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GOVERNMENT GAZETTE

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Friday, 28 December 2018 at 12 noon	Monday, 24 December 2018 at 12 noon
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— PART 1 —

INDUSTRY REGULATION

IS301

Petroleum Products Pricing Act 1983

Petroleum Products Pricing Amendment Regulations (No. 2) 2018

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Petroleum Products Pricing Amendment Regulations (No. 2) 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 *Petroleum Products Pricing Regulations 2000*.

4. Schedule 1 amended

In Schedule 1 under the heading “*Localities*” insert in alphabetical order:

Munglinup

N. HAGLEY, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RA301

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RACING AND WAGERING WESTERN AUSTRALIA (ADOPTED TABCORP BETTING RULES) NOTICE (NO. 1) 2018

Made by Racing and Wagering Western Australia under section 59(6)(c) of the Act.

1. Citation

This notice is the *Racing and Wagering Western Australia (Adopted TABCORP Betting Rules) Notice (No. 1) 2018*.

Interpretation

In this notice—

“the Act” means the *Racing and Wagering Western Australia Act 2003*;

“the Rules” means the rules described in clause 3, adopted by Racing and Wagering Western Australia.

Rules adopted under section 59(4) of the Act

(1) In a meeting held on 21 February 2005 and a further meeting held on 26 April 2005, Racing and Wagering Western Australia resolved to adopt and operate under rules relating to a combined totalisator scheme in accordance with section 59(4) of the Act.

(2) A copy of the rules adopted was published for public information in the *Gazette* of 7 July 2005 at pp. 3095-3156.

(3) Further amendments to those rules were adopted subsequently, and those further amendments were published for public information in the *Gazette* of—

- (i) 23 August 2005 at p. 3909-3915;
- (ii) 13 December 2005 at p. 5985-5988 and
- (iii) 7 September 2007 at p. 4559-4560
- (iv) 15 April 2008 at p. 1472-1473
- (v) 3 August 2010 at p. 3593-3621
- (vi) 9 January 2012 at p. 137-139
- (vii) 17 April 2012 at p. 1688
- (viii) 18 September 2012 at p. 4405-4406
- (ix) 21 December 2012 at p. 6644-6645

4. Changes to Rules published for public information (section 59(6)(c) of the Act

(1) Further amendments to the Rules were adopted by resolution of the Board dated 27 August 2018.

(2) Those further amendments to the Rules are published in the Schedule to this notice for public information, as required by section 59(6)(c) of the Act.

Schedule 1—Amendments to Adopted Rules

1. INTERPRETATION

1.1 In these rules, if not otherwise inconsistent with the context—

“**Anchor**” means the Bet Type included in a Merged Pool with the largest number of possible outcomes. The other Bet Types in the Merged Pool are merged with the Anchor bet type.

“**Major Dividend**” means in relation to **BIG6** and subject to Clause 15 an Investment containing winning Selections in 6 Events where the percentage of the dividend pool for this Dividend equals 90%.

“**Merged Pool**” means the amount of money paid into a Totalisator of two or more Bet Types which, after adjustment in accordance with the Act and after any Refunds are made, is available by way of Dividend to Investors who have made the appropriate Selection on a Totalisator. The Pool may consist of a jackpot pool, a Seeded Jackpot, a Pool Guarantee Shortfall and a dividend pool as set out in Rule 13.

- For the purposes of these rules, a Merged Pool applies to the Trio and Trifecta Pools.

“**Pool**” means the amount of money paid into a Totalisator for exactly one Bet Type which, after adjustment in accordance with the Act and after any Refunds are made, is available by way of Dividend to Investors who have made the appropriate Selection on a Totalisator. The Pool may consist of a jackpot pool, Former Licence Jackpot Pools, a Seeded Jackpot, a Pool Guarantee Shortfall and a dividend pool as set out in Rule 13.

“Racing Totalisator” means a Totalisator conducted pursuant to the Act and for the purposes of these Rules includes Win, Place, Quinella, Trifecta, Exacta, First 4, Daily Double, Feature Double, Running Double, Quaddie, BIG6, Duet and Trio.

“Refund” means the amount of an Investment made in a Totalisator that is repayable to an Investor (whether wholly, which is referred to in these Rules as refund of the Investment, or partly, which is referred to in these Rules as refund of the Pool or Merged Pool) in accordance with these Rules.

“Subsidy” means in relation to a Pool, Merged Pool or part of a Pool or Merged Pool the amount that is sufficient to enable the Minimum Dividend to be declared in respect of that pool or part.

“Winning Combination” means, in relation to a Merged Pool, the combination of selections which corresponds to the winning outcome in the Bet Type within the Merged Pool which has the lowest number of possible outcomes.

2. EFFECTIVE DATE, PURPOSE AND APPLICATION OF RULES

These Rules are made on 11 August 2017 and come into operation on 01 September 2017.

3. GENERAL CONDITIONS RELATING TO TRANSACTIONS AT OR THROUGH TOTALISATOR OFFICES

3.5. FLEXI BETS

- (b) Flexi Bets are available on a **Quinella, Exacta, Duet, Trio, Trifecta, First 4, Double, Quaddie, BIG6, AFL Double, AFL Half/Full Double, AFL Quad, AFL Quarter Quad, AFL Margins** or any other totalisator as otherwise determined by the Betting Operator.
- (d) Any amount resulting from rounding down the amount covered by a combination covered by a Flexi Bet to the nearest ten thousandth of a cent forms part of the investment pool or Merged Pool of the relevant totalisator upon which the Flexi Bet is made.

3.7. BET TYPES

- (u) “Trio” is an Investment on an Event on the chance that a combination of three Selections shall fill first, second and third places in any order in that Event.

3.11. Pool Guarantee

For the purpose of Trifecta, First 4, Quaddie or BIG6 totalizators or a Merged Pool including one or more of these bet types—

- (a) The Betting Operator may apply a Pool Guarantee at the sole discretion of the Betting Operator. In the case of BIG6, the Pool Guarantee shall apply to the Major Dividend, in accordance with clause 15.
- (b) Subject to 3.11(e), if a Pool Guarantee is in place on a Pool or Merged Pool where there are backed combinations, the Betting Operator is liable for that portion of the Pool Guarantee Shortfall applicable to the backed combinations.
- (c) Subject to 3.11(e), 14.3(a)(ii), 14.3(b)(ii), 14.5(a)(ii), 14.5(b)(ii), 14.5(c)(ii) if a Pool Guarantee is in place on a Pool where there are unbacked combinations, the Betting Operator is not liable for that portion of the Pool Guarantee Shortfall applicable to the unbacked combinations. For Merged Pools, this clause applies when there are unbacked combinations for all of the bet types involved in the Merged Pool.
- (d) Subject to 3.11(e), if a Pool Guarantee is in place on a Pool where there is less than a unit of investment on backed combinations, the Betting Operator is liable for the full unit of the Pool Guarantee Shortfall applicable to the backed combinations. For Merged Pools, this clause applies when there is less than a unit of investment across any of the bet types involved in the Merged Pool.
- (e) In the event that all bets from a Guaranteed Pool are refunded to Investors, the refunds will not include the Pool Guarantee amount and the Betting Operator is not liable for any Pool Guarantee Shortfall.
- (f) In the event all bets from one or more bet types involved in a Merged Pool are refunded to Investors but not all bet types, the refunds will not include the Pool Guarantee amount and the Betting Operator is not liable for any Pool Guarantee Shortfall.
- (g) If a Pool Guarantee is in place on a Pool, wherever possible the Pool total will be displayed as a gross pool total, excluding Jackpot amounts.

3.12 Merged Pool

- (a) The Betting Operator may merge two or more Pools together to form a Merged Pool.
- (b) The Betting Operator will make sufficient information available to Investors, including any terms and conditions relevant to a Merged Pool

- (and the application of these rules) to enable Investors to make an informed decision.
- (c) The Dividend Pool for each Bet Type within a Merged Pool will be calculated by reference to the investment in the Winning Combination for that Bet Type as a proportion of total investment on the Winning Combination in the Merged Pool.
 - (d) The Dividend Pool for each Bet Type within the Merged Pool will be distributed according to the Rules applicable to that Bet Type.
 - (e) In the event that there is no investment in the Winning Combination in any of the Bet Types within the Merged Pool, the Merged Pool will be distributed to the jackpot pools for each Bet Type in proportion to the total investment attributable to that Bet Type.
 - (f) In the event that, for reasons beyond the reasonable control of the Betting Operator, the software used to process the Merged Pool is unavailable, the Betting Operator may de-merge the Merged Pool and—
 - (i) refund all investment in one or more Bet Types within the Merged Pool; or
 - (ii) calculate Dividends for one or more Bet Types as a standalone pool.

7.3. FLEXI BET ENABLED POOL DIVIDENDS WHERE LESS THAN A UNIT OF INVESTMENT ON CORRECT SELECTIONS

Where the total of Flexi Bet Enabled Pool Investments for each Dividend level where a Dividend is to be paid (“winning Quinella combination”, “winning Exacta combination”, “winning Duet combination for each Dividend”, “winning Trio combination”, “winning Trifecta combination”, “winning First 4 combination”, “winning Double combination”, “winning Quaddie combination”, “winning **BIG6** combination for each Dividend level”, “winning AFL Double combination”, “winning AFL Half/Full Double combination”, “winning AFL Quad combination”, “winning AFL Quarter Quad combination”, or “winning AFL Margins combination” as the case may be) is less than a unit of Investment—

only the amount of the Flexi Bet Enabled dividend pool for each Dividend level determined in accordance with the following formula will be distributed amongst the investors on the winning combination for each Dividend level—

$$da = di \times \frac{ai}{ui}$$

where—

- da* is the amount of the Flexi Bet Enabled dividend pool for each Dividend level which is to be distributed among the Investors on the winning combination for each Dividend level;
- di* is the total amount which would be distributed to Investors on the winning combination for each Dividend level if the total of Flexi Bet Enabled Pool Investments for each Dividend level in respect of which a dividend is to be paid was not less than a unit of investment. Where the winning combination for each Dividend level is not backed, *di* excludes the Pool Guarantee Shortfall amount under clause 13.5(ii)(C), 13.6(ii)(C), 13.7(ii)(C) or 13.8(ii)(C), as the Betting Operator is not liable for the Pool Guarantee Shortfall as detailed under clause 3.11(c);
- ai* is the total of all Flexi Bet Enabled Pool Investments for each Dividend level (if any) on the winning combination for each Dividend level;
- ui* is the unit of Investment to the Flexi Bet Enabled Pool; and
- (i) there is to be transferred to the Flexi Bet Enabled jackpot pool or on the Succeeding Flexi Bet Enabled Event an amount calculated in accordance with the following formula—

$$t = di - da$$

where—

- t* is the amount transferred to the Flexi Bet Enabled jackpot pool on the Succeeding Flexi Bet Enabled Event;
- di* has the same meaning as in sub-rule (a) above;
- da* has the same meaning as in sub-rule (a) above.

8. CANCELLATION OF INVESTMENTS

8.2. If an Investment is for **Win, Place, Quinella, Exacta, Duet, Trio, Trifecta, First 4, Double, Quaddie** or **BIG6** Bet Types or for a Sports Totalisator, an Investor may only cancel that Investment—

- (a) In the case of Investments made through a human operator in a Cash Outlet—
 - (i) If the Investment—
 - (A) relates to the first race of a meeting; or

- (B) is for a Double, Quaddie or **BIG6** and the first leg relates to the first race of a meeting;

up to thirty (30) minutes prior to the Advertised Starting Time of the Event, the Investment may be cancelled and a refund obtained at the place of issue at any time;
 - (ii) If the Investment—
 - (A) relates to the first race of the meeting; or
 - (B) is for a Double, Quaddie or **BIG6** and the first leg relates to the first race of the meeting;

within thirty (30) minutes of the Advertised Starting Time of the Event to which the Investment relates, the Investment may be cancelled and a refund obtained at the place of issue at the first practical moment immediately following the discovery of an error made by either the Betting Operator or the Investor provided that the error is brought to the attention of the Betting Operator within two (2) minutes of the time the Investment was originally made, or a lesser time as determined by the Betting Operator, or close sell time, whichever occurs first;
 - (iii) If the Investment—
 - (A) relates to any other race of a meeting; or
 - (B) is for a Double, Quaddie or **BIG6** and the first leg relates to any other race of a meeting;

up until the actual start of the previous race at that meeting, the Investment may be cancelled and a refund obtained at the place of issue at any time;
 - (iv) If the Investment—
 - (A) relates to any other race of the meeting after the actual start of the previous race to which the Investment relates; or
 - (B) is for a Double, Quaddie or **BIG6** and the first leg relates to any other race of the meeting after the actual start of the previous race to which the Investment relates;

the Investment may be cancelled and a refund obtained at the place of issue or at the first practical moment immediately following the discovery of an error made by either the Betting Operator or the Investor provided that the error is brought to the attention of the betting Operator within two (2) minutes of the time the Investment was originally made, or a lesser time as determined by the Betting Operator, or close sell time, whichever occurs first;
 - (v) If the Investment—
 - (A) relates to an Event where the previous race has been abandoned; or
 - (B) is for a Double, Quaddie or **BIG6** and the first leg relates to an Event where the previous race has been abandoned;

up until the Advertised Race Start Time of the previous Event at that meeting, the Investment may be cancelled and a refund obtained at the place of issue at any time;
 - (vi) If the Investment relates to a Sports Totalisator, up to thirty (30) minutes prior to the Advertised Close of Betting on the Event, the Investment may be cancelled and a refund obtained at the place of issue at any time;
 - (vii) If the Investment relates to a Sports Totalisator, within thirty (30) minutes of the Advertised Close of Betting of the Event to which the Investment relates, the Investment may be cancelled and a refund obtained at the place of issue at the first practical moment immediately following the discovery of an error made either by the Betting Operator or by the Investor provided that the error is brought to the attention of the Betting Operator within two (2) minutes of the time the Investment was originally made, or a lesser time as determined by the Betting Operator, or close sell time, whichever occurs first; or
- (b) The Betting Operator must provide reasonable notice to Investors before implementing any new “lesser time” cancellation period referred to in Rules 8.2(a)(i), 8.2(a)(iv) and 8.2(a)(vii).
- (c) In the case of a Betting Account Investment made through a human operator, before the conclusion of the telephone call during which the Investment was originally made, or before any further Investment is made, whichever occurs first.

- (d) During high volume betting periods the Betting Operator may extend the 2 minute cancellation period specified in 8.2(a)(ii), 8.2(a)(iv) and 8.2(a)(vii) to allow cancellations for a longer period after the time the investment was originally made.

[In the cases referred to in 8.2(a)(i), 8.2(a)(iv), 8.2(a)(vii) and 8.2(c) the investment details may be corrected, but a refund may not be obtained];

9. SCRATCHINGS AND SUBSTITUTES

9.4. FIELD SELECTIONS

- (a) Where a Quinella, Exacta, Duet, **Trio**, Trifecta or First 4 Field Investment is made and one or more of the Competitors is subsequently Scratched, the Investor shall be entitled to a Refund of the Investment in respect of such Competitors that are so scratched

10. NO-RACE, CANCELLED, POSTPONED OR ABANDONED EVENTS AND MEETINGS

10.2. For the purpose of Pools **or Merged Pools** of the following Bet Types

- (a) the minimum number of Competitors required in order for a Racing Totalisator to be conducted on an Event; shall be—

Win—2

Place—5

Quinella—3

Exacta—2

Duet—8

Trio—4

Trifecta—3

First 4—4

Double—2

Quaddie—2

BIG6—2

other Racing Totalisators—1

and

- (b) the minimum number of Competitors which must remain in an Event (or in the case of a Bet Type consisting of more than one Event, then which must remain in at least one of the Events on which that Bet Type is conducted) after the time of final Scratching(s) on the Event in order for the Event not to be regarded as abandoned, shall be—

Win—2

Place—5

Quinella—3

Exacta—2

Duet—5

Trio—4

Trifecta—3

First 4—4

Double—2

Quaddie—2

BIG6—2

other Racing Totalisators—1

10.3. Subject to the following exceptions,

- (a) if a Meeting or Event has been cancelled, abandoned or postponed to a later date or declared a 'no-race' and not subsequently re-run, all Investments made in connection with that Meeting or Event shall be refunded.
- (b) Investments referred to in Rule 10.3(a) shall not in respect of Quinella, Exacta, Duet, **Trio**, Trifecta or First 4 include any money carried forward from a previous Quinella, Exacta, Duet, **Trio**, Trifecta or First 4 but shall be added to and form part of a subsequent Quinella, Exacta, Duet, **Trio**, Trifecta or First 4 Pool.

10.9. **MERGED POOLS**

Where the investments on a Bet Type included in a Merged Pool are refunded, the Bet Type is no longer considered to be part of the Merged Pool. Where there is subsequently only one Bet Type remaining in a Merged Pool, the remaining Bet Type will operate as a standalone pool and follow the standard rules applicable to that Bet Type.

12. DEAD HEATS**12.13. TRIO**

Subject to Rule 16, where as the result of a dead heat in any Event in a **Trio** Investors on two or more combinations become entitled to a Dividend—

- (a) the Pool shall be divided into as many equal parts as there are combinations running the dead heat;
- (b) each part so determined shall be treated separately;
- (c) Dividends shall be calculated by dividing each part amongst the Investors on each backed combination; and
- (d) each unbacked combination is transferred to the Trio jackpot pool conducted on the Succeeding Trio Event.

12.14. Merged Pool

Subject to Rule 16, where as the result of a dead heat in any Event in a **Merged Pool** Investors on two or more combinations become entitled to a Dividend—

- (a) the Pool shall be divided into as many equal parts as there are combinations running the dead heat in the Anchor Bet Type;
- (b) Each part is used to calculate the dividend pool for each Bet Type within the merged pool based on the winning investment on the winning combination for each Bet Type;
- (c) each part so determined shall be treated separately;
- (d) Dividends shall be calculated by dividing each part amongst the Investors on each backed combination; and
- (e) subject to 3.12 (d), (e) and (f), each unbacked combination is transferred to the relevant Bet Type jackpot pools conducted on the Succeeding Bet Type Event, excluding Pool Guarantee Shortfall. The amount transferred will be shared amongst all Bet Types based on each Bet Type's proportion of the total investment.

13. JACKPOTS AND COUNTBACKS**13.2. JACKPOTS**

- (a) Subject to the exceptions contained in this Rule 13.2 and unless otherwise directed by the Victorian Commission for Gambling and Liquor Regulation in the event of there being no Investor on the appropriate Selections for AFL Quad, AFL Quarter Quad, Quaddie, Tip 8, Tip 7, AFL Double and AFL Xtra Double, AFL Half /Full Double and AFL Half /Full Xtra Double, AFL Margins, the various dividend levels of BIG6 set out in Rule 15 which form the total pool, the individual dividends of Duet, Quinella, Exacta, Double, **Trio**, Trifecta or First 4, the Pool may be added to a subsequent Pool of the same type. In the case of BIG6 any addition to a subsequent Pool shall be to the Major Dividend of such pool for BIG6.
- (b) Where the Betting Operator is entitled under these Rules to include a jackpot pool in a Pool, the Betting Operator may also include any Former Licence Jackpot Pools of the same type in that Pool.
- (c) In the case of the Quinella, Exacta, Duet, **Trio**, Trifecta, First 4, Double, Quaddie and BIG6 Jackpots, the Jackpot Allocation Table as set out in Clause 13.4 does not apply, but they are subject to the following—
 - (i) For Daily Double, Feature Double and Quaddie, the Betting Operator may at its discretion transfer a Jackpot Amount to any Event within the respective code across any meeting class.
 - (ii) For Quinella, Exacta, Duet, **Trio**, Trifecta and First 4, the Betting Operator may at its discretion transfer a Jackpot amount to any Event within the respective code across any meeting class if that Jackpot occurs on the last race of that meeting.
 - (iii) For BIG6, the Betting Operator may at its discretion transfer a Jackpot Amount to any BIG6 Event across any code and any meeting class.
 - (iv) For Running Double, the Betting Operator may at its discretion transfer a Jackpot amount to any Event within the respective code across any meeting class if there are no more Running Doubles to be conducted on the meeting on which that Jackpot occurs.
- (d) If a Jackpot is to be used for the First Four, Quaddie or BIG6 Jackpot allocations, the Betting Operator will advise investors prior to the commencement of betting on the event.

13.4. For the purpose of these Rules—

“Succeeding Trio Event” means, in relation to a Trio Event (“Initial Trio Event”)—

- (i) the next Trio Event (if any) conducted at the same Meeting as the Initial Trio Event;
- or if there is none
- (ii) the next Trio Event at a meeting selected by the Betting Operator in accordance with rule 13.2(c)(ii).

13.13. For each Trio Pool, there shall be—

- (i) a Trio jackpot pool into which must be paid any amounts which, under Rules 7.3(ii), 12.13, 13.2 or 14.6 are required to be transferred to the Trio jackpot pool for that Event;
- (ii) a Trio dividend pool into which must be paid—
 - (A) Trio investments on that Event after the deduction of Commission and any refunds; and
 - (B) the amount (if any) transferred to the Trio jackpot pool for that Event.

13.14. For each Merged Pool there shall be—

- (i) a merged dividend pool into which must be paid—
 - (A) Investments on the Bet Types involved in the Merged Pool after the deduction of Commission and any Refunds; and
 - (B) the Pool Guarantee Shortfall (if any) for the Merged Pool for that Event.

14. DECLARATION OF LESS THAN THREE PLACINGS

14.6. TRIO

- (a) if only two placings are declared—
 - (i) the Trio jackpot pool for that Event is transferred to the Trio jackpot pool conducted on the Succeeding Trio Event; and
 - (ii) the remainder of the Trio dividend pool shall be divided amongst the Investors, on any order combination of the two placed Selections with any other Selection in the Event;
- (b) if only a winner is declared—
 - (i) the Trio jackpot pool for that Event is transferred to the Trio jackpot pool conducted on the Succeeding Trio Event; and
 - (ii) the remainder of the Trio dividend pool shall be divided amongst the Investors, on any order combination of the winner and any other two Selections in the Event;

and the remainder of the Trio dividend pool shall be transferred to the Trio jackpot pool conducted on the Succeeding Trio Event if these alternative combinations have also not been Selected.

14.7. MERGED POOL

If any of the Bet Types within a Merged Pool are impacted by reduced finishers (as described in Rule 10.2) then—

- (a) the jackpot for the individual Bet Type for that Event is transferred to the jackpot pool conducted on the Succeeding Event for the particular Bet Type.

16. MINIMUM DIVIDEND

16.1. This Rule only applies to the following Racing Totalisator Bet Types—

Win
Place
Quinella
Exacta
Duet
Trio
Trifecta
First 4
Double
Quaddie

and to Sports Totalisators.

16.4. Rule 16.3 does not apply—

- (c) to **Win, Place, Quinella, Exacta, Duet, Trio, Trifecta, First 4 Double, and Quaddie** Bet Types if the total amount of dividends payable in respect of an Event would exceed the total Investments in respect of that Event (less any Refunds);

16.6. If as a result of the operation of Rules 16.3 or 16.5 there is insufficient money in the Pool or Merged Pool for payment of the total payable dividends, the deficiency shall be paid by the Betting Operator.

APPENDIX A
TOTALISATOR MAXIMUM COMMISSION DEDUCTIONS AND
WIN RATES TABLE

1. Totalisator Maximum Commission Deductions and Win Rates (Return to Investor) Racing (parimutuel)

Bet Type	Maximum Commission Deduction (%)	Win Rate (%)
Win	14.50%	85.50
Place	14.25%	85.75
Quinella	17.50%	82.50
Duet	14.50%	85.50
<u>Trio</u>	<u>20.00%</u>	<u>80.00</u>
Exacta	20.00%	80.00
Trifecta	20.00%	80.00
First 4	22.50%	77.50
Daily Double	20.00%	80.00
Running Double	20.00%	80.00
Quaddie	20.00%	80.00
BIG6	25.00%	75.00
International Pooled Bet	The lesser of 25% or the maximum commission applying in <u>The lesser of 40.00% or the maximum commission applying in the pooling (host) jurisdiction</u>	

TRAINING

TA301

Vocational Education and Training Act 1996

Vocational Education and Training (Colleges) Amendment Regulations (No. 2) 2018

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Vocational Education and Training (Colleges) Amendment Regulations (No. 2) 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 *Vocational Education and Training (Colleges) Regulations 1996*.

4. Regulation 11 amended

In regulation 11(1) delete “The course fee for a course to be commenced by a student in 2018 is” and insert:

If a student commences a unit of a course in 2018 or 2019, the course fee is determined

Note: The heading to amended regulation 11 is to read:

Course fees for 2018 and 2019: Schedule 1

5. Regulation 12 amended

(1) Delete regulation 12(2) and insert:

(2) For a student who is not a secondary school aged person, the maximum amount of course fee payable for a year referred to in regulation 11(1) is \$7 860.

(2) Delete regulation 12(4) and insert:

(4) For a student who is a secondary school aged person, but not enrolled at school, the maximum amount of course fee payable for a year referred to in regulation 11(1) is \$420.

6. Regulation 15 amended

In regulation 15(2) delete “for 2018”.

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**BIOSECURITY AND AGRICULTURE MANAGEMENT (PERMITTED ORGANISMS)
DECLARATION (NO. 3) 2018**

Made under section 11 of the *Biosecurity and Agriculture Management Act 2007* (the Act) by a delegate of the Minister for Agriculture and Food.

1. Citation

This declaration is the *Biosecurity and Agriculture Management (Permitted Organisms) Declaration (No. 3) 2018*.

2. Permitted Organisms

The organisms listed below are declared under section 11 of the Act to be permitted organisms—

- *Tuber magnatum* Picco. (1788)
- *Tuber aestivum* Vittad. (1831)
- *Tuber borchii* Vittad. (1831)

3. Revocation

Any previous declaration relating to an organism listed above is revoked.

VICTORIA AITKEN, Director, Invasive Species,
Delegate of the Minister for Agriculture and Food,
Department of Primary Industries and Regional Development.

Date: 20 November 2018.

HEALTH

HE401

MENTAL HEALTH ACT 2014**MENTAL HEALTH SERVICE (APPROVAL TO PERFORM ELECTROCONVULSIVE THERAPY)
ORDER (NO. 1) 2018**

Made by the Chief Psychiatrist under section 544 of the Act.

1. Citation

This order is the *Mental Health Service (Approval to Perform Electroconvulsive Therapy) Order (No. 1) 2018*.

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) the rest of the order on 29 November 2018.

3. Approval to perform Electroconvulsive Therapy

The mental health service specified in Schedule 1 to this order is approved to perform electroconvulsive therapy.

4. Review

The approval to perform electroconvulsive therapy in clause 3 will be reviewed by the Chief Psychiatrist on or before 28 November 2021.

Schedule 1—Approved Mental Health Service

Albany Health Campus
Armadale Hospital
Bentley Hospital
Fremantle Hospital
Hollywood Private Hospital
Joondalup Health Campus
The Marian Centre
Perth Clinic
Rockingham General Hospital
Sir Charles Gairdner Hospital
St John of God Midland Public Hospital

Dr NATHAN GIBSON, Chief Psychiatrist.

22 November 2018.

HE402**MENTAL HEALTH ACT 2014****MENTAL HEALTH SERVICE (REVOCATION OF APPROVAL TO PERFORM ELECTROCONVULSIVE THERAPY) ORDER (NO. 1) 2018**

Made by the Chief Psychiatrist under section 544 of the Act.

1. Citation

This order may be cited as the *Mental Health Service (Revocation of Approval to Perform Electroconvulsive Therapy) Order (No. 1) 2018*.

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) the rest of the order on 30 November 2018.

3. Revocation of approval to perform Electroconvulsive Therapy

The mental health services specified in Schedule 1 as a mental health service at which electroconvulsive therapy can be performed is revoked.

Schedule 1

Albany Health Campus
Bentley Hospital
Fremantle Hospital
Hollywood Private Hospital
Joondalup Health Campus
The Marian Centre
Perth Clinic
Rockingham General Hospital
Sir Charles Gairdner Hospital
St John of God Midland Public Hospital

Dr NATHAN GIBSON, Chief Psychiatrist.

22 November 2018.

JUSTICE

JU401

PROFESSIONAL STANDARDS ACT 1997

THE INSTITUTE OF PUBLIC ACCOUNTANTS PROFESSIONAL STANDARDS SCHEME

I, John Quigley MLA, Attorney General, pursuant to section 26 of the *Professional Standards Act 1997* WA (the Act), authorise the publication of The Institute of Public Accountants Professional Standards Scheme (the Scheme) submitted to me by the Professional Standards Council of Victoria pursuant to the mutual recognition provisions of the Victoria and Western Australian professional standards legislation. The Scheme is published with this authorisation and commences on 1 January 2019. The Scheme remains in force for a period of 2 years from its commencement unless the Scheme is revoked, extended, or its operation ceases as specified in the Act.

Hon JOHN QUIGLEY MLA, Attorney General.

Dated: 7 November 2018.

PROFESSIONAL STANDARDS ACT 2003 (VIC)

THE INSTITUTE OF PUBLIC ACCOUNTANTS PROFESSIONAL STANDARDS SCHEME

PREAMBLE

- A. The Institute of Public Accountants Ltd (“**IPA**”) is an occupational association.
- B. The IPA has made an application to the Professional Standards Council (“**Council**”), appointed under the *Professional Standards Act 2003* (VIC) (“**Act**”), for a scheme under the Act in Victoria.
- C. The scheme is prepared by the IPA for the purposes of limiting occupational liability¹ to the extent to which such liability may be limited under the Act; improving occupational standards of professional persons; and protecting consumers of their services, per the objects of the Act.
- D. The scheme is to apply to all members of the IPA who are ordinarily residents in Australia and who hold a current Professional Practice Certificate² (“**PPC**”), and who are not otherwise exempted or excluded.
- E. The scheme does not affect damages which are below the monetary ceiling specified in the scheme for each person to whom the scheme applies. The scheme limits liability for damages to the monetary ceiling specified for that person, provided that the person has insurance as required under s.23 of the Act.
- F. The IPA has furnished the Council with a detailed list of the risk management strategies³ in respect of its members and the means by which those strategies will be implemented.
- G. The IPA will report annually to the Council on the implementation and monitoring of its risk management strategies, the effect of those strategies, and any changes proposed to be made to them.
- H. The IPA will report to the Council on such other matters as the Council may require pursuant to s.47 of the Act.
- I. The scheme is intended to commence on 1 January 2019 and remain in force for two (2) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended.
- J. The scheme is intended to apply in all Australian states and territories.
- K. All participating members referred to in clause 2 of the scheme are subject disciplinary measures under the Constitution and By-Laws of the IPA and are also subject to the professional indemnity insurance requirements under the By-Laws of the IPA.

THE INSTITUTE OF PUBLIC ACCOUNTANTS PROFESSIONAL STANDARDS SCHEME

1. Occupational association

1.1 The Institute of Public Accountants Professional Standards Scheme (“**scheme**”) is a scheme under the Act, prepared by the IPA whose business address is—

Level 6, 555 Lonsdale Street,
Melbourne, Victoria 3000.

¹ **Occupational liability** has the same meaning as it has in the Act.

² A Professional Practice Certificate (**PPC**) is a certification, issued by the IPA to eligible members, which allows IPA members to offer professional accounting and/or related services to the public. The application and approval process of obtaining a PPC is governed by the IPA By-Laws Chapter 9 which can be found at <https://www.publicaccountants.org.au/media/1517245/MASTER-By-Laws-V-25-rebrand.pdf>

³ These risk management strategies are detailed in the application submitted by the IPA to the Council (**Application**). The Application includes sections on continuing occupational education, code of ethics / practice, complaints and discipline system, quality assurance and audit, and risk management.

2. Persons to Whom the Scheme Applies

2.1 The scheme applies to—

- (a) all IPA members who hold a current PPC issued by the IPA other than such members who are, or at the time of any act giving rise to occupational liability were—
 - i. holders of an Australian Financial Services Licence granted in accordance with section 913B of the *Corporations Act 2001* (Cth) (“**AFS licence holder**”), not being a Limited Licence⁴; and
 - ii. Representatives⁵ of an AFS licence holder, not being a Limited Licence;
- and
- (b) All persons to whom the scheme applies, by virtue of the Act⁶ and the corresponding provisions of the Acts of other jurisdictions in which the Scheme applies.

Each such participating member and person is referred to in the Scheme as a “participating member”

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

2.3 This scheme also applies to all persons to whom the scheme applies by virtue of ss20, 21 and 22 of the Act and the relevant provisions of the corresponding laws.

3. Exemption

3.1 No member to whom the scheme applies may be exempted from the scheme other than a member who, on application to the IPA Board of Directors⁷, is able to satisfy the Board that the member is also a participating member of another occupational association of accountants that is covered by a professional standards scheme, and has not been exempted from that scheme.

4. Jurisdiction

4.1 The scheme applies in Victoria in accordance with the Act.

4.2 In addition to Victoria, the scheme is intended to operate in the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania, and Western Australia, in accordance with the professional standards legislation of those states and territories and subject to the requirements of that legislation, so that references to a provision of the Act, the application of the scheme to a liability, the limit of a liability under the Act or what constitutes Occupational Liability are intended to pick up the relevant provisions of the corresponding laws, applied mutatis mutandis, to the extent that is necessary for the application of the scheme in any of those jurisdictions as an interstate scheme.

4.3 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 is capped both by 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.

5. Limitation of liability

5.1 Pursuant to s. 26 of the Act, and the relevant provisions of the corresponding laws, this scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages⁸ exceeding \$2,000,000 (the **monetary ceiling**).

5.2 If a member who was at the time of the act or omission giving rise to occupational liability, a member to whom or to which the scheme applied, against whom a proceeding relating to occupational liability is brought, is able to satisfy the Court or tribunal that such member has the benefit of an insurance policy—

- (a) of a kind which complies with the IPA’s requirements⁹;
- (b) which insures the member against that occupational liability; and
- (c) under which the amount payable in respect of that occupational liability is not less than the relevant monetary ceiling specified in this scheme.

then the member is not liable for damages in relation to that cause of action above the monetary ceiling defined in this scheme.

5.3 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 with respect to any member to whom the scheme applied at the time the act or omission occurred.

⁴ Limited Licence means a licence to provide only limited financial services as defined in regulations 7.8.12A and 7.8.14B of the *Corporations Regulations 2001* (Cth), as amended from time to time (“Limited Licence”).

⁵ The term “Representatives” has the meaning that it has in section 910A of the *Corporations Act 2001* (Cth).

⁶ Sections 18 and 19 of the Act.

⁷ Details on how the IPA Board of Directors manages membership can be found in Chapter 3 of the IPA’s Constitution, Chapter 3 of the IPA’s By-Laws, and various IPA Membership policies.

⁸ Damages has the same meaning as it has in the Act.

⁹ The IPA requirements on insurance cover can be found in IPA By-Law 9 and the relevant IPA membership policies.

6. Conferral of Discretionary Amount

6.1 Pursuant to s24 of the Act this scheme confers on the IPA a discretionary authority to specify, on application by a member to whom the scheme applies, a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million in relation to that member either in all cases or in any specified case or class of case.

7. Duration

7.1 This scheme will be in force for a period of two (2) years from the date of commencement.

8. Commencement

8.1 In Victoria, this scheme will commence—

- (a) on 1 January 2019, if the scheme is published in the *Government Gazette* by or on 31 October 2018; or
- (b) on the first day two months after the scheme is published in the *Government Gazette* in any other case.

8.2 In New South Wales, the Northern Territory, Queensland, Tasmania and Western Australia, the scheme will commence—

- (a) on 1 January 2019, if the scheme is published in the *Government Gazette* by or on 31 December 2018; or
- (b) on the day immediately following the date of the scheme's publication in the *Government Gazette* in any other case.

8.3 In the Australian Capital Territory and in South Australia, the scheme will commence—

- (a) on the date provided for in the Minister's notice in relation to the scheme, if a date is provided; or
- (b) on the first day two months after the day on which notice was given in any other case.

8.4 Clauses 8.1, 8.2 and 8.3 are subject to the provisions of the Act and the relevant provisions of the corresponding laws.

MINERALS AND PETROLEUM

MP401**PETROLEUM PIPELINES ACT 1969****APPLICATION STC-PLV-0001 FOR VARIATION PIPELINE LICENCE PL 93**

Notice is hereby given that, pursuant to section 15 of the *Petroleum Pipeline Act 1969*, an application has been received from Chevron (TAPL) Pty Ltd, Mobil Australia Resources Company Pty Limited, Shell Australia Pty Ltd, Osaka Gas Gorgon Pty Ltd, Tokyo Gas Gorgon Pty Ltd and Jera Gorgon Pty Ltd to vary licence PL 93, for the purpose to change the pipeline specifications and particulars.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Resource Tenure Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

RICHARD JOHN ROGERSON, Executive Director Resource Tenure,
Resource Tenure Division.

MP402**PETROLEUM PIPELINES ACT 1969****APPLICATION STP-PLV-0090 FOR VARIATION PIPELINE LICENCE PL 97**

Notice is hereby given that, pursuant to section 15 of the *Petroleum Pipeline Act 1969*, an application has been received from 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. to vary pipeline licence PL 97 to install a western tie-in and eastern tie-in on PL 97, to connect a realigned new pipeline section (STP-PLA-0040) at the both tie-ins and to remove the PL 97 redundant section between the western and eastern tie-ins.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Resource Tenure Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

RICHARD JOHN ROGERSON, Executive Director Resource Tenure,
Resource Tenure Division.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning
 Town Planning Scheme No. 40—Amendment No. 234

Ref: TPS/2256

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 Canning Town Planning Scheme amendment on 16 November 2018 for the purpose of—

1. Reclassifying Lot 317 (No. 24) Marquis Street, Bentley from 'Public Purposes' to 'Residential' with a density code of R40; and
2. Amending the Town Planning Scheme No. 40 Map accordingly.

P. NG, Mayor.
 A. KYRON, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Swan
 Local Planning Scheme No. 17—Amendment No. 149

Ref: TPS/2215

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 Swan Local Planning Scheme amendment on 12th October 2018 for the purpose of—

- (a) Inserting a new Additional Use of 'Office' for the land referred to as Part Lots 9501 on Plan 48644, and Part Lots 9001 on Certificate of Title 2943/160, Bushmead by amending Schedule 2—Additional Uses of LPS17 (the subject site), as follows—

No.	Description of land	Additional use	Conditions
103	Part Lots 9501 on Plan 48644, and Part Lots 9001 on CT 2943/160, Bushmead	'D'—Office	Approval is restricted to a Residential Sales Office which is defined as— "Residential Sales Office" means a building, structure and associated car parking, used incidental to the sale of land and dwellings and is temporary in nature.

- (b) Modifying the Scheme Map accordingly.

D. LUCAS, Mayor.
 M. J. FOLEY, Chief Executive Officer.

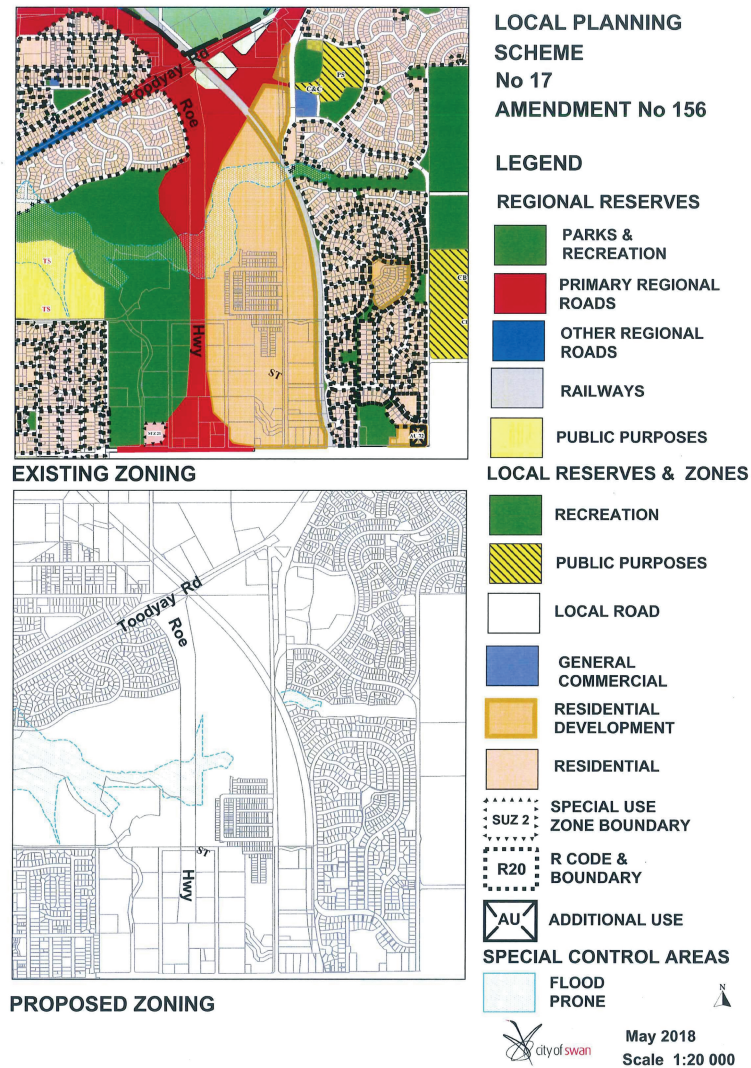
PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Swan
 Local Planning Scheme No. 17—Amendment No. 156

Ref: TPS/2227

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 Swan Local Planning Scheme amendment on 16 November 2018 for the purpose of—

- (1) Modifying the Flood Prone Area mapping as per the attached plan where it applies to part of Lot 9003 on DP 405788 Farrall Road, Stratton; part of the Lot 102 DP 54422 Farrall Road, Stratton; part of reserved Lot 90 on Plan 9551 Farrall Road, Stratton; part of reserved Lot 70 on Plan 9550 Wilgie Gardens, Swan View, and; part of the Farrall Road local road reserve.



D. LUCAS, Mayor.
M. FOLEY, Chief Executive Officer.

POLICE

PO401

ROAD TRAFFIC ACT 1974 ROAD TRAFFIC CODE 2000 AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Christopher John Dawson, Commissioner of Police, acting pursuant to regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a “licensed pilot vehicle driver” pursuant to regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated: 22 November 2018.

CHRIS DAWSON, Commissioner of Police.

Surname	First Name	State	Pilot Licence Number	Training Provider
Taylor	Nathan	WA	01257	Keen Bros (WA)
Lee	Adrian	WA	01258	Keen Bros (WA)

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon R. Saffioti MLA to act temporarily in the office of Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services in the absence of the Hon S. F. McGurk MLA for the period 10 to 20 January 2019 (both dates inclusive).

D. FOSTER, Director General,
Department of the Premier and Cabinet.

WATER

WA401

WATER SERVICES ACT 2012 GRANT OF LICENCE

Notice is given that the following water services operating licence has been granted—

Licensee:	Athena Water Solutions Pty Ltd ACN 624 317 746
Issue Date:	21 November 2018
Address:	Unit 5, 18 Oxleigh Drive, Malaga, WA 6090
Class(es) of Water Service:	Potable Water Supply (WL49, Version 1)
Term of Licence:	Up to and including 20 November 2043
Operating Area:	The operating area is the area set out in plan OWR-OA-313 in the State of Western Australia
Inspection of Licence:	Economic Regulation Authority 4th Floor Albert Facey House 469 Wellington Street Perth WA 6000

Ms NICOLA CUSWORTH, Chair,
Economic Regulation Authority.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Linda Karen Smith, late of 3 Woodhouse Circuit, Canning Vale, 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 15 July 2015 at Murdoch Community Hospice, 100 Murdoch Road, Murdoch, Western Australia, are required by Simon James Smith, who has been granted Letters of Administration for the estate, to send particulars of their claims to him at Corser & Corser, Level 4, Irwin Chambers, 16 Irwin Street, Perth WA 6000 within one (1) month of the date of publication, after which date he may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice.
