



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

321



PERTH, TUESDAY, 29 JANUARY 2013 No. 13

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

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The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 6552 6010.
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— PART 1 —

PROCLAMATIONS

AA101*

COURTS LEGISLATION AMENDMENT ACT 2012

No. 43 of 2012
PROCLAMATION

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

[L.S.]

I, the Governor, acting under the *Courts Legislation Amendment Act 2012* 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 22 January 2013.

By Command of the Governor,

M. MISCHIN, Attorney General.

AA102*

PUBLIC AND BANK HOLIDAYS ACT 1972

PROCLAMATION

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

[L.S.]

I, the Governor, acting under the *Public and Bank Holidays Act 1972* section 8 and with the advice and consent of the Executive Council, declare that, instead of Monday 30 September 2013, Monday 8 July 2013 shall be the Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign in 2013 in that part of the East Pilbara local government district that—

- (a) is in, or within 150 km of, the townsite of Marble Bar (constituted under the *Land Administration Act 1997* section 26(2)), including the townsite of Nullagine (as constituted under that provision); but
- (b) is not within 150 km of the townsite of Newman (as constituted under that provision).

Given under my hand and the Public Seal of the State on 22 January 2013.

By Command of the Governor,

SIMON O'BRIEN, Minister for Commerce.

AA103*

PUBLIC AND BANK HOLIDAYS ACT 1972
PROCLAMATION

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

I, the Governor, acting under the *Public and Bank Holidays Act 1972* section 8 and with the advice and consent of the Executive Council, declare that, instead of Monday 30 September 2013, Monday 19 August 2013 shall be the Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign in 2013 in that part of the East Pilbara local government district that is in, or within 150 km of, the townsite of Newman (constituted under the *Land Administration Act 1997* section 26(2)).

Given under my hand and the Public Seal of the State on 22 January 2013.

By Command of the Governor,

SIMON O'BRIEN, Minister for Commerce.

AA104*

PUBLIC AND BANK HOLIDAYS ACT 1972
PROCLAMATION

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

I, the Governor, acting under the *Public and Bank Holidays Act 1972* section 8 and with the advice and consent of the Executive Council, declare that, instead of Monday 30 September 2013, Monday 5 August 2013 shall be the Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign in 2013 in—

- (a) the Port Hedland local government district; and
- (b) the Roebourne local government district.

Given under my hand and the Public Seal of the State on 22 January 2013.

By Command of the Governor,

SIMON O'BRIEN, Minister for Commerce.

AA105*

MISUSE OF DRUGS AMENDMENT ACT 2011

No. 56 of 2011

PROCLAMATION

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

I, the Governor, acting under the *Misuse of Drugs 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 sections 5 to 8 and 12 to 15 of that Act come into operation.

Given under my hand and the Public Seal of the State on 11 December 2012.

By Command of the Governor,

LIZA HARVEY, Minister for Police.

Notes: Under the *Misuse of Drugs Amendment Regulations 2012* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Misuse of Drugs Amendment Act 2011* section 6 comes into operation.

Under the *Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemptions) Regulations 2012* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Misuse of Drugs Amendment Act 2011* section 6 comes into operation.

Under the *Mutual Recognition (Western Australia) (Temporary Exemptions) Regulations 2012* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Misuse of Drugs Amendment Act 2011* section 6 comes into operation.

ENVIRONMENT

EV301*

Conservation and Land Management Act 1984

Eighty Mile Beach Marine Park Order 2013

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 13(1) and (4) of the Act.

1. Citation

This order is the *Eighty Mile Beach Marine Park Order 2013*.

2. Terms used

In this order —

coastal waters of the State has the meaning given in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1);

high water mark has the meaning given in the *Land Administration Act 1997* section 3(1);

lowest astronomical tide means the lowest level to which the sea level can be predicted to fall under normal meteorological conditions;

onshore place has the meaning given in the *Native Title Act 1993* (Commonwealth) section 253.

3. Eighty Mile Beach Marine Park reserved and classified

- (1) The area described in Schedule 1 is reserved as a marine park, to be known as the Eighty Mile Beach Marine Park, and classified as of Class A.
- (2) The area described in Schedule 1 is shown on Deposited Plan No. 75853, held by the Western Australian Land Information Authority trading as Landgate.
- (3) A copy of Deposited Plan No. 75853 may be inspected during office hours at the Department's offices at —
 - (a) 111 Herbert Street, Broome;
 - (b) Lot 3 Anderson Road, Karratha;
 - (c) 17 Dick Perry Avenue, Kensington.
- (4) For information purposes, a representation of the Eighty Mile Beach Marine Park is set out in Schedule 2.

4. Application of Geocentric Datum of Australia 1994

A reference in this order to a geographic coordinate is to a coordinate expressed in accordance with the Geocentric Datum of Australia 1994 (GDA 94).

By Command of the Lieutenant-Governor and deputy of the Governor,

N. HAGLEY, Clerk of the Executive Council.

Schedule 1 — Description of the area of the Eighty Mile Beach Marine Park

[cl. 3(1)]

Situated in the Indian Ocean, the Eighty Mile Beach Marine Park comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of 200 metres below that seabed that are contained within and bounded by a line: commencing west of Cape Missiessy at the intersection of the seaward limit of the coastal waters of the State and latitude 19°02'36" south, and extending east along that latitude to the point at the intersection of that latitude and the high water mark on the westernmost boundary of the western severance of Lot 98 as shown on Landgate Deposited Plan 32018, at Cape Missiessy; *thence* generally southerly, generally south-easterly and again generally southerly along the high water mark boundary of that severance to the point at the intersection of that boundary and the high water mark on the north-western corner of the Unallocated Crown Land west of the northernmost severance of Lot 159 (part Anna Plains Station) as shown on Landgate Deposited Plan 65159; *thence* generally south-westerly along the high water mark to the point at the intersection of that water mark and

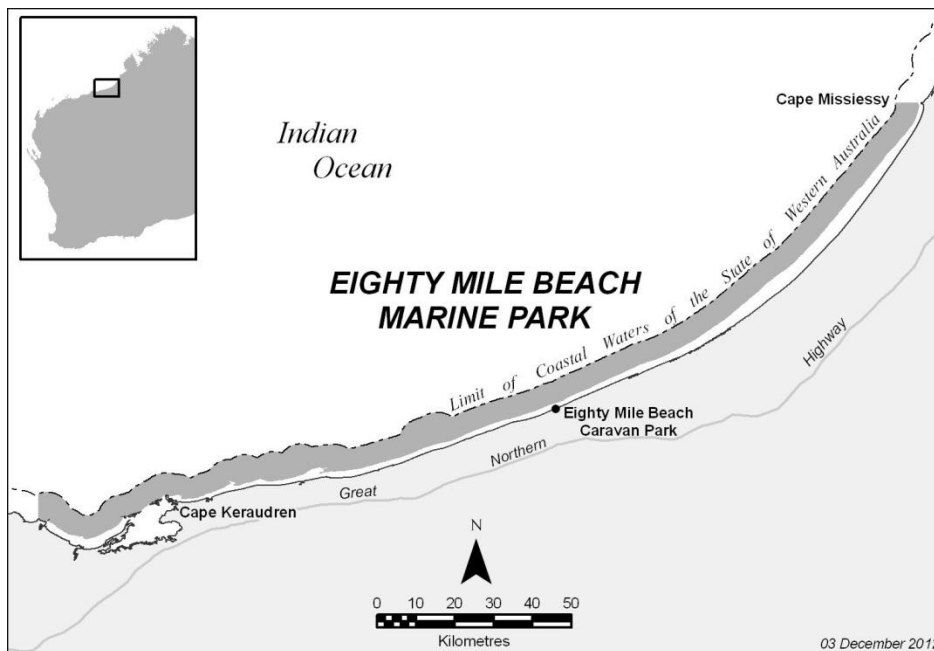
the north-westernmost corner of the western severance of Reserve 1529 as indicated on Landgate Deposited Plan 65159; *thence* generally south-westerly along the high water mark boundary of that severance to the point at the intersection of that boundary and the high water mark on the north-westernmost corner of the Unallocated Crown Land north-west of the southernmost severance of Lot 159 (part Anna Plains Station) as shown on Landgate Deposited Plan 65159; *thence* generally south-westerly along the high water mark, and along the high water mark of the unnamed intertidal creeks, to the point at the intersection of that water mark and the high water mark on the northernmost corner of the Unallocated Crown Land north-west of Lot 804 (part Mandora Station) as shown on Landgate Deposited Plan 66803; *thence* generally south-westerly along the high water mark, and along the high water mark of the unnamed intertidal creeks, and continuing generally south-westerly along the high water mark to the point at the intersection of that water mark and the northernmost corner of the south-eastern severance of Reserve 1531 as indicated on Landgate Deposited Plan 66803; *thence* generally south-westerly along the high water mark boundary of that severance, and continuing generally south-westerly and generally north-easterly along the high water mark of the unnamed intertidal creek, to the point at the intersection of that water mark and the southernmost corner of the north-western severance of Reserve 1531, and further continuing generally north-easterly, generally westerly and generally south-westerly along the high water mark boundary of that severance to the point at the intersection of that boundary and the high water mark on the northernmost corner of the Unallocated Crown Land north-west of Lot 803 (part Mandora Station) as shown on Landgate Deposited Plan 66803; *thence* generally south-westerly along the high water mark to the point at the intersection of that water mark and the high water mark on the northernmost corner of the Unallocated Crown Land north-west of Lot 938 (part Wallal Downs Station) as shown on Landgate Deposited Plan 69938; *thence* generally south-westerly along the high water mark to the point at the intersection of that water mark and the high water mark on the northernmost corner of the northern severance of Lot 52 (part Reserve 11784) as shown on Landgate Deposited Plan 91841; *thence* generally south-westerly along the high water mark boundary of that severance to the point at the intersection of that boundary and the high water mark on the northernmost corner of the Unallocated Crown Land north-west of a northern severance of Lot 1539 (part Wallal Downs Station) as shown on Landgate Deposited Plan 69939, north-east of Eighty Mile Beach Caravan Park; *thence* generally south-westerly along the high water mark to the point at the intersection of that water mark and the high water mark on the northernmost corner of the Unallocated Crown Land north-west of the north-westernmost severance of Lot 937 (part Wallal Downs Station) as shown on Landgate Deposited Plan 69938; *thence* generally south-westerly along the high water mark to the point at the intersection of that water mark and the high water mark on the northernmost corner of the north-western severance of Reserve 1533 as indicated on Landgate Deposited Plan 69938; *thence* generally south-westerly along the high water mark boundary of that severance to the point at the intersection of that boundary and the high water mark on the northernmost corner of the Unallocated Crown Land north-west of Lot 936 (part Wallal Downs Station) as shown on Landgate Deposited Plan 69938; *thence* generally south-westerly along the high water mark, and along the high water mark of the unnamed intertidal creeks, and continuing generally south-westerly, generally westerly, again generally south-westerly, generally southerly and generally westerly along the high water mark, and further continuing generally north-westerly and generally south-westerly along the high water mark of the Unallocated Crown Land north of Lot 935 (part Wallal Downs Station) and along the high water mark of the unnamed intertidal creek, to the point at the intersection of that water mark and the high water mark on the northernmost

corner of the Unallocated Crown Land north-west of Lot 855 (part Pardoo Station) as shown on Landgate Deposited Plan 70855; *thence* generally south-westerly, generally westerly and again generally south-westerly along the high water mark, and along the high water mark of the unnamed intertidal creek, and continuing generally south-westerly and generally westerly along the high water mark to the point at the intersection of that water mark and the high water mark on the easternmost south-eastern boundary of Reserve 39135 (Lot 19 and Lot 64) as shown on Landgate Deposited Plan 216173; *thence* generally westerly along the high water mark to the mouth of Cootenbrand Creek, and continuing generally south-westerly along the high water mark up the south-eastern bank of that creek, and further continuing generally southerly, generally south-westerly, generally easterly, again generally south-westerly and generally westerly along the high water mark around the eastern portion of Blaze Bay (unofficial name), and excluding the intertidal portion of Road Number 4274, and excluding the intertidal portion of Reserve 12297 (Vermin Proof Fence), and excluding the intertidal portion of Lots 56 and 116 (part Reserve 9697 – Stock Route) as shown on Landgate Deposited Plan 240321, and excluding the intertidal portion of the unnamed road reserve that leads to Noba Well, to the point at the intersection of that water mark and Reserve 1535 as indicated on Landgate Deposited Plan 240321; *thence* northerly, westerly and southerly along the boundary of that reserve to the point at the intersection of that boundary and the high water mark on the Unallocated Crown Land north of a northern severance of Lot 86 (part Pardoo Station) as shown on Landgate Deposited Plan 238433; *thence* generally south-westerly and generally north-easterly along the high water mark around the western portion of Blaze Bay (unofficial name), and excluding the intertidal portion of the unnamed road reserve that connects Noba Well to Pardoo Homestead, and excluding the intertidal portion of Lot 116 (part Reserve 9697 – Stock Route) as shown on Landgate Deposited Plan 240321, and continuing generally north-westerly, generally south-westerly and again generally north-westerly along that water mark, and along the high water mark of Pardoo Creek, and further continuing generally north-westerly along the high water mark to the point at the intersection of that water mark and the high water mark on the easternmost northern corner of the Unallocated Crown Land north of the easternmost coastal severance of Lot 104 (part De Grey Station) as shown on Landgate Deposited Plan 220785; *thence* generally north-westerly along the high water mark, and along the high water mark of Mulla Mulla Down Creek, and continuing generally north-easterly and generally north-westerly along the high water mark to the point at the intersection of that water mark and longitude 119°28'18" east; *thence* north along that longitude to the point at the intersection of that longitude and the seaward limit of the coastal waters of the State; *thence* generally north-easterly, generally south-easterly and again generally north-easterly along that limit to the point of commencement; and within that line —

- (a) seaward of the boundary of Reserve 1528 as indicated on Landgate Deposited Plan 65159; and
- (b) seaward of the boundary of Lot 19 and Lot 64 (Reserve 39135) as shown on Landgate Deposited Plan 216173; and
- (c) seaward of the boundary of Lot 77 (Reserve 376) as shown on Landgate Deposited Plan 91644; and
- (d) seaward of the lowest astronomical tide of all islands; and
- (e) seaward of the lowest astronomical tide of the mainland; and
- (f) seaward of all other onshore places.

Schedule 2 — Representation of the Eighty Mile Beach Marine Park

[cl. 3(4)]



By Command of the Lieutenant-Governor and
deputy of the Governor,

N. HAGLEY, Clerk of the Executive Council.

FIRE AND EMERGENCY SERVICES

FE301*

Emergency Management Act 2005

Emergency Management Amendment Regulations (No. 3) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Emergency Management Amendment Regulations (No. 3) 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Emergency Management Regulations 2006*.

4. Regulation 2 replaced

Delete regulation 2 and insert:

2. Appointment by Minister of members of SEMC (Act s. 13(2))

In addition to the members referred to in section 13(2)(a), (b), (c) and (d) of the Act, the SEMC is to consist of not more than 7 other members appointed by the Minister.

5. Regulation 4 amended

Delete regulation 4(1)(b).

6. Regulation 14 amended

In regulation 14 delete the definitions of:

preparedness

prevention

response

7. Regulation 16 amended

- (1) In regulation 16(1) delete “the emergency management aspects set out in subregulation (2)(a) of the following hazards —” and insert:

emergency management of the following hazards for the whole of the State —

- (2) Delete regulation 16(2) and (3).

8. Regulation 17 amended

(1) In regulation 17(2):

- (a) delete “the emergency management aspects set out in subregulation (3)(a) of the following hazards —” and insert:

emergency management of the following hazards for the whole of the State —

- (b) in paragraph (g) delete “environment.” and insert:

environment;

- (c) after paragraph (g) insert:

(h) fire.

(2) Delete regulation 17(3) and (4).

9. Regulation 18 replaced

Delete regulation 18 and insert:

18. Hazard management agency — State Human Epidemic Controller

The State Human Epidemic Controller, Department of Health, is the hazard management agency for emergency management of the hazard of human epidemic for the whole of the State.

10. Regulation 19 amended

Delete regulation 19(2) and insert:

- (2) The Agriculture Director General is the hazard management agency for emergency management of the hazard set out in regulation 15(h) for the whole of the State.

11. Regulation 22 replaced

Delete regulation 22 and insert:

22. Hazard management agency — State Health Coordinator

The State Health Coordinator, Department of Health, is the hazard management agency for emergency

management of the following hazards for the whole of the State —

- (a) actual or impending spillage, release or escape of a biological substance that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment;
- (b) heatwave.

12. Regulation 23A amended

In regulation 23A(3) delete “regulation 17(3),” and insert:

regulation 17(2),

13. Regulation 23B replaced

Delete regulation 23B and insert:

23B. Hazard management agency — Coordinator of Energy

The Coordinator as defined in the *Energy Coordination Act 1994* section 3(1) is the hazard management agency for emergency management of the hazards set out in regulation 15(k) for the whole of the State.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

JUSTICE

JU301*

Adoption Act 1994

Adoption Amendment Rules 2012

Made by the Judges of the Family Court of Western Australia under section 142 of the Act.

1. Citation

These rules are the *Adoption Amendment Rules 2012*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *Adoption Rules 1995*.

4. Rule 5 amended

In rule 5(2)(c):

- (a) delete “solicitor” and insert:

legal practitioner

- (b) delete “solicitor,” and insert:

legal practitioner,

5. Rule 8 amended

In rule 8 delete “under a provision referred to in the Table to rule 9” and insert:

referred to in rule 9, rule 12A and rule 12B

6. Rule 9 replaced

Delete rule 9 and insert:

9. Form of general applications

An application to the Court under the Act, other than an application for an adoption order or an application referred to in rule 12A or 12B is to be in the form of Schedule 1 Form 3.

7. Rule 10 amended

In rule 10 delete “under a provision referred to in the Table to” and insert:

referred to in

8. Rule 14 amended

In rule 14(b) delete “or the party’s lawyer,” and insert:

or the legal practitioner for the party,

9. Part 2 Division 3 deleted

Delete Part 2 Division 3.

10. Rule 23 amended

(1) In rule 23:

(a) in paragraph (c)(iv) delete “lawyer of” and insert:

legal practitioner for

(b) in paragraph (c)(iv) delete “lawyer” and insert:

legal practitioner)

(2) In rule 23 after each of paragraphs (a), (b) and (c)(i) and (ii) insert:

or

11. Rule 25 amended

(1) In rule 25(2) delete “that person’s lawyer.” and insert:

the legal practitioner for that person.

(2) In rule 25(4) delete “lawyer” and insert:

legal practitioner

12. Rule 31 amended

In rule 31:

(a) delete “and appeals”;

(b) delete “application and appeal.” and insert:

application.

Note: The heading to amended rule 31 is to read:

Register of applications and orders

13. Rule 32 amended

- (1) In rule 32:
 - (a) delete “Director-General —” and insert:

CEO —
 - (b) in paragraph (b) delete “Director-General” and insert:

CEO
- (2) In rule 32 after paragraph (a) insert:

and

Note: The heading to amended rule 32 is to read:

Court to provide certain information to CEO

14. Schedule 1 amended

- (1) In Schedule 1 Form 2:
 - (a) delete “lawyer and lawyer’s firm” and insert:

legal practitioner and legal practitioner’s firm
 - (b) delete “party’s lawyer” and insert:

legal practitioner for party
- (2) In Schedule 1 Form 3 delete “lawyer of applicant/s” and insert:

legal practitioner for applicant/s
- (3) In Schedule 1 Form 4B in the heading after “**ORDER**” insert:

UNDER SECTION 136B

- (4) In Schedule 1 Form 4C in the heading after “**DECLARATION**” insert:

UNDER SECTION 136F

- (5) Delete Schedule 1 Form 5.

- (6) In Schedule 1 Form 6:
- (a) delete “lawyer” and insert:

legal practitioner
 - (b) delete “*lawyer]*” and insert:

legal practitioner]
 - (c) delete “*lawyer*” and insert:

legal practitioner

The Honourable Chief Judge S. THACKRAY.

The Honourable Judge J. CRISFORD.

The Honourable Judge S. DUNCANSON.

TRANSPORT

TN301*

Port Authorities Act 1999

Port Authorities Amendment (Fremantle) Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Port Authorities Amendment (Fremantle) Regulations 2013*.

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 *Port Authorities Regulations 2001*.

4. Schedule 1 clause 94 amended

- (1) In Schedule 1 clause 94 delete the definition of *towage provider's licence*.
- (2) In Schedule 1 clause 94 insert in alphabetical order:

service provider's licence means a licence issued under clause 96 to provide a service listed in clause 95(2) in the port.

5. Schedule 1 clauses 95 and 96 replaced

Delete Schedule 1 clauses 95 and 96 and insert:

95. Unlicensed persons not to provide certain services

- (1) Subject to section 143(3) of the Act, a person must not provide in the port a service listed in subclause (2) except —
 - (a) under the authority of a service provider's licence issued by the port authority; and
 - (b) in accordance with any conditions or restrictions to which the licence is subject under clause 96(3).

Penalty: a fine of \$12 000.

- (2) For subclause (1), each of these services is listed —
 - (a) a towage service;
 - (b) a line boat service;
 - (c) a bunkering service;
 - (d) a stevedoring service;
 - (e) a mooring service.

96. Service provider's licence

- (1) An application for a service provider's licence —
 - (a) must be made to, and in the form approved by, the port authority; and
 - (b) must be accompanied by a fee of an amount determined by the port authority that is not more than \$1 000.
- (2) If satisfied that an applicant has appropriate qualifications and experience to provide a service listed in clause 95(2) in the port, the port authority may issue a service provider's licence to the applicant.
- (3) A service provider's licence has effect in relation to the provision of the service, and for the period, set out in the licence subject to —
 - (a) annual payment to the port authority, by the person who is granted or holds the licence, of an amount determined by the port authority that is not more than \$10 000 per annum; and

- (b) any conditions or restrictions that the port authority imposes and sets out in the licence.
- (4) If the port authority considers that a condition or restriction to which a service provider's licence is subject has been breached, the port authority may by written notice given to the person who holds the licence —
 - (a) suspend the operation of the licence for any period that the port authority considers appropriate; or
 - (b) cancel the licence.
- (5) A service provider's licence must set out procedures determined by the port authority that enable the person who holds the licence to appeal if the licence is suspended or cancelled under subclause (4).
- (6) A notice under subclause (4) has effect on the day on which the person who holds the service provider's licence is given the notice or on any later day specified in the notice.
- (7) A person whose service provider's licence is suspended or cancelled by notice under subclause (4) must return the licence to the port authority within 7 days after the notice has effect, whether or not the person intends to appeal against the suspension or cancellation.

Penalty for an offence under subclause (7): a fine of \$2 000.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TN302*

Port Authorities Act 1999

Port Authorities Amendment (Esperance Pilotage Fees) Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Port Authorities Amendment (Esperance Pilotage Fees) Regulations 2013*.

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 *Port Authorities Regulations 2001*.

4. Regulation 44 amended

- (1) In regulation 44(2) delete “items 1 to 12” and insert:

items 1 to 10

- (2) In regulation 44(3) delete “item 15” and insert:

item 13

5. Regulation 48 amended

Delete regulation 48(1)(b) and insert:

- (b) Division 3 item 12; or

6. Schedule 2 Division 3 replaced

Delete Schedule 2 Division 3 and insert:

Division 3 — Port of Esperance

1.	Pilotage of a vessel of not more than 20 000 gross registered tonnes into and out of the port	\$5 787.09
2.	Pilotage of a vessel of more than 20 000 but not more than 30 000 gross registered tonnes into and out of the port	\$6 148.78
3.	Pilotage of a vessel of more than 30 000 but not more than 40 000 gross registered tonnes into and out of the port	\$6 691.32
4.	Pilotage of a vessel of more than 40 000 but not more than 50 000 gross registered tonnes into and out of the port	\$7 233.86
5.	Pilotage of a vessel of more than 50 000 but not more than 60 000 gross registered tonnes into and out of the port	\$7 776.40

6.	Pilotage of a vessel of more than 60 000 but not more than 70 000 gross registered tonnes into and out of the port	\$8 499.79
7.	Pilotage of a vessel of more than 70 000 but not more than 80 000 gross registered tonnes into and out of the port	\$9 042.33
8.	Pilotage of a vessel of more than 80 000 but not more than 90 000 gross registered tonnes into and out of the port	\$9 584.87
9.	Pilotage of a vessel of more than 90 000 but not more than 100 000 gross registered tonnes into and out of the port	\$10 275.38
10.	Pilotage of a vessel of more than 100 000 gross registered tonnes into and out of the port	\$0.103 for each gross registered tonne of vessel
11.	Pilotage of a vessel from a place in the port to another place in the port	\$1 815.00
12.	Detention of pilot	\$901.45 for each hour or part of an hour
13.	Cancellation of pilot	\$635.25

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954
TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 23rd January 2013 from 0001 hours to 2359 hours, for the local government districts of—

Esperance

GARY KENNEDY, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

JUSTICE

JU401

JUSTICES OF THE PEACE ACT 2004
RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Mr George Van Beek of Menora
Mr Cyril James Pitts of Halls Head
Mrs Eileen Margaret Lee of Hillarys
Mr Bernard Reginald Myatt of Frederickton
Mr Leslie Ross Perry of Currambine
Mrs Evelyn Ellen Dolley of Gnowangerup
Mr Richard Paul Huxtable of Hobart
Mr Robin Crabbe of Willetton
Mr Christopher James Ingrey of Statham

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Shire of Woodanilling

APPOINTMENTS

Notice is hereby given that the following appointments have been made by the Shire of Woodanilling Council in accordance with the above legislation—

Carl Robinson, Kel Vann, Richard Bralich, Martyn Hagley and Malcolm Wilson are hereby appointed as Registration Officers for the Shire of Woodanilling with all authority conveyed upon the position of 'Registration Officer' under the *Dog Act 1976*.

Carl Robinson, Kel Vann, Richard Bralich, Martyn Hagley and Malcolm Wilson are hereby appointed as Authorised Officers for the Shire of Woodanilling with all the authority conveyed upon the position of 'Authorised Officer' under the *Dog Act 1976*.

Carl Robinson, Kel Vann, Richard Bralich, Martyn Hagley and Malcolm Wilson are hereby appointed as Ranger/Poundkeeper in accordance with Section 449 of the *Local Government (Miscellaneous Provisions) Act 1960* with all the authority conveyed by the Act upon that position.

BELINDA KNIGHT, Chief Executive Officer.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

City of Canning

SWIMMING PROHIBITED AREA
Shelley Beach Park Foreshore

Department of Transport,
Fremantle WA, 29 January 2013.

Acting pursuant to Regulation 10A of the *Navigable Waters Regulations 1958*, the Department hereby prohibits swimming within the following area between 11am 2 February and 10pm 3 February 2013—

Canning River

All the waters enclosed within an area commencing at the end of the Shelley Beach Park jetty, extending due west to a point at approximately 32° 1.680'S, 115° 52.945'E (marked by a yellow buoy, approximately 1m in height equipped with rhythmic yellow light), thence eastwards to a point on the foreshore at approximately 32° 1.680'S, 115° 52.945'E.

This area is set aside for safety reasons during the above festival.

RAYMOND BUCHHOLZ, Acting General Manager,
Department of Transport.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME MINOR AMENDMENT 1232/57
Lots 2, 3, 4, 7, 8 and 412 Railway Road and Portion of Railway Road,
Subiaco

Notice of Approved Amendment

File: 833-2-12-5

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2470 and is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday 29 January 2013 to Friday 1 March 2013 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Subiaco

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

NEIL THOMSON, Secretary,
Western Australian Planning Commission.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
IMPROVEMENT PLAN NO. 35

Browse Liquefied Natural Gas Precinct

It is hereby notified for public information that the Western Australian Planning Commission (WAPC) acting pursuant to Part 8 of the *Planning and Development Act 2005* has certified and recommended that for the purpose of advancing the planning, development and use of the land described below, that the land should be made subject of an improvement plan.

The land is, and in the vicinity of, James Price Point, approximately 60 kilometres north of Broome, on the West Kimberley coast of Western Australia, with the subject area depicted on WAPC Plan No.3.2526.

The purpose of this improvement plan is to enable the WAPC to undertake all the necessary steps to establish the strategic planning and development intent for Browse Liquefied Natural Gas Precinct, provide guidance to the preparation of statutory plans, statutory referral documentation and policy instruments, provide for a strategic planning framework endorsed by the WAPC, Acting Minister for Planning and the Governor, and to authorise the preparation of an Improvement Scheme and establish its objectives.

The recommendation has been accepted by the Acting Minister for Planning and His Excellency the Governor, and will be known as Improvement Plan No.37—Browse Liquefied Natural Gas Precinct. Improvement plan number 37 is effective on and from 29 January 2013.

A copy of the Improvement Plan No. 37 can be viewed at—

1. The Western Australian Planning Commission, 140 William Street, Perth;
2. The municipal office of the Shire of Broome; and
3. JS Battye Library, Alexander Library Building, Francis Street, Northbridge.

NEIL THOMSON, Secretary,
Western Australian Planning Commission.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
40012	Christopher Nicholas Bayly (ANORS)	Application for the grant of an extended trading permit—ongoing hours, in respect of premises situated in Erskine and known as Cellarbrations at Erskine	29/01/2013
39886	Alexis Harper Pty Ltd	Application for the grant of an extended trading permit—ongoing hours, in respect of premises situated in Collie and known as Victoria Hotel	11/02/2013
APPLICATIONS FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
39605	Eremorum Pty Ltd	Application for the grant of an extended trading permit liquor without a meal in respect of premises situated in Norseman and known as The Railway Motel	11/02/2013
39786	Longreef Holdings Pty Ltd	Application for the grant of an extended trading permit liquor without a meal in respect of premises situated in Fremantle and known as Cicerello's	7/02/2013

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
379583	Esplanade Port Hedland Accommodation Land Pty Ltd (ANORS)	Application to add, vary or cancel a condition of the Hotel Restricted licence in respect of premises situated in Port Hedland and known as Esplanade Hotel (Port Hedland)	17/02/2013

This notice is published under section 67(5) of the Act.

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 24 January 2013.

ROTTNEST ISLAND AUTHORITY

RX401*

ROTTNEST ISLAND REGULATIONS 1988

TEMPORARY NOTICE TO MARINERS

Closure of Waters to Boating Thomson Bay, Rottnest Island

Rottnest Island Channel Swim 2013

Acting pursuant to the powers conferred by regulation 38B of the *Rottnest Island Regulations 1988*, the Rottnest Island Authority hereby closes the following waters to all vessels, excluding bona fide emergency and authorised vessels, between 6:00am on Saturday 23 February 2013 and 6:00pm on Saturday 23 February 2013—

Thomson Bay

All the waters within and bounded by the points—

31.99724 south and 115.54699 east

31.996947 south and 115.546329 east

31.997906 south and 115.543288 east

31.997748 south and 115.542559 east

In addition to the above area, all waters within 40 metres of the shoreline, from a point on the foreshore 220 metres south-east of the Hotel Jetty and extending in a north-westerly direction to the Rottnest Island Fuel Jetty will be closed.

To assist mariners, the Rottnest Island Authority will have floatlines in place identifying the above areas.

This has been introduced to assist in achieving public safety and appropriate signage will be placed on site.

Mariners are advised to navigate with caution and maintain a safe clearance when transiting this area.

PAOLO AMARANTI, Chief Executive Officer,
Rottnest Island Authority.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984

INSTRUMENT OF DECLARATION NO. 1 OF 2013

The Minister for Commerce, being the Minister administering the *Occupational Safety and Health Act 1984*, and the Minister for Mines and Petroleum, being the Minister administering the *Mining Act 1978* and the *Mines Safety and Inspection Act 1994* declare that the Instrument of Declaration No. 3 of 2008 which was published in the *Gazette* (No. 161) on 23 September 2008 at pages 4368 and 4369 and reprinted in the *Gazette* (No. 173) on 8 October 2008 at pages 4531 and 4532, is cancelled with effect from 8 February 2013.

SIMON O'BRIEN MLC, Minister for Commerce.

NORMAN FREDERICK MOORE MLC, Minister for Mines and Petroleum.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the will of Robert Rolf Norman, late of 11 Shepherd Court, Harrisdale in the State of Western Australia, Retired Engineer, deceased.

Creditors and other persons having claims or demands against the estate of the abovenamed deceased, Robert Rolf Norman are requested to send particulars thereof in writing to the Executor, Russell Grant Norman of 11 Shepherd Court, Harrisdale in the said State within one month and one day from the date of publication, after which date the Executor will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which he shall then have notice.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of Maxwell Raymond Lee of 74 Sutherland Drive, Thornlie WA 6108, who died on 27 May 2011, are required by the Administrator, David John Lee of 68 Greeson Parkway, Secret Harbour WA 6173 to send particulars of such claims to him within 30 days of the publication of this notice. After such date the Administrator may convey or distribute the assets of the abovementioned Estate having regard only to the claims of which he then has notice.

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