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# — PART 1 —

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## PROCLAMATIONS

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AA102\*

Health Services Act 2016

### **Health Services Act 2016 Commencement Proclamation (No. 2) 2016**

Made under the *Health Services Act 2016* section 2(b) by the deputy of the Governor in Executive Council.

**1. Citation**

This proclamation is the *Health Services Act 2016 Commencement Proclamation (No. 2) 2016*.

**2. Commencement**

The *Health Services Act 2016*, Part 1 (other than sections 1, 2, 6 and 7), Part 2, Part 3, Part 4 (other than section 32), Parts 5 to 18, Part 19 (other than sections 238, 244 and 245), Part 20, Part 21 (other than section 301(2), (3), (6) and (7)) and Part 22 (other than section 307(j)) come into operation on 1 July 2016.

W. MARTIN, Deputy of the Governor.

L.S.

J. DAY, Minister for Health.

AA101\*

Associations Incorporation Act 2015

### **Associations Incorporation Act 2015 Commencement Proclamation 2016**

Made under the *Associations Incorporation Act 2015* section 2(b) by the deputy of the Governor in Executive Council.

**1. Citation**

This proclamation is the *Associations Incorporation Act 2015 Commencement Proclamation 2016*.

**2. Commencement of Act**

The *Associations Incorporation Act 2015*, other than sections 1 and 2, comes into operation on 1 July 2016.

W. MARTIN, Deputy of the Governor.

L.S.

M. MISCHIN, Minister for Commerce.

Note: The *Associations Incorporation Regulations 2016* come into operation on the day on which the *Associations Incorporation Act 2015* section 183 comes into operation.

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**COMMUNITY AND CHILD SERVICES**

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CN301\*

Adoption Act 1994  
Children and Community Services Act 2004  
Working with Children (Criminal Record Checking) Act 2004

**Child Protection Regulations Amendment  
Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**Part 1 — Preliminary****1. Citation**

These regulations are the *Child Protection Regulations Amendment Regulations 2016*.

**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 July 2016.

**Part 2 — *Adoption Regulations 1995* amended****3. Regulations amended**

This Part amends the *Adoption Regulations 1995*.

**4. Part 8 Division 3 deleted**

Delete Part 8 Division 3.

**5. Schedule 2 deleted**

Delete Schedule 2.

**6. Various fees amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 86B	\$249	\$252
r. 87(a)	\$981	\$992
r. 87(b)	\$1 291	\$1 305
r. 87(c)	\$850	\$859
r. 87A(1)	\$578	\$585

**Part 3 — *Children and Community Services Regulations 2006* amended**

**7. Regulations amended**

This Part amends the *Children and Community Services Regulations 2006*.

**8. Regulation 21 amended**

In regulation 21(1) in the Table:

(a) delete “391.40” and insert:

398.30

(b) delete “462.40” and insert:

470.50

(c) delete “559.00” and insert:

568.80

**Part 4 — *Working with Children (Criminal Record Checking) Regulations 2005* amended**

**9. Regulations amended**

This Part amends the *Working with Children (Criminal Record Checking) Regulations 2005*.

**10. Regulation 3A inserted**

At the beginning of Part 2 insert:

**3A. Education providers prescribed for Act s. 4**

The following providers of educational or vocational courses are prescribed for the purposes of the definition of *education provider* paragraph (f) in section 4 of the Act —

- (a) a registered training organisation as defined in the *National Vocational Education and Training Regulator Act 2011* (Commonwealth) section 3;
- (b) a registered higher education provider as defined in the *Tertiary Education Quality and Standards Agency Act 2011* (Commonwealth) section 5.

**11. Schedule 3 amended**

In Schedule 3 items 1(a), 2 and 3 delete “\$82.00” (each occurrence) and insert:

\$83.00

N. HAGLEY, Clerk of the Executive Council.

CN302\*

Working with Children (Criminal Record Checking) Act 2004

## **Working with Children (Criminal Record Checking) Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Working with Children (Criminal Record Checking) Amendment Regulations 2016*.

**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 July 2016.

**3. Regulations amended**

These regulations amend the *Working with Children (Criminal Record Checking) Regulations 2005*.

**4. Regulation 6 replaced**

Delete regulation 6 and insert:

**6. Australian Crime Commission prescribed as criminal records agency (Act s. 34(1))**

(1) In this regulation —

*Australian Crime Commission* means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* (Commonwealth) section 7(1).

(2) The Australian Crime Commission is prescribed as a criminal records agency under paragraph (c)(ii) of the definition of *criminal records agency* in section 34(1).

N. HAGLEY, Clerk of the Executive Council.

CN303\*

Children and Community Services Act 2004

## **Children and Community Services Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Children and Community Services Amendment Regulations 2016*.

**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 on which the *Health Services Act 2016* section 234 comes into operation.

**3. Regulations amended**

These regulations amend the *Children and Community Services Regulations 2006*.

**4. Regulation 16D amended**

In regulation 16D(b) after “employed by” insert:

or in a health service provider,

**5. Regulation 20A amended**

Delete regulation 20A(m) and insert:

- (m) each health service provider established by an order made under the *Health Services Act 2016* section 32(1);

N. HAGLEY, Clerk of the Executive Council.

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**ENERGY**

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EN301\*

Electricity Industry Act 2004

## **Electricity Industry (Wholesale Electricity Market) Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Electricity Industry (Wholesale Electricity Market) Amendment Regulations 2016*.

**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 fixed by the Minister by an order published in the *Gazette*.



**3. Regulations amended**

These regulations amend the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

**4. Regulation 11 replaced**

Delete regulation 11 and insert:

**11. Functions of Economic Regulation Authority**

- (1) The market rules may confer functions and impose requirements on the Authority.
- (2) The Authority is responsible for the development, in accordance with the market rules, of amendments of and replacements for the market procedures, to the extent to which the procedures relate to its functions.
- (3) The Authority is to maintain an internet website for the purpose of publishing and releasing information to participants that relates to its functions under the market rules.

**5. Regulation 17B inserted**

After regulation 17A insert:

**17B. Transitional market rules for transfer of functions from IMO to Authority**

- (1) Without limiting regulation 17(n), the market rules may provide for transitional matters arising in connection with the transfer of a function from the IMO to the Authority including, without limitation, by providing for —
  - (a) a thing done or omitted to be done by, to or in relation to the IMO before the transfer to be taken after the transfer to have been done or omitted by, to or in relation to the Authority; and
  - (b) a right or obligation of the IMO before the transfer to be taken after the transfer to be a right or obligation of the Authority; and
  - (c) a reference to the IMO in an instrument or document made or given for the purposes of these regulations or the market rules to be taken after the transfer to be a reference to the Authority.

- (2) A reference in this regulation to the transfer of a function from the IMO to the Authority is a reference to a function —
- (a) being conferred on the Authority under these regulations or the market rules; and
  - (b) ceasing to be a function of the IMO under these regulations or the market rules.

**6. Regulation 21 amended**

In regulation 21(2)(b) after “functions under” insert:

these regulations or

**7. Regulation 31 amended**

- (1) In regulation 31(1):
- (a) delete “IMO” (1<sup>st</sup> and 2<sup>nd</sup> occurrences) and insert:  
  
Authority
  - (b) delete “IMO” (3<sup>rd</sup> occurrence) and insert:  
  
operator
- (2) In regulation 31(3)(b) delete “IMO” (each occurrence) and insert:  
  
Authority
- (3) In regulation 31(4) delete “IMO” and insert:  
  
Authority
- (4) In regulation 31(5):
- (a) in paragraphs (d) and (e) delete “IMO” and insert:  
  
Authority
  - (b) in paragraph (g) delete “IMO’s” and insert:  
  
Authority’s

- (c) in paragraph (h)(i) delete “IMO” and insert:  
operator
  - (d) in paragraph (h)(ii) delete “IMO’s” and insert:  
Authority’s
  - (e) in paragraph (h) delete “IMO may” and insert:  
Authority may
- (5) In regulation 31(6):
- (a) in paragraph (a) delete “IMO” and insert:  
Authority
  - (b) in paragraph (b) delete “IMO’s” and insert:  
Authority’s
  - (c) delete “IMO may,” and insert:  
Authority may,
- (6) In regulation 31(7):
- (a) in paragraph (a) delete “IMO” and insert:  
Authority
  - (b) in paragraph (b) delete “IMO; and” and insert:  
operator; and
  - (c) in paragraph (c) delete “IMO’s” and insert:  
Authority’s
- (7) In regulation 31(8):
- (a) delete “IMO” (1<sup>st</sup> occurrence) and insert:  
Authority

- (b) delete “IMO” (2<sup>nd</sup> occurrence) and insert:

operator

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

**Authority may demand civil penalty for contravention of  
category A civil penalty provision**

**8. Regulation 32 amended**

- (1) In regulation 32(1) and (2) delete “IMO” (each occurrence) and insert:

Authority

- (2) Delete regulation 32(3), (4) and (6).

**9. Regulation 33 amended**

- (1) In regulation 33(1)(a) delete “IMO” and insert:

operator

- (2) In regulation 33(3)(b) and (5) delete “IMO” (each occurrence) and insert:

Authority

- (3) In regulation 33(6):

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

Authority

- (b) delete “IMO” (2<sup>nd</sup> occurrence) and insert:

operator

**10. Regulation 37 amended**

In regulation 37 delete “IMO” (each occurrence) and insert:

operator

Note: The heading to amended regulation 37 is to read:

**Application of civil penalties received by operator**

**11. Regulation 38 replaced**

Delete regulation 38 and insert:

**38. Authority to notify certain persons of decisions not to take action**

- (1) If the operator is given information by a person in relation to a contravention or possible contravention of a provision of the market rules by a participant —
  - (a) the operator must give the information to the Authority; and
  - (b) if authorised by the person to do so, the operator must give the person's contact details to the Authority.
- (2) Subregulation (3) applies if the Authority is given information in relation to a contravention or possible contravention of a provision of the market rules by a participant —
  - (a) by a person (otherwise than anonymously); or
  - (b) by the operator under subregulation (1)(a), together with the contact details referred to in subregulation (1)(b).
- (3) If the Authority —
  - (a) decides not to investigate the contravention or possible contravention; or
  - (b) following an investigation, decides not to demand a civil penalty under regulation 31 or seek an order from the Board under regulation 33,

the Authority must, in writing, notify the person who gave the information to the Authority or to the operator (whichever is relevant) of the decision.

**12. Regulation 39 amended**

- (1) In regulation 39(1) delete "IMO" (each occurrence) and insert:

Authority

- (2) Delete regulation 39(2).

**13. Regulation 40 amended**

(1) Before regulation 40(1) insert:

(1AA) In this regulation —

*person required to pay* means, as the case requires —

- (a) a registered participant required to pay an amount, as referred to in subregulation (1)(a)(i) or (2)(a)(i); or
- (b) the operator required to pay an amount, as referred to in subregulation (1)(a)(ii) or (2)(a)(ii).

(2) Delete regulation 40(1)(a) and insert:

(a) either —

- (i) a registered participant is required to pay an amount to another registered participant or to the operator; or
- (ii) the operator is required to pay an amount to a registered participant;

and

(3) Delete regulation 40(2)(a) and insert:

(a) either —

- (i) a registered participant is required to pay an amount to another registered participant or to the operator; or
- (ii) the operator is required to pay an amount to a registered participant;

and

(4) In regulation 40(3) delete “participant, the operator or the IMO” and insert:

participant or the operator

**14. Regulation 51 amended**

Delete regulation 51(e).

**15. Part 10 inserted**

After regulation 54 insert:

**Part 10 — Authority may prosecute offences****55. Authority may prosecute offences**

A prosecution for an offence against these regulations may be commenced by the Authority or a person authorised by the Authority to do so.

**16. Various references to “IMO” amended**

In the provisions listed in the Table delete “IMO” (each occurrence) and insert:

Authority

**Table**

r. 19(1) penalty	r. 19(2) penalty
r. 20	r. 22 def. of <i>civil penalty</i>
r. 23	r. 34(1)

N. HAGLEY, Clerk of the Executive Council.

EN302\*

Gas Services Information Act 2012

**Gas Services Information Amendment  
Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Gas Services Information Amendment Regulations 2016*.

**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 fixed by the Minister by order published in the *Gazette*.

**3. Regulations amended**

These regulations amend the *Gas Services Information Regulations 2012*.

**4. Regulation 3 amended**

In regulation 3(2) delete “operator or the IMO” and insert:

operator, the IMO or the ERA

**5. Regulation 8 amended**

In regulation 8(2):

- (a) in paragraph (d)(i) delete “operator or the IMO” and insert:

operator, the IMO or the ERA

- (b) in paragraph (j) delete “IMO” and insert:

ERA

- (c) in paragraph (l) delete “operator or the IMO;” and insert:

operator, the IMO or the ERA;

**6. Regulation 8A inserted**

After regulation 8 insert:

**8A. Transitional GSI rules for transfer of functions from IMO to ERA**

- (1) Without limiting regulation 8(2)(o), the GSI rules may provide for transitional matters arising in connection with the transfer of a function from the IMO to the ERA including, without limitation, by providing for —
  - (a) a thing done or omitted to be done by, to or in relation to the IMO before the transfer to be taken after the transfer to have been done or omitted by, to or in relation to the ERA; and



- (b) a right or obligation of the IMO before the transfer to be taken after the transfer to be a right or obligation of the ERA; and
  - (c) a reference to the IMO in an instrument or document made or given for the purposes of these regulations or the GSI rules to be taken after the transfer to be a reference to the ERA.
- (2) A reference in this regulation to the transfer of a function from the IMO to the ERA is a reference to a function —
  - (a) being conferred on the ERA under these regulations or the GSI rules; and
  - (b) ceasing to be a function of the IMO under these regulations or the GSI rules.

**7. Regulation 11 amended**

After regulation 11(3) insert:

- (4) The ERA is responsible for the development, in accordance with the GSI rules, of amendments of and replacements for the GSI procedures, to the extent to which the procedures relate to its functions.

**8. Regulation 12 amended**

In regulation 12(1) and (2) delete “operator or the IMO” and insert:

operator, the IMO or the ERA

**9. Regulation 13 amended**

After regulation 13(2A) insert:

- (2B) The ERA may, for the purposes of the performance of its function, request a gas market participant to give specified information to the ERA.

**10. Regulation 16 amended**

- (1) In regulation 16(1):

- (a) delete “IMO” (1<sup>st</sup> and 2<sup>nd</sup> occurrences) and insert:

ERA

- (b) delete “IMO” (3<sup>rd</sup> occurrence) and insert:

operator

- (2) In regulation 16(4):

- (a) in paragraphs (d) and (e) delete “IMO” and insert:

ERA

- (b) in paragraph (g) delete “IMO’s” and insert:

ERA’s

- (c) in paragraph (h)(i) delete “IMO” and insert:

operator

- (d) in paragraph (h)(ii) delete “IMO’s” and insert:

ERA’s

- (e) delete “IMO may apply” and insert:

ERA may apply

- (3) In regulation 16(5):

- (a) in paragraph (a) delete “IMO” and insert:

operator

- (b) in paragraph (b) delete “IMO’s” and insert:

ERA’s

- (c) delete “IMO may,” and insert:

ERA may,

- (4) In regulation 16(6):

- (a) in paragraph (a) delete “IMO” and insert:

ERA

(b) in paragraph (b) delete “IMO; and” and insert:

operator; and

(c) in paragraph (c) delete “IMO’s” and insert:

ERA’s

(5) In regulation 16(7)(a):

(a) delete “IMO” (1<sup>st</sup> occurrence) and insert:

ERA

(b) delete “IMO” (2<sup>nd</sup> occurrence) and insert:

operator

Note: The heading to amended regulation 16 is to read:

**Contravention of category A civil penalty provision: ERA may demand civil penalty**

#### **11. Regulation 18 amended**

(1) In regulation 18(1)(a) delete “IMO” and insert:

operator

(2) In regulation 18(3):

(a) delete “IMO” (1<sup>st</sup> occurrence) and insert:

ERA

(b) delete “IMO” (2<sup>nd</sup> occurrence) and insert:

operator

#### **12. Regulation 22 amended**

In regulation 22 delete “IMO” and insert:

operator

Note: The heading to amended regulation 22 is to read:

**Application of civil penalties received by operator**

**13. Regulation 23 replaced**

Delete regulation 23 and insert:

**23. ERA to notify certain persons of decision not to take action**

- (1) If the operator is given information by a person in relation to a contravention or possible contravention of a provision of the GSI rules by a gas market participant —
  - (a) the operator must give the information to the ERA; and
  - (b) if authorised by the person to do so, the operator must give the person's contact details to the ERA.
- (2) Subregulation (3) applies if the ERA is given information in relation to a contravention or possible contravention of a provision of the GSI rules by a gas market participant —
  - (a) by a person (otherwise than anonymously); or
  - (b) by the operator under subregulation (1)(a), together with the contact details referred to in subregulation (1)(b).
- (3) If the ERA —
  - (a) decides not to investigate the contravention or possible contravention; or
  - (b) following an investigation, decides not to demand a civil penalty under regulation 16 or seek an order from the Board under regulation 18,

the ERA must, in writing, notify the person who gave the information to the ERA or to the operator (whichever is relevant) of the decision.

**14. Various references to “IMO” amended**

In the provisions listed in the Table delete “IMO” (each occurrence) and insert:

ERA

**Table**

r. 3(1) def. of <i>warning notice</i>	r. 14 def. of <i>civil penalty</i>
r. 16(2), (3) and (8)	r. 17(1), (2) and (4)

r. 19(1)	r. 24
r. 30(5)	

N. HAGLEY, Clerk of the Executive Council.

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## HEALTH

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HE301\*

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

### **Hospitals (Services Charges for Compensable Patients) Amendment Determination (No. 2) 2016**

Made by the Minister for Health.

**1. Citation**

This determination is the *Hospitals (Services Charges for Compensable Patients) Amendment Determination (No. 2) 2016*.

**2. Commencement**

This determination comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this determination is published in the *Gazette*;
- (b) the rest of the determination — on 1 July 2016.

**3. Determination amended**

This determination amends the *Hospitals (Services Charges for Compensable Patients) Determination 2005*.

**4. Schedule 1 amended**

- (1) In Schedule 1 Division 1 item 1 delete “3 or 4” and insert:

3, 4 or 5

(2) At the end of Schedule 1 Division 1 insert:

5. Accommodation, maintenance, nursing care and other services in a hospital bed for a patient requiring 24 hours care for airway management, with or without tracheostomy ..... \$3 800 per day

J. DAY, Minister for Health.

HE303\*

Mental Health Act 2014

## Mental Health Amendment Regulations 2016

Made by the deputy of the Governor in Executive Council.

### 1. Citation

These regulations are the *Mental Health Amendment Regulations 2016*.

### 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 on which the *Health Services Act 2016* section 234 comes into operation.

### 3. Regulations amended

These regulations amend the *Mental Health Regulations 2015*.

### 4. Regulation 3 amended

Delete regulation 3(1) and insert:

- (1) In this regulation —

***WA Country Health Service*** means the health service provider established with that corporate name by order under the *Health Services Act 2016* section 32(1).

N. HAGLEY, Clerk of the Executive Council.

HE302\*

Disability Services Act 1993

## **Disability Services Amendment Regulations (No. 3) 2016**

Made by the deputy of the Governor in Executive Council.

### **1. Citation**

These regulations are the *Disability Services Amendment Regulations (No. 3) 2016*.

### **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 on which the *Health Services Act 2016* section 234 comes into operation.

### **3. Schedule 1 amended**

- (1) In Schedule 1 delete items 11, 14, 18, 20 and 21.
- (2) In Schedule 1 insert after item 4:

- 4A. A health service provider established by order under the *Health Services Act 2016* section 32(1).

N. HAGLEY, Clerk of the Executive Council.

HE304\*

Health Services Act 2016

## **Health Services (Consequential Amendments) Regulations 2016**

Made by the deputy of the Governor in Executive Council.

### **Part 1 — Preliminary**

#### **1. Citation**

These regulations are the *Health Services (Consequential Amendments) Regulations 2016*.

**2. Commencement**

These regulations come into operation on the day on which the *Health Services Act 2016* section 234 comes into operation.

**Part 2 — *Food Regulations 2009* amended**

**3. Regulations amended**

This Part amends the *Food Regulations 2009*.

**4. Regulation 4 amended**

In regulation 4(1) delete the definition of *public hospital* and insert:

*public hospital* has the meaning given in the *Health Services Act 2016* section 8(6);

**Part 3 — *Health (Rheumatic Heart Disease Register of Western Australia) Regulations 2015* amended**

**5. Regulations amended**

This Part amends the *Health (Rheumatic Heart Disease Register of Western Australia) Regulations 2015*.

**6. Regulation 3 amended**

- (1) In regulation 3 insert in alphabetical order:

*health service provider* has the meaning given in the *Health Services Act 2016* section 6;

- (2) In regulation 3 in the definition of *Aboriginal health worker* paragraph (a) after “by” insert:

or in

- (3) In regulation 3 in the definition of *chief executive officer* paragraph (a) delete “board or” and insert:

health service provider for the hospital or the

- (4) In regulation 3 in the definition of *hospital* delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:

*Health Services Act 2016* section 8(4);



- (5) In regulation 3 in the definition of **medical centre**:
- (a) in paragraph (a) delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:
- Health Services Act 2016* section 6;
- (b) delete paragraph (b) and insert:
- (b) a health service provider;

#### **Part 4 — *Health (Western Australian Cancer Register) Regulations 2011* amended**

**7. Regulations amended**

This Part amends the *Health (Western Australian Cancer Register) Regulations 2011*.

**8. Regulation 3 amended**

- (1) In regulation 3 insert in alphabetical order:

**health service provider** has the meaning given in the *Health Services Act 2016* section 6;

- (2) In regulation 3 in the definition of **chief executive officer** paragraph (a) delete “board or licence holder” and insert:

the health service provider for the hospital or the licence holder

- (3) In regulation 3 in the definition of **hospital** delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:

*Health Services Act 2016* section 8(4);

#### **Part 5 — *Health (Western Australian Register of Developmental Anomalies) Regulations 2010* amended**

**9. Regulations amended**

This Part amends the *Health (Western Australian Register of Developmental Anomalies) Regulations 2010*.

**10. Regulation 3 amended**

- (1) In regulation 3 insert in alphabetical order:

*health service provider* has the meaning given in the *Health Services Act 2016* section 6;

- (2) In regulation 3 in the definition of *chief executive officer* paragraph (a) delete “board or” and insert:

health service provider for the hospital or the

- (3) In regulation 3 in the definition of *hospital* delete “*Hospitals and Health Services Act 1927* section 2(1);” and insert:

*Health Services Act 2016* section 8(4);

**Part 6 — *Health and Disability Services (Complaints) Regulations 2010* amended**

**11. Regulations amended**

This Part amends the *Health and Disability Services (Complaints) Regulations 2010*.

**12. Regulation 4 amended**

Delete regulation 4(2)(a) and insert:

- (a) the class comprising health service providers established by order under the *Health Services Act 2016* section 32(1);

**Part 7 — *Poisons Regulations 1965* amended**

**13. Regulations amended**

This Part amends the *Poisons Regulations 1965*.

**14. Regulation 2 amended**

In regulation 2(1) in the definition of *public hospital* delete “as defined in the *Hospitals and Health Services Act 1927*,” and insert:

within the meaning given in the *Health Services Act 2016* section 8(6);

**15. Regulation 37A amended**

Delete regulation 37A(1)(a)(i) and (ii) and insert:

- (i) in the Department (as defined in the *Health Services Act 2016* section 6); or
- (ii) in a health service provider (as defined in the *Health Services Act 2016* section 6);

**16. Regulation 37B amended**

Delete regulation 37B(1)(b)(i) and (ii) and insert:

- (i) in the Department (as defined in the *Health Services Act 2016* section 6); or
- (ii) in a health service provider (as defined in the *Health Services Act 2016* section 6);

**17. Regulation 40 amended**

Delete regulation 40(1)(f) and insert:

- (f) the Director of Nursing of a public hospital or of a private hospital as defined in the *Private Hospitals and Health Services Act 1927* section 2(1);

**18. Regulation 51FB amended**

In regulation 51FB(5)(b)(i) delete “as defined in the *Hospitals and Health Services Act 1927* section 2(1); or” and insert:

within the meaning given in the *Health Services Act 2016* section 8(4); or

N. HAGLEY, Clerk of the Executive Council.

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**HOUSING**

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HW301\*

Housing Act 1980

**Housing Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Housing Amendment Regulations 2016*.

**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 July 2016.

**3. Regulations amended**

These regulations amend the *Housing Regulations 1980*.

**4. Regulation 8 amended**

In regulation 8 delete the Table and insert:

**Table**

<b>Column 1 Item no.</b>	<b>Column 2 Item</b>	<b>Column 3 Fee \$</b>
	<i>Preparation of documents</i>	
1.	Mortgage	163
2.	Discharge of mortgage	64
3.	Caveat	58
4.	Withdrawal of caveat	58
5.	Deed of co-ownership	195
6.	Any other deed	121
7.	Transfer of land	203
8.	Statutory declaration	50

Column 1 Item no.	Column 2 Item	Column 3 Fee \$
9.	Settlement statement	161
10.	Any other document	76
	<i>Miscellaneous</i>	
11.	Production of titles and other documents	32

N. HAGLEY, Clerk of the Executive Council.

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## JUSTICE

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JU302\*

Criminal Procedure Act 2004

### **Criminal Procedure Amendment Regulations (No. 2) 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Criminal Procedure Amendment Regulations (No. 2) 2016*.

**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 *Criminal Procedure Regulations 2005*.

**4. Schedule 1A amended**

In Schedule 1A insert in alphabetical order:

*Health Services Act 2016*

N. HAGLEY, Clerk of the Executive Council.

JU301\*

Births, Deaths and Marriages Registration Act 1998

## Births, Deaths and Marriages Registration Amendment Regulations 2016

Made by the deputy of the Governor in Executive Council.

### 1. Citation

These regulations are the *Births, Deaths and Marriages Registration Amendment Regulations 2016*.

### 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 July 2016.

### 3. Regulations amended

These regulations amend the *Births, Deaths and Marriages Registration Regulations 1999*.

### 4. Regulation 4 amended

In regulation 4 delete the Table and insert:

Table		
Item	Matter	Fee
<b>Certificates and searches</b>		
1.	Certified copy of a registration other than one provided under item 2, 3, 6, 7 or 8 (including one 10 year search)	\$48
2.	Commemorative certificate (including one 10 year search and a certified copy of the registration)	\$58
3.	Certified copy of a registration at least 75 years old	\$35
4.	Uncertified copy of a registration	\$20
5.	Each 10 year search other than one provided under item 1 or 2 (including a Result of Search certificate)	\$34

Item	Matter	Fee
<b>Registrations and changes to the Register</b>		
6.	Registration of a change of name (including one certified copy of the change of name registration)	\$170
7.	Addition to, or correction of, information in respect of a registration (including one certified copy of the amended registration)	\$48
8.	Change to a child's name, in respect of a birth registration, within 12 months of birth (including one certified copy of the amended registration)	\$48
<b>Miscellaneous</b>		
9.	Priority service	\$34 in addition to any other fee

N. HAGLEY, Clerk of the Executive Council.

JU303\*

Evidence Act 1906

## **Evidence (Prescribed Persons) Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

### **1. Citation**

These regulations are the *Evidence (Prescribed Persons) Amendment Regulations 2016*.

### **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 on which the *Health Services Act 2016* section 234 comes into operation.

**3. Regulations amended**

These regulations amend the *Evidence (Prescribed Persons) Regulations 2005*.

**4. Regulation 4 replaced**

Delete regulation 4 and insert:

**4. Office prescribed (Act s. 50B authorised officer)**

(1) In this regulation —

***North Metropolitan Health Service*** means the health service provider with that corporate name established by order under the *Health Services Act 2016* section 32(1).

(2) The office of the chief pathologist in PathWest in the North Metropolitan Health Service is prescribed for the purposes of the definition of ***authorised officer*** in section 50B(1).

N. HAGLEY, Clerk of the Executive Council.

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## LANDS

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LA301\*

Registration of Deeds Act 1856  
Strata Titles Act 1985  
Transfer of Land Act 1893  
Valuation of Land Act 1978

## Lands Regulations Amendment (Fees and Charges) Regulations 2016

Made by the deputy of the Governor in Executive Council.

### Part 1 — Preliminary

**1. Citation**

These regulations are the *Lands Regulations Amendment (Fees and Charges) Regulations 2016*.



**2. Commencement**

These regulations come into operation as follows —

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

**Part 2 — *Registration of Deeds Regulations 2004*  
amended**

**3. Regulations amended**

This Part amends the *Registration of Deeds Regulations 2004*.

**4. Schedule 1 amended**

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

**Table**

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1	\$143.00	\$144.50
Sch. 1 Div. 1 it. 2	\$143.00	\$144.50
Sch. 1 Div. 2 it. 1	\$24.60	\$24.85
Sch. 1 Div. 3 it. 2	\$143.00	\$144.50

**Part 3 — *Strata Titles General Regulations 1996*  
amended**

**5. Regulations amended**

This Part amends the *Strata Titles General Regulations 1996*.

**6. Schedule 1 amended**

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

**Table**

Provision	Delete	Insert
Sch. 1 it. 1(a)	266.00 71.00	268.50 71.50
Sch. 1 it. 1(b)	266.00	268.50
Sch. 1 it. 1(c)	107.00	108.00
Sch. 1 it. 1(d)	164.00	165.80
Sch. 1 it. 1(e)	164.00	165.80

Provision	Delete	Insert
Sch. 1 it. 1(f)	164.00	165.80
Sch. 1 it. 1(g)	164.00	165.80

## Part 4 — *Transfer of Land Regulations 2004* amended

### 7. Regulations amended

This Part amend the *Transfer of Land Regulations 2004*.

### 8. Schedule 1 amended

- (1) Delete Schedule 1 Division 4 item 7A.
- (2) Delete Schedule 1 Division 7 item 6(b) and insert:

(b) any other document ..... \$82.90

- (3) Delete Schedule 1 Division 7 item 13.
- (4) Amend the provisions listed in the Table as set out in the Table.

**Table**

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1	\$164.00	\$165.80
Sch. 1 Div. 1 it. 2	\$164.00	\$165.80
Sch. 1 Div. 1 it. 3	\$164.00	\$165.80
Sch. 1 Div. 1 it. 4	\$164.00 (each occurrence) \$174.00 \$194.00	\$165.80  \$175.80 \$195.80
Sch. 1 Div. 1 it. 5	\$164.00	\$165.80
Sch. 1 Div. 1 it. 6	\$164.00	\$165.80
Sch. 1 Div. 1 it. 7	\$164.00	\$165.80
Sch. 1 Div. 1 it. 8	\$164.00	\$165.80
Sch. 1 Div. 1 it. 9	\$164.00	\$165.80
Sch. 1 Div. 1 it. 10	\$164.00	\$165.80
Sch. 1 Div. 1 it. 11	\$164.00	\$165.80

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 2 it. 1	\$164.00	\$165.80
Sch. 1 Div. 2 it. 2(a)	\$266.00	\$268.50
Sch. 1 Div. 2 it. 2(b)	\$71.00	\$71.50
Sch. 1 Div. 2 it. 2(c)	\$266.00	\$268.50
Sch. 1 Div. 2 it. 3(a)	\$266.00	\$268.50
Sch. 1 Div. 2 it. 3(b)	\$71.00	\$71.50
Sch. 1 Div. 2 it. 4	\$266.00	\$268.50
Sch. 1 Div. 2 it. 5(a)	\$82.00	\$82.90
Sch. 1 Div. 2 it. 6	\$164.00	\$165.80
Sch. 1 Div. 2 it. 7	\$164.00	\$165.80
Sch. 1 Div. 2 it. 8	\$164.00	\$165.80
Sch. 1 Div. 2 it. 9	\$164.00	\$165.80
Sch. 1 Div. 2 it. 10	\$164.00	\$165.80
Sch. 1 Div. 3 it. 1	\$164.00	\$165.80
Sch. 1 Div. 3 it. 2A	\$164.00	\$165.80
Sch. 1 Div. 3 it. 2	\$82.00	\$82.90
Sch. 1 Div. 4 it. 1(a)	\$164.00	\$165.80
Sch. 1 Div. 4 it. 2	\$164.00	\$165.80
Sch. 1 Div. 4 it. 3	\$164.00	\$165.80
Sch. 1 Div. 4 it. 4	\$164.00	\$165.80
Sch. 1 Div. 4 it. 5	\$307.00	\$310.30
Sch. 1 Div. 4 it. 6	\$164.00	\$165.80
Sch. 1 Div. 4 it. 7	\$164.00	\$165.80
Sch. 1 Div. 5 it. 1	\$164.00	\$165.80
Sch. 1 Div. 6 it. 1	\$24.60	\$24.85
Sch. 1 Div. 6 it. 2	\$24.60	\$24.85
Sch. 1 Div. 6 it. 3	\$24.60	\$24.85

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 6 it. 4	\$24.60	\$24.85
Sch. 1 Div. 6 it. 5(a)	\$12.30	\$12.40
Sch. 1 Div. 6 it. 5(b)	\$24.60	\$24.85
Sch. 1 Div. 6 it. 6(a)	\$12.30	\$12.40
Sch. 1 Div. 6 it. 6(b)	\$24.60	\$24.85
Sch. 1 Div. 6 it. 7	\$24.60	\$24.85
Sch. 1 Div. 6 it. 8	\$24.60	\$24.85
Sch. 1 Div. 6 it. 9	\$24.60	\$24.85
Sch. 1 Div. 6 it. 10	\$24.60	\$24.85
Sch. 1 Div. 6 it. 12	\$12.30	\$12.40
Sch. 1 Div. 6 it. 13	\$24.60	\$24.85
Sch. 1 Div. 6 it. 14	\$24.60	\$24.85
Sch. 1 Div. 6 it. 15	\$24.60	\$24.85
Sch. 1 Div. 6 it. 16	\$24.60	\$24.85
Sch. 1 Div. 6 it. 17	\$12.30	\$12.40
Sch. 1 Div. 6 it. 18(a)	\$12.30	\$12.40
Sch. 1 Div. 6 it. 21	\$12.30	\$12.40
Sch. 1 Div. 6 it. 22	\$24.60	\$24.85
Sch. 1 Div. 6 it. 23	\$24.60	\$24.85
Sch. 1 Div. 7 it. 1	\$164.00 (each occurrence)	\$165.80
Sch. 1 Div. 7 it. 3	\$143.00	\$144.50
Sch. 1 Div. 7 it. 4	\$143.00	\$144.50
Sch. 1 Div. 7 it. 5	\$143.00	\$144.50
Sch. 1 Div. 7 it. 6(a)	\$107.00	\$108.00
Sch. 1 Div. 7 it. 8	\$143.00	\$144.50
Sch. 1 Div. 7 it. 9	\$205.00	\$207.00

**Part 5 — *Valuation of Land Regulations 1979* amended****9. Regulations amended**

This Part amends the *Valuation of Land Regulations 1979*.

**10. Schedule 1 amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 it. 1	145.50	147.00
Sch. 1 it. 2	58.40	59.00
Sch. 1 it. 3	8.00	8.10
Sch. 1 it. 4	17.40	17.60

N. HAGLEY, Clerk of the Executive Council.

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**MINERALS AND PETROLEUM**

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MP301\*

Dangerous Goods Safety Act 2004  
Mines Safety and Inspection Act 1994  
Petroleum (Submerged Lands) Act 1982  
Petroleum (Submerged Lands) Registration Fees Act 1982  
Petroleum and Geothermal Energy Resources Act 1967  
Petroleum and Geothermal Energy Resources (Registration Fees)  
Act 1967  
Petroleum Pipelines Act 1969

**Mines and Petroleum Regulations Amendment  
(Fees and Levies) Regulations 2016**

Made by the Governor in Executive Council.

**Part 1 — Preliminary****1. Citation**

These regulations are the *Mines and Petroleum Regulations Amendment (Fees and Levies) Regulations 2016*.

## 2. Commencement

These regulations come into operation as follows —

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

## Part 2 — *Dangerous Goods Safety (Explosives) Regulations 2007* amended

### 3. Regulations amended

This Part amends the *Dangerous Goods Safety (Explosives) Regulations 2007*.

### 4. Regulation 21A amended

In regulation 21A(2)(c) delete “prescribed”.

### 5. Various fees amended

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

**Table**

Provision	Delete	Insert
r. 149(1)(e)(ii)	\$36	\$36.50
r. 179A(4)	\$36	\$36.50
Sch. 1 it. 1	163	165.00
Sch. 1 it. 2A	43	43.50
Sch. 1 it. 2	164	166.00
Sch. 1 it. 3(a)	133	134.00
Sch. 1 it. 3(b)	534	540.00
Sch. 1 it. 4A	3 900	3 943.00
Sch. 1 it. 4(a)	133	134.00
Sch. 1 it. 4(b)	267	270.00
Sch. 1 it. 4(c)	4 000	4 044.00
Sch. 1 it. 5(i)	84	85.00
Sch. 1 it. 6A(a)	167	169.00
Sch. 1 it. 6A(b)	356	360.00

Provision	Delete	Insert
Sch. 1 it. 6A(c)	821	830.00
Sch. 1 it. 6A(d)(i)	105	106.00
Sch. 1 it. 6A(d)(ii)	126	127.00
Sch. 1 it. 6A(d)(iii)	336	340.00
Sch. 1 it. 6A(e)	838	847.00
Sch. 1 it. 6A(f)	57	57.50

### **Part 3 — *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007* amended**

#### **6. Regulations amended**

This Part amends the *Dangerous Goods Safety (Major Hazard Facilities) Regulations 2007*.

#### **7. Various fees amended**

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

**Table**

Provision	Delete	Insert
r. 34(7)	\$36	\$36.50
Sch. 3 cl. 1 Table	125 000	129 000
Sch. 3 cl. 1 Table	100 000 (each occurrence)	103 000
Sch. 3 cl. 2 Table	125 000	129 000
Sch. 3 cl. 2 Table	100 000 (each occurrence)	103 000

### **Part 4 — *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007* amended**

#### **8. Regulations amended**

This Part amends the *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007*.

**9. Regulation 272 amended**

In regulation 272 in the Table:

- (a) in item 1 delete “272.00” and insert:

275.00

- (b) in item 2(b) delete “131.00” and insert:

132.00

**Part 5 — *Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) Regulations 2007* amended**

**10. Regulations amended**

This Part amends the *Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) Regulations 2007*.

**11. Various fees amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 46A(4)	\$36	\$36.50
Sch. 1 it. 1(a)	167	169.00
Sch. 1 it. 1(b)	314	317.00
Sch. 1 it. 1(c)	147	149.00
Sch. 1 it. 1(d)	157	159.00
Sch. 1 it. 1(e)	136	138.00
Sch. 1 it. 1(f)	52	52.50

**Part 6 — *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* amended**

**12. Regulations amended**

This Part amends the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*.

**13. Various fees amended**

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



**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 44A(4)	\$36	\$36.50
r. 135I(2)(e)(v)	\$3 900	\$3 943
Sch. 5 cl. 2 Table it. 1	197	199
Sch. 5 cl. 2 Table it. 2	655	662

**Part 7 — *Mines Safety and Inspection Levy  
Regulations 2010* amended**

**14. Regulations amended**

This Part amends the *Mines Safety and Inspection Levy Regulations 2010*.

**15. Regulation 8 amended**

In regulation 8 in the description of the variable “R” delete paragraph (e) and insert:

- (e) for a quarter that begins on or after  
1 July 2015 and ends on or before  
30 June 2016 — \$0.14;
- (f) for a quarter that begins on or after  
1 July 2016 — \$0.15.

**Part 8 — *Petroleum (Submerged Lands)  
Regulations 1990* amended**

**16. Regulations amended**

This Part amends the *Petroleum (Submerged Lands) Regulations 1990*.

**17. Various fees amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 3(2)	\$120.00	\$121.00
r. 3(6)	\$2 017.00	\$2 039.00

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 3(7)	\$771.00	\$779.00
r. 3(8)	\$16 799.00	\$16 984.00
r. 3(9)	\$16 352.00	\$16 532.00
r. 3(10)	\$16 352.00	\$16 532.00
Sch. 1 it. 1	6 036.00	6 102.00
Sch. 1 it. 2	6 036.00	6 102.00
Sch. 1 it. 3	6 036.00	6 102.00
Sch. 1 it. 4	6 036.00	6 102.00
Sch. 1 it. 5	6 036.00	6 102.00
Sch. 1 it. 6	6 036.00	6 102.00
Sch. 1 it. 7	6 036.00	6 102.00
Sch. 1 it. 8	6 036.00	6 102.00
Sch. 1 it. 9	6 036.00	6 102.00
Sch. 1 it. 10	6 036.00	6 102.00
Sch. 1 it. 11	6 036.00	6 102.00
Sch. 1 it. 12	6 036.00	6 102.00
Sch. 1 it. 13	6 036.00	6 102.00
Sch. 1 it. 14	6 036.00	6 102.00
Sch. 1 it. 15	120.00	121.00
Sch. 1 it. 16	120.00	121.00
Sch. 1 it. 17	120.00	121.00
Sch. 1 it. 18	120.00	121.00
Sch. 1 it. 19	6 036.00	6 102.00
Sch. 1 it. 20	192.00	194.00

**Part 9 — *Petroleum (Submerged Lands) Registration Fees Regulations 1990* amended**

**18. Regulations amended**

This Part amends the *Petroleum (Submerged Lands) Registration Fees Regulations 1990*.

**19. Regulation 3 amended**

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

**Table**

Provision	Delete	Insert
r. 3(1)	\$5 046.00	\$5 102.00
r. 3(2)	\$5 046.00	\$5 102.00
r. 3(3)	\$7 677.00	\$7 761.00
r. 3(4)	\$5 046.00	\$5 102.00
r. 3(5)	\$7 677.00	\$7 761.00

**Part 10 — *Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015* amended**

**20. Regulations amended**

This Part amends the *Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015*.

**21. Regulation 93 amended**

In regulation 93(2) and (3) delete “\$120.00” and insert:

\$121.00

**22. Regulation 97 amended**

In regulation 97(2) and (3) delete “\$120.00” and insert:

\$121.00

## **Part 11 — *Petroleum and Geothermal Energy Resources Regulations 1987* amended**

### **23. Regulations amended**

This Part amends the *Petroleum and Geothermal Energy Resources Regulations 1987*.

### **24. Various fees amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 3(2)	\$120.00	\$121.00
r. 3(6)	\$771.00	\$779.00
r. 3(7)	\$16 799.00	\$16 984.00
r. 3(8)	\$16 352.00	\$16 532.00
Sch. 1 it. 1	6 036.00	6 102.00
Sch. 1 it. 2	6 036.00	6 102.00
Sch. 1 it. 3	6 036.00	6 102.00
Sch. 1 it. 4	6 036.00	6 102.00
Sch. 1 it. 5	6 036.00	6 102.00
Sch. 1 it. 6	6 036.00	6 102.00
Sch. 1 it. 7	6 036.00	6 102.00
Sch. 1 it. 8	6 036.00	6 102.00
Sch. 1 it. 9	6 036.00	6 102.00
Sch. 1 it. 10	6 036.00	6 102.00
Sch. 1 it. 11	6 036.00	6 102.00
Sch. 1 it. 12	6 036.00	6 102.00
Sch. 1 it. 13	6 036.00	6 102.00
Sch. 1 it. 14	120.00	121.00
Sch. 1 it. 15	120.00	121.00
Sch. 1 it. 16	120.00	121.00

Provision	Delete	Insert
Sch. 1 it. 17	120.00	121.00
Sch. 1 it. 18	6 036.00	6 102.00
Sch. 1 it. 19	2 017.00	2 039.00

**Part 12 — *Petroleum and Geothermal Energy Resources (Registration Fees) Regulations 1990* amended**

**25. Regulations amended**

This Part amends the *Petroleum and Geothermal Energy Resources (Registration Fees) Regulations 1990*.

**26. Regulation 3 amended**

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

**Table**

Provision	Delete	Insert
r. 3(1)	\$5 046.00	\$5 102.00
r. 3(2)	\$5 046.00	\$5 102.00
r. 3(3)	\$7 677.00	\$7 761.00
r. 3(4)	\$5 046.00	\$5 102.00
r. 3(5)	\$7 677.00	\$7 761.00

**Part 13 — *Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015* amended**

**27. Regulations amended**

This Part amends the *Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015*.

**28. Regulation 94 amended**

In regulation 94(2) and (3) delete “\$120.00” and insert:

\$121.00

**29. Regulation 98 amended**

In regulation 98(2) and (3) delete “\$120.00” and insert:

\$121.00

**Part 14 — *Petroleum Pipelines*  
Regulations 1970 amended****30. Regulations amended**

This Part amends the *Petroleum Pipelines Regulations 1970*.

**31. Various fees amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 4B	\$192.00	\$194.00
Third Sch. it. 1	6 036.00	6 102.00
Third Sch. it. 2	6 036.00	6 102.00
Third Sch. it. 3	120.00	121.00
Third Sch. it. 4	120.00	121.00
Third Sch. it. 5	120.00	121.00
Third Sch. it. 6	120.00	121.00
Third Sch. it. 7	120.00	121.00
Third Sch. it. 8	120.00	121.00
Third Sch. it. 9	120.00	121.00

R. KENNEDY, Clerk of the Executive Council.

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MP302\*

Mining Act 1978  
Offshore Minerals Act 2003

## Mining and Offshore Minerals Regulations Amendment (Fees and Rents) Regulations 2016

Made by the deputy of the Governor in Executive Council.

### Part 1 — Preliminary

#### 1. Citation

These regulations are the *Mining and Offshore Minerals Regulations Amendment (Fees and Rents) Regulations 2016*.

#### 2. Commencement

These regulations come into operation as follows —

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

### Part 2 — *Mining Regulations 1981* amended

#### 3. Regulations amended

This Part amends the *Mining Regulations 1981*.

#### 4. Schedule 2 amended

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

Table

Provision	Delete	Insert
Sch. 2 it. 1(a)	48.00	49.60
Sch. 2 it. 1(b)	161.70	167.20
Sch. 2 it. 2(a)	301.35	311.60
Sch. 2 it. 2(b)(i)	125.25	129.50
Sch. 2 it. 2(b)(ii)	194.85	201.45
Sch. 2 it. 2(b)(iii)	264.35	273.35
Sch. 2 it. 2(b)(iv)	500.60	517.60
Sch. 2 it. 3	14.60	15.10

Provision	Delete	Insert
Sch. 2 it. 4	16.50	17.05
Sch. 2 it. 5	16.50	17.05
Sch. 2 it. 6(b)	14.60	15.10
Sch. 2 it. 7	2.40	2.50
Sch. 2 it. 7	\$24.00	\$25.00
Sch. 2 it. 8	7.20	7.45
Sch. 2 it. 9(a)(i)	330.35	334.00
Sch. 2 it. 9(a)(ii)	1 323.80	1 338.35
Sch. 2 it. 9(b)	462.80	467.90
Sch. 2 it. 9(c)	462.80	467.90
Sch. 2 it. 9(d)	462.80	467.90
Sch. 2 it. 9(f)	313.85	317.30
Sch. 2 it. 9(g)	760.80	769.15
Sch. 2 it. 10	276.00	279.05
Sch. 2 it. 11	8.80	8.90
Sch. 2 it. 12(a)	8.80	8.90
Sch. 2 it. 12(b)	8.80	8.90
Sch. 2 it. 13	7.35	7.40
Sch. 2 it. 14(a)(i)	359.70	363.65
Sch. 2 it. 14(a)(ii)	408.05	412.55
Sch. 2 it. 14(a)(iii)	333.45	337.10
Sch. 2 it. 14(b)	1 667.25	1 685.50
Sch. 2 it. 15(a)	36.40	36.80
Sch. 2 it. 15(b)	36.40	36.80
Sch. 2 it. 16	110.40	111.60
Sch. 2 it. 17	7.35	7.40



Provision	Delete	Insert
Sch. 2 it. 17	\$29.40	\$29.60
Sch. 2 it. 18	23.20	23.45
Sch. 2 it. 19(a)	110.40	111.60
Sch. 2 it. 19(b)	110.40	111.60
Sch. 2 it. 19(c)	110.40	111.60
Sch. 2 it. 19(d)	7.35	7.40
Sch. 2 it. 19(e)	110.40	111.60
Sch. 2 it. 19(f)	110.40	111.60
Sch. 2 it. 19(g)	110.40	111.60
Sch. 2 it. 19(h)	110.40	111.60
Sch. 2 it. 19(i)	110.40	111.60
Sch. 2 it. 19(j)	110.40	111.60
Sch. 2 it. 19(k)(i)	110.40	111.60
Sch. 2 it. 19(k)(ii)	110.40	111.60
Sch. 2 it. 19(l)	7.35	7.40
Sch. 2 it. 20	224.10	226.55
Sch. 2 it. 21	8.80	8.90
Sch. 2 it. 22(a)	62.40	63.10
Sch. 2 it. 22(b)	43.10	43.55
Sch. 2 it. 22(c)	6.25	6.30
Sch. 2 it. 22(d)	18.80	19.00
Sch. 2 it. 22(e)(i)	8.80	8.90

### **Part 3 — *Offshore Minerals Regulations 2010* amended**

#### **5. Regulations amended**

This Part amends the *Offshore Minerals Regulations 2010*.

**6. Schedule 2 amended**

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

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 2 it. 6	22.05	22.30
Sch. 2 it. 7	55.20	55.80
Sch. 2 it. 8	137.95	139.45
Sch. 2 it. 9	137.95	139.45
Sch. 2 it. 10	137.95	139.45
Sch. 2 it. 11	5.55	5.60
Sch. 2 it. 12	5.55	5.60
Sch. 2 it. 13	55.20	55.80
Sch. 2 it. 14	137.95	139.45

N. HAGLEY, Clerk of the Executive Council.

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**PLANNING**

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PL301\*

Planning and Development Act 2005

**Planning and Development (Local Planning  
Schemes) Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Planning and Development (Local Planning Schemes) Amendment Regulations 2016*.

**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 on which the *Health Services Act 2016* section 262 comes into operation.

**3. Regulations amended**

These regulations amend the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**4. Schedule 1 amended**

In Schedule 1 Part 6 Division 2 clause 38 in the definition of **hospital** delete “used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1);” and insert:

that are a hospital within the meaning given in the *Health Services Act 2016* section 8(4);

N. HAGLEY, Clerk of the Executive Council.

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**POLICE**

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PO301\*

Surveillance Devices Act 1998

## **Surveillance Devices Amendment Regulations (No. 2) 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Surveillance Devices Amendment Regulations (No. 2) 2016*.

**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 on which the *Health Services Act 2016* section 234 comes into operation.

**3. Regulations amended**

These regulations amend the *Surveillance Devices Regulations 1999*.

**4. Regulation 6 amended**

In regulation 6(4) in the definition of *hospital* delete “same meaning as in the *Hospitals and Health Services Act 1927*,” and insert:

meaning given in the *Health Services Act 2016* section 8(4);

N. HAGLEY, Clerk of the Executive Council.

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**RACING, GAMING AND LIQUOR**

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RA302\*

Liquor Control Act 1988

**Liquor Control Amendment Regulations  
(No. 5) 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Liquor Control Amendment Regulations (No. 5) 2016*.

**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 on which the *Health Services Act 2016* section 261 comes into operation.

**3. Regulations amended**

These regulations amend the *Liquor Control Regulations 1989*.

**4. Regulation 8 amended**

In regulation 8(1)(h):

- (a) in subparagraph (i) delete “an approved nursing home, within the meaning of the *Hospitals and Health Services Act 1927*,” and insert:

a nursing home as defined in the *Private Hospitals and Health Services Act 1927* section 2(1),

- (b) in subparagraph (ia) delete “*Hospitals and Health Services Act 1927*,” and insert:

*Health Services Act 2016*,

- (c) in subparagraph (ii) delete “an approved private psychiatric hostel, within the meaning of *Hospitals and Health Services Act 1927*,” and insert:

a private psychiatric hostel, as defined in the *Private Hospitals and Health Services Act 1927* section 2(1),

N. HAGLEY, Clerk of the Executive Council.

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RA301\*

Racing and Wagering Western Australia Act 2003

## **Racing and Wagering Western Australia Amendment Regulations (No. 3) 2016**

Made by the deputy of the Governor in Executive Council.

### **1. Citation**

These regulations are the *Racing and Wagering Western Australia Amendment Regulations (No. 3) 2016*.

### **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 *Racing and Wagering Western Australia Regulations 2003*.

### **4. Regulation 3 amended**

After regulation 3(2) insert:

- (2A) For the purposes of these regulations, presentation of a ticket, whether for collection of a winning dividend or

a refund, includes presentation of a facsimile image of the ticket originally issued by RWWA.

**5. Regulation 42 amended**

In regulation 42(3) delete “cheque” and insert:

cheque, by voucher

N. HAGLEY, Clerk of the Executive Council.

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## **TRANSPORT**

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TN301\*

Road Traffic (Administration) Act 2008  
Road Traffic (Vehicles) Act 2012

# **Road Traffic Regulations Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

## **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Road Traffic Regulations Amendment Regulations 2016*.

**2. Commencement**

These regulations come into operation as follows —

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

## **Part 2 — Road Traffic (Administration) Regulations 2014 amended**

**3. Regulations amended**

This Part amends the *Road Traffic (Administration) Regulations 2014*.

**4. Regulation 24 amended**

In regulation 24(1) in the definition of *road law regulation offence* in the Table in the item relating to the *Road Traffic (Vehicles) Regulations 2014* delete “6,”.

**5. Regulations 25 and 26 amended**

In regulations 25 and 26 in the Table in the item relating to the *Road Traffic (Vehicles) Regulations 2014* delete “6,”.

**Part 3 — Road Traffic (Vehicles)  
Regulations 2014 amended**

**6. Regulations amended**

This Part amends the *Road Traffic (Vehicles) Regulations 2014*.

**7. Regulation 15 amended**

In regulation 15(2)(c) delete “motor” and insert:

a motor

**8. Part 6 deleted**

Delete Part 6.

**9. Regulations 489 and 490 deleted**

Delete regulations 489 and 490.

N. HAGLEY, Clerk of the Executive Council.

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**TREASURY AND FINANCE**

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TR302\*

Pay-roll Tax Assessment Act 2002

**Pay-roll Tax Assessment Amendment  
Regulations (No. 2) 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Pay-roll Tax Assessment Amendment Regulations (No. 2) 2016*.

**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 July 2016.

**3. Regulations amended**

These regulations amend the *Pay-roll Tax Assessment Regulations 2003*.

**4. Regulation 28 inserted**

At the beginning of Part 3 Division 1 insert:

**28. Exempt rate for motor vehicle allowances  
(Act s. 9FA(3)(b))**

For the purposes of section 9FA(3)(b), the exempt rate for a financial year is the rate determined by the Commissioner of Taxation of the Commonwealth under the ITA Act section 28-25(4) as the rate of cents per kilometre for cars for the income year corresponding to the financial year immediately preceding the financial year in which the allowance is paid or payable.

N. HAGLEY, Clerk of the Executive Council.

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TR301\*

Taxation Administration Act 2003

## **Taxation Administration Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Taxation Administration Amendment Regulations 2016*.

**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 July 2016.



**3. Regulations amended**

These regulations amend the *Taxation Administration Regulations 2003*.

**4. Regulation 8 amended**

In regulation 8 delete “\$38.50.” and insert:

\$38.90.

N. HAGLEY, Clerk of the Executive Council.

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TR303\*

State Trading Concerns Act 1916

## **State Trading Concerns (Authorisation) Amendment Regulations 2016**

Made by the deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *State Trading Concerns (Authorisation) Amendment Regulations 2016*.

**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 on which the *Health Services Act 2016* section 234 comes into operation.

**3. Regulations amended**

These regulations amend the *State Trading Concerns (Authorisation) Regulations 1998*.

**4. Schedule 2 amended**

- (1) In Schedule 2 Part 1 delete the item relating to Boards of public hospitals.
- (2) In Schedule 2 Part 2 delete the item headed “Boards of public hospitals”.

N. HAGLEY, Clerk of the Executive Council.

## — PART 2 —

### AGRICULTURE AND FOOD

#### AG402\*

#### AGRICULTURAL PRODUCE COMMISSION ACT 1988

#### CHANGE IN CITRUS FEE FOR SERVICE CHARGE

The Agricultural Produce Commission hereby notifies that the general Fee for Service charge imposed on Citrus fruit exported to outside of Australia will decrease to \$0.003 cents per kilogram (\$3 per tonne) effective from 11 July 2016.

The citrus general fee for service charge rate is—

All citrus (fresh fruit) excluding exported fruit	\$0.02 per kilogram
All citrus (processing fruit) excluding exported fruit	\$0.01 per kilogram
All citrus (fresh or processing) exported to outside of Australia	\$0.003 per kilogram

The citrus bio-security fee for service charge rate is—

All citrus (fresh or processing or export)	\$0.002 per kilogram
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Dr WILLIAM RYAN, Chairman,  
Agricultural Produce Commission.

#### AG403\*

#### AGRICULTURAL PRODUCE COMMISSION ACT 1988

#### WINE PRODUCERS FEE FOR SERVICE CHARGE

The Agricultural Produce Commission hereby notifies that the following Fee for Service charges, imposed under section 14 of the *Agricultural Produce Commission Act 1988*, will apply to wine producers for the APC Wine Producers' Committee. The charges will be effective for the 2016 wine crush.

Tonnage Range	General Services Base Rate	General Services Volume Rate	Blackwood Base Rate	Geographic Base Rate	Geographic Volume Rate	Great Southern Base Rate	Great Southern Volume Rate	Margaret River Base Rate	Margaret River Volume Rate	Peel Base Rate	Perth Hills Base Rate	Perth Hills Volume Rate	Southern Forests Base Rate	Southern Forests Volume Rate	Swan Volume Rate
0-5	\$100	\$0.0000	\$130.00	\$200.00	\$0.0000	\$100.00	\$0.0000	\$50.00	\$1.00	\$1.00	\$225.00	\$0.00	\$150.00	\$1.10	\$1.00
5-10	\$225	\$0.0000	\$130.00	\$250.00	\$0.0000	\$225.00	\$0.0000	\$50.00	\$1.00	\$1.00	\$225.00	\$0.00	\$150.00	\$1.10	\$1.00
11-29	\$225.00	\$13.1579	\$130.00	\$250.00	\$3.9474	\$225.00	\$13.8889	\$50.00	\$1.00	\$1.00	\$225.00	\$13.16	\$150.00	\$1.10	\$1.00
30-49	\$475.00	\$11.8750	\$130.00	\$350.00	\$1.3158	\$475.00	\$11.8421	\$50.00	\$1.00	\$1.00	\$225.00	\$13.16	\$150.00	\$1.10	\$1.00
50-99	\$712.00	\$7.6000	\$130.00	\$400.00	\$0.4016	\$700.00	\$1.0204	\$50.00	\$1.00	\$1.00	\$712.50	\$7.60	\$150.00	\$1.10	\$1.00
100-199	\$1,092.50	\$5.7000	\$130.00	\$400.00	\$0.4016	\$750.00	\$0.5050	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
200-299	\$1,662.50	\$4.2750	\$130.00	\$500.00	\$0.2145	\$800.00	\$0.5051	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
300-499	\$2,090.00	\$3.8000	\$130.00	\$500.00	\$0.2146	\$850.00	\$0.7537	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
500-749	\$1,850.00	\$1.9000	\$130.00	\$500.00	\$0.2146	\$1,000.00	\$0.4016	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
750-999	\$3,325.00	\$1.5200	\$130.00	\$500.00	\$0.2146	\$1,100.00	\$1.6064	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
1000-1999	\$3,705.00	\$1.0450	\$130.00	\$650.00	\$0.0500	\$1,500.00	\$0.5005	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
2000-3999	\$4,750.00	\$0.9500	\$130.00	\$650.00	\$0.0500	\$2,000.00	\$0.5003	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
4000-5999	\$6,650.00	\$0.7125	\$130.00	\$800.00	\$0.0334	\$3,000.00	\$0.5003	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
6000-9999	\$8,075.00	\$0.3563	\$130.00	\$800.00	\$0.0334	\$4,000.00	\$0.2501	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00
10000+	\$9,500.00	\$0.0000	\$130.00	\$1,000.00	\$0.0000	\$5,000.00	\$0.0000	\$50.00	\$1.00	\$1.00	\$1,092.50	\$5.70	\$150.00	\$1.10	\$1.00

Dr WILLIAM RYAN, Chairman,  
Agricultural Produce Commission.

#### AG401\*

#### BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

#### RANGELANDS LOCAL GOVERNMENT DISTRICT FOR FINANCIAL YEAR 2016-2017

Under section 130 of the *Biosecurity and Agriculture Management Act 2007* I determine rates chargeable on land in the prescribed areas listed below for the financial year commencing on 1 July 2016 as follows—

- 5.124 cents in the dollar on the unimproved value of land held under pastoral lease in the local government districts of Carnarvon, Exmouth, Greater Geraldton, Murchison, Upper Gascoyne, Northampton, Shark Bay;

- (b) 5.170 cents in the dollar on the unimproved value of land held under pastoral lease in the local government districts of Coolgardie, Dundas, Kalgoorlie/Boulder, Laverton, Leonora, Menzies, Ngaanyatjaraku, Sandstone, Wiluna and Yilgarn;
- (c) 1.097 cents in the dollar on the unimproved value of land held under pastoral lease in the local government districts of Broome, Derby-West Kimberley, Wyndham-East Kimberley and Halls Creek;
- (d) 4.584 cents in the dollar on the unimproved value of land held under pastoral lease in the local government districts of Cue, Meekatharra, Mount Magnet, Mount Marshall, Perenjori and Yalgoo; and
- (e) 1.850 cents in the dollar on the unimproved value of land held under pastoral lease in the local government districts of Ashburton, East Pilbara, Karratha and Port Hedland.

DEAN NALDER MLA, Minister for Agriculture, Food and Transport.

Date: 16 June 2016.

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## CONSUMER PROTECTION

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CP401\*

### CO-OPERATIVES ACT 2009

#### ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 20 June 2016, pursuant to section 19 of the Act, a certificate of registration was issued to—

TradesDesk Co-operative Limited

LAILY YASSIN, A/Deputy Registrar of Co-operatives.

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## HEALTH

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HE401\*

### MENTAL HEALTH ACT 2014

#### MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) REVOCATION ORDER (NO. 8) 2016

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*.

#### 1. Citation

This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No. 8) 2016*.

#### 2. Commencement

This Order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) clause 3—on the day after that day.

#### 3. Revocation of designation

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

#### Schedule 1

Hooyberg, Stephen	Registered Nurse
Sarah Collins	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

20 June 2016.

**HE402\***

**MENTAL HEALTH ACT 2014**  
**MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)**  
**ORDER (NO. 4) 2016**

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*;

**1. Citation**

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 4) 2016*.

**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) clause 3—on the day after that day.

**3. Authorised Mental Health Practitioner**

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

**Schedule 1**

<b>Name</b>	<b>Profession</b>
Butterfield, Jeffery	Registered Nurse
Keast, Keryn	Registered Nurse
Mason, Robert	Registered Nurse
Smith, Kairon	Registered Nurse
Smith, Suzanne	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

20 June 2016.

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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 Her 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—

Marie Elizabeth Morris of Mount Magnet

JOANNE STAMPALIA, A/Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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**LG401\***

**LOCAL GOVERNMENT ACT 1995**  
*City of Cockburn*  
**(BASIS OF RATES)**

This notice, which is for public information only, is to confirm that—

I, Brad Jolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 1 July 2016, determine that the method of valuation to be used by the City of Cockburn as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land.

Schedule A

	Designated Land
UV to GRV	All those portions of land being Lot 8 as shown on Diagram 22423; Lot 17 and Lot 18 as shown on Diagram 29346; Lot 37 as shown on Diagram 35093; Lot 67 as shown on Diagram 56046; Lot 72 as shown on Diagram 61184 and Lot 5 as shown on Diagram 71988.

## Schedule B

	Designated Land
UV to GRV	All those portions of land being Lot 8, Lot 9, Lot 26, Lot 28, Lot 36, Lot 39 and Lot 40 as shown on Plan 3455; Lot 10, Lot 12, Lot 20, Lot 26, Lot 27, Lot 29, Lot 33, Lot 34, Lot 50 and Lot 54 as shown on Plan 6520; Lot 11 as shown on Plan 7113; Lot 4 and Lot 17 as shown on Plan 7232; Lot 35 and Lot 40 as shown on Plan 7712; Lot 67, Lot 78 and Lot 90 as shown on Plan 8190 and Lot 110 as shown on Plan 8384.

## Schedule C

	Designated Land
UV to GRV	All that portion of land being Lot 1 as shown on Deposited Plan 400957.

BRAD JOLLY, Executive Director Sector Regulation and Support,  
Department of Local Government and Communities.

## LG402\*

## LOCAL GOVERNMENT ACT 1995

*City of Rockingham*

(BASIS OF RATES)

This notice, which is for public information only, is to confirm that—

I, Brad Jolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 10 June 2016, determined that the method of valuation to be used by the City of Rockingham as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

## Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 573 to 587 inclusive as shown on Deposited Plan 408293.

BRAD JOLLY, Executive Director Sector Regulation and Support,  
Department of Local Government and Communities.

## MINERALS AND PETROLEUM

## MP401\*

## PETROLEUM PIPELINES ACT 1969

VARIATION OF LICENCE PL 97

The licence conditions of Licence PL 97, held by North Mining Limited, Robe River Mining. Co. Pty. Ltd, Mitsui Iron Ore Development Pty Ltd, Nippon Steel & Sumitomo Metal Australia Pty Ltd and Nippon Steel & Sumikin Resources Australia Pty. Ltd, has been varied by instrument of variation STP-PLV-0050 with effect on June 2016.

JEFF HAWORTH, Executive Director,  
Petroleum Division.

## MP402\*

## PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 426

Renewal of Petroleum Exploration Permit EP 426 has been granted to Empire Oil Company (WA) Limited and Westranch Holdings Pty Ltd and will remain in force for a period of five (5) years commencing on 21 June 2016.

J. H. HAWORTH, Executive Director,  
Petroleum Division,  
Department of Mines and Petroleum.

**MP403\*****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 'Section 19/361' by varying the description which was gazetted on 13 February 2015.

**Locality:** West Kimberley Mineral Field

**New Area:** 1,988,570 ha

**Amended Description of Land—**

Land designated s19/361 in the Tengraph electronic plan of the Department of Mines and Petroleum. A plan is filed on Department of Mines and Petroleum File No. A1164/201101 and identified as Document No. 4202972.

Dated at Perth this 11th day of June 2016.

Hon. SEAN L'ESTRANGE, MLA, Minister for Mines  
and Petroleum; Small Business.

**MP404\*****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 'Section 19/336' by varying the description which was gazetted on 28 December 2012.

**Locality:** McLarty Range—West Kimberley Mineral Field

**New Area:** 8,243 ha

**Amended Description of Land—**

Land designated s19/336 in the Tengraph electronic plan of the Department of Mines and Petroleum. A plan is filed on Department of Mines and Petroleum File No. A1717/201201 and identified as Document No. 4211370.

Dated at Perth this 11th day of June 2016.

Hon. SEAN L'ESTRANGE, MLA, Minister for Mines  
and Petroleum; Small Business.

**MP405\*****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum  
Norseman WA 6443.

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.

J. O'SULLIVAN, Warden.

To be heard by the Warden at Norseman on 15 August 2016.

**DUNDAS MINERAL FIELD***Prospecting Licences*

P 63/1809 Powter, David John

P 63/1810 Powter, David John

**MP406\*****MINING ACT 1978****APPROVAL OF RETENTION STATUS FOR AN EXPLORATION LICENCE**

I, Fenny Ramli, Compliance Tenure Officer (by power delegated under section 12 of the *Mining Act 1978*), give notice that I have approved retention status for 3 blocks within the under mentioned exploration licence pursuant to section 69B of the *Mining Act 1978*, effective from the day on which notice of the approval is published in the *Gazette*.

<b>Tenement</b>	<b>Blocks</b>		<b>Holder</b>	<b>Mineral Field</b>
E52/2303	2882 2883	E a b	Warwick Resources Pty Ltd	Peak Hill

Dated at Perth this 21st day of June 2016.

FENNY RAMLI, Compliance Tenure Officer.  
(by power delegated under section 12 of the *Mining Act 1978*).

**MP407\*****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum  
Mt. Magnet WA 6638.

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

J. SCUTT, Warden.

To be heard by the Warden at Mt. Magnet on 18 August 2016.

**EAST MURCHISON MINERAL FIELD***Prospecting Licences*

P 57/1354      Bennett, John

**MURCHISON MINERAL FIELD***Prospecting Licences*

P 20/2176      Polaris Australasia Resources Pty Ltd  
P 58/1650      Darnell, Kenneth James

**MP408\*****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum  
Mt. Magnet WA 6638.

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

J. SCUTT, Warden.

To be heard by the Warden at Mt. Magnet on 18 August 2016.

**EAST MURCHISON MINERAL FIELD***Prospecting Licences*

P 57/1150      Gateway Mining Limited  
P 57/1152      Gateway Mining Limited

**MURCHISON MINERAL FIELD***Prospecting Licences*

P 20/2176      Polaris Australasia Resources Pty Ltd  
P 20/2215      Mackay, Angus  
P 58/1650      Darnell, Kenneth James

## YALGOO MINERAL FIELD

*Prospecting Licences*

P 59/2026 Hargreaves, Mark Denis

**MP409\*****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum  
Meekatharra WA 6642.

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

J. SCUTT, Warden.

To be heard by the Warden at Meekatharra on 17 August 2016.

## MURCHISON MINERAL FIELD

*Prospecting Licences*

P 51/2908 Gerald Stanley Gregson

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**PLANNING**

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**PL401\*****PLANNING AND DEVELOPMENT ACT 2005**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Murray*

## Town Planning Scheme No. 4—Amendment No. 290

Ref: TPS/1549

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 Murray Town Planning Scheme amendment on 10 May 2016 by amending the Scheme Maps by recoding Lots 1, 2 and 99 James Street and Lots 73 and 74 Forrest Street, Pinjarra from R15 and R40 to R-AC0

M. REID, President.  
D. UNSWORTH, Chief Executive Officer.**PL402\*****PLANNING AND DEVELOPMENT ACT 2005**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*Town of Cambridge*

## TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 27

Ref: TPS/1367

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of Cambridge Town Planning Scheme amendment on 7 June 2016 for the purpose of—

- (i) Rezoning of land in the area generally known as the West Leederville Activity Centre as follows and as indicated on the proposed Scheme Map—
  - (a) establish “Special Control Area No. 3” over the West Leederville Activity Centre which consists of—
    - i. the area bound by Mitchell Freeway, Loftus Street, Railway Parade, Pether Lane and Cambridge Street;
    - ii. Lot 7 (No. 145) Cambridge Street;
    - iii. Lot 1 (No. 144), Lot 100 (No. 142) and Lot 51 (No. 138) Cambridge Street;



- iv. those lots bound by Northwood Street, Hutchins Lane, Hodgson Land, Ion Lane and Debnam Lane;
  - v. Lot 51 (No.110) Cambridge Street, Lot 3 (No. 38) and Lot 4 (No. 40) Kimberley Street, Lot 21 (No. 106), Lot 2 (No. 104), Lot 3 (No. 102), Lot 4 (No. 98) Cambridge Street;
  - vi. those lots bound by Holyrood Street, the rear boundary of the lots on the south side of Tower Street, Southport Street and Cambridge Street; and,
  - vii. Lot 20 (No. 36) Southport Street, Lot 7 (No. 16), Lot 2 (No. 16), Lot 3 (No. 14) and Lot 301 (No. 12) Cambridge Street.
- (b) Nos. 28—54 Cambridge Street and Nos. 31—43 Southport Street, West Leederville be rezoned from “Residential R160” and “Residential R60” respectively to “Special Use Zone”;
- (c) Nos. 56, 58 and 62 Cambridge Street be rezoned from “Town Planning Scheme Reserve “Parks and Recreation” to “Special Use”;
- (d) Nos. 8A, 8B, 10, 12 and 18 Abbotsford Street, Nos. 2, 3, 5, and 7 Nicholson Street, No. 1A Lesser Street, Nos. 23, 25, 27, 29—33, 37, 41, 43, 45, 47, 51, 145—147 Cambridge Street and Nos. 118, 120, 122, 124, 128, 130, 132, 134, 136, 138, 142 and 144 Cambridge Street to be rezoned from “Residential R60” to “Mixed Use”;
- (e) The lots bound by Abbotsford Street to the west, Southport Street to the east (north of Cambridge Street), the Mitchell Freeway to the north, Loftus Street to the east and Railway Parade to the south be rezoned from “Commercial” to “Mixed Use”;
- (f) The lots bound by Cambridge Street to the north, Abbotsford Street to the east, Railway Parade to the south, Kimberley Street to the west and Nos. 7, 9, 13, 15, 17, 19, and 21 Kimberley Street to be rezoned from “Residential R60” to Residential R-AC 0”;
- (g) The lots bound by Cambridge Street to the north, the rear boundary of lots on the west side of Northwood Street, Railway Parade to the south and Nos. 107 Cambridge Street and No. 3 Kimberley Street be rezoned from “Commercial” to “Mixed Use”; and
- (h) Nos. 98, 102, 104, 106, 110, 112, 114 and 116 Cambridge Street and Nos. 38 and 40 Kimberley Street be rezoned from “Commercial” to “Mixed Use”;
- (ii) modifying the inside front cover of the Scheme text to—  
delete “Town” and “1928” on the second line and replace “1928” with “2005”;
- (iii) inserting clause 5 (3) (i) to state as follows—  
“(i) to facilitate the achievement of the objectives of an adopted Local Planning Strategy.”
- (iv) modifying clause 8 (3) and 8 (4)—  
delete the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design”;
- (v) inserting in clause 9 (1) (c) the following—  
“(vii) Mixed Use.”;
- (vi) deleting the last part of the second sentence in Clause 11(1) “Zoning at the top of the Zoning Table” and replacing with the following—  
“Zones at the top of the Zoning Table”
- (vii) modifying clause 11 (2) to—  
delete the following symbol and meaning from the Scheme Text—  
“**IP**” means a use that is not permitted unless such use is incidental to the predominant use as decided and approved by Council; and”  
delete the symbols and meanings of the “P”, “AA”, “SA” and “X” symbols in clause 11 (2) and replace with the following symbols and meanings—  
“**P**” (permitted) means that the use is permitted by the Scheme providing the use complies with relevant development standards and requirements of the Scheme;  
“**D**” (discretionary) means that the use is not permitted unless the Council has exercised its discretion by granting planning approval;  
“**A**” (advertising) means that the use is not permitted unless the Council has exercised its discretion by granting planning approval after giving notice in accordance with clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and  
“**X**” (prohibited) means that the use is not permitted by the Scheme.”;
- (viii) modifying clause 11 (5) (b) by—  
deleting “SA” and replacing with “A”;
- (ix) inserting after clause 11 (5) the following—  
“(6) The Special Use zone is not listed in the Zoning Table. The permissibility of uses in that zone is to be determined in accordance with clause 14 and Schedule 3.”;
- (x) inserting after clause 12 the following—  
“The numbered Notes which appear at the foot of the Zoning Table explain the effect of the corresponding numbers which appear in the Zoning Table.”

(xi) modifying clause 12 to—

delete in entirety the current Zoning Table and associated “Notes” following the Zoning Table and replace with the following—

<i>Use Class</i>	<b>Zones</b>							
	<i>Residential</i>	<i>Residential/ Commercial</i>	<i>Local Centre</i>	<i>District Centre</i>	<i>Commercial</i>	<i>Medical</i>	<i>Development</i>	<i>Mixed Use</i>
<b>Commercial, Retail and Entertainment Uses</b>								
Restaurant Shop Take Away Food Outlet Market	X	X	P	P	D	X	A	P
Large Format Retail	X	X	A	D	A	X	A	D
Local Shop	A	A	P	P	D	D	A	P
Petrol and Convenience Store	X	X	A	A	A	X	X	A
Liquor Store	X	X	D	D	D	X	A	D
Cinema/Theatre	X	X	D	D	D	X	A	P
Amusement Centre	X	X	A	A	A	X	X	P
Amusement Facility	D	D	P	P	P	D	A	P
Office	X	D	D	D	D	D	A	D(1)
Showroom	X	X/ D(2)	X	D	D	X	A	D(1)
Hotel, Tavern or Small Bar	X	X	A	A	A	X	X	D
Take away food outlet (drive through)	X	X	A	A	A	X	X	X
Amenity Building	X	D	D	D	D	D	A	D
<b>Health and Medical Uses</b>								
Consulting Rooms Veterinary Clinic	X	D	D	D	D	D	A	D(1)
Consulting Rooms (group)	X	A	A	D	D	D	A	D(1)
Medical Centre	X	X	X	A	D	P	A	D
Hospital	X	A	A	D	D	D	A	A
Pharmacy	X	X	P	P	D	D	A	P
Veterinary Hospital	X	X	X	X	A	X	A	A
Health Studio	X	X/ D(3)	D	D	D	X	A	D(1)
Massage Rooms	X	X	A	A	A	X	X	A
<b>Community and Education Uses</b>								
Child Day Care Centre Community Purpose Educational establishment	A	A	D	D	D	D	A	D(1)
Public Worship	A	A	A	D	D	D	A	D(1)
Public Recreation	D	D	D	D	D	D	A	D(1)
Private Recreation Club Premises	X	X	D	D	D	X	A	D(1)
Civic Use	D	D	D	D	D	D	A	D
Conference Centre	X	A	D	D	D	A	A	D(1)
Reception Centre	X	X	A	A	A	X	X	D(1)

<i>Use Class</i>	<b>Zones</b>							
	<i>Residential</i>	<i>Residential/ Commercial</i>	<i>Local Centre</i>	<i>District Centre</i>	<i>Commercial</i>	<i>Medical</i>	<i>Development</i>	<i>Mixed Use</i>
<b>Residential, Accommodation and Associated Uses</b>								
Dwelling (Single)	P/D(4)	P	D	D	D	D	A	X
Dwelling (Grouped)	D/X(5) P(6)	D	D	D	D	D	A	X
Dwelling (Multiple)	P/D/ X(7)	D	D	D	D	D	A	D(1)
Service Apartments	X/D(8)	A	D	D	D	D	A	D(1)
Family Day Care Centre	P(9)	P(9)	P(9)	P(9)	P(9)	P(9)	A(9)	D (1) (9)
Home Occupation	D(9)	D(9)	D(9)	D(9)	D(9)	D(9)	A(9)	D (1) (9)
Nursing Home	A	A	D	D	D	D	A	D
Retirement Village	D	D	D	D	D	D	A	D
Caretaker's Dwelling	X	D	D	D	D	D	A	X(1)
Private Hotel	X	X	A	A	A	X	X	D
Motel	X	X	A	A	A	X	X	D
Bed and Breakfast	A(9)	A(9)	A(9)	A(9)	A(9)	A(9)	A(9)	A(9)
<b>Industrial and Associated Uses</b>								
Industry (Service)	X	X	X	D	D	X	A	D
Industry (Light)	X	X/ D(10)	D	D	D	X	X	D
Warehouse	X	X/D (2)	D	D	A	X	A	X (11)
Dry cleaning Premises	X	X	D	D	D	X	A	D
<b>Infrastructure and Utilities</b>								
Public parking station	X	X	D	D	D	X	A	D
Communications antennae (domestic) Public utilities	D	D	D	D	D	D	A	D
Communications antennae (commercial) Telecommunications infrastructure	X	X	D	D	D	X	A	D
<b>Other</b>								
Advertisement	X/P (12)	D/P (13)	D/P (13)	D/P (13)	D/P (13)	D/P (13)	A	D/P (13)
Open Air Display	X	X	D	D	D	X	A	A
Motor vehicle and marine sales	X	X	X	A	A	X	X	X
Funeral Parlour	X	X	A	A	A	A	A	A
Restricted Premises Motor Vehicle Wash Service Station	X	X	A	A	A	X	X	A
All other uses defined in the Scheme but not listed above	X	X	X	X	X	X	X	X

Notes—

1. "P" within all building levels other than street level.
2. "X" within Precinct P5 (West Leederville); and  
"D" within Precinct P4 (Wembley) where vehicular access is not provided from Herdsman Parade.

3. "X" within Precinct P5 (West Leederville); and  
"D" within Precinct P4 (Wembley).
  4. "P" within all residential zones other than the Residential R-AC 0 Zone; and  
"D" within the Residential R-AC 0 Zone.
  5. "D" within Residential R15, R20, R30, R40, R40/60, R60 and R-AC 0 Zones; and "X" within Residential R12.5 Zone. The "D" permissibility in the Residential R20 zone is subject to Note 6.
  6. "P" for the Residential R20 Zone in the Wembley Precinct where a density bonus is obtained for grouped dwellings on a corner lot in conformity with Clause 20 (4).
  7. "P" within Residential R-AC 0 Zone;  
"D" within Residential R40, R40/60 and R60 Zones; and  
"X" within Residential R12.5, R15, R20, R30 Zones;
  8. "D" within Residential R40, R40/60, R60 and R-AC 0 Zones; and  
"X" within Residential R12.5, R15, R20 and R30 Zones.
  9. The permissibility of this use is also subject to the associated residential use first being approved.
  10. "X" within Precinct P5 (West Leederville); and  
"D" within Precinct P4 (Wembley);
  11. "D" within all building levels other than street level.";
  12. "P" where exempt from the requirement to obtain planning approval under Clause 33 and "X" in all other cases.
  13. "P" where exempt from the requirement to obtain planning approval under Clause 33 and "D" in all other cases.
- (xii) delete clause 14 and replace with the following—
- (1) Special Use Zones are set out in Schedule 3 and are in addition to the zones listed in the Zoning Table. No persons shall use any land or structure or buildings thereon, in a Special Use Zone except for the purpose set out against that land in Schedule 3 and subject to the conditions set out in Schedule 3 with respect to that land.
  - (2) The objectives of the Special Use zone are to—
    - (a) provide for specific uses or combination of uses in circumstances where the uses have particular locational or development requirements for which a generic zoning is unsuitable; and/or
    - (b) facilitate development that cannot be satisfactorily provided for within any of the generic zones, and to ensure compatibility with adjacent development.";
- (xiii) delete clause (15) and replace with the following—
- 15A. Non-conforming uses**
- (1) Unless specifically provided, this Scheme does not prevent—
    - (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
    - (b) the carrying out of development on land if—
      - (i) before the commencement of this Scheme, the development was lawfully approved; and
      - (ii) the approval has not expired or been cancelled.
  - (2) Subclause (1) does not apply if—
    - (a) the non-conforming use of the land is discontinued; and
    - (b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.
  - (3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government—
    - (a) purchases the land; or
    - (b) pays compensation to the owner of the land in relation to the non-conforming use.
- 15B. Changes to non-conforming use**
- (1) A person must not, without development approval—
    - (a) alter or extend a non-conforming use of land; or
    - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
    - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
    - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.

- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use—
- (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
  - (b) is closer to the intended purpose of the zone in which the land is situated.
- (xiv) modify clause 17 by inserting after clause 17(2) the following—
- “(3) The Precinct boundaries are as indicated on the Precinct Policy maps contained in the Town Planning Scheme Policy Manual. The Precinct boundaries may be amended from time to time.” and
- “(4) The Precinct Planning Policies may include variations to deemed provisions of the Residential Design Codes, as provided for under cl.7.3.1 of the Codes”;
- (xv) modifying clause 18 by—
- deleting the word “Planning” where reference to the “Residential Planning Codes” appears and replacing with the word “Design”;
- (xvi) modifying clause 19 by—
- deleting the word “Planning” where reference to the “Residential Planning Codes” appears and replacing with the word “Design”;
- (xvii) delete clause 19(1) and replace with the following—
- “For the purpose of this Scheme “Residential Design Codes” means the Residential Design Codes set out in State Planning Policy 3.1 as amended from time to time.”;
- (xviii) modifying clause 19(2), 19(3) and 19(4) by—
- deleting the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design”;
- (xix) modifying clause 20 and 20 (1) by—
- deleting the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design”;
- (xx) delete clause 20(2)(b).
- (xxi) modifying clause 20 by inserting the following after clause 20(3)—
- “(4) On land zoned Residential in the P4 Wembley Precinct to which the R20 code applies, corner lots which were created as part of, and were contained in, the original residential subdivision survey deposited plan applying to that portion of the Precinct, may be comprehensively developed at R30 density standards if, and only if—
- (a) every dwelling is designed and built to face a street frontage and both street frontages are developed with dwellings that face the street. For this sub-clause, to face a street frontage means that the dwelling must as a minimum contain the front door, pedestrian access to the street and major openings facing and viewing onto the street; and
  - (b) all dwelling facades are designed to address the street and allow for street and right of way surveillance; and
  - (c) an integrated redevelopment of the whole of the lot is proposed. Where an existing dwelling is retained, it shall be included in the application and upgraded and modified as required to achieve an integrated redevelopment and to meet all Scheme requirements. The density bonus does not apply to vacant strata, survey strata or conventional green title subdivision; and
  - (d) where the dwelling abuts a paved and drained right of way, vehicular access shall be to that right of way. Where access is required from a street, no more than one crossover per street shall be permitted; and
  - (e) notwithstanding the above for lots abutting Grantham Street the following requirements shall apply—
    - (i) all dwellings abutting Grantham Street must be designed and built to face Grantham Street. This means the dwelling must as a minimum contain the front door, pedestrian access to the street and major openings facing and viewing onto the street; and
    - (ii) the façade on each level facing the side street must have at least one habitable room with a clear view of the street; and
    - (iii) no vehicular access from Grantham Street shall be permitted; and
    - (iv) vehicle parking shall not be located in the front setback to Grantham Street; and
    - (v) existing crossovers shall be removed and the verge reinstated at the applicant’s expense.”;
- (xxii) modifying clause 21(1), (2) and (3) by—
- deleting the word “Planning” where reference to the “Residential Planning Codes” appears and replacing with the word “Design”;

(xxiii) adding clause 23(A) stating the following—

**“23A CASH IN LIEU OF PARKING BAYS**

(1) The Council may approve development, or a change of use, without the number of parking spaces required under this Scheme and in doing so the Council may accept cash in lieu of parking bays in accordance with rates specified from time to time under the Planning Policy relating to parking.

(2) Payments made under sub-clause (1) shall be paid into a special fund for the creation, management of or improvement to public parking facilities. The Council may use the money from the special fund for any purpose connected with the creation, management of or improvement to public parking facilities, including but not limited to—

- (a) the land and construction costs of public parking stations provided by Council or within a joint venture;
- (b) the cost of creating additional parking bays within road reserves;
- (c) the capital costs of new local public transportation infrastructure, including cycling and pedestrian facilities, shuttle bus services or real-time transit information, that are situated upon land under the control of the local government;
- (d) parking information systems;
- (e) security lights;
- (f) improved pathways to access parking areas;
- (g) upgrading the design of on-street parking facilities;
- (h) maintaining any Council owned parking facility or related infrastructure; and
- (i) the reasonable costs to the Council of administering this provision including professional fees and borrowing costs.

(3) Any parking bays provided as a result of cash-in-lieu contributions shall remain available to the public at large although the Council may charge a fee for the use of such parking to achieve the proper management of parking in the locality, the maintenance of public parking bays under its control and for the general improvement of parking and local public transport infrastructure.

(4) Council may pre-fund the acquisition of land or the construction costs of public parking facilities and may use funds from the special parking cash in lieu fund to repay the costs of such pre-funding including interest on borrowings.

(5) Council may require that a proportion or all of the parking bays required in any approval to commence development be provided as cash in lieu or may set a maximum proportion of parking bays for which applicants may provide cash in lieu.

(6) Instead of accepting a cash in lieu payment under sub-clause (1), the Council may accept as a partial or full substitute the transfer in fee simple of a parcel of land to the equivalent value.

(7) In the case of a land contribution pursuant to subclause (6) the land shall be transferred to the Council prior to the commencement of development, or the approval of a strata plan or survey strata plan for the property, whichever occurs first.”;

(xxiv) deleting the content of Part 7 in its entirety and replace with the following—

**“PART 7—SPECIAL CONTROL AREAS**

**56. OPERATION OF SPECIAL CONTROL AREAS**

**(1) List of Special Control Areas**

Special Control Areas have been identified as areas requiring comprehensive planning and for which specific controls to guide and co-ordinate subdivision and development are needed.

The following Special Control Areas are shown on the Scheme Maps—

- (a) SCA No. 1—Kalinda Development Area
- (b) SCA No. 2—Jolimont Former Nursery Site
- (c) SCA No. 3—West Leederville Activity Centre.

Special Control Areas are marked on the Scheme Map according to the legend on the Scheme Map

**(2) SCA Provisions additional**

Subject to any Scheme provision to the contrary, the provisions of Part 7 which apply to a Special Control Area are in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

**57. SPECIAL CONTROL AREA NO. 1**

**(1) Description of Special Control Area—**

Kalinda Development Area—The area consists of the Ocean Mia development in City Beach which is the area generally bound by The Boulevard, Kalinda Drive and Alkoomie Terrace as well as the former quarry site at Lot 9001 Alkoomie Terrace.



**(2) Purpose of Special Control Area—**

To facilitate detailed site planning for development and subdivision for the Kalinda Development Area which includes a Residential zoned area known as Ocean Mia (the former bowling club and scout hall site) and Development zoned area (former quarry site).

**(3) Objectives—**

The objectives for development and planning decision-making within SCA No. 1 are—

- (a) In the area including the former bowling club site and scout hall site (the Residential zoned area)—
  - (i) to facilitate development of the land predominantly for residential purposes, but generally in accordance with the use permissibility designations applicable to the Residential Zone in the Zoning Table;
  - (ii) to facilitate development in accordance with a split residential density coding of R30/40; and
  - (iii) ensuring that the split residential density coding of R30/40 produces a spread of residential densities and styles by requiring the preparation and approval of an Structure Plan prior to the Council—
    - A. considering recommending subdivision; or
    - B. approving development within the area.
  - (iv) ensuring that development of the site satisfies all necessary environmental requirements.
- (b) In the area comprising the former quarry site (the Development zoned area)
  - (i) to impose a development zoning which has the effect of postponing planning approval for any development until an Structure Plan has been prepared and approved for the area; and
  - (ii) ensuring that an Structure Plan for the area is not approved until detailed environmental and geotechnical investigation has been carried out to determine appropriate future uses, and to ensure that the determination of future uses has due regard for environmental conditions outlined in the Minister for the Environment's Land Use Strategy for Bold Park and Environs (Statement 381).

**(4) Additional provisions—**

- (a) In addition to the matters referred to in Clause 67 of Schedule 2—Deemed provisions for Local Planning Schemes of the Planning and Development Regulations 2015, the Council shall have regard to the objectives set out in the preceding sub-clause (3) when considering recommending subdivision; or approving development on land within SCA No. 1.
- (b) Where a provision of this clause 57 is inconsistent with any other provision of the Scheme, the provisions of this clause shall prevail, except where the deemed provisions set out in Schedule 2 (deemed provisions), in which case the deemed provision prevails and the other provision, to the extent of the inconsistency, is to no effect.
- (c) Structure Plan for Residential zoned area
  - (i) A proposed Structure Plan shall not be submitted to the Council until the Environmental Protection Authority has been satisfied that—
    - 1. Adequate investigation has been undertaken to identify whether or not the landfill on the adjoining Development zoned area has resulted in any contamination leaching into the subject land and;
    - 2. In the event of any contamination being found to exist, that contamination being properly managed.
  - (ii) A proposed Structure Plan for the Residential zoned area shall not be submitted to the Council unless it provides for land areas which achieve an average density of R35 and do not allow for development at a density greater than R40.
  - (iii) The principles and provisions of the Commission's "Liveable Neighbourhoods" guidelines are to apply to the Residential zoned area, and particular consideration is to be given to matters of permeability and connectivity, lot orientation and provision for public open space.
  - (iv) The Structure Plan is to contain measures which will ensure that the development of land in the Residential zoned area will not detract from the conservation and recreation values of adjacent bushland, and in particular Bold Park.
  - (v) The Structure Plan is to incorporate design guidelines to guide residential development in the Residential zoned area. The design guidelines are to indicate the extent of variations from the Codes may be approved by the Council.

- (d) Structure Plan for the Development zoned area—
- (i) A proposed Structure Plan for the Development zoned area shall not be submitted to the Council until detailed environmental and geotechnical investigation of the land in that area has been carried out, and the details of the investigation and its outcome are to be included in the Structure Plan Report.
  - (ii) The Structure Plan must set out clearly the relationship between the environmental and geotechnical investigation results and the proposals for future use of land in the Development zoned area.
  - (iii) Any proposal in the Structure Plan for future use of land in the Development zoned area must detail clearly the extent to which the environmental conditions outlined in the Minister for the Environment's Land Use Strategy for Bold Park and Environs (Statement 381) have been addressed and applied in any proposals for use of the land in that area.
  - (iv) All environmental and geotechnical investigations and conclusions contained in the Structure Plan must be carried out to the satisfaction of the Department of Environmental Protection.
- (e) The matters specifically referred to in sub-clauses (d) and (e) are not intended to be exhaustive of the matters which must be addressed in a proposed Structure Plan for the respective areas, and the Council may from time to time stipulate other matters which in the interest of orderly planning it will require to be included in or addressed in a Structure Plan relating to any part of SCA No. 1.
- (f) Nothing in this clause is intended to preclude the possibility of a single Structure Plan being prepared for both the Residential zoned area and the Development zoned area, provided that all of the requirements for a Structure Plan for each of those areas are addressed. Furthermore nothing in this clause is intended to preclude more than one Structure Plan being approved in respect of either the Residential zoned area or the Development zoned area provided that the Council is satisfied that all matters required to be addressed in Structure Plans for the respective areas are or will be addressed at an appropriate time and in an appropriate manner.
- (g) When determining development applications within SCA No. 1, due regard is to be given to the future land use indicated in the Structure Plan dealing with SCA No. 1.

## **58. SPECIAL CONTROL AREA NO. 2**

### **(1) Description of Special Control Area—**

Jolimont Former Nursery Site (Parkside Walk) comprises Lot 101 and 102 Salvado Road, Jolimont.

### **(2) Purpose of Special Control Area—**

To facilitate detailed site planning for development and subdivision for the Jolimont Former Nursery Site (Parkside Walk).

### **(3) Objectives—**

The objectives for development and planning decision making within SCA No. 2 are to—

- (a) facilitate orderly development and subdivision of the land for residential purposes, in accordance with the use permissibility designations applicable to the Residential Zone in the Zoning Table;
- (b) facilitate a vibrant inner city community with a yield in the order of 200 dwellings;
- (c) encourage a high standard of built form design outcomes;
- (d) encourage connectivity, permeability and enhanced pedestrian and cycle movements; and
- (e) ensure that development of the site produces a diverse range of residential built form and, lot types by requiring the preparation and approval of a Structure Plan and Design Guidelines prior to the Council—
  - (i). considering recommending subdivision; or
  - (ii). approving development within the area.

### **(4) Additional provisions—**

- (a) In addition to the matters referred to in Clause 67 of Schedule 2—Deemed provisions for Local Planning Schemes of the Planning and Development Regulations 2015, the Council shall have regard to the objectives set out in the preceding subclause (3) when considering recommending subdivision; or approving development on land within SCA No. 2.
- (b) Where a provision of this clause 58 is inconsistent with any other provision of the Scheme, the provisions of this clause shall prevail, except where the provision is



a provision set out in Schedule 2 (deemed provisions), in which case the deemed provision prevails and the other provision, to the extent of the inconsistency, is to not effect.

(c) Structure Plan for Residential zoned area—

- (i) The principles and provisions of the Commission's "Liveable Neighbourhoods" guidelines are to apply to the area, and particular consideration is to be given to matters of permeability and connectivity and lot orientation.
  - (ii) The Structure Plan is to incorporate design guidelines to guide residential development in the area. The design guidelines are to indicate the extent to which variations from the Codes may be approved by the Council.
  - (iii) Residential density will be as set out in the Structure Plan.
  - (iv) No vehicle access will be taken from Halesworth Road or Peel Street, which connect with the southern boundary of the site.
- (d) The matters specifically referred to in subclause (c) are not intended to be exhaustive of the matters which must be addressed in a proposed Structure Plan, and the Council may from time to time stipulate other matters which in the interest of orderly planning it will require to be included in or addressed in a Structure Plan relating to any part of SCA No. 2.
- (e) In addition to land use permissibility within the 'Residential' Zone, 'Restaurant' is to be a 'D' use in SCA No. 2.

## 59. SPECIAL CONTROL AREA NO. 3

### (1) Description of Special Control Area—

West Leederville Activity Centre which consists of—

- (a) The area bound by Mitchell Freeway, Loftus Street, Railway Parade, Pether Lane and Cambridge Street;
- (b) Lot 7 (No. 145) Cambridge Street;
- (c) Lot 1 (No. 144), Lot 100 (No. 142) and Lot 51 (No. 138) Cambridge Street;
- (d) Those lot bound by Northwood Street, Hutchins Lane, Hodgson Lane, Ion Lane and Debnam Lane;
- (e) Lot 51 (No. 110) Cambridge Street, Lot 3 (No. 38) and Lot 4 (No. 40) Kimberley Street, Lot 21 (No. 106), Lot 2 (No. 104), Lot 3 (No. 102), Lot 4 (No. 98) Cambridge Street;
- (f) Those lots bound by Holyrood Street, the rear boundary of the lots on the south side of Tower Street, Southport Street and Cambridge Street; and
- (g) Lot 20 (No. 36) Southport Street, Lot 7 (No. 16), Lot 2 (No. 16), Lot 3 (No. 14) and Lot 301 (No. 12) Cambridge Street.

### (2) Purpose of Special Control Area—

To enable the preparation of an Activity Centre Structure Plan to guide planning relating to future development for the West Leederville Activity Centre and facilitate further detailed planning particularly for the Leederville Link Station and Community Node.

### (3) Objectives

The objectives for development and planning decision-making within SCA No. 3 are to—

- (a) provide opportunities for increased commercial and residential developments creating a mixed use area that takes advantage of its inner-city location and access to public transport;
- (b) facilitate the creation of a highly activated 'main street' along Cambridge Street, High Street between Blencowe Street and Kerr Street/Holyrood Street, creating a strong focal point for local retail and services;
- (c) retain the residential function of the area between Kimberley to Abbotsford Street and support a variety of housing types in this area;
- (d) facilitate further detailed planning to develop the Leederville Station Link as a high density, mixed use transit oriented development area and to guide development along the northern edge of the area to protect the amenity of existing low-scale development to the north;
- (e) facilitate the creation of pedestrian and transit connections through the area, and in particular create a direct and legible pedestrian connection between Cambridge Street and Leederville Train Station through the Leederville Station Link;
- (f) enable the development of the Community Node comprising of community and civic uses and as a focus for the West Leederville Activity Centre which connects with the Leederville Station Link; and
- (g) encourage a gradual 'stepping up' of built form and maintaining a human scale to buildings along street frontages and around public spaces.

**(4) Additional Provisions that apply**

- (a) In considering applications for subdivision or development approval for land within SCA 3, Council is to have due regard to any of the following plans that apply to the land—
  - (i) a structure plan;
  - (ii) an activity centre plan;
  - (iii) a local development plan.
- (b) A Local Development Plan for SCA 3 shall be prepared for the Leederville Station Link and Community Node (that part of SCA3 between Southport Street and Holyrood Street on the northern side of Cambridge Street) in accordance with Part 6 of the Deemed Provisions which shall augment the more general provisions of the Activity Centre Structure Plan and is to be prepared in a manner consistent with transit oriented design principles and with the intention of achieving the highest possible level of amenity.
- (c) In addition to the matters referred to in Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the Council shall have regard to the objectives set out in the preceding sub-clause (3) when—
  - (i) determining an application for planning approval; or
  - (ii) making a recommendation on an application for subdivision approval in relation to land within SCA No. 3.
- (d) Where a provision of this clause is inconsistent with any other provision of the Scheme, the provisions of this clause shall prevail.

(xxv) modifying Schedule 1 by adding the following definitions—

**bed and breakfast:** means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis.

**large format retail:** means a shop, showroom or pharmacy with a floor area greater than or equal to 750 square metres. For the purpose of this definition the floor area is the gross total floor area of the building (or portion of the building) used for the shop, showroom or pharmacy excluding car parks, lift shafts, stairs, toilets, amenities, plant rooms and the thickness of any external walls.

**liquor store:** means any land or buildings the subject of a liquor store licence granted under the provisions of the *Liquor Control Act 1988* (as amended).

**local development plan:** means a plan setting out specific and detailed guidance for a future development including one or more of the following—

- (a) site and development standards that are to apply to the development;
- (b) specifying exemptions from the requirement to obtain development approval for development in the area to which the plan relates..

**local planning strategy:** means the local planning strategy for this Scheme prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* Part 3, as amended from time to time

**medical centre:** means premises used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling). The term does not include a hospital but may include a day surgery facility.

**pharmacy:** means premises used for the primary purpose of the preparation and dispensing of drugs and other medicinal products and where this occurs toiletry and health products may be displayed and offered for sale by retail. Premises selling additional types of goods are not considered to be a pharmacy.

**small bar:** means premises licensed as a small bar to sell liquor for consumption on the premises, but excluding the sale of packaged liquor and with the number of persons who may be on the premises limited to a maximum of 120 as provided by the *Liquor Control Act 1988* (or as amended)."

**wholesale:** means the sale of goods or materials to be sold by others.”;

(xxvi) modifying Schedule 1 by deleting the following definitions—

**fish shop:** means a building where wet fish and similar foods are displayed and offered for sale.

**hospital special purposes:** means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment of the mentally ill or similar use.

**wholesale:** means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a ‘wholesale merchant’ for Sales Tax purposes under the provisions of the *Sales Tax Assessment Act No. 1 1930* (as amended).

**wine house:** means any land or buildings the subject of a Wine House Licence granted under the provisions of the *Liquor Control Act 1988* (as amended).;

(xxvii) modifying Schedule 1 by amending the following definitions—

**Act—**

delete the word “Town” and insert the number “2005” after the word Act;

**building line—**

delete the word “between” and insert the word “beyond” after the word “line” and delete the word “and” and insert the word “on” after the word “which”.

**caravan—**

delete “Traffic Act 1974” and replace with “*Caravan Parks and Camping Grounds Act 1995*”

**child day care centre—**

delete “*Community Services (Child Care) Regulations 1988*” and replace with “*Education and Care Services National Regulations 2012*”;

**club premises—**

insert the word “Control” after “Liquor” and before “Act”;

**commercial vehicle—**

delete “*Vehicle Sales Regulations 1976* (as amended)”;

**Commission—**

delete “Western Australian Planning Commission Act 1985 (as amended)” and replace with “*Planning and Development Act, 2005*”;

**consulting rooms—**

insert the words “or day surgery facility” after the word “hospital” on the second line;

**consulting rooms group—**

insert the words “or day surgery facility” after the word “hospital” on the second line;

**family day care centre—**

delete the word “child” from the use being defined and insert the word “day” after the word “family”, insert “in accordance with the *Education and Care Services National Regulations 2012*” after the word “care” and delete the full stop after “care”;

**floor area of a building—**

delete the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design”;

**height—**

delete the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design”;

**hotel—**

insert the word “Control” after “Liquor” and before “Act” and delete “*Totalisator Agency Betting Board Act 1960*” and replace with “*Betting Control Act 1954*”;

**Metropolitan Region Scheme—**

delete “*Metropolitan Region Town Planning Scheme Act 1959*” and replace with “*Planning and Development Act, 2005*”. Delete “August 9 1963” and replace with “12 December 2005”;

**Minister—**

delete the word “town”;

**motel—**

insert the word “Control” after “Liquor” and before “Act”;

**night club—**

insert the word “Control” after “Liquor” and before “Act”;

**nursing home—**

delete the existing definition and replace with the following—

“means any building used for the medical treatment and/or care of sick, aged or handicapped persons, whether resident or not, but does not include the hospital, consulting rooms, consulting rooms (group) or medical centre uses”;

**park home—**

delete the words “not being a vehicle as defined under the *Traffic Act 1974* (as amended)” and insert the words “as defined under the *Caravan Parks and Camping Grounds Act, 1995*”;

**plot ratio—**

delete the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design”;

**private hotel—**

insert the word “Control” after “Liquor” and before “Act”;

**Residential Design Codes—**

delete the word “Planning” where reference to the “Residential Planning Codes” appears and replace with the word “Design” including where mentioned in the phrase being defined and insert the words “ as amended from time to time.” after the numeral “3.1”;

**restricted premises—**

delete “*Indecent Publications and Articles Act 1902* (as amended)” and insert “*Classification (Publications, Films and Computer Games) Enforcement Act 1996*”;

**service station—**

insert “and goods of an incidental/convenience retail nature” on the third line after “vehicles”;

**take-away food outlet—**

insert “and beverages” on the first line after “food”;

**take-away food outlet (drive through)—**

insert “and beverages” on the first and third lines after “food”, delete the word “eaten” and replace with the word “consumed”;

**tavern—**

insert the word “Control” after “Liquor” and before “Act”;

(xxviii) deleting an Additional Use from Schedule 2 by removing the following from the Schedule table—

No.	Land Particulars	Additional Uses	Development Standards/Conditions
“1.	Lot 5 (No. 10) and Lot 4 (No. 12) Abbotsford Street, West Leederville	Administrative Offices, Training (staff and patient), Treatment (including Psychiatric and Incidental Therapies), Staff Accommodation and Storage; all of those uses being associated with existing Hospital located on Lots 1, 181 and 50, Nos 61-69, Cambridge Street, West Leederville	<p>1. The additional uses shall be carried out within and confined to the existing buildings on site.</p> <p>2. In the event that—</p> <p>(a) Any of the buildings is removed, destroyed or damaged to the extent that the replacement cost would on independent expert assessment be 75% or more of the value of the building immediately prior to removal destruction or damage; or</p> <p>(b) Any of the buildings is not used for any lawful purpose including the additional uses for 6 consecutive months or more; or</p> <p>(c) Any of the building ceases to be occupied by and in connection with the Hospital referred to in the Additional Uses column then the land is not thereafter to be used for any purpose other than a purpose approved by the Council and in accordance with the Zoning Table.</p> <p>3. Notwithstanding the permitted additional uses, no area shown on the approved plans (approved by the Council on 23 June, 1998 and dated accordingly) as ‘Amenities’, ‘Store’ ‘Kitchen’, ‘Kitchenette’, ‘Hallway’ or ‘Verandah’ is to be used for any purpose other than that annotated on the approved Plans.</p> <p>4. The additional uses prescribed herein relate only to activities associated with existing Hospital referred to in the Additional Uses column, and no part of the land is to be used for any purposes which are independent of the Hospital.</p> <p>5. A total of 4 vehicle parking bays shall be provided at the rear of the building on Lot 5, or such other location as approved by the Council.”</p>

(xxix) adding Special Uses to Schedule 3 by inserting the following in the Schedule table—

No.	Description of Land	Special Uses	Development Standards/ Conditions
3.	Leederville Station Link (Nos. 28—58 and 62 Cambridge Street—even street numbers only and Nos. 31—43 Southport Street—odd street numbers only, West Leederville)	Further land use shall be provided for in an approved Activity Centre Structure Plan and Local Development Plan adopted for SCA No. 3 West Leederville Activity Centre. The West Leederville Activity Centre Structure Plan shall facilitate the development of Special Use Zone 3 for strategically important transport and pedestrian links, infrastructure mixed use and compatible residential development.	Development standards and requirements shall be provided for in an approved Activity Centre Structure Plan and Local Development Plan for SCA No. 3. West Leederville Activity Centre.

(xxx) Amend all references to Clause 37 (Advertising of Applications for Planning Approval with a reference to Clause 64 (Advertising Applications) of the Planning and Development (Local Planning Schemes Regulations) 2015.

(xxxi) the Scheme Map be amended accordingly.

S. WITHERS, Mayor.  
J. BUCKLEY, Chief Executive Officer.

## 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 THE GRANT OF A LICENCE			
A000200467	Altezza Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in North Perth and known as Il Locale Cucina & Espresso Bar.	5/07/2016
A000202007	Swings & Roundabouts Ltd	Application for the grant of a Tavern licence in respect of premises situated in Yallingup and known as Swings Taphouse And Kitchen.	24/07/2016
A000202956	Wealth Success Food Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mount Lawley and known as Miss Potz.	8/07/2016
A000205322	TDMAC Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Perth and known as Cellarbrations At Northbridge.	24/07/2016
A000205392	Hilltown Holdings Pty Ltd	Application for the grant of a Tavern Restricted licence in respect of premises situated in Innaloo and known as Stirling Cross Bar & Bistro.	11/08/2016

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
A000203019	Pent Pty Ltd	Application for the Grant of an ETP for ongoing hours for a licence in respect of premises situated in Leederville and known as Leederville Hotel and The Garden.	4/07/2016
A000196627	6003 Pty Ltd	Application for the Grant of an ETP for ongoing hours for a licence in respect of premises situated in Northbridge and known as Sneaky Tony's.	7/07/2016

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 17 June 2016.

## WATER/SEWERAGE

WA401\*

### WATER SERVICES ACT 2012

#### REVOCATION OF CLASS EXEMPTION FOR SMALL LOCAL GOVERNMENT SEWERAGE AND/OR NON-POTABLE WATER SERVICES PROVIDERS

In accordance with section 7 of the *Water Services Act 2012*, the Hon Mia Davies MLA, Minister for Water, has revoked the class exemption for small local government water services providers (dated 22 April 2016). The notice has been revoked and replaced with the following—

#### EXEMPTION NOTICE FOR SMALL LOCAL GOVERNMENT SEWERAGE AND/OR NON-POTABLE WATER SERVICES PROVIDERS

In accordance with section 7 of the *Water Services Act 2012*, the Hon Mia Davies MLA, Minister for Water, has granted a class exemption from section 5(1) of the Act to local government water services providers with less than 1000 customer connections whose water services are limited to the provision of sewerage services and/or non-potable water supply services.

The Act defines the terms 'water service', 'water supply service', 'sewerage service' and 'wastewater'.

The class exemption does not apply to potable water supply services (i.e. 'drinking water').

'Drinking water' is defined as water that is intended for human consumption or for purposes connected with human consumption such as the preparation of food, or the making of ice for consumption or for the preservation of unpackaged food, whether or not the water is used for other purposes.

The exemption will come into effect on the day it is published in the *Government Gazette* and will apply for a duration of five years.

The exemption will apply to the following local government authorities—

- Shire of Brookton
- Shire of Coolgardie
- Shire of Dalwallinu
- Shire of Denmark
- Shire of Dowerin
- Shire of East Pilbara
- Shire of Goomalling
- Shire of Jerramungup
- Shire of Kent
- Shire of Koorda
- Shire of Moora
- Shire of Ravensthorpe
- Shire of Victoria Plains
- Shire of Wickepin
- Shire of Yilgarn



**Summary of reasons for the decision**

Granting the exemption is not contrary to the public interest. It is considered that—

- the risk of the abuse of monopoly power in the provision of water services is low;
- the public health and environmental aspects of these water services are regulated under the *Health Act 1911* and the *Environmental Protection Act 1986*, respectively; and
- the exemption will reduce the regulatory and compliance costs associated with water services licensing, including—
  - o administrative costs to the service provider of licensing i.e. licence fees, annual regulatory reporting costs, the costs of operational audits and asset management system reviews every two to three years; and
  - o costs to Government for enforcing and administering water service licences.

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**DECEASED ESTATES**

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**ZX401\*****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Colin Leslie Earl, late of 68 Darley Circle, Bull Creek, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 6 July 2015, are required by the executor Brian Dale Langenberg of care of Murray Smith Solicitors, 7 Cable Cove, Mosman Park, Western Australia to send particulars of their claim to him by 1 August 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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**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 John Francis Karra, late of 30 Westral Street, Bruce Rock who died on 11 August 2015, are required by the Administrators, Anthony Paul John Karra and Melissa Frances West to send to Solicitors for the Trustees, Templar Legal Pty Ltd, PO Box 8243, Subiaco 6008, particulars of such claims within 30 days of this notice. After such date, the Executors may convey or distribute the assets of the Estate having regard only to the claims of which the Trustee then has notice.

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**ZX403\*****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 July 2016, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Becke, Herbert Oswald, late of Wandana Flats, Unit 307a, 93 Thomas Street, Subiaco, died 18.05.2016 (DE19912543 EM16)

Chandler, Peter Nicholas, late of 1 Gillam Street, Tenderden, also referred to as 127 Trimmer Street, Tenderden, died 4.04.2016 (DE33072694 EM113)

French, Harry Edward Victor, late of 6 Wayford Mews, Erskine, died 2.02.2016 (DE19913098 EM26)

Lawrence, Joan Thelma, late of Meath Care Nursing Home, 18 Hocking Way, Kingsley, died 23.04.2016 (DE19863227 EM36)

McGrath, Kevin Thomas, late of Servite Lodge, Room 26, 184 Edinboro Street, Joondanna, formerly of 30A Campion Avenue, Balcatta, died 18.04.2016 (DE33052737 EM110)

Pasalich, Mate, late of Tuohy Nursing Home, 22 Morrison Road, Midland, died 28.03.2016 (DE33124730 EM313)

Sweeney, Keith Douglas, late of 16 Mason Road, Kalamunda, died 7.05.2016 (DE33122136 EM22)

Waite, Christian, late of 7388 Bussell Highway, Yelverton, formerly of 40 Lake Street, Wannamal, died 27.05.2016 (DE33024983 EM23)

BRIAN ROCHE, Public Trustee,  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212

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## PUBLIC NOTICES

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ZZ401\*

### DISPOSAL OF UNCOLLECTED GOODS ACT 1970

#### APPLICATION TO BE MADE TO THE COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS

Notice is hereby given to Total Landscape of 7 Hamlin Place, Hillarys WA 6025, of intention by Daimler Trucks Perth, Perth Airport to apply to the Magistrates Court of Western Australia to seek orders to allow for the disposal of goods.

Be advised that notice was provided to you on 9 November 2015 that the Vehicle (Registration number 1CRA148—Fuso 07 Truck Crew Cab) was ready for collection by you.

Be further advised that unless you take delivery of the vehicle or provide instruction for delivery within one month that we intend to make application to the Court to Sell or otherwise dispose of the vehicle in accordance with the Act.

Notice hereby given by Daimler Trucks Perth, Perth Airport pursuant to the *Disposal of Uncollected Goods Act 1970*.

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