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Gazette**

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**CONTENTS**

**PART 1**

	Page
Rights in Water and Irrigation Amendment Regulations 2018.....	495

**PART 2**

Deceased Estates .....	505
Local Government.....	502
Marine/Maritime.....	504
Racing, Gaming and Liquor.....	504

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## **GOVERNMENT GAZETTE**

### **PUBLISHING DETAILS FOR EASTER AND ANZAC DAY 2018**

A *Gazette* will be published at noon on **Thursday 29<sup>th</sup> March** and closing time for copy is **Tuesday 27<sup>th</sup> March** at noon.

A *Gazette* will be published at noon on **Friday 6<sup>th</sup> April** and closing time for copy is **Wednesday 4<sup>th</sup> April** at noon.

**The *Gazette* will not be published on Tuesday 3<sup>rd</sup> April 2018.**

The closing time for copy for *Gazette* published **Friday 27<sup>th</sup> April 2018** is **Tuesday 24<sup>th</sup> April** at noon.

# — PART 1 —

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## WATER

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WA301

Rights in Water and Irrigation Act 1914

### Rights in Water and Irrigation Amendment Regulations 2018

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Rights in Water and Irrigation Amendment Regulations 2018*.

**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 *Rights in Water and Irrigation Regulations 2000*.

**4. Regulations 41A to 41F inserted**

At the beginning of Part 4A insert:

**41A. Terms used**

In this Part —

*coordinate references* means Map Grid of Australia 1994 grid coordinates in Zone 50 of the Universal Transverse Mercator Grid System based on the Geocentric Datum of Australia;

*Gnangara groundwater plan area* means the area shown on the map in Schedule 4;

**meter** has the same meaning as in Schedule 1 clause 46(5) to the Act;

**water entitlement** has the same meaning as in Schedule 1 clause 17(4) to the Act;

**water year** means the period stated as the water year on a licence, or if no water year is stated on the licence, the period of 12 months beginning on the date on which the licence was granted.

**41B. Application of regulation 41C**

- (1) Regulation 41C applies to a licence referred to in column 1 of the Table on and after the date specified in column 2 of the Table.

**Table**

<b>Licence</b>	<b>Date</b>
A licence with a water entitlement of 500 000 kilolitres or more per water year	31 March 2018
A licence with a water entitlement of 50 000 kilolitres or more but less than 500 000 kilolitres per water year	31 December 2018
A licence granted in respect of the Gnangara groundwater plan area with a water entitlement of 10 000 kilolitres or more but less than 50 000 kilolitres per water year	31 December 2019
All other licences with a water entitlement of 10 000 kilolitres or more but less than 50 000 kilolitres per water year	31 December 2020

- (2) However, regulation 41C does not apply to a licence referred to in column 1 of the Table to subregulation (1) that —
- (a) is issued for less than 12 months; or
  - (b) is issued in respect of a single user dam; or

- (c) is a licence to which —
  - (i) an alternative measurement method approved under regulation 41E applies; or
  - (ii) an exemption granted under regulation 41F applies.

**41C. Licence subject to metering conditions**

- (1) Each licence is subject to the conditions that the licensee must —
  - (a) install a meter on each water draw-point through which water is taken under the licence; and
  - (b) for each meter installed under paragraph (a) —
    - (i) maintain the meter in good condition and ensure that it is operating within a range of plus or minus 5% of the quantity of water that passes through it when tested in field conditions; and
    - (ii) provide the Minister with the information listed in subregulation (2) within 30 days of the installation; and
    - (iii) notify the Minister within 7 days of detecting a malfunction of the meter; and
    - (iv) record the meter reading at the end of each month; and
    - (v) provide a copy of the meter readings recorded under subparagraph (iv) to the Minister within 30 days after the end of the relevant water year.

Penalty for this subregulation: A fine of \$2 000 and a daily penalty of \$200.

- (2) For the purposes of subregulation (1)(b)(ii), the information is —
  - (a) the coordinate references relating to the location of the meter or another approved description of its location; and
  - (b) the date on which the meter was installed; and
  - (c) the meter reading at the time of installation; and
  - (d) the make, size, type and serial number of the meter; and

- (e) drawings or annotated photographs of the meter after its installation that show —
    - (i) the length of pipe connecting the draw-point to the upstream flange of the meter; and
    - (ii) the length of pipe between the downstream flange of the meter and the first-bend or take-off; and
    - (iii) the direction of the water flow through the meter;and
  - (f) a copy of the manufacturer's specifications for installation of the meter or written advice from the person who installed the meter that it complies with the manufacturer's specifications for installation.
- (3) For the purposes of complying with subregulation (1)(b)(v), if a licensee has installed 2 or more meters to measure the quantity of water taken from 2 or more water draw-points, the Minister may approve the licensee providing a combined abstraction reading for all of the water taken under the licence instead of providing individual meter readings.
- (4) The meter readings required under subregulation (1)(b)(v) must be provided using the Department's electronic online system provided for that purpose unless the Minister approves another method for providing the readings in any particular case.

**41D. Minister may direct compliance with metering conditions**

- (1) If a licensee fails to comply with any of the metering conditions specified in regulation 41C(1), the Minister may direct the licensee to comply with those conditions.
- (2) A direction under subregulation (1) must —
  - (a) be given by written notice served on the licensee; and
  - (b) specify the time within which the direction is to be complied with.
- (3) If the licensee to whom a direction has been given does not comply with the direction within the specified time, or any additional time allowed by the Minister —
  - (a) the licensee commits an offence; and

- (b) the Minister may —
  - (i) do all or part of whatever the direction requires to be done; and
  - (ii) recover the costs from the licensee as a debt due to the State in a court of competent jurisdiction.

Penalty for this subregulation: A fine of \$2 000 and a daily penalty of \$200.

**41E. Minister may approve alternative measurement method**

- (1) The Minister may, in any particular case, approve an alternative measurement method for measuring the quantity of water taken under a licence if satisfied on reasonable grounds that it is impracticable to install a meter under regulation 41C to measure the quantity of water taken under the licence.
- (2) If the Minister approves an alternative measurement method under subregulation (1), the licensee must comply with that method to measure the quantity of water taken under the licence.

**41F. Exemption from requirement to measure quantity of water taken under licence**

- (1) The Minister may, in any particular case, grant an exemption from the requirement to measure the quantity of water taken under a licence if satisfied on reasonable grounds that —
  - (a) it is impracticable to install a meter under regulation 41C to measure the quantity of water taken under the licence; and
  - (b) it is inappropriate to use an alternative measurement method for measuring the quantity of water taken under the licence.
- (2) The Minister may revoke an exemption granted under subregulation (1) if the licensee fails to comply with any terms, conditions or restrictions included in the licence.

**5. Schedule 2 amended**

After Schedule 2 item 5 insert:

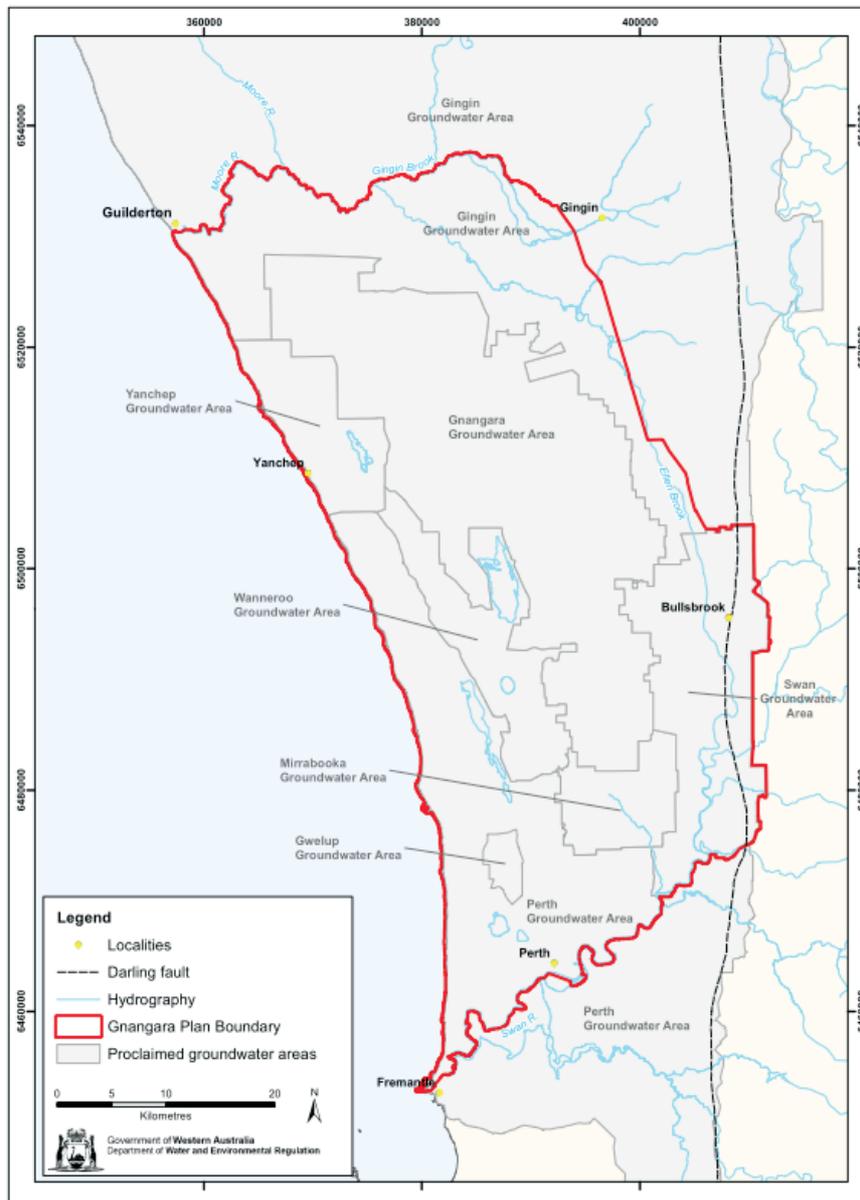
- |     |                                      |       |
|-----|--------------------------------------|-------|
| 5A. | An offence against regulation 41C(1) | \$400 |
|-----|--------------------------------------|-------|

**6. Schedule 4 inserted**

After Schedule 3 insert:

**Schedule 4 — Gngangara groundwater plan area**

[r. 41A]



**7. Various references to “licence holder” amended**

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

licensee

**Table**

r. 42(1) and (2)	r. 44(2), (3)(b) and (4)
r. 45(2)	r. 46(b)
r. 48(b)(i)	

N. HAGLEY, Clerk of the Executive Council.

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## — PART 2 —

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### LOCAL GOVERNMENT

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LG404

**BUSH FIRES ACT 1954***Shire of Halls Creek*

## APPOINTMENTS

It is hereby notified for public information that in accordance with Section 38 of the *Bush Fires Act 1954*—

- Joseph Stabler has been appointed as the Deputy Chief Bush Fire Control Officer; and
- Craig Burgess and
- Dean Graham

have been appointed as Fire Control Officers.

All previous appointments are hereby cancelled.

RODGER KERR-NEWELL, Chief Executive Officer.

LG401

**LOCAL GOVERNMENT ACT 1995***City of Swan*

## BASIS OF RATES

I, Michael Connolly, 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 23 January 2018, determine that the method of valuation to be used by the City of Swan, 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	Lots 700-702 inclusive on Deposited Plan 410588

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport, and Cultural Industries.

LG403

**LOCAL GOVERNMENT ACT 1995***City of Swan*

## BASIS OF RATES

I, Michael Connolly, 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 31 January 2018, determined that the method of valuation to be used by the City of Swan 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 1 to 7 inclusive as shown on Strata Plan 76134.

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport, and Cultural Industries.

## LG402

## LOCAL GOVERNMENT ACT 1995

*City of Rockingham*

## BASIS OF RATES

I, Michael Connolly, 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 6 February 2018, determine 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 16 to 32 inclusive and Lots 53 to 57 inclusive as shown on Deposited Plan 412067.

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport, and Cultural Industries.

## LG405

## SHIRE OF HALLS CREEK

## APPOINTMENTS

It is hereby notified for public information that the following persons—

Joseph Stabler  
Craig Burgess  
Dean Graham  
Craig Walker

have been appointed as Authorised Officers in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

- *Dog Act 1976*
- *Cat Act 2011*
- *Bush Fires Act 1954*
- *Litter Act 1979*
- *Caravan Parks and Camping Grounds Act 1995*
- *Control of Vehicles (Off-road Areas) Act 1960*
- *Local Government Act 1995*
- *Local Government (Miscellaneous Provisions) Act 1960*
- *Animal Welfare Act 2002*

It is also hereby notified for public information that the following persons—

Musa Mono  
Dean Graham  
Alan Freshwater

have been appointed as Authorised Officers in accordance with the various Acts, Regulations and Local Laws as detailed hereunder—

- *Public Health Act 2016*
- *Health Act 2011*
- *Food Act 2008*

All previous appointments are hereby cancelled.

RODGER KERR-NEWELL, Chief Executive Officer.

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## MARINE/MARITIME

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MA401

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**

PROHIBITED SWIMMING AREA

*City of South Perth*

Department of Transport,  
Fremantle WA, 20th February 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming between the hours of 8:00pm and 9:30pm on Saturday 24th February 2018.

**Swan River Perth Waters**

Area of Closure—All the waters within a 150 metre radius of the firing point located at approximately 31°58.347'S, 115°51.604'E. Located in Perth waters opposite the South Perth foreshore at Sir James Mitchell Park, between Mends Street and Coode Street Jetties.

This area is set aside for safety measures during the set up and display of pyrotechnics.

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

MA402

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**

PROHIBITED SWIMMING AREA

Perth Waters, Swan River

Department of Transport,  
Fremantle WA, 20th February 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to swimming between 7:45pm and 8:20pm on Thursday 22nd February 2018.

**Perth Waters, Swan River**

Area of Closure—All the waters within a 150 metre radius of the firing point located at approximately 31° 57.842'S, 115° 51.203'E, (approximately 575 metres east of the Narrows Bridge).

This area is set aside for safety measures during the set up and display of pyrotechnics.

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

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## RACING, GAMING AND LIQUOR

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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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
A000255600	Nando's Australia Pty Ltd	Application for the conditional grant of a Restaurant licence in respect of premises situated in Jindalie and known as Nando's Jindalie.	18/03/2018

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i></b>			
A000255601	Subiaco Enterprises Pty Ltd	Application for the conditional grant of a Liquor Store licence in respect of premises situated in Liquor Store and known as Crust Gourmet Pizza Subiaco.	26/03/2018
A000256727	Geraldton Amateur Basketball Assn Inc	Application for the grant of a Special Facility Sports Arena licence in respect of premises situated in Wonthella and known as Geraldton Amateur Basketball Association.	25/03/2018
A000256951	Tao Group Pty Ltd	Application for the conditional grant of a Restaurant licence in respect of premises situated in Mandurah and known as Tao Cafe Mandurah.	6/03/2018
A000256941	Palace MW Pty Ltd	Application for the conditional grant of a Tavern Restricted licence in respect of premises situated in Perth and known as Meat & Wine Co.	22/03/2018
A000257106	Derby Speedway Club Inc	Application for the conditional grant of a Club Restricted licence in respect of premises situated in Derby and known as Derby Speedway Club Inc.	22/03/2018
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
A000254972	Caballitos Pty Ltd	Application for the grant of an Extended Trading Permit for Ongoing Hours for a Small Bar licence in respect of premises situated in Perth and known as Caballitos.	27/02/2018
<b>APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
A000253661	South Perth Lawn Tennis Club Inc	Application for the Variation of trading conditions for a Club Restricted licence in respect of premises situated in Como and known as South Perth Lawn Tennis Club Inc.	28/02/2018

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

DIRECTOR OF LIQUOR LICENSING.

Dated: 16 February 2018.

## DECEASED ESTATES

ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

In the matter of the Estate of Glyn Boyce, late of Rockingham Nursing Home, 14 Langley Street, Rockingham in the State of Western Australia (formerly of 4/30 Tuart Street, Rangeway in the State of Western Australia) deceased (“Deceased”).

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the Deceased, who died on the 9th day of September 2017, are required by the Administrator, Patricia Anne Costarella, to send the particulars of their claim to Havilah Legal of Level 2, 200 Adelaide Terrace, East Perth, Western Australia, by the 22nd day of March 2018, after which date the said Administrator may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 20th day of February 2018.

**ZX402****TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Norma Mahaila Mills, late of 2A Yanmar Street, Mandurah in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 11th day of March 2017, are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah, Western Australia by 29 March 2018, after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

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