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Gazette**

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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2017 AND NEW YEAR HOLIDAY PERIOD 2018

Publishing Dates and Times

Friday, 29 December 2017 at 12 noon

Friday, 5 January 2018 at 12 noon

Closing Dates and Times for copy

Wednesday, 27 December 2017 at **3 pm**

Wednesday, 3 January 2018 at 12 noon

There will be no *Gazette* published for Tuesday, 26 December 2017 and Tuesday, 2 January 2018.



— PART 1 —

PROCLAMATIONS

AA101

Marine and Harbours Act 1981

Marine and Harbours (Success Harbour) Proclamation 2017

Made under the *Marine and Harbours Act 1981* section 9 by the Governor in Executive Council.

1. Citation

This proclamation is the *Marine and Harbours (Success Harbour) Proclamation 2017*.

2. Commencement

This proclamation comes into operation as follows —

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

3. Terms used

In this proclamation —

Deposited Plan 242602 means the deposited plan of that number held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*;

The Minister for Transport is the body corporate created under the *Marine and Harbours Act 1981* section 8(1).

4. Land, seabed and water vested in The Minister for Transport

All that portion of land, seabed and water comprised in Lot 2008 and Lot 2009 on Deposited Plan 242602 is vested in The Minister for Transport.

K. SANDERSON, Governor.

L.S.

R. SAFFIOTI, Minister for Transport.

TRANSPORT

TN301

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 6) 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 6) 2017*.

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 30 November 2017.

3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

4. Regulation 116 amended

- (1) In regulation 116 delete “Where” and insert:

- (1) Where

- (2) At the end of regulation 116 insert:

- (2) Subregulation (1) is subject to regulations 120 and 124A(5).

5. Regulation 119 amended

In regulation 119(2):

- (a) in paragraph (c) delete “island.” and insert:

- island; or

(b) after paragraph (c) insert:

(d) it is to comply with regulation 124A(1), in accordance with regulation 124A(5).

6. Regulation 124A inserted

After regulation 124 insert:

124A. Keeping safe distance when passing bicycle

(1) A driver of a motor vehicle passing to the right of a bicycle that is travelling on a road in the same direction as the vehicle must pass the bicycle at a safe distance from the bicycle.

Points: 4

Modified penalty: 8 PU

(2) A safe distance from the bicycle is —

(a) if the speed limit applicable to the length of road is not more than 60 km/h — a lateral distance of at least 1 m; or

(b) if the speed limit applicable to the length of road is more than 60 km/h — a lateral distance of at least 1.5 m.

(3) For the purposes of subregulation (2), the lateral distance is measured between the following points —

(a) the furthest point to the left on the driver's vehicle or any projection from the vehicle (whether or not attached to the vehicle);

(b) the furthest point to the right on the bicycle.

(4) For the purposes of subregulation (3)(b) —

(a) the following things are to be taken to be part of the bicycle —

(i) any bicycle trailer as defined in regulation 223(3) towed by the bicycle;

(ii) any basket or pannier bags attached to the bicycle or bicycle trailer;

(iii) the rider of the bicycle;

(iv) any passenger on the bicycle, in the bicycle trailer or on the bicycle trailer;

and

(b) a flag or stick (whether or not flexible) attached to and projecting sideways from the bicycle or any bicycle trailer is to be taken not to be part of the bicycle or bicycle trailer.

- (5) A driver of a motor vehicle may, if it is necessary in order to comply with subregulation (1), do any of the following —
- (a) if the driver is driving on a two-way carriageway without a dividing line or median strip — drive to the right of the centre of the carriageway, provided that the driver has a clear view of any approaching traffic and can do so safely;
 - (b) if the driver is driving on a two-way carriageway with a dividing line — drive to the right of the dividing line, provided that the driver has a clear view of any approaching traffic and can do so safely;
 - (c) drive on a dividing strip, or on or over a single continuous line or 2 parallel continuous lines, or on or over a painted island, provided that the driver has a clear view of any approaching traffic and can do so safely.

7. Regulation 127 amended

After regulation 127(3)(a) insert:

- (aa) the driver is driving a motor vehicle and is passing a bicycle in accordance with regulation 124A(5); or

R. NEILSON, Clerk of the Executive Council.

TN302

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 5) 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 5) 2017*.

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 *Road Traffic Code 2000*.

4. Regulation 288B inserted

After regulation 288A insert:

288B. Exemption for Main Roads incident response service

The regulations specified in the Table do not apply to a person providing an incident response service on behalf of the Commissioner of Main Roads.

Table

r. 12	r. 20 to 22
r. 24 to 27	r. 30 to 33
r. 41	r. 44
r. 69 to 73	r. 76 to 78
r. 92	r. 96 and 97
r. 99	r. 108
r. 111 to 113	r. 115 to 120
r. 125 to 127	r. 129
r. 131 to 137	r. 140 to 162
r. 164 to 181	r. 194 to 201
r. 203 and 204	r. 253 and 254

R. NEILSON, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

QUARANTINE AREA NOTICE

Bactericera Cockerelli (Tomato Potato Psyllid or TPP)

Perth Metropolitan Area and Other Specified Districts

1. Under regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (Regulations) the Perth metropolitan area, being the Perth Statistical Division according to the Australian Bureau of Statistics, together with the local government districts of Augusta-Margaret River (S), Beverley (S), Boddington (S), Boyup Brook (S), Bridgetown-Greenbushes (S), Brookton (S), Bunbury (C), Busselton (C), Capel (S), Carnamah (S), Chittering (S), Collie (S), Coorow (S), Cranbrook (S), Cuballing (S), Dandaragan (S), Dardanup (S), Denmark (S), Donnybrook-Balingup (S), Gingin (S), Harvey (S), Kojonup (S), Mandurah (C), Manjimup (S), Moora (S), Murray (S), Nannup (S), Narrogin (S), Northam (S), Pingelly (S), Plantagenet (S), Toodyay (S), Victoria Plains (S), Wagin (S), Wandering (S), Waroona (S), West Arthur (S), Wickiepin (S), Williams (S), Woodanilling (S) and York (S) is declared to constitute a quarantine area until 31 June 2018.

2. This quarantine area is declared because the declared pest Tomato Potato Psyllid (TPP) (*Bactericera cockerelli*) is present or reasonably suspected to be present in or in the vicinity of the area.

3. Persons other than inspectors must not move, or cause or allow to be moved, any host plants produced within the quarantine area to a place within the local government districts of Ravensthorpe (S), Gnowangerup (S), Jerramungup (S), Irwin (S), Northampton (S), Carnarvon (S), Greater Geraldton (C), Chapman Valley (S), Wyndham-East Kimberley (S), Albany (C), Broomhill-Tambellup (S), Morawa (S), Shark Bay (S), Three Springs (S), Broome (S), Esperance (S) or Mingenew (S) except in accordance with—

- (a) this notice; or
- (b) an approval under regulation 67 of the Regulations; or
- (c) a general exemption under regulation 71 of the Regulations.

4. Host plants produced within the quarantine area are moved in accordance with this notice if the host plants are—

- prepared as required by (a) or (b) below with the treatment being completed no more than 36 hours prior to movement; and
- records of the treatment, together with details of transporters and consignees are kept.

(a) For tomato, capsicum, chilli and eggplant plants—

- Sprayed with 300mL/ha of the 18g/L active of abamectin (Permit # 14722) or 20mL/100L of the 250g/L active of bifenthrin (Permit # 9795); or
- Sprayed with 40mL/100L of the 240g/L active of spirotetramat (Movento 240 SC label)* and
- 24 hours later, sprayed with 200mL/100L of the 225g/L active of methomyl. Note: DO NOT use methomyl in protected cropping situations, such as glasshouses, greenhouses, plastic houses, plastic tunnels or shadehouses

(b) For host plant ornamentals and host plant nursery stock—

- Sprayed with 25 mL product per 100 L of the 80g/L active of bifenthrin (APMVA Permit # 10043) or 50mL/100L to a maximum of 1.5L for 18g/L abamectin (the registered rate for two spotted mite on ornamentals); or
- Sprayed with 40mL/100L of the 240g/L active of spirotetramat (APVMA permit #81707); and
- 24 hours later, sprayed with 200mL/100L of the 225g/L active of methomyl (Permit # 82428). Note: DO NOT use methomyl in protected cropping situations, such as glasshouses, greenhouses, plastic houses, plastic tunnels or shade-houses.

5. If not prepared in accordance with clause 4 host plants may be moved from the quarantine area if—

- prepared in an approved manner published on the department's website; or
- certified by an inspector as having been prepared in accordance with the directions of an inspector.

6. Each person who is the owner or occupier of land in the quarantine area is taken to have been given a quarantine notice that applies to that land in the terms of this quarantine area notice.

7. Failure to comply with this quarantine area notice could result in a fine, the Director General taking remedial action under section 133 of the *Biosecurity and Agriculture Management Act 2007*, or both.

Tomato Potato Psyllid (TPP) Host Plants—

All plants in the Solanaceae and Convolvulaceae families, including but not limited to

Scientific Name	Example (common name)
<i>Solanum tuberosum</i>	potato
<i>Lycopersicon</i> spp.	tomato
<i>Capsicum</i> spp.	pepper, paprika, capsicum, chilli
<i>Solanum melongena</i>	eggplant
<i>Solanum betaceum</i>	tamarillo
Ornamental & weed <i>Solanum</i> spp.	nightshades, potato vine
<i>Physalis</i> spp.	groundcherry
<i>Lycium</i> spp.	matrimony vine
<i>Convolvulus</i> spp.	field bindweed
<i>Ipomoea batatas</i>	sweet potato

Note: For chemical treatments, all label and permit critical use comments and other comments/directions must be followed.

MARK SWEETINGHAM, Acting Deputy Director General,
Agriculture and Food Division,
Department of Primary Industries and Regional Development,
(Delegate of the Director General).

JUSTICE

JU401

PROFESSIONAL STANDARDS ACT 1997

THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED SCHEME

I, John Quigley MLA, Attorney General, pursuant to section 26 of the *Professional Standards Act 1997* (the Act), authorise the publication of the Instrument Amending the Australian Property Institute Valuers Limited Scheme (the Scheme) submitted to me by the Professional Standards Council of New South Wales pursuant to the mutual recognition provisions of the New South Wales and Western Australian professional standards legislation. The Instrument is published with this authorisation and commences in accordance with section 27 of the Act.

Hon. JOHN QUIGLEY MLA, Attorney General.

Dated: 24 October 2017.

PROFESSIONAL STANDARDS ACT 1994 (NSW)

INSTRUMENT AMENDING THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED SCHEME

PREAMBLE

- A. The Australian Property Institute Valuers Limited ('APIV') is an occupational association.
- B. The APIV Scheme ('Scheme') commenced on 1 September 2016.
- C. This instrument of amendment is prepared pursuant to s 16A of the *Professional Standards Act 1994* (NSW) ('the Act') by APIV for the purposes of amending the Scheme.
- D. This instrument of amendment is also prepared for the purposes of bringing about recognition of the Scheme as an interstate scheme under the *Professional Standards Act 2005* (Tas).

AMENDMENTS TO THE SCHEME

1. This instrument is prepared under the Act by the APIV whose business address is—
6 Campion street
DEAKIN ACT 2600
2. Subclause 1.2 is omitted and the following subclause is substituted—
1.2 The scheme is intended to operate in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, South Australia, Victoria, Western Australia and Tasmania.
3. Subclause 2.1 is omitted and the following subclause is substituted—
2.1 The scheme applies to all members of the APIV. All members of the APIV are required to hold or have the benefit of a Professional Indemnity Insurance Policy against occupational liability

that complies with the insurance standards of the APIV and the insurance requirements set out in Clause 3.2, unless exempted by the APIV.

4. Subclause 2.3 is omitted and the following subclause is substituted—

2.3 The APIV may, on application by a member to whom this scheme applies under Clause 2.1, exempt the member from the scheme.

COMMENCEMENT

5. This instrument, and the resulting Scheme, shall commence on the date which is 2 months after the date of its publication in the *Government Gazette* of New South Wales and the *Government Gazette* of Tasmania, whichever being the later.

Amended 11 August 2017

PROFESSIONAL STANDARDS ACT 1994 (NSW)

THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED SCHEME

PREAMBLE

- A. The Australian Property Institute Valuers Limited (APIV) is an occupational association.
- B. The APIV has made an application to the Professional Standards Council (PSC), constituted under the *Professional Standards Act 1994* (NSW) (the Act), for a scheme under the Act.
- C. The scheme is prepared by the APIV for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The APIV has furnished the PSC with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- E. The APIV has furnished the PSC with APIV insurance standards with which members must comply for purposes of this scheme.
- F. The scheme is intended to remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to Section 32 of the Act.

THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED SCHEME

1. Occupational association

1.1. The Australian Property Institute Valuers Limited Scheme (the scheme) is a scheme under the Act prepared by the APIV whose business address is—

6 Campion Street, DEAKIN
ACT 2600

1.2. The scheme is intended to operate in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, South Australia, Victoria, Western Australia and Tasmania.

1.3. The scheme is intended to limit occupational liability by insurance arrangements pursuant to s21 of the Act. The relevant insurance arrangements are the APIV Insurance Standards.¹

2. Persons to Whom the Scheme Applies²

2.1. The scheme applies to all members of the APIV. All members of the APIV are required to hold or have the benefit of a Professional Indemnity Insurance Policy against occupational liability that complies with the insurance standards of the APIV and the insurance requirements set out in Clause 3.2, unless exempted by the APIV.

2.2. This scheme also applies to all persons to whom the scheme applied under Clause 2.1 at the time of any act or omission giving rise to occupational liability.³

¹ These are published on the API website at <https://www.api.org.au/resources/apiv-limitation-of-liability-scheme-resources>.

² Sections 18 and 19 of the Act provide that if the scheme applies to a body corporate, the scheme also applies to each officer of the body corporate and if the scheme applies to a person, the scheme also applies to each partner of the person, and if the scheme applies to a person the scheme also applies to each employee of the person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 20 provides that the scheme may also apply to other persons as specified in that section. Section 20A extends the limitation of liability of persons to whom the scheme applies by virtue of sections 18 to 20.

³ For the purposes of the operation of the scheme in New South Wales, “occupational liability” has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the Act. Similarly, for the purposes of the operation of the scheme in other jurisdictions in which it applies, “occupational liability” has the same meaning as it has in the corresponding legislation of those jurisdictions and excludes any liability which may not from time to time be limited pursuant to that legislation.

Occupational liability is defined in s4(1) of the Act to mean ‘civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of an occupational association acting in the performance of his or her occupation’. However, s5(1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, a breach of trust or fraud or dishonesty. [Note: All jurisdictions other than NSW and WA exclude a lawyer acting in a personal injury matter.] Section 5(2) of the Act also provides that the Act does not apply to liability which may be the subject of proceedings under Part 13 or 14 of the *Real Property Act 1900* (NSW).

2.3. The APIV may, on application by a member to whom this scheme applies under Clause 2.1, exempt the member from the scheme.

3. Limitation of Liability

3.1. This scheme only affects the liability for damages⁴ arising from a single cause of action to the extent to which the liability results in damages exceeding \$1,000,000.

3.2. If a person or corporation, who or which was at the time of the act or omission giving rise to occupational liability, a person or corporation to whom this scheme applied and against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person or corporation has the benefit of a Professional Indemnity Insurance Policy—

- (a) of a kind which complies with the APIV Insurance Standards,
- (b) insuring such person or corporation against the occupational liability to which the cause of action relates, and
- (c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in the 4th column (entitled “Monetary Ceiling”) of the table in Clause 3.3 of this scheme relating to the class of person and the kind of work to which the cause of action relates,

that person or corporation is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

3.3. The monetary ceiling (maximum amount of liability) required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is to be determined according to the following table—

Class	Description	Upper End Value	Monetary Ceiling ⁵
1	Category A Member	\$0.0 million to < \$3.0 million	\$1.0 million
2	Category B Member	\$3.0 million to < \$5.0 million	\$2.0 million
3	Category C Member	\$5.0 million to < \$10.0 million	\$3.0 million
4	Category D Member	\$10.0 million to < \$15.0 million	\$4.0 million
5	Category E Member	\$15.0 million to < \$40.0 million	\$5.0 million
6	Category F Member	\$40.0 million >	\$10.0 million

3.4. Clause 3.2 only affects liability for damages arising from a single cause of action to the extent to which the liability in damages exceeding such amount as is specified in Clause 3.1.

3.5. This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.

3.6. This scheme does not limit the occupational liability of a member in the event the member does not have the benefit of a Professional Indemnity Insurance Policy in accordance with Clause 3.2 at the time the act or omission occurred.

4. Conferral of discretionary authority

4.1. Pursuant to section 24 of the Act, this scheme confers on the APIV a discretionary authority to specify, on application by a member to whom the scheme applies, in relation to that person a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the person either in all cases or in any specified case or class or case.

5. Definitions

5.1. Relevant definitions for the purposes of the scheme are as follows—

“APIV” means the Australian Property Institute Valuers Limited.

“APIV Insurance Standards” mean the insurance standards approved by the APIV.

“Category A Member” means a person who is a member of the APIV to whom the scheme applies and who is—

- (a) a sole trader whose Upper End Value is less than \$3 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is less than \$3 million; or
- (c) a corporation whose Upper End Value is less than \$3 million;

“Category B Member” means a person who is a member of the APIV to whom the scheme applies and who is—

- (a) a sole trader whose Upper End Value is \$3 million or more but less than \$5 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$3 million or more but less than \$5 million; or
- (c) a corporation whose Upper End Value is \$3 million or more but less than \$5 million;

⁴ Damages as defined in section 4(1) of the Act means (a) damages awarded in respect of a claim or counter-claim or claim by way of set-off and (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant), and (c) any interest payable on the amount of those damages or costs.

⁵ Pursuant to the APIV Insurance Standards, there must be at least one automatic reinstatement where the policy limits the aggregate of claims.

“Category C Member” means a person who is a member of the APIV to whom the scheme applies and who is—

- (a) a sole trader whose Upper End Value is \$5 million or more but less than \$10 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$5 million or more but less than \$10 million; or
- (c) a corporation whose Upper End Value is \$5 million or more but less than \$10 million.

“Category D Member” means a person who is a member of the APIV to whom the scheme applies and who is—

- (a) a sole trader whose Upper End Value is \$10 million or more but less than \$15 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$10 million or more but less than \$15 million; or
- (c) a corporation whose Upper End Value is \$10 million or more but less than \$15 million.

“Category E Member” means a person who is a member of the APIV to whom the scheme applies and who is—

- (a) a sole trader whose Upper End Value is \$15 million or more but less than \$40 million;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$15 million or more but less than \$40 million; or
- (c) a corporation whose Upper End Value is \$15 million or more but less than \$40 million.

“Category F Member” means a person who is a member of the APIV to whom the scheme applies and who is—

- (a) a sole trader whose Upper End Value is \$40 million or more;
- (b) an individual or corporation who is a member of a partnership whose Upper End Value is \$40 million or more; or
- (c) a corporation whose Upper End Value is \$40 million or more.

“most recent 12 month period” means the 12 months prior to the date and time of inception of the member’s Professional Indemnity Insurance Policy.

“Professional Indemnity Insurance Policy” means a policy of insurance that provides cover for the member in compliance with the APIV Insurance Standards.

“the Act” means the *Professional Standards Act 1994* (NSW).

“Upper End Value” means the highest valuation performed by the relevant member in the most recent 12 month period.

6. Duration

6.1 This scheme will commence on 1 September 2016 and will be in force for a period of five (5) years from the date of commencement.

6.2 In the event the scheme, or a Notice relating to the scheme, is published in the Gazette of any jurisdiction after the commencement date, the scheme will commence on such day 2 months after the date of its publication in that jurisdiction.

7. Miscellaneous

7.1 Notwithstanding anything to the contrary contained in this scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme should be capped by both this scheme and also by any other scheme under Professional Standards legislation) whether of this jurisdiction or under the law of any other Australian state or territory) and if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

JU402

GUARDIANSHIP AND ADMINISTRATION ACT 1990

ARRANGEMENT

Western Australia and Northern Territory

This arrangement is made under section 44A of the *Guardianship and Administration Act 1990* (WA) on the 14th day of September 2017 between the Hon. Attorney General for the State of Western Australia and the Hon. Minister for Health for the Northern Territory.

The Hon. Attorney General for the State of Western Australia being satisfied that the *Guardianship of Adults Act 2016* (NT) relating to the guardianship of adults corresponds sufficiently with the *Guardianship and Administration Act 1990* (WA), it is agreed that guardianship orders made under the *Guardianship of Adults Act 2016* (NT) in respect of adult persons who enter Western Australia be recognised in Western Australia.

Hon JOHN QUIGLEY, Attorney General for the State of Western Australia.

Hon NATASHA FYLES, Minister for Health for the Northern Territory.

JU403**JUSTICES OF THE PEACE ACT 2004
RESIGNATIONS**

It is hereby notified for public information that the Minister has accepted the resignation of—
Mrs Rosemary Etherton of Banksia Grove
from the Office of Justice of the Peace for the State of Western Australia.

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

JU404**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS**

Pursuant to section 54(1) (e) (f) and (h) of the *Court Security and Custodial Services Act 1999*, I hereby revoke the following Permit—

Surname	Other Name(s)	Permit No.
Cox	David	WLG-17032

ROD ALDERTON, Director Procurement and Contracted Services.

Date 11 October 2017.

JU405**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS**

Pursuant to section 54(1) (g) of the *Court Security and Custodial Services Act 1999*, I hereby revoke the following Permit—

Surname	Other Name(s)	Permit No.
Viros	Mari Lou	DCB03-114
Smith	Graham	WLG-17092

ROD ALDERTON, Director Procurement and Contracted Services.

Date 13 October 2017.

JU406**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS**

Pursuant to section 54(1) (g) of the *Court Security and Custodial Services Act 1999*, I hereby revoke the following Permits—

Surname	Other Name(s)	Permit No.
Halliwell	Janice Tania	BRS-170030
Jane	Kelvin Murray	BRS-170032
Lee	Darrel Charles	BRS-170074
Kafer	Kyna Lee	BRS-170102
Kim	Michael	BRS-170148-1
McLean	Gena Margaret	BRS-170156-1
McNamara	Daryl James	BRS-170157-1
Pope	Peter Donald	BRS-170179-1
Tarawhiti	Joseph Tauhau	BRS-170208-1
Thorpe	Courtney May	BRS-170213-1
Cameron	Warren Derek	BRS-170313-1
McKenzie	Morgan James	BRS-170330-1
Gibson	Richard John	BRS-170388-1

Surname	Other Name(s)	Permit No.
Hammond	Marcus Bertram	BRS-170439-1
Gokulanathan	Satish	BRS-170440-1
Flynn	Bridget Ann	BRS-170480
Barndon	Justin Phillip	BRS-170483
McBride	Joanne Lee	BRS-170493
Blottin	Tracie Anne	BRS-170416-1
Clegg	John Jeffrey	BRS-170404-1

ROD ALDERTON, Director Procurement and Contracted Services.

Date 25th October 2017.

LANDS

LA401

LICENSED SURVEYORS ACT 1909
LAND SURVEYORS LICENSING BOARD
 Appointments

The Governor in Executive Council, under Section 4 of the *Licensed Surveyors Act 1909* has appointed Paul James Asphar as a member to fill a vacancy of the Land Surveyors Licensing Board for the remainder of the term of office expiring on 31st December 2017.

GRAEME HOLLOWAY, Secretary, Land Surveyors Licensing Board.
www.lslb.wa.gov.au

LOCAL GOVERNMENT

LG501

BUSH FIRES ACT 1954
Shire of Narembeen

BUSHFIRE NOTICE 2017/2018 SEASON

All owners and/or occupiers of land situated within Shire of Narembeen

As a measure to assist in the control of bush fires, or preventing the spread or extension of a bush fire which may occur, notice is hereby given to all owners and/or occupiers of land within the Shire of Narembeen that pursuant to the powers conferred in Section 33 of the *Bush Fires Act 1954*, works in accordance with the requisitions of this notice must be carried out before the 1st day of November in each year, or within 14 days of becoming the owner or occupier of land if after that date. All work specified in this Notice is to be maintained up to and including the 30th day of April in the following calendar year.

Definitions

“Town site land” means all land within the boundary of the Narembeen Townsite.

“Rural Land” means all land within the Narembeen District not defined as Townsite.

“Firebreak Period” means that time between the 1st day of November in any year until the 30th day of April in the year following.

“Firebreak” means ground from which flammable material has been removed and on which no flammable materials is permitted during the firebreak period.

All owners or occupiers of land within the Narembeen Shire shall have firebreaks during the firebreak period of the dimensions prescribed within this notice.

If it is considered impractical or undesirable to provide firebreaks as required by this notice, the approval of the Council must be obtained for any variation. Approval will only be granted up to or before the 15th day of October, and will not be granted unless prior consent of the appropriate Fire Brigade Officer has been obtained.

Fire Breaks

Rural Land—

Firebreaks 2.5 metres wide as follows—

- Immediately adjacent to and surrounding all cleared land subdividing all cleared land into areas no greater than 400 hectares. Surrounding each building, haystack, fuel dump or ramp.

Townsite Land—

Firebreaks 2.0 metres as follows—

- Vacant lots in excess of 1,025 sq metres.
- All lots containing less than 2,025 sq metres on boundaries and immediately surrounding all buildings.
- Remove all flammable material from fuel dumps or liquid fuel containers to a distance of 15 metres.

In addition to the requirements of this Notice, you may be required to carry out further works which are considered necessary by an Authorised Officer and specified by way of a separate written notice forwarded to the address of the owner/s as shown on the Shire of Narembeen rates record for the relevant land.

Take notice that pursuant to Section 33(4) of the *Bush Fires Act 1954*, where the owner and/or occupier of land fails or neglects to comply with the requisitions of this Notice within the times specified, the Shire of Narembeen may by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of this Notice which have not been complied with and pursuant to Section 33(5) of the *Bush Fires Act 1954*, the amount of any costs and expenses incurred may be recovered from you as the owner and or occupier of the land.

If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Act 1954*.

The penalty for failing to comply with this Notice is a fine not exceeding \$5000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this Notice if it is not carried out by the owner and/or occupier by the date required by this Notice.

By order of the Council.

CHRIS JACKSON, Chief Executive Officer,
Shire of Narembeen.

18th October 2017.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982

SPEED RESTRICTED AREA—8 KNOTS

Esperance Bay
Shire of Esperance

Department of Transport,
Fremantle WA, 31 October 2017.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby cancel notice MA404 as published in the *Government Gazette* on 3 October 2014, and limit the speed of all motorised vessels to eight (8) knots within the following area(s)—

ESPERANCE BAY

Part 1—Those waters within 200 metres of the shore and west of a line through 33°50.191'S, 121°55.982'E (the end of the Bandy Creek Western Breakwater) and 33°50.271'S, 121°55.881'E (200 metres south-west) and north of a line through 33°51.051'S, 121°54.097'E (on the first groyne north of the Esperance Tanker Jetty) and 33°51.052'S, 121°54.209'E (200 metres eastward),

Part 2—Waters within 200 metres either side of the Esperance Tanker Jetty and extending out beyond the jetty to include an area bounded by a line from 33°51.158'S, 121°54.503'E to 33°51.236'S, 121°54.664'E (approximately 285 metres east-south-easterly); thence to 33°51.423'S, 121°54.533'E (approximately 400 metres south-south-westerly); thence to 33°51.345'S, 121°54.372'E (approximately 285 metres west-north-westerly); but excluding waters within 50 metres of the jetty and the area closed to motorised vessels to the east of the jetty,

Part 3—Waters bounded by the shore and a line starting at 33°52.164'S, 121°53.696'E (on the foreshore adjacent the port entry gates); thence to 33°52.144'S, 121°53.719'E (north-easterly approximately 50 metres); thence to 33°52.166'S, 121°53.809'E (east-south-easterly approximately 140 metres), thence to the Starboard Beacon No. 5 (approximately 33°52.007'S, 121°53.891'E, 320 metres north-north-easterly); thence due north to where this line meets a line 200 metres seaward of the foreshore at approximately 33°51.626'S, 121°53.891'E; thence along this 200 metre line to where it meets Part 2 and along the boundary of Part 2 to the shore but excluding the areas closed to motorised vessels south of the James Street Groyne.

All coordinates based on GDA 94.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
Department of Transport.

MA402

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 CLOSED WATERS ALL VESSELS
 Prohibited Swimming Area
 Esperance Bay
Shire of Esperance

Department of Transport,
 Fremantle WA, 31 October 2017.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982* and Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to all vessels and prohibit swimming—

ESPERANCE TANKER JETTY

Those waters within 50 metres of the northern and southern sides of the Esperance Tanker Jetty including those waters directly under it and limited in the east by a line through 33°51.228'S, 121°54.454'E and 33°51.275'S, 121°54.421'E.

All coordinates based on GDA94.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
 Department of Transport.

MA403

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 CANCELLATION OF WATER SKI AREA
 Esperance Bay
Shire of Esperance

Department of Transport,
 Fremantle WA, 31 October 2017.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, I hereby cancel notice MA414 as published in the *Government Gazette* on 3 October 2014 referring to the following area of water until further notice—

ESPERANCE BAY: All those waters of Esperance Bay bounded by the shore and in the south by a line parallel to and 200 metres from the Esperance Tanker Jetty's northern edge commencing on the foreshore and continuing to 33°51.158S, 121°54.503E (in line with the end of the jetty and approximately 680 metres east south easterly); thence to 33°51.236S, 121°54.664E (approximately 285 metres east south easterly); thence to 33°50.191S, 121°55.982E (corresponding to the Bandy Creek West Breakwater Port Beacon and approximately 2.5 kilometres north easterly); but excluding those waters within 200 metres of the breakwater and waters within 200 metres of the shore between Bandy Creek and a line through 33°50.888S, 121°54.144E (the seaward end of the third groyne northward from the jetty tanker jetty) and 33°50.896S, 121°54.252E (approximately 200 metres easterly).

All coordinates based on GDA94.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
 Department of Transport.

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA
 Royal Assent to Bill

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Fortieth Parliament.

Title of Act	Date of Assent	Act No.
Constitution Amendment (Demise of the Crown) Act 2017	25 October 2017	9 of 2017

NIGEL PRATT, Clerk of the Parliaments.

25 October 2017.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF OFFICERS

Notice of amendment to the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 16 October 2015 and as amended.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 25 October 2017 pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2012/02 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 16 October 2015 (and as amended), as set out in Schedule 1 below.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2012/02—Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 16 October 2015, and as amended.

2. Amendment to whole instrument

Any reference to the titles “Assistant Director General, Perth and Peel Planning” or “Assistant Director General, Regional Planning” are to be read as a reference to the title of “Assistant Director General, Land Use Planning.”

3. Amendments to clauses in Schedule 8 (page 4178)

The titles “Chairman of the WAPC” and “Director General” are inserted into Column 2 of Schedule 8 for clauses 8.1—8.9

4. Amendment to clauses in Schedules 6, 7 and 8

- (a) Clauses 6.7 (on page 4176) and 7.9 (on page 4177) are amended as follows—
 - i. The title “Directors, Perth and Peel Planning” is added to column 2; and
 - ii. The words “Must consult with the Chairman before exercising this delegation” are deleted.
- (b) Clause 8.11 (on page 4179) is amended as follows—
 - i. The title “Directors, Regional Planning” is added to column 2; and
 - ii. The words “Must consult with the Chairman before exercising this delegation” are deleted.

PL402

PLANNING AND DEVELOPMENT ACT 2005

APPROVED DISTRICT PLANNING SCHEME AMENDMENT

City of Wanneroo

District Planning Scheme No. 2—Amendment No. 155

Ref: TPS/1958

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Wanneroo District Planning Scheme amendment on 18 October 2017 for the purpose of—

1. Rezoning Lot 9340 Hickory Road, Quinns Rock from ‘Public Use’ to ‘Residential R30’ and amending the Scheme Map accordingly.

T. ROBERS, Mayor.
D. SIMMS, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

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

Any person wishing to obtain more details about any application, or about the objection process, should contact Racing, Gaming and Liquor, Level 2, Gordon Stephenson House, 140 William Street, Perth, Telephone: (08) 6551 4888, 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			
A000242769	QT Hotels and Resorts Pty Ltd	Application for the grant of a Special Facility—Bed and Breakfast, Reception Centre, Room Service, Tourism licence in respect of premises situated in Perth and known as QT Perth.	30/11/2017
A000246295	City of Kalgoorlie-Boulder	Application for the grant of a Special Facility—Sports Arena licence in respect of premises situated in Kalgoorlie and known as KCGM Sporting Pavilion.	30/11/2017
A000247601	Ledge Point Country Club Inc	Application for the grant of a Tavern licence in respect of premises situated in Ledge Point and known as Ledge Point Country Club Inc.	26/11/2017

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

DIRECTOR OF LIQUOR LICENSING.

Dated: 27 October 2017.

ROTTNEST ISLAND

RX401

ROTTNEST ISLAND REGULATIONS 1988

TEMPORARY NOTICE TO MARINERS

Closure of Waters to Boating

Thomson Bay, Rottneest Island

Special Event 11 and 12 November 2017

Acting pursuant to the powers conferred by Regulation 38B of the *Rottneest Island Regulations 1988*, the Rottneest Island Authority hereby closes the following waters to all vessels, excluding bona fide emergency and authorised vessels—

Saturday 11 November 2017—0800hrs to 1300hrs

Sunday 12 November 2017—1100hrs to 1700hrs

Thomson Bay

All the waters within 48 metres of the shoreline, from south of the Hotel Jetty extending in a southerly direction 551 metres. The seaward side of the boundary is bounded by the following moorings: TB120, TB123, TB149, TB344, TB174, TB183, TB182, TB280, TB347, TB041, TB042, TB090 and TB303.

Tenders (max vessel length 3.75m) are permitted to cross over the closed waters when safe to do so to gain access to the foreshore but not transit along closed waters.

Vessels are permitted to secure to the above mooring providing they do not swing into the closed waters during the specified times.

During the specified times a number of swimming races will be conducted as part of the "Sufferfest 2017" and these restrictions have been introduced to assist in achieving swimmer safety.

A number of event patrol vessels will be monitoring the area to ensure compliance and safety.

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

MICHELLE REYNOLDS, A/Executive Director, Rottneest Island Authority.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Any person with claims outstanding on the Estate of the late Joan Mary Western of 42 Hampden Street, Kalgoorlie WA 6430, who died on 6 May 2017, must provide particulars of their claims to the Estate c/- FourLion Legal, Ground Floor, Suite 16, 185 High Street, Fremantle WA 6160 within one month of the date of publication of this advertisement, after which date the Estate may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustee Company Limited, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

Estate Late Norman Eric Moy

Late of 4 Davy Street, Alfred Cove, WA—Retired Public Servant

Found deceased 16 March 2017

ZX403

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of Paul Steven Miragliotta, late of 18 Forster Place, Munster, Western Australia, Carpenter/Service man/Mining.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on 11 May 2017, are required by us the Trustees Carlo Anthony Miragliotta and Vincenzo Mark Miragliotta to send particulars of any such claim to the Estate's solicitor Trainor Legal of PO Box 838, Subiaco, Western Australia 6904 within one month of the date of publication of this notice. After that date we will convey or distribute the assets of the Estate with regard only to the claims of which we have notice.
