

6. Clause 15F repealed.

Delete clause 15F.

7. Clause 16 amended

Delete subclause 16(2) and insert—

(2) The fee to be paid in respect of the renewal of a licence is—

- (a) \$7.10 per Zone 1 unit, Zone 3 unit, or Zone 1 historical unit; and
- (b) \$14.85 per Zone 2 unit.

8. Clause offences replaced

Delete clause 17 and insert—

Offences

17. A person who contravenes a provision of clause 5, 5A, 7, 7A, 7C, 9C, 13, 14, 15, 15B, 15C, 15D, or 15E commits an offence.

Dated this 2nd day of May 2012.

NORMAN MOORE, Minister for Fisheries.

FI404*

FISH RESOURCES MANAGEMENT ACT 1994
WEST COAST DEMERSAL SCALEFISH (INTERIM) MANAGEMENT PLAN
AMENDMENT 2012

FD 297/07 [1095]

Made by the Minister under section 54.

1. CitationThis instrument is the *West Coast Demersal Scalefish (Interim) Management Plan Amendment 2012*.**2. Management plan amended**The amendments in this instrument are to the *West Coast Demersal Scalefish (Interim) Management Plan 2007*.**3. Clause 4 amended**

Insert in the appropriate alphabetical position—

“ **coastal waters of the State** ” has the definition provided for in section 3 of the *Coastal Waters (State Powers) Act 1980* (Commonwealth);

4. Clause 18 replaced

Delete clause 18 and insert—

18. Prohibition on fishing in certain Areas

A person fishing in the Fishery under the authority of a permit must not—

- (a) fish in the Metropolitan Area;
- (b) fish in an Inshore Area of the Fishery other than the Metropolitan Area unless the extent of fishing carried out in that Area under the relevant permit during the year for which the permit has been issued, expressed in terms of units of entitlement and determined in accordance with clauses 16E and 16F, is less than the value of the units of entitlement conferred by the permit;
- (c) fish in the waters described in Schedule 9 by means of a dropline with more than three hooks.

7. Schedule 9 inserted

After Schedule 8 insert—

Schedule 9

Abrolhos Islands Fish Habitat Protection Area

The area of WA waters adjacent to the Abrolhos Islands from the high water mark to the seaward limits of the coastal waters of the State.

Dated this 2nd day of May 2012.

NORMAN MOORE, Minister for Fisheries.

HEALTH

HE401*

HEALTH PRACTITIONER REGULATION NATIONAL LAW
(WESTERN AUSTRALIA) ACT 2010

HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)
MEDICAL (AREA OF NEED) DETERMINATION (NO. 15) 2012

Made by the Minister for Health pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.**Citation**1. This determination may be cited as the *Medical (Area of Need) Determination (No. 15) 2012*.

Commencement

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

Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE**GENERAL MEDICAL SERVICES IN THE SUBURB OF JOONDALUP IN THE CITY OF JOONDALUP**

Dated this 24th day of April 2012.

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

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 places described below have been entered in the Register of Heritage Places on a permanent basis with effect from today.

David Foulkes-Taylor Showroom (fmr) at 31 Broadway, Nedlands; Lot 2 on SP 15078 being the whole of the land contained in C/T V 1772 F 606; Pt of the Common Property of SP 15078; together as shown on HCWA Survey Drawing 13655.

Warehouse, 22-26 Pakenham Street at 26 Pakenham Street, Fremantle; Lot 123 on D 1644 being the whole of the land contained in C/T V 2105 F 28.

Date: 4 May 2012.

GRAEME GAMMIE, Executive Director,
State Heritage Office, Bairds Building,
491 Wellington Street Perth WA 6000.

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—

Linda Marie Adams of 14 Austin Place, Leinster

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

CITY OF NEDLANDS
APPOINTMENTS

It is hereby noted for public information that Christo Smit has been appointed by Council as Authorised Person of the City of Nedlands pursuant to the following—

1. To exercise power under Part XX of the Local Government Act (Miscellaneous Provisions), 1960;
2. Section 449 of the Local Government Act (Miscellaneous Provisions), 1960, as pound keeper and Ranger;
3. Part 9 Division 2 of the Local Government Act 1995;
4. Section 9.13, 9.15 of the Local Government Act as an Authorised Person;
5. Part 3 subdivision 4 of the Local Government Act 1995;
6. Section 3.39 of the Local Government Act 1995 as an Authorised Person and as an Authorised person pursuant to the following—
 - Dog Act 1976,
 - Control of Vehicles Act 1978, (Off Road Area),
 - Litter Act 1979
 - Bushfires Act 1954,
 - Caravan Parks and Camping Grounds Act 1995
 - City of Nedlands Local Laws—Authorised Officer, and for
 - Effecting general Ranger duties as directed within the gazetted area of the City of Nedlands.

M. COLE, A/Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

PETROLEUM PIPELINES ACT 1969
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL 40 held by DBNGP (WA) Nominees Pty Limited has been varied by instrument of Variation STP-PLV-0013, to authorise the Licensee to construct a remotely operable shutdown valve and associated pipeworks plus the installation of an additional gas heater at the existing Ellenbrook Meter Station.

Dated: 26 April 2012.

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

MP402*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967
GRANT OF PETROLEUM EXPLORATION PERMIT EP 389 (R2)

Petroleum Exploration Permit No. EP 389 (R2) has been granted to Empire Oil Company (WA) Limited, ERM Gas Pty Ltd and Wharf Resources PLC to have effect for a period of five (5) years from and including 27 April 2012.

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

MP403*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
COOLGARDIE WA 6429.

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

KEVIN TAVENER, Warden.

—————

To be heard by the Warden at Coolgardie on 18 June 2012.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/5368	Fairest, Thomas Roy
P 15/5491	Bonza, Bryce Tyler
P 15/5537	Condor Metals Limited
P 16/2458	Guj, Alessandro Luigi
P 16/2668	Petersons, George Juris

MP404*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
COOLGARDIE WA 6429.

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

KEVIN TAVENER, Warden.

—————

To be heard by the Warden at Coolgardie on 18 June 2012.

COOLGARDIE MINERAL FIELD
Prospecting Licence

P 15/5542	Doyle, Michael Laurence John
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PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Chapman Valley

Town Planning Scheme No. 1—Amendment No. 49

Ref: TPS/0433

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 Chapman Valley local planning scheme amendment on 17 April 2012 for the purpose of—

1. Rezoning Lot 9503 Eliza Shaw Drive, White Peak from 'Special' zone to 'Residential R2.5' and 'Recreation' zone.
2. Inserting a Residential R2.5 Zoning and Development Table at Part II of the Scheme.
3. Deleting the provisions relating to 'Special' Zone 3 from the 'Special' Zones Table (Part II of the Scheme).
4. Amending the Scheme Map accordingly.

J. P. COLLINGWOOD, Shire President.
S. BILLINGHAM, Chief Executive Officer.

ZONING AND DEVELOPMENT TABLE

ZONE—Residential (R2.5—Low Density)

POLICY STATEMENT Primarily single detached dwelling houses on separate large lots. The intention is to create a residential environment with distinctly rural character. Council will use its discretion on landscaping to ensure that outbuildings etc are suitably designed and/or screened with landscaping to create a “country living” character.

IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

P = Use permitted subject to compliance with Development Standards.

PS = Use not permitted unless special approval given by Council and conditions complied with.

AP = Not permitted unless special approval given by Council after advertising.

			Development Standards									
			Minimum Lot area	Minimum effective frontage	Minimum area of lot per dwelling unit	Minimum boundary setbacks			Minimum car parking spaces	Minimum landscaping	Minimum private open space	Other requirements
						Front	Rear	Sides				
			R2.5	R2.5	R2.5	R2.5	R2.5	R2.5	R2.5	*R2.5 *See Clauses 3.1.12 & 6.6	R2.5	1. Only uses considered by the Local Government to be consistent with the amenity of the residential environment of the locality will be permitted. 2. The keeping of livestock at an intensity which, in the opinion of the Local Government, would adversely affect the pasture and other vegetation on the lot concerned or be likely to result in soil erosion is not permitted.
PERMITTED USES			NOTE: UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARDS ABOVE WILL APPLY TO THIS ZONE									
1	Dwelling House (Single)	P										
2	Professional Office within a Dwelling House	PS							as determined by Council			
3	Home Occupation	IP										Period of approval to be set by Council.
4	Car Park	IP				2m	2m	2m		1 bay in 10 to be landscaped		
5	Private Recreation	PS										
6	Public Utility	PS										
7	Day Care Centre	A P							2 per Supervisor			
8	Added Accommodation Unit	PS										

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Busselton
 Town Planning Scheme No. 20—Amendment No. 141

Ref: TPS/0337

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Busselton local planning scheme amendment on 17 April 2012 for the purpose of—

1. Rezoning portions of Lots 2 and 202 Bussell Highway, Yalyalup from 'Special Purpose (Yalyalup Deferred Development Area)' to 'Special Purpose (Yalyalup Development Area)' and modifying the Scheme Map accordingly.
2. Modifying Special Provision 23 pursuant to Schedule 7 of the Scheme as follows—

No.	Particulars of land	Zone	Special Provisions
23	Lots 2, 6, 31, 32, 202, 501 and 9003 Vasse and Bussell Highways, Yalyalup	Special Purpose (Yalyalup Development Area) and Special Purpose (Yalyalup Deferred Development Area)	<ol style="list-style-type: none"> 1. Development (including subdivision) of the land shall be generally in accordance with the Development Guide Plan and the Detailed Area Plan for the land adopted by Council and endorsed by the Western Australian Planning Commission pursuant to the Scheme. 2. Notwithstanding the provisions of Clause 25 of the Scheme, the Development Guide Plan shall include the following details— <ol style="list-style-type: none"> a. the area to which the Development Guide Plan applies; b. key opportunities and constraints of the Development Area including, landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport and services; c. the planning context for the Development Area including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the proposed Development Guide Plan is to be integrated into the surrounding area; d. proposed major land uses, in particular, residential areas, public open space and arrangements between different landowners if required, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, service industrial and mixed business uses; e. estimates of future lots (yield), indicative lot layout, dwellings, the average lot area and density (codings), population, employment and commercial floor space; f. provision for major infrastructure e.g. main drainage, sewerage, water supply and other key infrastructure services, including the future servicing of the industrial land identified on the Busselton Airport Structure Plan; g. the proposed road network and hierarchy, public transport services, and bicycle and pedestrian networks; h. buffers or other similar treatment at the interface between development cells and main/arterial roads/local distributor roads/significant local roads or adjoining land; i. the boundaries of all development precincts which are to be subject of Detailed Area Plans;

No.	Particulars of land	Zone	Special Provisions
			<ul style="list-style-type: none"> <li data-bbox="900 264 1406 488">j. an ethnographic and archaeological survey is undertaken and the findings are reported to Council and the Department of Indigenous Affairs. Any changes to the subdivision design resulting from the findings of the survey(s) shall be considered in the preparation of the Development Guide Plan. <li data-bbox="900 501 1406 622">k. mosquito management strategy (which may be integrated with the drainage management strategy/plan) and implementation strategy is approved by Council. <li data-bbox="900 636 1406 685">l. a traffic management plan is approved by Council. <li data-bbox="900 698 1406 748">m. a drainage management strategy/plan is approved by Council. <li data-bbox="900 761 1406 788">n. the landscaping strategy. <li data-bbox="900 801 1406 851">o. such other information as may be required by Council. <p data-bbox="839 864 1406 985">3. The provisions of the endorsed Development Guide Plan apply to the land as if its provisions were incorporated into the Scheme and are binding and enforceable in the same manner as those provisions included in the Scheme.</p> <p data-bbox="839 1012 1406 1182">4. All provisions (such as land use and development controls or approval procedures) applicable to a zone, reserve or R-Code pursuant to the Scheme shall apply to the corresponding land use designations pursuant to the endorsed Development Guide Plan.</p> <p data-bbox="839 1196 1406 2114">5. a. A Detailed Area Plan may be required by the Council and where required shall be prepared and submitted for a lot or lot(s)—</p> <ul style="list-style-type: none"> <li data-bbox="963 1299 1406 1420">(i) to enhance, elaborate or expand on the details or provisions contained in a proposed Development Guide Plan or a Development Guide Plan; <li data-bbox="963 1433 1406 1509">(ii) in place of a development approval required to comply with Clause 2.5 of the Residential Design Codes; or <li data-bbox="963 1523 1406 1550">(iii) for any other planning purpose. <p data-bbox="900 1563 1406 1590">b. Upon receiving a Detailed Area Plan the Council is to either—</p> <ul style="list-style-type: none"> <li data-bbox="963 1617 1406 1693">(i) Determine that the Detailed Area Plan is to be advertised for a minimum period of 21 days; or <li data-bbox="963 1706 1406 1783">(ii) Determine that the Detailed Area Plan is to be considered without advertising; or <li data-bbox="963 1796 1406 1917">(iii) Determine that the Detailed Area Plan is not to be advertised or considered until further details have been provided or modifications undertaken; or <li data-bbox="963 1930 1406 2069">(iv) Determine that the Detailed Area Plan is not satisfactory for advertising or immediate consideration and refuse it, with the reasons for this decision to be provided to the proponent. <p data-bbox="900 2083 1406 2114">c. If within 90 days of receiving a Detailed Area Plan under clause 5(a) of this</p>

No.	Particulars of land	Zone	Special Provisions
			<p>Schedule, or such longer period as may be agreed in writing between the person and the Council, the Council has not made one of the determinations referred to in clause 5(c) of this Schedule, the Council is deemed to have refused to approve the Detailed Area Plan.</p> <p>6. A Detailed Area Plan is to be used as the basis for—</p> <ol style="list-style-type: none"> a. making recommendations to the Western Australian Planning Commission on subdivision applications; and b. determining development applications with respect to the land subject to the Detailed Area Plan. <p>7. A Detailed Area Plan may include details as to—</p> <ol style="list-style-type: none"> a. building envelopes; b. distribution of land uses within a lot; c. private open space; d. services; e. vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures; f. the location, orientation and design of buildings and the space between buildings; g. advertising signs, lighting and fencing; h. landscaping, finished site levels and drainage; i. protection of sites of heritage, conservation or environmental significance; j. special development controls and guidelines; k. noise buffering; l. ancillary dwellings, and/or studio dwellings, home business or home workspace; m. encroachments (reciprocal right-of-way, party walls); n. variations from the Residential Design Codes and other provisions for land use and development control; o. landscaping strategies/plans that are considered along with a Detailed Area Plan shall include— <ol style="list-style-type: none"> (i) restoration of remnant vegetation in public open space areas including the replacement of endemic understorey plant species where considered necessary and management of weeds; and (ii) the retention of paddock trees where practicable; and (iii) the provision of habitat for wetland bird species and rehabilitation of wetland areas, where appropriate. <p>8. Notification of prospective purchasers by way of memorial on the title of proposed lots is to be undertaken to warn of the potential threat of viral infection from mosquitoes.</p> <p>9. At the subdivision stage, notification of landowners and prospective purchasers by</p>

No.	Particulars of land	Zone	Special Provisions
			<p>way of a memorial on the title of the proposed lots is to be undertaken, to inform landowners of possible airport noise with respect to the nearby Busselton Airport operations. A memorial is to be inserted on the title of lots in close proximity to Bussell Highway, Vasse Highway and the proposed Outer Bypass to advise that the amenity of the lot may be affected by traffic noise to the satisfaction of the City of Busselton and Main Roads.</p> <p>10. Prior to subdivision or development the proponent is to prepare a developer contribution and staging plan to the satisfaction of the City to ensure the proponents appropriate and timely contribution toward service infrastructure and community facilities on a progressive and staged basis. An appeal right will exist in respect to determination of the plan pursuant to Clause 96 (2) of the Scheme.</p> <p>11. The Council has prepared a draft Noise Management Plan for Busselton Regional Airport, which requires approval by the Environmental Protection Authority. The Council may recommend conditions on the subdivision and development of land requiring noise amelioration measures consistent with the draft Noise Management Plan and subsequently with the Noise Management Plan as finally approved by the Environmental Protection Authority.</p>

I. W. STUBBS, Mayor.
M. ARCHER, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham
Town Planning Scheme No. 2—Amendment No. 111

Ref: TPS/0572

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Rockingham local planning scheme amendment on 17 April 2012 for the purpose of—

1. Deleting all R-Code notations from land zoned 'Development' on the Scheme Map.
2. Modifying the Scheme Map by creating new Development Areas No. DA30, DA31, DA32, DA33, DA34, DA35, DA36, DA37, DA38 and DA39 as shown on the Scheme Amendment Maps.
3. Modifying the Scheme Map by amending the boundaries of existing Development Areas DA13, DA22 and DA25 as shown on the Scheme Amendment Maps.
4. Modifying the legend of the Scheme Map by including the label 'Development Area' with a symbol with black line border, white interior and designation of 'DA1'.
5. Modifying Schedule No. 9 'Area' column of DA25 to refer to 'The Rivergums'.
6. Amending Schedule No. 9 to include new Development Areas DA30, DA31, DA32, DA33, DA34, DA35, DA36, DA37, DA38 and DA39 as set out below—

Reference No.	Area	Provisions
DA30	Lifestyle Village	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.

Reference No.	Area	Provisions
DA31	The Chase	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA32	Evermore Heights	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA33	Lot 22 Smirk Road, Baldvis	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA34	Avalon and The Dales	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA35	Lots 18, 19, 20, 21 Sixty Eight Road and Lots 22, 739 and 740 Baldvis Road	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA36	Lots 877 and 878 Stakehill Road, Karnup	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA37	Lot 300 and 1340 Stakehill Road, Karnup	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA38	Lot 3 and 806 Mandurah Road, Karnup	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.
DA39	Lot 1002 Singleton Beach Road, Singleton	An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.

7. Modifying clause 4.2.2 (a) and (b) to delete reference to 'Plan No. 1' and replace with 'the Scheme Map'.
8. Deleting Plan No. 1.
9. Modifying the Scheme Map accordingly.

B. W. SAMMELS, Mayor.
A. HAMMOND, Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Kenneth Wilfrid Harwood, late of 122 Harwood Road, Kendenup, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 7 November 2011, are required by the trustee of the late Kenneth Wilfrid Harwood of care of Philip Wyatt Lawyer, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 24th day of April 2012.

PHILIP WYATT, Lawyer.

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

Notice to Creditors and Claimants

John Graham Stockwell, late of 29 Flinders Parade, Middleton Beach, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on the 2nd day of February 2012 at Middleton Beach in the said State, are required by the personal representative Margery Stockwell of 29 Flinders Parade, Middleton Beach, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the date one month following the publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claims of which she has then had notice.

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

Notice to Creditors and Claimants

Elspeth Alexis Pring, late of 11 Fletcher Street, Palm Beach in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 11 March 2012, are required by the Personal Representatives to send particulars of their claims to them care of Civic Legal, Level 2, 11 Mounts Bay Road, Perth by 19 June 2012 after which date the Personal Representatives may convey or distribute the assets having regard to the claims of which they then have notice.

CIVIC LEGAL, as Solicitors for the Personal Representatives.

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

Notice to Creditors and Claimants

William Harold Green, late of Gracehaven Hostel, 2 Westralia Gardens, Rockingham in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 3 January 2012, are required by the Personal Representative to send particulars of their claims to him care of Civic Legal, Level 2, 11 Mounts Bay Road, Perth by 19 June 2012 after which date the Personal Representative may convey or distribute the assets having regard to the claims of which he then has notice.

CIVIC LEGAL, as Solicitors for the Personal Representative.

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

Notice to Creditors and Claimants

In the matter of the Estate of Elmer Jonathan Thomas Ellison, late of 15 Balwarra Avenue, Dianella, Western Australia, Business Proprietor, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 2nd day of April 2012, are required by the Executrix, Jennifer Anne Ellison, to send the particulars of their claims to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia by the 4th day of June 2012, after which date the said Executrix may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 2nd day of May 2012.

GARRY E. SAME, Taylor Smart.

ZX406**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Shirley Lillian Murfitt, late of Unit 2, 5 Princes Street, Cottesloe, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died between 21 and 30 October 2011 at Cottesloe aforesaid, are required by the Executor and Trustee of care of Messrs Dwyer Durack Lawyers of 8th Floor, 40 St Georges Terrace, Perth to send particulars of their claims to him by 3 June 2012 after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX407***TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 4 June 2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

De Catania Dorothy Beatrice late of Wanneroo Community Nursing Home, 9 Amos Road, Wanneroo 6065 died 27 March 2012 (DE 19765182 EM16)

Klaassen, Louise William Theodoor late of Bethanie Waters, 18 Olivenza Crescent, Port Kennedy 6172 died 20 March 2012 (DE 19751947 EM36)

Lane, Alan George late of 111 Kooyong Road, Rivervale 6103 died 18 April 2012 (DE 19831891 EM22)

Maraltadj, David Paul late of Kalumburu Aboriginal Community, Private Mailbag 8, Wyndham 6740 died 3 January 2011 (DE 33095884 EM36)

Tillotson, Gertrude Mary formerly of 15 Milton Street, Mount Hawthorn WA 6016 late of Bethanie Warwick, 98 Ellarsdale Avenue, Warwick 6024 died 16 March 2012 (DE 19732663 EM110)

Sany, Stello late of 6 Drummond Street, Redcliffe 6104 died 2 April 2012 (DE 33087014 EM13)

Satchell, John Raymond late of 10 Kingsdene Mews, Landsdale 6065 died 22 March 2012 (DE 33067923 EM15)

Sefton, Robert James late of 5 Hamilton Place, Safety Bay 6169 died 17 January 2012 (DE 19540585 EM13)

Williams, Kathleen late of Concorde Nursing Home, 25 Anstey Street, South Perth WA 6151 died 11 March 2012 (DE 19754070 EM36)

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

ZX408***PUBLIC TRUSTEE ACT 1941**

ADMINISTRATION 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 4th day of May 2012.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Jay-De Frank Marko (DE 33093724 EM32)	2489 South Western Highway, Serpentine	30 June 2011	19 April 2012

PUBLIC NOTICES

ZZ401

**PARTNERSHIP ACT 1895
RETIREMENT OF PARTNER**

Notice is hereby given pursuant to Section 47(2) of the *Partnership Act 1895*, that Hazel Margaret Bairstow (nee Greenslade) retired from the partnership of Brian Vincent Greenslade, Hazel Margaret Greenslade and Shane Troy Greenslade conducted under the name of Bryzel Pastoral Co. on 15 December 2010.

As such, invoices or inquiries in relation to any goods or services which Bryzel Pastoral Co. has obtained or attempted to procure since that date ought to be addressed to Bryzel Pastoral Co., care of Shane Greenslade or Brian Greenslade of 4562 Chester Pass Road, Takalarup in the State of Western Australia and not to Hazel Bairstow.

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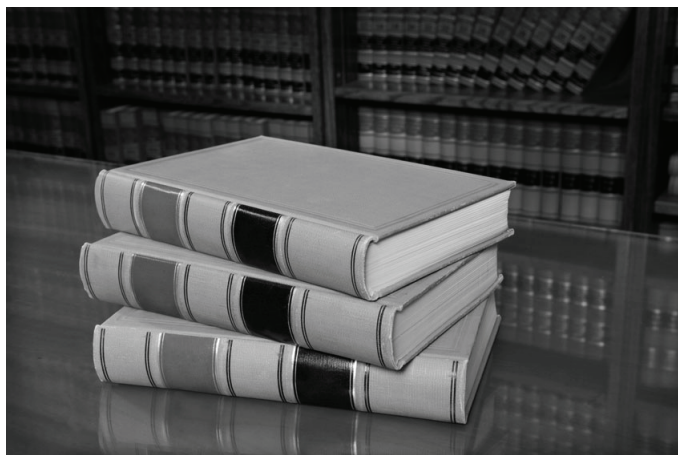
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