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## **GOVERNMENT GAZETTE**

### **PUBLISHING DETAILS FOR EASTER AND ANZAC DAY 2014**

A gazette will be published at noon on **Thursday 17th April**  
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A gazette will be published at noon on **Thursday 24th April**  
closing time for copy is Tuesday 22nd at noon.

A gazette will be published at noon on **Tuesday 29th April**  
closing time for copy is Thursday 24th at noon.

**Gazettes will not be published on—**

Friday 18th April;  
Tuesday 22nd April; or  
Friday 25th April.

# — PART 1 —

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## PROCLAMATIONS

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AA101\*

(No. 36 of 2012)

Retirement Villages Amendment Act 2012

### **Retirement Villages Amendment Act 2012 Commencement Proclamation 2014**

Made under the *Retirement Villages Amendment Act 2012* section 2(b) by the Governor in Executive Council.

**1. Citation**

This proclamation is the *Retirement Villages Amendment Act 2012 Commencement Proclamation 2014*.

**2. Commencement**

The *Retirement Villages Amendment Act 2012*, other than sections 1, 2 and 4(4), comes into operation on 1 April 2014.

M. J. McCUSKER, Governor.

L.S.

M. MISCHIN, Minister for Commerce.

Note: Under the *Retirement Villages (Recurrent Charges, Prescribed Matters and Exemption Certificates) Amendment Regulations 2014* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Retirement Villages Amendment Act 2012* section 11 comes into operation.

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**CONSUMER PROTECTION**

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CP301\*

Retirement Villages Act 1992

**Retirement Villages (Recurrent Charges,  
Prescribed Matters and Exemption Certificates)  
Amendment Regulations 2014**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Retirement Villages (Recurrent Charges, Prescribed Matters and Exemption Certificates) Amendment Regulations 2014*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — when the *Retirement Villages Amendment Act 2012* section 11 comes into operation.

**3. Regulations amended**

These regulations amend the *Retirement Villages Regulations 1992*.

**4. Regulation 4 amended**

In regulation 4 delete “5 working days” and insert:

10 working days

**5. Regulation 5 amended**

In regulation 5(1) delete “5 working days” and insert:

10 working days

**6. Regulations 9 to 12 inserted**

After regulation 8 insert:

**9. Former resident's liability to pay recurrent charges (Act s. 23(3))**

(1) In this regulation —

*commencement day* means the day on which the *Retirement Villages Amendment Act 2012* section 11 comes into operation;

*evidence of death*, in relation to a deceased former resident of a retirement village, means —

- (a) evidence of the grant of probate or letters of administration; or
- (b) other evidence that the administering body of the retirement village accepts as evidence of the former resident's death.

(2) In this regulation, each of these terms has the meaning given in section 23(1) of the Act —

*former resident*

*permanently vacated*

*recurrent charges*

(3) A former resident's liability to pay recurrent charges in respect of residential premises in a retirement village ceases when the earliest of these occurs —

- (a) a new resident becomes liable to pay those recurrent charges;
- (b) a premium is repaid in whole or in part to the former resident —
  - (i) under section 19(3)(b) of the Act; or
  - (ii) in accordance with the residence contract; or
  - (iii) as a consequence of an order made by the State Administrative Tribunal under section 57, 58, 59 or 62 of the Act;
- (c) if —
  - (i) the former resident entered into the residence contract before the commencement day; and
  - (ii) the residential premises are permanently vacated on or after the commencement day; and
  - (iii) the former resident is deceased when the residential premises are permanently vacated,

the expiry of 6 months after the later of —

- (iv) the administering body of the retirement village being given evidence of death in relation to the deceased former resident; or
- (v) the residential premises having been permanently vacated;

(d) if —

- (i) the former resident enters into the residence contract on or after the commencement day; and
- (ii) the former resident is deceased when the residential premises are permanently vacated,

the expiry of 3 months after the later of —

- (iii) the administering body of the retirement village being given evidence of death in relation to the deceased former resident; or
- (iv) the residential premises having been permanently vacated;

(e) if —

- (i) the former resident entered into the residence contract before the commencement day; and
- (ii) the residential premises are permanently vacated on or after the commencement day; and
- (iii) the former resident is not deceased when the residential premises are permanently vacated,

the expiry of 6 months after the residential premises are permanently vacated;

(f) if —

- (i) the former resident enters into the residence contract on or after the commencement day; and
- (ii) the former resident is not deceased when the residential premises are permanently vacated,

the expiry of 3 months after the residential premises are permanently vacated.

(4) If, before the commencement day —

- (a) a former resident has permanently vacated residential premises in a retirement village; and

- (b) none of the matters described in subregulation (3)(a) or (b) has occurred; and
- (c) the former resident is deceased,

the former resident's liability to pay recurrent charges ceases when the earliest of these occurs —

- (d) any of the matters described in subregulation (3)(a) or (b);
- (e) the expiry of 6 months after the later of —
  - (i) the administering body of the retirement village being given evidence of death in relation to the deceased former resident; or
  - (ii) the commencement day.

(5) If, before the commencement day —

- (a) a former resident has permanently vacated residential premises in a retirement village; and
- (b) none of the matters described in subregulation (3)(a) or (b) has occurred; and
- (c) the former resident is not deceased,

the former resident's liability to pay recurrent charges ceases when the earliest of these occurs —

- (d) any of the matters described in subregulation (3)(a) or (b);
- (e) the expiry of 6 months after the commencement day.

(6) If —

- (a) subregulation (3)(e) or (f) or (5) applies in respect of a former resident; and
- (b) the former resident dies before the expiry of the period referred to in that provision,

that period stops expiring on the former resident's death and does not continue to expire until the administering body of the retirement village is given evidence of death in relation to the deceased former resident.

#### 10. Interest payable on recurrent charges (Act s. 24(5))

(1) In this regulation —

*former resident* has the meaning given in section 23(1) of the Act;

*maximum rate* means the maximum permissible interest rate worked out in accordance with the User Rights Principles referred to in the *Aged Care Act 1997* (Commonwealth) section 57-19(1)(c).

- (2) For the purposes of section 24(5) of the Act, the rate of interest payable by a former resident in respect of recurrent charges is determined as the maximum rate that applies at the time the former resident elects to pay the recurrent charges under section 24(2) of the Act.

**11. Matters in respect of which administering body is not to require payment (Act s. 25)**

- (1) In this regulation —  
*commencement day* means the day on which the *Retirement Villages Amendment Act 2012* section 11 comes into operation;  
*payment* means a payment demanded or received as referred to in section 25(1) of the Act;  
*professional body* means a body whose principal purpose is to represent the interests of the members of a particular profession;  
*security interest* means a security interest as defined in the *Personal Property Securities Act 2009* (Commonwealth) section 12;  
*special resolution* has the meaning given in section 57A(3) of the Act.
- (2) Each paragraph of subregulation (3) prescribes a matter for the purposes of section 25 of the Act.
- (3) Subject to subregulation (5), this regulation applies to a payment demanded or received by the administering body of a retirement village from a resident or former resident in respect of these matters —
  - (a) subject to subregulation (4), the costs incurred by the administering body of lodging or withdrawing a caveat in respect of the residential premises occupied by the resident, or formerly occupied by the former resident, of the retirement village;
  - (b) the costs incurred by the administering body of complying with the *Personal Properties Securities Act 2009* (Commonwealth) in relation to a security interest —
    - (i) that arises under a residence contract; and
    - (ii) with respect to which the administering body registers a financing statement or a financing change statement under section 150 of that Act;



- (c) the marketing or advertising of the residential premises occupied by the resident, or formerly occupied by the former resident —
  - (i) to the extent that the payment demanded or received exceeds the costs (if any) incurred by the administering body of that marketing or advertising; or
  - (ii) if the payment demanded or received does not relate to the marketing or advertising of only those residential premises;
- (d) the marketing or advertising of the retirement village as a whole, to the extent that the payment demanded or received from the resident or former resident exceeds his or her appropriate portion of the costs incurred by the administering body of that marketing or advertising;
- (e) the costs incurred by the administering body of —
  - (i) obtaining legal advice; or
  - (ii) instituting or defending or otherwise participating in legal proceedings; or
  - (iii) participating in arbitration proceedings or mediation,in relation to the retirement village, unless the residents have passed a special resolution that authorises those costs to be paid by the residents;
- (f) the costs incurred by the administering body of complying with an order made against the administering body by the State Administrative Tribunal or a court to pay compensation, a penalty or another amount in relation to the retirement village, unless the residents have passed a special resolution that authorises those costs to be paid by the residents;
- (g) the provision by the administering body of administrative and management services to the residents of the retirement village, to the extent that the payment demanded or received from the resident or former resident exceeds his or her appropriate portion of —
  - (i) the costs incurred by the administering body of providing those services; and
  - (ii) if the administering body is a person on whose behalf the retirement village is administered and is the owner of land

- within the retirement village (otherwise than as a resident) — a reasonable fee for providing those services;
- (h) the provision by the administering body of a copy of the residence contract entered into by the resident or former resident (other than the copy provided under an applicable code when the resident or former resident entered into the residence contract), to the extent that the payment demanded or received exceeds the costs incurred by the administering body of providing the copy;
  - (i) the refurbishment of the residential premises occupied by the resident, or formerly occupied by the former resident, to the extent that the payment demanded or received exceeds the costs incurred by the administering body of that refurbishment;
  - (j) the provision by the administering body of information or documents to which the resident or former resident is entitled under an applicable code;
  - (k) the costs incurred by the administering body relating to land tax, if the land used for the retirement village is eligible for an exemption under the *Land Tax Assessment Act 2002*;
  - (l) the costs relating to the depreciation or amortisation of, or to writing off, the assets of the retirement village;
  - (m) the costs incurred by the administering body of overseas travel by the administering body or the employees of the administering body;
  - (n) the costs incurred by the administering body of accreditation or membership fees paid to a professional body or industry body, other than an industry body referred to in paragraph (o);
  - (o) the costs incurred by the administering body of accreditation or membership fees paid to an industry body whose principal purpose is to represent the interests of administering bodies (however described) of retirement villages, to the extent that the payment demanded or received from the resident or former resident exceeds his or her appropriate portion of an amount equal to 50% of those costs.
- (4) Subregulation (3)(a) does not apply to the costs incurred by the administering body of a retirement village of withdrawing a caveat for a period, and then lodging it again at the end of the period, in respect of

residential premises occupied by a resident of the retirement village, if —

- (a) the administering body withdraws the caveat for that period in accordance with the resident's written request; and
  - (b) that request is not made for the purposes of the sale of the residential premises.
- (5) For a retirement village that is in operation immediately before the commencement day, this regulation applies to a payment demanded or received by the administering body of the retirement village on or after the first day of the first financial year of the retirement village that begins after the commencement day.

**12. Exemption certificates (Act s. 77C)**

- (1) For the purposes of section 77C(1)(a) of the Act, the fee for an application for an exemption certificate (the *application fee*) is \$700.
- (2) The Commissioner may refund the whole or any part of the application fee if the Commissioner is satisfied there are special circumstances that justify the refund.
- (3) It is not a special circumstance for the purposes of subregulation (2) that an application is refused.
- (4) Without limiting subregulation (2), the whole of the application fee may be refunded under that subregulation only if the Commissioner is satisfied that no resources of the Department have been applied to assess the application.
- (5) Without limiting subregulation (2), any part of the application fee may be refunded under that subregulation only if the Commissioner has had regard to these matters —
  - (a) whether the application has been made in error because the applicant is not a person to whom section 76 of the Act applies;
  - (b) the extent to which the resources of the Department have been applied to assess the application.
- (6) A person must not give information that is false or misleading to the Commissioner in, or in relation to, an application for an exemption certificate under section 77C of the Act.

Penalty: a fine of \$5 000.

**7. Schedule 1 amended**

- (1) In Schedule 1 Form 1 delete “5 working days” and insert:

10 working days

- (2) In Schedule 1 Form 2:

- (a) delete “5 working days” (1<sup>st</sup> occurrence) and insert:

10 working days

- (b) under the heading “**UNDER SECTION 13 —**” delete “5 working days” and insert:

10 working days

- (c) under the heading “**UNDER SECTION 14 —**” delete “5 working days” and insert:

7 working days

- (d) under the heading “**UNDER SECTION 14 —**” delete “10 working days” and insert:

17 working days

R. KENNEDY, Clerk of the Executive Council.

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CP302\*

Residential Tenancies Act 1987

## **Residential Tenancies Amendment Regulations 2014**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Residential Tenancies Amendment Regulations 2014*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 February 2016.

**3. Regulations amended**

These regulations amend the *Residential Tenancies Regulations 1989*.

**4. Part 2 heading replaced**

Delete the heading to Part 2 and insert:

**Part 2 — Application of Act, modification  
of application**

**5. Regulation 5AAA inserted**

After regulation 5 insert:

**5AAA. Application of Act to certain accommodation at  
St Thomas More College**

- (1) In this regulation —  
*St Thomas More College* means the premises comprising St Thomas More College on Mounts Bay Road, Crawley.
- (2) The following accommodation at St Thomas More College is prescribed for the purposes of section 5(3)(b) of the Act —
  - (a) the student accommodation provided in the building on the western side of the College; and
  - (b) the student accommodation provided in the southern-most building of the College.

R. KENNEDY, Clerk of the Executive Council.

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## LOCAL GOVERNMENT

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LG301\*

**HEALTH ACT 1911****LOCAL GOVERNMENT ACT 1995***Shire of Dardanup***HEALTH AMENDMENT LOCAL LAW 2014**

Under the powers conferred by section 342 of the *Health Act 1911*, subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Dardanup resolved on 19 February 2014 to make the following local law.

**1. Citation**

This Local Law shall be cited as the *Shire of Dardanup Health Amendment Local Law 2014*.

**2. Commencement**

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

**3. Principal Local Law**

In this local law, the *Shire of Dardanup Health Local Law 2000* as published in the *Government Gazette* on 6 July 2000 and as amended and published in the *Government Gazette* on 23 January 2001 is referred to as the principal local law. The principal local law is amended as follows.

**4. Section 1.3 amended**

Section 1.3(1) is amended as follows—

(a) Insert the following in alphabetical order—

“AS” means the Australian Standard published by the Standards Association of Australia as amended from time to time;

“AS/NZS” means the Australian/New Zealand Standard published by the Standards Association of Australia as amended from time to time;

“AS/NZS ISO 7171.1: 2004” means the standard published by the Standards Association of Australia as AS/NZS ISO 7171.1: 2004 as amended from time to time and called “Acoustics—Rating of sound insulation in buildings and of building elements—Airborne sound insulation.”;

“AS 1530.2: 1993” means the standard published by the Standards Association of Australia as AS 1530.2: 1993 as amended from time to time and called “Methods for fire tests on building materials, components and structures—Tests for flammability of materials.”;

“AS/NZS 1530.3: 1999” means the standard published by the Standards Association of Australia as AS/NZS 1530.3: 1999 as amended from time to time and called “Methods for fire tests on building materials, components and structures—Simultaneous determination of ignitability, flame propagation, heat release and smoke release.”;

“AS 1668.2—2002” means the standard published by the Standards Association of Australia as AS 1668.2—2002 as amended from time to time and called “The use of ventilation and air-conditioning in buildings—Ventilation design for indoor-air contaminant control.”;

“AS 2001.5.4—2005” means the standard published by the Standards Association of Australia as AS 2001.5.4—2005 as amended from time to time and called “AS 2001.5.4—2005: Methods of test for textiles—Dimensional change—Domestic washing and drying procedures for textile testing.”;

“AS/NZS 3666.2: 2002” means the standard published by the Standards Association of Australia as AS/NZS 3666.2: 2002 as amended from time to time and called “Air-handling and water systems of buildings Microbial Control—Operation and maintenance.”;

“Food Standards Code” means the *Australia New Zealand Food Standards Code* as defined in the *Commonwealth Food Standards Australia New Zealand Act 1991* as amended from time to time;

“local government” means the Shire of Dardanup;

(b) Delete the definition for “hot water” and replace with the following—

“hot water” means water at a temperature of at least 65 degrees Celsius;

(c) Delete the definition of “**water**” and replace with the following—

“**water**” means drinking water within the meaning of the *Australian Drinking Water Guidelines 2011* as published by the National Health and Medical Research Council;

**5. Section 2.1.3 amended**

Section 2.1.3 is amended as follows—

- (a) in subsection (1)(c)(iii) insert ‘hand wash’ before ‘basin’
- (b) in subsection (2)(c)(ii) insert ‘wash’ before ‘basin’.

**6. Section 2.1.4 amended**

Delete section 2.1.4 and substitute the following—

**Outdoor Festivals**

- 2.1.4 (1) The organiser of an outdoor event must provide sanitary conveniences in accordance with the recommendations contained within the Department of Health’s *Guidelines for concerts, events and organised gatherings*; and
- (2) Where, under subsection (1), the number of a particular sanitary convenience to be provided is not a whole number, that number shall be rounded up to the next higher whole number.

**7. Section 2.1.5 amended**

In section 2.1.5(a) delete ‘AS1276’ and insert ‘AS/NZS ISO 7171.1: 2004’.

**8. Section 2.1.11 amended**

Delete section 2.1.11 and substitute the following—

- 2.1.11 Every temporary sanitary convenience shall be—
  - (a) installed in accordance with the requirements of the *Water Services Act 2012* and shall have an adequate supply of water.
  - (b) drained into the public sewer or treated by a method approved by the Executive Director, Public Health; and
  - (c) provided with an approved hand washing facility.

**9. Section 2.2.1 amended**

Section 2.2.1 is amended as follows—

- (a) in subsection (1)(c)(i) insert ‘hand’ before ‘wash basin’
- (b) in subsection (2) insert ‘wash’ before ‘hand basins’.

**10. Section 2.2.4 amended**

In section 2.2.4(4)(a) delete ‘the Office of Energy’ and insert ‘Energy Safety’.

**11. Section 3.1.1 amended**

Section 3.1.1 is amended as follows—

- (a) in subsection (l) remove ‘*Country Water Supply, Sewage and Drainage Act 1909*’ and insert ‘*Water Services Act 2012*’.
- (b) in subsection (m) delete ‘the Office of Energy’ and insert ‘Energy Safety’.

**12. Section 3.2.4 amended**

Section 3.2.4 is amended as follows—

- (a) in subsection (2)(b) delete ‘AS1668.2’ and replace with ‘AS 1662—2002’;
- (b) in subsection (3)(a) delete ‘AS3666-1989’ and replace with ‘AS/NZS 3666.2: 2002’;
- (c) in subsection (3)(b) delete ‘occupied’ and insert ‘occupied, if it is a building without approved natural ventilation’; and
- (d) in subsection (5) insert ‘made’ before ‘under’.

**13. Section 3.3.3 amended**

Section 3.3.3(a) is amended by inserting ‘well’ after ‘soak’.

**14. Section 5.1.2 amended**

Section 5.1.2 is amended by inserting ‘This requirement applies only to any rubbish, matter or things coming from or belonging to the premises.’ after ‘adjacent to the premises.’

**15. Section 5.1.3 amended**

Section 5.1.3 is deleted and substituted with the following—

**Escape of Smoke etc.**

5.1.3 An owner or occupier shall not cause or permit the escape of smoke, dust, sand, fumes, offensive or foul odours, liquid waste or liquid refuse from the premises in such quantity or of such nature as to cause or to be a nuisance.

**16. Part 5 Division 2 title amended**

Part 5 Division 2 title is amended by inserting 'and Cage-Birds' after 'Birds'.

**17. Section 5.2.1 amended**

Section 5.2.1 is amended by inserting the following in alphabetical order—

“**cage-birds**” includes birds belonging to the order Psittaciformes (including parrots, cockatoos, galahs, and budgerigars), Passeriformes (including crows, ravens, finches, and magpies), and Coraciiformes (including kookaburras);

**18. Section 5.2.7 to 5.2.10 inserted**

Insert the following after section 5.2.6—

**Written approval for cage-birds**

5.2.7 (1) An owner or occupier of premises shall not—

- (a) without the written approval of the Environmental Health Officer; or
  - (b) except in accordance with any conditions imposed by the Environmental Health Officer in connection with the approval under subsection (a), keep or permit to keep cage-birds on the premises.
- (2) The Environmental Health Officer may, upon written application, grant approval with or without conditions to the owner or occupier of premises to keep on the premises a specified number of cage-birds.

**Revocation of Approvals**

- 5.2.8 (1) The local government may, at any time, revoke the approval to keep or permit to keep cage-birds for any reason, including excessive noise, which, in the opinion of the local government, justifies the revocation.
- (2) Whenever the local government revokes the approval to keep or permit to keep cage-birds, it shall give the owner or occupier of the premises notice of the revocation and the approval shall be revoked as from the date on which the notice is served on the owner or occupier.
- (3) An owner or occupier, must, at his or her own expense, remove in the appropriate manner the cage-birds, within 14 days of the notice referred to in subsection (2) being served.”

**Conditions for Keeping Cage-Birds**

5.2.9 A person who keeps, or permits to keep, cage-birds shall ensure that—

- (a) Subject to subsection (b) no “cage-birds” are able to approach within 15 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
- (b) The approval of the Environmental Health Officer is to be obtained before an aviary, cage or enclosure is kept closer than 15 metres to a dwelling. Such an approval is subject to the dwelling being either on an adjacent property in the same ownership or a dwelling on the same property that is occupied by the keeper of the aviary, cage or enclosure. In any case, the minimum separation will not be reduced to less than 5 metres;
- (c) Cage-birds are confined in a properly constructed cage, aviary or enclosure;
- (d) No cage, aviary or enclosure shall be located nearer than 1.2 metres from the boundary of adjoining properties;
- (e) All structures used to house cage-birds shall be of sound, weatherproof construction, the framework and roost being of smooth sealed timber or metal, the walls and roof to be constructed of galvanised iron or other approved material, and the floor to be constructed in a manner and of a material which will facilitate the hygienic removal of waste matter, husks, seed, feathers, dead birds and faecal matter;
- (f) All cages, aviaries, enclosures, surrounds, food and water containers and rubbish receptacles shall be kept clean and maintained in good order and condition at all times;
- (g) All waste, including husks, seed, feathers, dead birds and faecal matter shall be placed in plastic or double lined paper garbage bags and disposed of immediately after collection into an approved receptacle. Such receptacle shall have a tight fitting lid and be inaccessible to flies, rodents and other vectors of disease;
- (h) The occupier shall clean and disinfect cages, aviaries, enclosures, and surrounds, and trap or bait flies, rodents and other vectors of disease in accordance with any direction of an Environmental Health Officer;
- (k) Cages, aviaries, enclosures, and surrounds shall be kept in a clean condition to the satisfaction of an Environmental Health Officer.



**Removal of Non-Conforming Structure or Enclosure**

- 5.2.10 (1) If a structure or enclosure is used for the keeping of “cage-birds” is contrary to the provisions of Section 5.2.9, the Environmental Health Officer may direct the owner or occupier to remove it at the owner’s or occupier’s own cost.
- (2) An owner or occupier shall comply with a direction from the Environmental Health Officer under this Section.’

**19. Section 5.4.4 amended**

Subsection 5.4.4(2) is amended by deleting ‘of this section’.

**20. Section 5.4.6 amended**

Section 5.4.6 is amended as follows—

- (a) In subsection (1) delete the words ‘provision of Section’ and replace with ‘provisions of sections’.
- (b) In subsection (2) insert ‘made’ before ‘under’.

**21. Section 5.4.7 amended**

Subsection 5.4.7(2) is amended by deleting the words ‘with the Council order under’ and replace with ‘with a Council order made under’.

**22. Section 5.4.8 inserted**

After section 5.4.7, insert the following—

**Restrictions on Feeding Wild Birds**

5.4.8 A person shall not feed a pigeon, dove, seagull, ibis, raven or other wild bird, so as to cause a nuisance or be injurious or dangerous to health.

**23. Section 5.6.4 amended**

In section 5.6.4, Table 3, delete ‘50 to 500 pigs’ and insert ‘50 to 499 pigs’.

**24. Section 5.7.2 amended**

In section 5.7.2(1) delete ‘AS 1668.2 Part 2 1991’ and insert ‘AS 1668.2—2002’.

**25. Section 5.7.3 amended**

Section 5.7.3 is amended as follows—

- (a) In subsection (a)(i)(A) delete ‘AS 1668.2 Part 2 1991’ and insert ‘AS 1668.2—2002’.
- (b) In subsection (a)(i)(B) delete ‘AS 1668.2 Part 2 1991’ and insert ‘AS 1668.2—2002’.

**26. Section 6.1.2 amended**

In section 6.1.2 delete ‘, following the word ‘left’.

**27. Section 6.1.5 amended**

Subsection 6.1.5(3) is deleted and substituted with the following—

- (3) The local government is not liable to pay compensation or damages of any kind to the person referred to in subsection (1) in relation to any action taken by the local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of its duty.’

**28. Section 6.2.2 amended**

In subsection 6.2.2(1)(b) delete ‘, following the word ‘in’.

**29. Section 6.2.3 amended**

Section 6.2.3 is amended as follows—

- (a) In subsection (2) delete ‘Section’ and insert ‘subsection’.
- (b) Subsection (3) is deleted and substituted with the following—
- (3) The local government is not liable to pay compensation or damages of any kind to the person referred to in subsection (1) in relation to any action taken by the local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of its duty.

**30. Section 6.3.3 amended**

Subsection 6.3.3 is deleted and substituted with the following—

- ‘6.3.3 A person must not store, or allow to be stored, on any premises, any food, refuse or other waste matter unless it is contained in a rodent proof receptacle or compartment.’

**31. Section 6.5.1 amended**

Section 6.5.1 is amended by deleting the words ‘Irdomyrmex humilis’ and replace with ‘Limepithema humile (formerly Irdomyrmex humilis)’.

**32. Section 7.1.2 amended**

Subsection 7.1.2(4) is deleted and substituted with the following—

- (4) The local government is not liable to pay compensation or damages of any kind to the person referred to in subsection (1) in relation to any action taken by the local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of its duty.’

**33. Section 7.1.4 deleted**

Section 7.1.4 is deleted.

**34. Section 7.1.10 amended**

Section 7.1.10(3) is deleted and substituted with the following—

- (3) The local government is not liable to pay compensation or damages of any kind to the person referred to in subsection (1) in relation to any action taken by the local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of its duty.’

**35. Section 8.2.2 amended**

Subsection 8.2.2(b) is amended by deleting the words ‘the *Health (Food Hygiene) Regulations 1993*’ and replace with ‘Standard 3.2.3 of the *Food Standards Code* called Food Premises and Equipment.’

**36. Section 8.2.5 amended**

In subsection 8.2.5(1)(b) insert ‘hand’ before ‘wash basin’.

**37. Section 8.2.6 amended**

In subsection 8.2.6(3)(d) delete ‘75o C’ and insert ‘65o Celsius’.

**38. Section 8.2.7 amended**

Subsection 8.2.7(2) is amended by deleting the words ‘advised by the Fire and Emergency Service Authority of WA and approved by the Council’ and replaced with ‘required by the Building Code’.

**39. Section 8.2.11 amended**

Section 8.2.11 is amended as follows—

- (a) In subsection (8)(a) delete ‘AS 1530.2 and AS 1530.3’ and insert ‘AS 1530.2—1993 and AS 1530.3: 1999’.
- (b) In subsection (8)(a)(ii) delete ‘AS 2001.5.4-1987, Procedure 7A, using ECE reference detergent;’ and insert ‘AS 2001.5.4—2005’.

**40. Section 8.2.12 amended**

After sub section 8.2.12(2) insert the following—

- (3) The sheets and blankets required to be provided by subsection (1)(b)(ii), shall be deemed to have been provided by the keeper, where the keeper offers them for hire to the lodgers. In such circumstances, each lodger must either provide his own clean sheets or hire them from the keeper.
- (4) In a short term hostel or recreational campsite, the storage facilities required by subsection (1)(c) may be located in a separate secure storage room or locker room.’

**41. Section 8.3.9 amended**

In subsection 8.3.9(c) delete the words ‘wash hand basin’ and insert ‘hand wash basin’.

**42. Section 9.1.1 amended**

In subsection 9.1.1, in the definition of “offensive trade”, delete paragraph (d).

**43. Section 9.1.4 amended**

In subsection 9.1.4(b), delete ‘*Offensive Trade (Fees) Regulations 1976*’ and insert ‘*Health (Offensive Trades Fees) Regulations 1976*’.

**44. Section 9.1.8 deleted**

Section 9.1.8 is deleted.

**45. Section 9.2.4 amended**

Section 9.2.4 is amended as follows—

- (a) In the title insert ‘Hand’ before the words ‘Wash Basins’.
- (b) Delete ‘wash hand basins’ and insert ‘hand wash basins’.

**46. Section 9.2.9 amended**

In subsection 9.2.9(2)(c)(i) delete ‘*Metropolitan Water Supply, Sewerage and Drainage Board By-laws 1981*’ and insert the ‘*Water Services Act 2012*’.

**47. Section 10.1.1 amended**

Subsection 10.1.1 (2) be amended as follows—

- (a) In subsection (a) delete '\$1,000' and insert '\$2 000';
- (b) In subsection (a)(i) delete '\$100' and insert '\$250'.
- (c) In subsection (a)(ii) delete '\$200' and insert '\$500'.
- (d) In subsection (a)(iii) delete '\$500' and insert '\$1 250'.
- (e) In subsection (b) delete '\$100 and not less than \$50' and insert '\$250 and not less than \$125'.

**48. Schedule 1**

Schedule 1 is amended as follows—

- (a) Under headings for 'Sanitary conveniences for male lodgers' and 'Sanitary conveniences for female lodgers', delete the words 'Wash hand basins' and replace with 'Hand wash basins'.
- (b) Delete the word 'Coppers'.

**49. Schedule 9**

Schedule 9 is amended by deleting the following—

'Notice of my/our intention to make this application was advertised in

\_\_\_\_\_

(Name of Newspaper)

on \_\_\_\_\_

(Date of Advertisement)

\_\_\_\_\_

This Local Law was made by the Shire of Dardanup at an Ordinary Meeting held on 19 February 2014.

The Common Seal of the Shire of Dardanup was hereunto affixed by authority of Council in the presence of—

on this 19th day of February 2014.

Cr MICHAEL T. BENNETT, Shire President.  
Mr MARK L. CHESTER, Chief Executive Officer.

\_\_\_\_\_

Consented to—

TARUN WEERAMANTHRI, Executive Director, Public Health.

Dated this 10th day of March 2014.

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## **POLICE**

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PO301\*

Misuse of Drugs Act 1981

## **Misuse of Drugs Amendment Regulations 2014**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Misuse of Drugs Amendment Regulations 2014*.

**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 *Misuse of Drugs Regulations 1982*.

**4. Schedule 1 amended**

In Schedule 1 delete Form M.D. 16 and insert:

Form M.D. 16

WESTERN AUSTRALIA

*MISUSE OF DRUGS ACT 1981*

*MISUSE OF DRUGS REGULATIONS 1982*

**CANNABIS INTERVENTION REQUIREMENT (CIR)**

|   |  |
|---|--|
| <b><i>CANNABIS INTERVENTION REQUIREMENT NUMBER:</i></b>                                   |  |
| <b><i>DATE OF ISSUE DD/MM/YYYY:</i></b>   |  |
| <b>ALLEGED OFFENDER</b>   |  |
| Surname   |  |
| Given Name/s  |  |
| Date of Birth <i>DD/MM/YYYY</i>   |  |
| Gender<br><i>MALE/FEMALE/OTHER</i>  |  |
| Telephone   |  |
| MDL Number  |  |
| Number & Street Address   |  |
| Suburb / Town   |  |
| Postcode  |  |
| <b>ALLEGED OFFENCE/S</b>  |  |
| <b><i>It is alleged that, on the following date, at the following time and place:</i></b> |  |
| Date <i>DD/MM/YYYY</i>  |  |
| Time <i>AM/PM</i>   |  |
| Place (location or address)   |  |
| <b><i>you committed the following minor cannabis related offence/s:</i></b>               |  |
| <b><i>Misuse of Drugs Act 1981</i></b>  | <b><i>Description of offence</i></b>   |
| <input type="checkbox"/> s. 7B(6)   | Possession of any drug paraphernalia in or on which there is cannabis  |
| <input type="checkbox"/> s. 6(2)  | Possession or use of not more than 10 g of cannabis, not including any cannabis plant under cultivation, cannabis resin or any other cannabis derivative |
| <b>ISSUING OFFICER</b>  |  |
| Surname   |  |
| Rank  |  |
| Registered Number   | <i>PD</i>  |

|   |  |
|---|--|
| Signature   |  |
| Station Name  |  |
| Date DD/MM/YYYY   |  |
| <b><i>TO ELECT TO BE PROSECUTED IN A COURT</i></b>  |  |
| <p><b>If you choose to be prosecuted for the alleged offence/s in a court,</b><br/>then complete the following details in writing and post this form to the Drug<br/>Diversion Coordinator at the address below within 28 days of this CIR being<br/>given to you.</p> <p><b><i>I elect to have the offence/s alleged in this Cannabis Intervention<br/>Requirement dealt with by a court.</i></b></p>  |  |
| Signature   |  |
| Surname   |  |
| Given Name/s  |  |
| Date DD/MM/YYYY   |  |
| Telephone   |  |
| Number & Street Address (for<br>service)  |  |
| Suburb / Town   |  |
| Postcode  |  |
| <p><i>Post to</i></p> <p><b>WA POLICE DRUG DIVERSION COORDINATOR<br/>LICENSING ENFORCEMENT DIVISION<br/>LOCKED BAG 9, EAST PERTH POST OFFICE<br/>EAST PERTH WA 6892</b></p>   |  |
| <b><i>TO ELECT TO COMPLETE A CANNABIS INTERVENTION SESSION</i></b>  |  |
| <p><b>If you do not want to be prosecuted for the alleged offence/s in a court,</b><br/>you must complete a <b>Cannabis Intervention Session (CIS)</b> within 28 days<br/>after this Cannabis Intervention Requirement (CIR) is given to you.</p> <p><b><u>If you do not complete the CIS within 28 days,</u></b><br/><b>then the Police may prosecute you for the alleged offence/s in a court.</b></p> <p><b>Please read the following important information about how to book,<br/>reschedule, or how seek an extension of time to complete the CIS.</b></p>             |  |
| <b><i>WHAT IS A CANNABIS INTERVENTION SESSION?</i></b>  |  |
| <p>The Cannabis Intervention Session (or a CIS) is a one-to-one session with a<br/>trained counsellor that takes about 60-90 minutes to complete. During the<br/>CIS, you will be provided with information about the health and social<br/>consequences of cannabis use; the laws relating to the use, possession and<br/>cultivation of cannabis; and effective strategies to address cannabis using<br/>behaviour.</p> <p><b>You are required to complete the CIS <u>within 28 days</u> after this Cannabis<br/>Intervention Requirement (CIR) was given to you.</b></p> |  |
| <b><i>HOW DO I BOOK A CANNABIS INTERVENTION SESSION?</i></b>  |  |

*As soon as possible,*  
telephone the **Cannabis Intervention Session Booking Service on  
1800 722 362**

between 7.00 a.m. — 7.00 p.m., Monday to Sunday.

The personal information provided during the booking process will be recorded and passed on to the approved treatment provider and stored on a health database.

When you make your CIS appointment, please make sure you have a pen to write down the time, date and address of the CIS in the space provided below on this form.

**It is very important that you telephone the Cannabis Intervention Session Booking Service as soon as possible to ensure a booking can be made within the 28 day permitted period.**

**No reminders will be issued.**

***WHEN YOU ATTEND A CANNABIS INTERVENTION SESSION***

**BRING** photographic identification.

**ARRIVE** on time and complete the entire CIS.

**DO NOT** arrive at the CIS under the influence of alcohol or other drugs. If you are under the influence of alcohol or other drugs you will not be permitted to undertake the session. However, continue to take any medication that has been prescribed by your doctor.

**If you have any questions about attending the CIS, please ask the Cannabis Intervention Session Booking Service operator by calling  
1800 722 362.**

***WHAT IF I NEED TO RE-SCHEDULE A CIS BOOKING?***

If you need to reschedule a booking to complete a CIS, you must contact the CIS Booking Service by calling **1800 722 362**.

A booking can only be rescheduled if another appointment is available within the permitted 28 day period.

***WHAT IF I NEED AN EXTENSION OF TIME TO DO A CIS?***

In exceptional circumstances, Police may approve an extension of the time permitted to complete a CIS beyond the permitted 28 day period.

To apply for an extension of time, please visit [www.police.wa.gov.au](http://www.police.wa.gov.au), navigate to **Online forms**, navigate to **Alcohol and Drugs**, click on ***Application for extension of time to complete a CIS, complete the form*** and use the email link to send the application form to the Drug Diversion Coordinator.

Alternatively, if you cannot access the Police website, you may telephone **131 444**, ask to speak to the WA Police Drug Diversion Coordinator, and ask them to mail you an ***Application for extension of time to complete a CIS*** by post.

**Once you have obtained the application form, complete it and post it to:**

WA POLICE DRUG DIVERSION COORDINATOR  
 LICENSING ENFORCEMENT DIVISION  
 LOCKED BAG 9, EAST PERTH POST OFFICE  
 EAST PERTH WA 6892

Alternatively, you may also send the completed application form by  
 email to [led.cir.smail@police.wa.gov.au](mailto:led.cir.smail@police.wa.gov.au)

***CANNABIS INTERVENTION SESSION APPOINTMENT DETAILS***

***Appointment Date:***

***Appointment Time:***

***Appointment Address:***

N. HAGLEY, Clerk of the Executive Council.

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**RACING, GAMING AND LIQUOR**

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RA301\*

Liquor Control Act 1988

**Liquor Control Amendment Regulations 2014**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Liquor Control Amendment Regulations 2014*.

**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 *Liquor Control Regulations 1989*.

**4. Regulation 27A inserted**

After regulation 26 insert:

**27A. Reduction in licence fee for new licences**

If the licence fee specified in items 4 or 5 of Schedule 3 is to be paid for a new licence that is to come into force on or after 1 April in any year, the amount payable is reduced as set out in the Table.

**Table**

| <b>When licence comes into force</b>                 | <b>Reduction</b>                 |
|--|----------------------------------|
| On or after 1 April but not later than 30 June       | 25% of the specified licence fee |
| On or after 1 July but not later than 30 September   | 50% of the specified licence fee |
| On or after 1 October but not later than 31 December | 75% of the specified licence fee |

**5. Schedule 3 amended**

Delete the reference after the heading to Schedule 3 and insert:

[r. 11, 14ADF, 18B, 26 and 27A]

R. KENNEDY, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401\*

**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT (PROHIBITED**  
**ORGANISMS) DECLARATION (NO. 2) 2014**

Made by the Minister under section 12 of the Act and regulation 8 of the Regulations.

**1. Citation**

This declaration is the *Biosecurity and Agriculture Management (Prohibited Organisms) Declaration (No. 2) 2014*.

**2. Prohibited organisms**

(1) An organism listed below is declared under section 12(1) of the Act to be a prohibited organism and declared under regulation 8(3) to be assigned to the control category C1—*Exclusion* for the whole of the State.

(2) Under section 22(1) of the Act a prohibited organism is a declared pest for the whole of the State.

*Cytisus x dallimorei* Rolfe.

*Eryngium campestre* L.

*Impatiens capensis* Meerb.

*Malva neglecta* Wallr.

*Oxypetalum coeruleum* (D.Don ex Sweet) Decne.

Hon KEN BASTON MLC, Minister for Agriculture and Food.

Date: 13 March 2014.

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### CONSUMER PROTECTION

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CP401\*

**ASSOCIATIONS INCORPORATION ACT 1987**  
**CANCELLED ASSOCIATIONS**  
**CLUB MAUL INC—A1015116T**  
**COASTAL SPORTING SHOOTERS INCORPORATED—A1009269P**

Notice is hereby given that pursuant to Section 35 of the *Associations Incorporation Act 1987*, the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated: 13 March 2014.

DAVID HILLYARD, Director, Retail and Services  
for Commissioner of Consumer Protection.

CP402\*

**CO-OPERATIVES ACT 2009**  
**PROPOSED DEREGISTRATION**

Notice of proposed deregistration initiated by the Registrar pursuant to the applied provisions of s601AB(1AB) of the *Corporations Act 2001*.

**Co-operative Details**

Co-operative name: Challenge Dairy Co-operative Limited

Registration number: C2000003G

**Notice**

The Registrar proposes to deregister the Co-operative under s315 of the *Co-operatives Act 2009*.

The Registrar may deregister the Co-operative when two months have passed since publication of this notice.

Dated this 13th day of March 2014.

ANNE DRISCOLL, Registrar for Consumer Protection.

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**ENERGY**

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**EN401\*****ELECTRICITY INDUSTRY ACT 2004****GRANT OF LICENCE**

Notice is given that the following Electricity Retail Licence has been granted—

|                        |   |
|------------------------|---|
| Licensee:              | Blair Fox Energy Retail Pty Ltd<br>ACN: 167 286 026   |
| Issue Date:            | 21 March 2014   |
| Address of Licensee:   | 37 Clarkson Road,<br>MAYLANDS WA 6051   |
| Classification:        | Electricity Retail (ERL17, Version 1)   |
| Term of Licence:       | Up to and including 20 March 2029   |
| Area Covered:          | The licence area is the area as set out in plan <b>ERA-EL-136</b> in the State of Western Australia.  |
| Inspection of Licence: | Economic Regulation Authority<br>4th Floor, Albert Facey House<br>469 Wellington Street<br>PERTH WA 6000<br><a href="http://www.erawa.com.au">http://www.erawa.com.au</a> |

LYNDON G. ROWE, Chairman,  
Economic Regulation Authority.

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**FISHERIES**

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**FI401\*****FISH RESOURCES MANAGEMENT ACT 1994****PROHIBITION ON FISHING (CORAL, 'LIVE ROCK' AND ALGAE)  
AMENDMENT ORDER 2014**

Order No. 1 of 2014

FD 1620/98 [1175]

Made by the Minister under section 43.

**1. Citation**

This order is the *Prohibition on Fishing (Coral, 'Live Rock' and Algae) Amendment Order 2014*.

**2. Order amended**

The amendment in this order is to the *Prohibition on Fishing (Coral, 'Live Rock' and Algae) Order 2007*.

**3. Schedule 1 replaced**

Delete Schedule 1 and insert—

**Schedule 1—Persons to whom the exception in clause 4 applies**

| Column 1  | Column 2   |
|---|--|
| Item (1). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2567.  | (a) 4,000 kg of coral;<br>(b) 5,000 kg of 'live rock'. |
| Item (2). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2573.  | (a) 2,000 kg of coral;<br>(b) 5,000 kg of 'live rock'. |
| Item (3). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2572.  | 5,000 kg of 'live rock'.                               |
| Item (4). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2571.  | (a) 250 kg of coral;<br>(b) 5,000 kg of 'live rock'.   |
| Item (5). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2566.  | (a) 500 kg of coral;<br>(b) 5,000 kg of 'live rock'.   |
| Item (6). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2568.  | (a) 500 kg of coral;<br>(b) 5,000 kg of 'live rock'.   |
| Item (7). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2576.  | (a) 250 kg of coral;<br>(b) 5,000 kg of 'live rock'.   |
| Item (8). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2565.  | 5,000 kg of 'live rock'.                               |
| Item (9). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2587.  | 5,000 kg of 'live rock'.                               |
| Item (10). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2588. | 5,000 kg of 'live rock'.                               |
| Item (11). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2564. | 5,000 kg of 'live rock'.                               |
| Item (12). All the persons who, in the relevant calendar year, are a nominated operator or nominated diver under the Marine Aquarium Managed Fishery Licence number 2570. | 5,000 kg of 'live rock'.                               |

Dated this 13th day of March 2014.

K. C. BASTON, Minister for Fisheries.

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**JUSTICE**

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JU401\*

**JUSTICES OF THE PEACE ACT 2004****APPOINTMENTS**

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—

Ivan Edward Davie of 90 Robinson Street, Town Beach, Broome

Francene Patricia McGill of 73 Eaglehawk Drive, Ravenswood

Iain Edwin Baxter Whitelaw of 17 Darnell Avenue, Mt Pleasant

RAY WARNES, Executive Director, Minerals and Petroleum

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## MINERALS AND PETROLEUM

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MP401\*

### MINING ACT 1978 FORFEITURE

Department of Mines and Petroleum,  
East Perth WA 6004.

I hereby declare in accordance with the provisions of Section 96A of the *Mining Act 1978* that the undermentioned exploration licences are forfeited for breach of covenant being failure to comply with the prescribed expenditure conditions.

Hon BILL MARMION MLA, Minister for Mines and Petroleum.

| Number  | Holder                    | Mineral Field |
|---------|---------------------------|---------------|
|         | Exploration Licence       |               |
| 70/2908 | Quadrio Resources Pty Ltd | South West    |
| 70/2910 | Quadrio Resources Pty Ltd | South West    |

MP402\*

### MINING ACT 1978

#### INSTRUMENT OF VARIATION TO EXEMPTION OF LAND

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby varies the exemption of land designated 'S19/322' in TENGRAPH by varying the description as detailed hereunder (not being private land or land that is the subject of a mining tenement or an application).

#### Locality

Mungada Ridge

#### Description of Land:

Land designated as S19/322 (varied to include expired Exploration Licences 59/1496, 59/1497, 59/1498, 59/1499 and 59/1500) and shown in the TENGRAPH electronic plan of the Department of Mines and Petroleum.

#### Area of Land

10 759 hectares

Dated at Perth this 24th day of February 2014.

Hon BILL MARMION MLA, Minister for Mines and Petroleum.

MP403\*

### MINING ACT 1978

#### INTENTION TO FORFEIT

Department of Mines and Petroleum,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 22 April 2014 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

| Number      | Holder                              | Mineral Field    |
|-------------|-------------------------------------|------------------|
|             | Exploration Licence                 |                  |
| E 08/2085   | Geological Resources Pty Ltd        | Ashburton        |
| E 09/1876-I | Geological Resources Pty Ltd        | Gascoyne         |
| E 29/766    | Australia Grand Gold Mining Pty Ltd | North Coolgardie |
| E 45/3326   | Gondwana Resources Limited          | Pilbara          |
| E 51/1435-I | Anuman Holdings Pty Ltd             | Murchison        |
| E 51/1436-I | Anuman Holdings Pty Ltd             | Murchison        |

| Number       | Holder   | Mineral Field    |
|--------------|--|------------------|
| E 53/1223-I  | Nemex Pty Ltd<br>Orex Mining Pty Ltd                                   | East Murchison   |
| E 53/1224    | Nemex Pty Ltd<br>Orex Mining Pty Ltd                                   | East Murchison   |
| E 59/1649    | McNab, Ralph Alexander   | Yalgoo           |
| E 59/1677-I  | West Peak Iron Ltd   | Yalgoo           |
| E 59/1678-I  | West Peak Iron Ltd   | Yalgoo           |
| E 70/4259    | Australia Kimberly Gold Pty Ltd  | South West       |
| E 70/4349-I  | Stewart, James Ian   | South West       |
| E 77/1379    | St Barbara Limited   | Yilgarn          |
| E 80/4241    | Rising Mining Holdings Pty Ltd   | Kimberley        |
| Mining Lease |  |                  |
| M 21/154     | MBL Exploration Pty Ltd  | Murchison        |
| M 27/166     | Boyes, Charles Joseph  | N. E. Coolgardie |
| M 28/372     | Potter, Vernan John<br>Bullabulling Pty Ltd                            | N. E. Coolgardie |
| M 38/260     | French, Donald Victor<br>McKeaig, Beverley Dawn<br>Green, Peter Edward | Mt Margaret      |
| M 45/644     | Dimitrovski, George<br>Dimitrovski, Margaret Marshall                  | Pilbara          |

**MP404\*****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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

RICHARD HUSTON, Warden.

To be heard by the Warden at Kalgoorlie on 16 May 2014.

## BROAD ARROW MINERAL FIELD

## Prospecting Licences

|           |                          |
|-----------|--------------------------|
| P 24/4295 | Scorpion Mining Pty Ltd  |
| P 24/4296 | Scorpion Mining Pty Ltd  |
| P 24/4297 | Scorpion Mining Pty Ltd  |
| P 24/4298 | Scorpion Mining Pty Ltd  |
| P 24/4299 | Scorpion Mining Pty Ltd  |
| P 24/4300 | Scorpion Mining Pty Ltd  |
| P 24/4301 | Scorpion Mining Pty Ltd  |
| P 24/4302 | Scorpion Mining Pty Ltd  |
| P 24/4595 | Gallop, Leeanne Caroline |
| P 24/4650 | French, Donald Victor    |
| P 24/4656 | Plato Mining Pty Ltd     |
| P 24/4658 | Fox, Kevin Barry         |
| P 24/4659 | Fox, Kevin Barry         |
| P 24/4660 | Photios, Michael John    |
| P 24/4670 | French, Donald Victor    |

**MP405\***

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

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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

RICHARD HUSTON, Warden.

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To be heard by the Warden at Kalgoorlie on 16 May 2014.

NORTH COOLGARDIE MINERAL FIELD  
Prospecting Licences

|           |                       |
|-----------|-----------------------|
| P 30/1051 | Carnegie Gold Pty Ltd |
| P 30/1060 | Carnegie Gold Pty Ltd |
| P 30/1074 | Carnegie Gold Pty Ltd |

**MP406\***

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

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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

RICHARD HUSTON, Warden.

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To be heard by the Warden at Kalgoorlie on 16 May 2014.

NORTH COOLGARDIE MINERAL FIELD  
Prospecting Licences

|           |                       |
|-----------|-----------------------|
| P 30/1060 | Carnegie Gold Pty Ltd |
|-----------|-----------------------|

**MP407\***

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

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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

RICHARD HUSTON, Warden.

To be heard by the Warden at Kalgoorlie on 16 May 2014.

BROAD ARROW MINERAL FIELD

Prospecting Licences

|           |                          |
|-----------|--------------------------|
| P 24/4295 | Scorpion Mining Pty Ltd  |
| P 24/4296 | Scorpion Mining Pty Ltd  |
| P 24/4297 | Scorpion Mining Pty Ltd  |
| P 24/4298 | Scorpion Mining Pty Ltd  |
| P 24/4299 | Scorpion Mining Pty Ltd  |
| P 24/4300 | Scorpion Mining Pty Ltd  |
| P 24/4301 | Scorpion Mining Pty Ltd  |
| P 24/4302 | Scorpion Mining Pty Ltd  |
| P 24/4595 | Gallop, Leeanne Caroline |
| P 24/4650 | French, Donald Victor    |

N. E. COOLGARDIE MINERAL FIELD

Prospecting Licences

|           |              |
|-----------|--------------|
| P 27/2014 | Carter, Wade |
|-----------|--------------|

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

|           |                     |
|-----------|---------------------|
| P 31/2004 | Rixon, Clint        |
|           | Rixon, Ross Lindsay |
|           | Pollitt, Brian Dan  |
| P 31/2005 | Rixon, Clint        |
|           | Rixon, Ross Lindsay |
|           | Pollitt, Brian Dan  |

**MP408\***

**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Karratha WA 6741.

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.

D. TEMBY M, Warden.

To be heard by the Warden at Karratha on 8 May 2014.

WEST PILBARA MINERAL FIELD

Prospecting Licences

|             |                   |
|-------------|-------------------|
| P 47/1360   | Legend Mining Ltd |
| P 47/1361   | Legend Mining Ltd |
| P 47/1362   | Legend Mining Ltd |
| P 47/1363   | Legend Mining Ltd |
| P 47/1364   | Legend Mining Ltd |
| P 47/1365   | Legend Mining Ltd |
| P 47/1368   | Legend Mining Ltd |
| P 47/1369   | Legend Mining Ltd |
| P 47/1370   | Legend Mining Ltd |
| P 47/1371   | Legend Mining Ltd |
| P 47/1372   | Legend Mining Ltd |
| P 47/1373   | Legend Mining Ltd |
| P 47/1374   | Legend Mining Ltd |
| P 47/1375   | Legend Mining Ltd |
| P 47/1380-I | Legend Mining Ltd |

**MP409\***

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

Department of Mines and Petroleum,  
Karratha WA 6741.

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.

D. TEMBY M, Warden.

To be heard by the Warden at Karratha on 8 May 2014.

WEST PILBARA MINERAL FIELD  
Prospecting Licences

P 47/1523      Goode, William Donald

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## PLANNING

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**PL401\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**GREATER BUNBURY REGION SCHEME AMENDMENT 0031/57**

Lot b312 Jeffrey Road, Glen Iris  
Approved Amendment

File: RLS/0396

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Greater Bunbury Region Scheme. The amendment is shown on Western Australian Planning Commission plan number 3.2568 and is effective from the date of publication of this notice in the *Government Gazette*.

The purpose of the Amendment is to rezone Lot 312 Jeffrey Road, Glen Iris from 'Public Purposes—Special Uses' reserve to 'Urban Deferred' zone. As the land is no longer required for floodplain management purposes, it can be rezoned to allow for future urban development.

Copies of the report on submissions on the amendment are available for public inspection from Friday 21 March 2014 to Friday 4 April 2014 at the following locations—

- Western Australian Planning Commission, Level 2, 140 William Street, Perth
- Department of Planning, 61 Victoria Street, Bunbury
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal office of the City of Bunbury of Harvey

Documents are also available from the WAPC's website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

TIM HILLYARD, Secretary,  
Western Australian Planning Commission.

**PL402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1225/41**

Upper Swan Urban Precinct  
Outcome of Amendment

It is hereby notified for public information that the Upper Swan Urban Precinct amendment to the Metropolitan Region Scheme (MRS) has been submitted before both Houses of Parliament in accordance with the provisions of section 56 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission (WAPC) plan number 3.2461, is effective in the MRS on and from 20 February 2014.



During the amendment process, the WAPC agreed to amend the City of Swan Local Planning Scheme No. 17, pursuant to section 126(3) of the *Planning and Development Act 2005*. Accordingly, the Urban zoned land included within MRS Amendment 1225/41 is transferred from the General Rural zone to the Residential Development zone in the local planning scheme.

TIM HILLYARD, Secretary,  
Western Australian Planning Commission.

PL403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Ashburton*

Town Planning Scheme No. 7—Amendment No. 17

Ref: TPS/0804

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 Ashburton local planning scheme amendment on 17 March 2014 for the purpose of—

1. Rezoning all or portions of Lots 152, 153, 350, 505, 508, 518, and Lots 500, 506, 507, 509, 519, 520, 540 and 541 from 'Rural' zone and 'Conservation, Recreation and Natural Landscapes' reserve to 'Strategic Industry' zone.
2. Reserving a portion of Lot 152 for 'Other Purposes—Infrastructure'.
3. Rezoning a portion of Lot 152 from 'Rural' zone to 'Special Use—Transient Workforce Accommodation' zone.
4. Inserting after Clause 6.11.11 of the Scheme the following—  
LandCorp ANSIA Industrial Development Plan
  - 6.11.12 For Lot 152 and portions of Lot 153 Onslow Road and portion of Lots 350, 505, 508, 509, 518 and 519 and Lots 500, 506, 507, 520, 540 and 541 zoned 'Strategic Industry' within the Ashburton North Strategic Industrial Area, all development shall be in accordance with the LandCorp ANSIA Industrial Development Plan. Works associated with the development of land shall only be undertaken with the written approval of the Local Government in accordance with Part 5 of this Scheme and following the referral of development proposals within the Strategic Industry zone to the Environmental Protection Authority in accordance with s38 of the *Environmental Protection Act 1986*.
  - 6.11.13 All use and development shall be in accordance with the LandCorp ANSIA Industrial Development Plan.
5. Inserting after Clause 7.9.3 of the Scheme the following—  
7.9.4 Notwithstanding Transient Workforce Accommodation is an 'X' use in the Strategic Industry Zone, Transient Workforce Accommodation is an additional use which may be approved in relation to the existing Transient Workforce Accommodation facility located on Lot 500, conditional upon that use ceasing on 31 December 2016.
6. Amending the Scheme Maps accordingly.

K. WHITE, Shire President.  
NEIL HARTLEY, Chief Executive Officer.

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## RACING, GAMING AND LIQUOR

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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 |
|--|---|--|--------------------------|
| <b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>                         |   |  |                          |
| 14988  | Mystify Holdings Pty Ltd                                    | Application for the grant of a Restaurant licence in respect of premises situated in Mandurah and known as Duck Duck Moose                       | 17/04/2014               |
| 14996  | Jason S Rawlinson-Shelton & Tracy A Rawlinson-Shelton       | Application for the grant of a Restaurant licence in respect of premises situated in Currabine and known as London Cafe & Bar                    | 16/04/2014               |
| 14997  | Joondalup United Football Club Inc                          | Application for the grant of a Club Restricted licence in respect of premises situated in Beldon and known as Joondalup United Football Club Inc | 3/04/2014                |
| <b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b> |   |  |                          |
| 41286  | Sleive Gullion Pty Ltd                                      | Application for the grant of an ETP Ongoing Hours in respect of premises situated in Geraldton and known as Breakers Bar & Cafe                  | 14/04/2014               |
| <b>APPLICATIONS FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL</b> |   |  |                          |
| 41239  | Vardaro Nominees Pty Ltd and Jason Casella Nominees Pty Ltd | Application for the grant of an ETP Liquor Without a Meal in respect of premises situated in Bunbury and known as Casellas                       | 1/04/2014                |
| 41369  | Jan Jahn and Juergen Frank Jahn                             | Application for the grant of an ETP Liquor Without a Meal in respect of premises situated in Mandurah and known as Cafe Coast                    | 30/03/2014               |

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 14 March 2014.

## DECEASED ESTATES

**ZX401**

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

The Estate of Francis John Stanford-Bluntish, late of Clarence Estate Nursing Home, 55 Hardie Road, Albany, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, as amended relates) in respect of the estate of the deceased, who died on 29 July 2013, are required by the Executor David Bruce Bickford care of Seymour Legal, PO Box 5897, Albany WA, 6332 to send particulars of their claims to the address stated herein within 30 days of this notice, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

**ZX402**

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Estate of Eva Prokopenko, late of Royal Perth Hospital, Perth, Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, as amended relates) in respect of the estate of the deceased, who died on the 10th day of June 2008, are required

by the personal representative, Ross John McCallum to send particulars of their claims to the personal representative care of MDS LEGAL of 2nd Floor, 16 Irwin Street, Perth. within one (1) month of the date of publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he has notice and the personal representative shall not be liable to any person of whose claim he has had no notice at the time of distribution.

Dated this 17th day of March 2014.

MDS LEGAL, for the personal representative.

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**ZX403**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Michael Charles Bird, late of Jalan Delima Raya No. J 8, Complex Villa Delima, Lebak Bulus Sub District, Cilandak District, South Jakarta, Indonesia, Investor, 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 4th day of April 2010, are required by the Administrator, Garry Evan Same to send particulars of their claims to Messrs Taylor Smart of 1 Regal Place, East Perth, Western Australia, by the 21st day of April 2014, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 18th day of March 2014.

GARRY E. SAME, Taylor Smart.

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**ZX404**

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Lavinia Jessie Garnaut, late of 184 Northstead Street, Scarborough, Western Australia, Widow, 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 24th day of November 2013, are required by the Executor, Garry Evan Same to send particulars of their claims to Messrs Taylor Smart of 1 Regal Place, East Perth, Western Australia, by the 21st day of April 2014, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 18th day of March 2014.

GARRY E. SAME, Taylor Smart.

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**ZX405\***

**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 Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 24 April 2014 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Collini, Angelo, late of Hillcrest Nursing Home, 23 Harvest Road, North Fremantle, died 29.01.2014 (DE19912278 EM37)

Dean, Peter Thomas, 21 Gurners Lane, Darling Downs, died 2.12.2013 (DE33080189 EM113)

Dolman, Colin John, late of St, Lukes Nursing Home, 429 Rokeby Road, Subiaco, died 14.02.2014 (DE19651669 EM36)

Ellis, Janice Winifred, late of Dorothy Genders Village, 99 McCabe Street, Mosman Park, died 2.01.2014 (DE19791125 EM32)

Godfrey, Arthur Joseph, late of Ella Williams House, 77 Camboon Road, Noranda, formerly of Bethanie Geneff 39 Hertha Road, Innaloo, died 21.11.2013 (DE19731629 EM17)

Harriss, Hilda, late of Como House, 36 Talbot Avenue, Como, died 22.12.2013 (DE19710727 EM113)

Hope, Allenby Roy, late of 8 Gilmore Avenue, Medina, died 15.11.2013 (DE19894318 EM35)

Lehmann, Florence Olga, late of 189 Loftus Street, Leederville, died 8.01.2014 (DE33016215 EM110)

MacDonald, Marjorie Avon, late of 20 Burwood Road, Balcatta, formerly of 7/94 Cornwall Street, Dianella, died 14.05.2013 (DE33100775 EM26)

Murray, Anthony, late of 12 Coverley Street, Alfred Cove, died 14.02.2014 (DE19842528 EM313)

Tang, Woon Yin, 28 Solway Green Canning Vale, died 23.01.2014 (DE33081598 EM17)

Tomlinson, John Arthur, late of 183 Lawley Street, Yokine, died 2.09.2013 (DE19752346 EM15)

Worthington, Nancy Jean, late of 17 Canning Street, Balcatta, died 4.01.2014 (DE19851167 EM35)

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

Telephone: 1300 746 212.

WESTERN AUSTRALIA

## **LOCAL GOVERNMENT ACT 1995**

**(Reprint No. 6 as at 3 August 2012)**

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