



WESTERN
AUSTRALIAN
GOVERNMENT
Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 1 MAY 2012 No. 67

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Energy Safety Act 2006—Energy Safety Levy Notice 2012.....	1801
Legal Profession Act 2008—Legal Profession Amendment Regulations (No. 2) 2012.....	1805

PART 2

Commerce.....	1806
Conservation	1806
Corrective Services	1807
Deceased Estates	1814
Health.....	1807
Heritage.....	1808
Justice.....	1810
Marine/Maritime.....	1810
Minerals and Petroleum	1812
Planning.....	1813
Racing, Gaming and Liquor.....	1814

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9426 0000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2011 (Prices include GST).

Deceased Estate notices, (per estate)—\$28.00

Articles in Public Notices Section—\$65.00 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$13.00

Bulk Notices—\$238.00 per page

Clients who have an account will only be invoiced for charges over \$50.

For charges under \$50, clients will need to supply credit card details at time of lodging notice (i.e. notice under 4cm would not be invoiced).

Clients without an account will need to supply credit card details or pay at time of lodging the notice.

— PART 1 —

ENERGY

EN301*

Energy Safety Act 2006

Energy Safety Levy Notice 2012

Made by the Minister for Commerce under the *Energy Safety Act 2006* section 14.

1. Citation

This notice is the *Energy Safety Levy Notice 2012*.

2. Term used: Act

In this notice —

Act means the *Energy Safety Act 2006*.

3. Application

This notice applies in respect of the financial year commencing on 1 July 2012 and is made having regard to the business plan for that financial year.

4. Total amount to be raised by way of levy

- (1) The total amount to be raised by way of levy is \$6 444 000.
- (2) In accordance with the business plan and section 6(1)(d) and (2) of the Act —
 - (a) 67% of the total amount to be raised by way of levy is payable by those energy industry participants liable under clause 5(3); and
 - (b) 33% of the total amount to be raised by way of levy is payable by those energy industry participants liable under clause 6(4).

5. Electricity industry participants liable to pay levy

- (1) In this clause —
electrical installation has the meaning given in the *Electricity (Licensing) Regulations 1991* regulation 3(1);
network means —
 - (a) a transmission system as defined in the *Electricity Industry Act 2004* section 3; or
 - (b) a distribution system as defined in the *Electricity Industry Act 2004* section 3.
- (2) For the purposes of this clause, a site containing multiple tenants (e.g. a residential retirement complex, office building, shopping centre or apartment block) but with only one point of direct connection to a network is to be treated as one consumer site.
- (3) An energy industry participant is liable to pay a levy if on 31 March 2012 —
 - (a) the participant operates one or more networks; and
 - (b) there are 500 or more consumer sites that have an electrical installation connected directly to a network operated by the participant.
- (4) The amount of levy payable by an energy industry participant liable under subclause (3) is the proportion of the amount referred to in clause 4(2)(a) that —
 - (a) the number of consumer sites that on 31 March 2012 have an electrical installation connected directly to a network operated by the participant; bears to
 - (b) the total number of consumer sites that on 31 March 2012 have an electrical installation connected directly to any of the networks operated by electricity industry participants liable under subclause (3) to pay a levy.

6. Gas industry participants liable to pay levy

- (1) In this clause —
distribution system has the meaning given in the *Energy Coordination Act 1994* section 3(1);
gas distributor means —
 - (a) a holder of a distribution licence as defined in the *Energy Coordination Act 1994* section 3(1); or
 - (b) a person exempted under the *Energy Coordination Act 1994* from the requirement to hold a licence referred to in paragraph (a); or
 - (c) an entity, other than a primary producer or supplier of LP gas such as BP Refinery (Kwinana) Pty Ltd or Wesfarmers LPG Pty Ltd, distributing (whether directly,

through an agent or as described in subclause (3)) LP gas —

- (i) to consumers with on-site fixed LP gas storage facilities (*bulk tanks*); or
- (ii) to consumers in portable cylinders;

gas installation has the meaning given in the *Gas Standards Act 1972* section 4;

LP gas means liquefied petroleum gas;

portable cylinder means a portable cylinder, other than one fixed to a motor vehicle, designed to hold 45 kg of LP gas when full.

- (2) For the purposes of this clause —
 - (a) a site containing multiple tenants (e.g. a residential retirement complex, office building, shopping centre or apartment block) but with only one point of direct connection to a distribution system is to be treated as one consumer site; and
 - (b) a site containing multiple tenants (e.g. a residential retirement complex, office building, shopping centre or apartment block) that all consume LP gas from a single source supplied by a bulk tank or multiple interconnected portable cylinders is to be treated as one consumer; and
 - (c) a consumer to whom an entity distributes LP gas, whether to the consumer's bulk tank or in portable cylinders, on more than one occasion is to be treated as one consumer.
- (3) For the purposes of this clause, if —
 - (a) an entity distributes LP gas in bulk, or portable cylinders, to a dealer who is authorised or permitted by the entity to distribute the gas; and
 - (b) the dealer distributes the LP gas to the bulk tanks of, or in portable cylinders to, consumers,the entity is to be taken to have distributed the LP gas to those consumers.
- (4) An energy industry participant is liable to pay a levy if —
 - (a) on 31 March 2012 —
 - (i) the participant is a gas distributor; and
 - (ii) there are 500 or more consumer sites with a gas installation connected directly to a distribution system operated by the participant;

or

- (b) in the financial year commencing on 1 July 2011 —
 - (i) the participant is or was a gas distributor; and
 - (ii) the participant distributes (whether directly, through an agent, or as described in subclause (3)) LP gas to the bulk tanks of, or in portable cylinders to, more than 500 consumers.
- (5) The amount of levy payable by an energy industry participant liable under subclause (4) is the proportion of the amount referred to in clause 4(2)(b) that the sum of —
 - (a) the number of consumer sites that on 31 March 2012 have a gas installation connected directly to a distribution system operated by the participant; and
 - (b) the number of consumers to whom the participant distributes LP gas, either to their bulk tanks or in portable cylinders, in the financial year commencing on 1 July 2011,bears to the sum of —
 - (c) the total number of consumer sites that on 31 March 2012 have a gas installation connected directly to any of the distribution systems operated by energy industry participants liable under subclause (4)(a) to pay a levy; and
 - (d) the total number of consumers to whom energy industry participants liable under subclause (4)(b) to pay a levy distribute LP gas, either to their bulk tanks or in portable cylinders, in the financial year commencing on 1 July 2011.

7. Time for payment of levy

- (1) The levy is payable in quarterly instalments.
- (2) The first quarterly instalment is payable within 28 days of the issue of the notice of assessment.
- (3) The further quarterly instalments are payable on or before 1 October, 1 January and 1 April respectively, unless the notice of assessment provides for payment on a later date.

Date: 24 April 2012.

SIMON O'BRIEN, Minister for Commerce.

JUSTICE

JU301*

Legal Profession Act 2008

**Legal Profession Amendment Regulations
(No. 2) 2012**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Legal Profession Amendment Regulations (No. 2) 2012*.

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 *Legal Profession Regulations 2009*.

4. Regulation 11 amended

In regulation 11 in the Table delete item 5.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

— PART 2 —

COMMERCE

CM401

ARCHITECTS ACT 2004
ARCHITECTS REGULATIONS 2005
ELECTED MEMBERS

Architects Board of Western Australia.

The Architects Board of WA recently called for nominations for election of two Board members in accordance with the *Architects Act 2004*. As the number of nominations did not exceed the number of vacancies, Simon Bodycoat and John Taylor are taken to be elected. Their term is for a two year period until 30 June 2014.

NICOLE KERR, Registrar.

CONSERVATION

CO401*

CONSERVATION AND LAND MANAGEMENT ACT 1984
PERUP

Final Management Plan

The Conservation Commission of Western Australia advises that the Perup Management Plan 2012 is available.

The management plan covers two national parks (Greater Kingston National Park and Lake Muir National Park) and 17 nature reserves (including Lake Muir Nature Reserve and Tone-Perup Nature Reserve) with a total area of 106,889 hectares located north and east of Manjimup in the local government areas of Boyup Brook, Bridgetown-Greenbushes, Cranbrook and Manjimup.

The management plan was prepared in accordance with sections 53 to 60 of the *Conservation and Land Management Act 1984* (the Act), and was approved by the Minister for Environment on 2 April 2012. No modifications were made to the management plan in accordance with section 60(2) of the Act. The management plan comes into operation with this *Government Gazette* notice.

The management plan and analysis of public submissions can be viewed and downloaded from the Department of Environment and Conservation's (DEC) website at—

www.dec.wa.gov.au/landmanagementplanning

Printed copies of the management plan can be obtained from the following DEC offices—

- State Operational Headquarters, 17 Dick Perry Avenue, Technology Park, Western Precinct, Kensington WA 6151
- The Atrium, Level 4, 168 St Georges Terrace, Perth WA 6000
- Warren Region office, Brain Street, Manjimup WA 6258
- Donnelly District office, Kennedy Street, Pemberton WA 6260.

BRIAN EASTON, Chairman,
Conservation Commission of Western Australia.
KEIRAN McNAMARA, Director General,
Department of Environment and Conservation.

CORRECTIVE SERVICES

CS401*

PRISONS ACT 1981

PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following permits to do High-Level Security Work from the following persons—

Surname	Other Names	Permit No.	Revocation Date
McFadden	Cherie Colette	AP 0592	11/04/2012

This notice is published under section 15P of the *Prisons Act 1981*.

PAUL BECKTON, A/Manager Acacia Prison Contract.

HEALTH

HE101*

*CORRECTION***HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994**
**HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)
ORDER (NO. 3) 2012**

An error occurred in the notice on page 1528 of *Government Gazette* No. 3 dated 17 March 2012 and is corrected as follows—

In item 3, delete “St John of God Hospital Bunbury Governing Board” and replace with “the Chief Executive Officer of St John of God Hospital Bunbury exercising the delegated authority of the governing body of St John of God Hospital Bunbury”.

Dated this 26th day of April 2012.

Dr DOROTHY JONES, Principal Medical Officer and Director,
Office of Safety and Quality in Healthcare
Performance Activity & Quality.

HE401*

MENTAL HEALTH ACT 1996**FUNCTIONS OF THE COUNCIL OF OFFICIAL VISITORS DIRECTION 2012**

Made by the Minister under section 186 of the Act.

1. Citation

This direction may be cited as the *Functions of the Council of Official Visitors Direction 2012*.

2. Commencement

This direction comes into operation as follows—

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

3. Revocation

The *Functions of the Council of Official Visitors Direction 2011**, is revoked.

[*Published in the *Gazette* 10 June 2011/95, p. 2115]

4. Visits to private psychiatric hostels

The Council of Official Visitors is to ensure that an official visitor or panel visits each place listed in the Table to this clause at least once every 2 months.

Table

56 GLYDE ST, 56 Glyde St, East Fremantle
 58 GLYDE ST, 58 Glyde St, East Fremantle
 ALBANY COMMUNITY SUPPORTED RESIDENTIAL UNITS, Ballard Heights, Spencer Park, Albany
 ANZAC TERRACE SERVICE, 175 Anzac Terrace, Bassendean
 ARNOTT VILLAS, 20 Arnott Court, Kelmscott
 BENTLEY HOUSE, 1182 Albany Highway, Bentley
 BENTLEY VILLAS, Channon St, Bentley
 BP LUXURY CARE, 22 The Crescent, Maddington
 BUNBURY COMMUNITY SUPPORTED RESIDENTIAL UNITS, Unit 2, 12 Jury Bend, Carey Park
 BURSWOOD HOSTEL, 16 Duncan St, Burswood
 BUSSELTON COMMUNITY SUPPORTED RESIDENTIAL UNITS, Powell Court, Busselton
 CASSON HOUSE, 2-10 Woodville St, North Perth
 DEVENISH LODGE, 54 Devenish St, East Victoria Park
 EAST STREET LODGE, 53B East St, Guildford
 HILTON SERVICE, Units 1 and 2, 35 Oldham Crescent, Hilton
 FRANCISCAN HOUSE, 16 Hampton Rd, Victoria Park
 HONEYBROOK LODGE, 42 John St, Midland
 KELMSCOTT COMMUNITY SUPPORTED RESIDENTIAL UNITS, 25 Hicks Rd, Kelmscott
 MANN WAY, 4-6 Mann Way, Bassendean
 MOUNT CLAREMONT HOUSE, 60 Mooro Drive, Claremont
 NGATTI, Fremantle Supported Accommodation for Homeless Youth, 5-9 Alma St, Fremantle
 NGULLA MIA, 96 Moore St, East Perth
 NGURRA NGANHUNGU BARNDIYIGU, Onslow St, Geraldton
 QUEENS PARK, 21-23 Walton St, Queens Park
 ROMILY HOUSE, 19 Shenton Rd, Claremont
 ROSEDALE LODGE, 22 East St, Guildford
 ST. JUDE'S HOSTEL, 26 & 30-34 Swan St, Guildford
 SALISBURY HOME, 19-21 James St, Guildford
 STIRLING HOUSE, 4 & 6 Limosa Close, Stirling
 SUNFLOWER VILLAS, 15 Limosa Close, Stirling
 SWAN VILLAS, 91 Patterson Drive, Middle Swan
 VINCENTCARE BAYSWATER HOUSE, 65 Whatley Crescent, Bayswater
 VINCENTCARE COOLBELLUP HOUSE, 66 Waverley Rd, Coolbellup
 VINCENTCARE DUNCRAIG HOUSE, 270 Warwick Rd, Duncraig
 VINCENTCARE SOUTH LAKES HOUSE, 9 Plumridge Way, South Lake
 VINCENTCARE SWAN VIEW HOUSE, 8 Wilgee Gardens, Swan View
 VINCENTCARE-VINCENTIAN VILLAGE, 2 Bayley St, Woodbridge
 VINCENTCARE WARWICK HOUSE, 39 Glenmere Rd, Warwick
 WESTMINSTER SERVICE, 32A and B Ullswater Place, Westminster
 WOODVILLE HOUSE, 425 Clayton Rd, Helena Valley

HELEN MORTON MLC, Minister for Mental Health.

HERITAGE

HR101*

CORRECTION

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

In the notice published in the *Government Gazette* dated 2 September 2011, item HR401 on page 3627, the land description for **Cattle Chosen** at Lot 41 Vasse Highway, Bovell read—

Ptn of Lot 41 on P 14199 being pt of the land contained in C/T V 2097 F 952 as shown on HCWA Survey Drawing No. 5337.

Due to an administrative error, the area that is the subject of this registration was incorrectly shown on HCWA Survey Drawing No. 5337. A replacement drawing has been prepared and the correct land description is now—

Ptn of Lot 41 on P14199 being pt of the land contained in C/T V 2097 F 952 as shown on HCWA Survey Drawing No. 5337v2.

GRAEME GAMMIE, Executive Director,
State Heritage Office,
491 Wellington Street,
Perth, WA 6000.

Dated this 1st day of May 2012.

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990
ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

PERMANENT REGISTRATIONS

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, the places described below have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Toapin Weir at 70 Toapin Road, Quairading; Reserve 17433 being Lot 21618 on DP 201930 and being the whole of the land contained in CLT V 3161 F 746.

Pemberton Swimming Pool at Swimming Pool Road, Pemberton; Pt of Res 19857 being ptn of Lot 13542 on DP 220033 and being pt of the land contained in CLT V 3141 F 153 as shown labelled "M" on DP 73618.

Palace Hotel, Southern Cross at 6 Orion Street, Southern Cross; Lot 501 on D 94411 being the whole of the land contained in C/T V 2131 F 246.

Bijou Theatre at 115 Dempster Street, Esperance; Lot 23 on D 51885 being the whole of the land contained in C/T V 1470 F 641.

PROPOSED PERMANENT REGISTRATIONS (PRIVATE)

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described below be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 8 June 2012. The place will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

Masonic Lodge (fmr), Mullewa at 43 Jose Street, Mullewa; Lot 77 on DP 222859 being the whole of the land contained in C/T V 899 F 15.

PROPOSED PERMANENT REGISTRATIONS (CROWN AND PRIVATE)

Notice is hereby given in accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage regarding registration of crown property that it has resolved that—

1. the place listed below is of cultural heritage significance, and is of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the place should be entered in the Register of Heritage Places on a permanent basis.

Notice is hereby given that the place will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The place listed below is wholly or partly vested in the Crown, or in a person on behalf of the Crown, in right of the State.

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described below be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 8 June 2012.

Corrigin Town Hall and Road Board Office (fmr) at 21 Goyder Street, Corrigin; Res 15629 being Lots 70 and 71 on DP 228740 and being the whole of the land contained in CLT V 3006 F 412 and 413 respectively.

AMENDMENTS TO CURTILAGE OF A PROPOSED REGISTERED PLACE

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described

below be entered in the Register of Heritage Place on a permanent basis. This proposal is for a smaller curtilage than previously advertised on 17 December 2010. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 8 June 2012. The smaller curtilage of this place will be entered in the Register on an interim basis with effect from today in accordance with Section 50(1) of the *Heritage of Western Australia Act 1990*.

Catherine McAuley Centre at 18 Barrett Street, Wembley; That pt of Lot 100 on D 97244, being pt of the land comprised in C/T V 2160 F 511 as is defined in HCWA Survey Drawing 2231 dated 5/4/2012.

Dated: 1 May 2012.

GRAEME GAMMIE, Executive Director,
State Heritage Office,
Bairds Building,
491 Wellington Street
Perth WA 6000.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENT

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Heather McNeill Marland of 5 Newstead Road, Kojonup.

RAY WARNES, Executive Director,
Court and Tribunal Services.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982

NAVIGABLE WATERS REGULATIONS 1958

RESTRICTED SPEED AREAS—ALL VESSELS

Swan River

Department of Transport,
Fremantle WA, 1 May 2012.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations 1958 the department by this notice revokes the 8-knot speed restrictions currently in force—

- under the Narrows Bridge, and the southern arch of the Causeway Bridges and

under Section 67 of the *Western Australian Marine Act 1982*, the department also revokes the 8-knot speed limit in the area—

- all of Perth Waters, as published in Notice MX401 of the *Government Gazette* dated 15 January 2010.

Providing that these revocations shall apply only between 0900 hrs and 1200 hrs on Sunday 6th May 2012, to official bona fide vessels competing in the “Swan Marathon Event” held by the Power Dinghy Racing Club.

On completion of the event all existing speed limits will be re-established.

RAYMOND BUCHHOLZ, Marine Safety Operations Director,
Department of Transport.

MA402*

WESTERN AUSTRALIAN MARINE ACT 1982
EXEMPTION FOR COMMERCIAL TENDER VESSELS FROM
COMPLIANCE WITH CERTAIN PROVISIONS

(WAMA-2012-00793)

I, David Harrod, General Manager Marine Safety, Department of Transport, delegate of the Chief Executive Officer, pursuant to section 115A of the *Western Australian Marine Act 1982* (Act), exempt commercial tender vessels in WA from compliance with Part II of the Act subject to the conditions set out below.

For the purposes of this exemption—

Commercial tender vessel is defined as a vessel used only for the carriage of persons, goods, supplies or catch between—

- one exclusively serviced commercial vessel at a mooring or safe anchorage (the parent vessel); and
- a shore, jetty or base from which that serviced commercial vessel may operate.

Passenger has the same meaning it has in section 3(1) of the Act.

Conditions

To be subject to this exemption the following conditions must be complied with—

1. Operating and Manning Requirements

Subject to 4 below, the commercial tender vessel must at all times operate—

- a. within the definition of *commercial tender vessel* provided above;
- b. within one (1) nautical mile of the parent vessel;
- c. with a master on board holding a minimum current qualification of a Coxswain (Restricted) or a certificate of proficiency issued under the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983* and known as a “Certificate of Proficiency in Small Craft Safety” in the case of a vessel that is not carrying passengers;
- d. with a master on board holding a minimum current qualification of a Coxswain Certificate of Competency in case of a vessel carrying passengers;
- e. in accordance with the parent vessel’s Safety Management System, if carrying passengers; and

2. Construction Requirements

To be subject to the exemption the commercial tender vessel must—

- a. be made available for inspection at the time of the periodic survey of the parent vessel;
- b. have a minimum length of 3 metres;
- c. be fitted with a bow apron (foredeck) of convex shape at least 750 millimetres in length;
- d. be marked with the words “Tender To” followed by the commercial parent vessel name that is specific to the commercial parent vessel. These letters are to be black, not less than 50 millimetres in height and 12 millimetres in width, with a white surround not less than 7 millimetres and are to be positioned and secured immediately forward of the transom on each side of the vessel; and
- e. if built prior to the introduction of the Australian Builders Plate (ABP) Standard in WA on 2 September 2006 the commercial tender vessel must—
 - i. carry no more than the maximum number of persons as determined in accordance with Australian Standard 1799.1 Small Pleasure Boat Code. This maximum number must be marked legibly and permanently in a conspicuous position on the interior of the commercial tender vessel in letters and numerals in a contrasting colour to the hull in figures not less than 75 millimetres in height;
 - ii. meet the open waters and reserve buoyancy with level floatation and swamped stability and construction requirements of Australian Standard 1799.1, or the requirements of Australian Standard 2677—Inflatable boats in the case of inflatable and rigid inflatable vessels;
 - iii. be fitted with buoyancy material in accordance with Australian Standard 1799.1, Appendix B for level floatation. Alternative methods of buoyancy may be considered by the Department for vessels of unique construction; and
- f. if built on or after 2 September 2006, must have an ABP and not carry more than the recommended maximum weight, persons and engine weight and power marked on that ABP.

3. Equipment Requirements

To be subject to this exemption the commercial tender vessel must comply with regulations 51D, 52B, 52BAA, 52BAB, 52C, and 52G of the *Navigable Waters Regulations 1958* (Regulations). A grapnel anchor is not acceptable for the purposes of regulation 52C.

4. Recreational Use

A commercial tender vessel may be operated in a recreational capacity pursuant to this exemption, whilst it is not being used in the course of any business or in connection with any commercial transaction, provided—

- a. the vessel complies with section 2 and 3 above;
- b. the vessel operates within two (2) nautical miles of the parent vessel at all times;
- c. the master of vessel complies with the Recreational Skipper's Ticket requirements of Part VI of the Regulations as though the vessel is a pleasure vessel within the meaning of section 98 of the WAMA.

This exemption revokes and replaces WAMA—2008/00573.

This exemption is valid for two years from the date of publication in the *Gazette*, unless earlier revoked.

Dated: 24 April 2012.

DAVID HARROD FNI, General Manager,
Marine Safety.

MINERALS AND PETROLEUM

MP401*

PETROLEUM PIPELINES ACT 1969

APPLICATION FOR A PIPELINE LICENCE

I, William Lee Tinapple, the delegate of the Minister for Mines and Petroleum for the State of Western Australia, give notice pursuant to Section 8(4) of the *Petroleum Pipelines Act 1969*, that an application has been received from—

DBNGP (WA) Nominees Pty Limited

for a licence to incorporate and operate a 0.1km pipeline and metering facility in the existing Wagerup Cogen Meter Station from Start Point (GDA94) Zone 50, Easting: 398351.800mE Northing: 6356705.540mN to End Point (GDA94) Zone 50, Easting: 398360.870mE Northing: 6356776.750mN for the conveyance of gas from the DBNGP (PL 40) commencing at the connection point at the common fence with Alcoa Wagerup Meter Station to the custody transfer point on the North East corner of the site referred to as the Wagerup Cogen Meter Station.

A map showing the position of the existing Wagerup Cogen Meter Station and PL 40 pipeline may be examined during public office hours from 30 April 2012 to 30 May 2012 at the Department of Mines and Petroleum, 1st Floor Mineral House, 100 Plain Street, East Perth, Western Australia.

Dated this 24th day of April 2012.

W. L. TINAPPLE, Executive Director,
Petroleum Division, Department of Mines and Petroleum.

MP402*

PETROLEUM PIPELINES ACT 1969

APPLICATION FOR A PIPELINE LICENCE

I, William Lee Tinapple, the delegate of the Minister for Mines and Petroleum for the State of Western Australia, give notice pursuant to Section 8(4) of the *Petroleum Pipelines Act 1969*, that an application has been received from—

DBNGP (WA) Nominees Pty Limited

for a licence to incorporate and operate a 0.1km pipeline and metering facility in the existing Pinjarra Cogen Meter Station from Start Point (GDA94) Zone 50, Easting: 401109.460mE Northing: 6387160.530mN to End Point (GDA94) Zone 50, Easting: 401116.150mE Northing: 6387232.700mN for the conveyance of gas from the DBNGP (PL 40) commencing at the connection point at the common fence with Alcoa Pinjarra Meter Station to the custody transfer point on the North boundary of the site referred to as the Pinjarra Cogen Meter Station.

A map showing the position of the existing Pinjarra Cogen Meter Station and PL 40 pipeline may be examined during public office hours from 30 April 2012 to 30 May 2012 at the Department of Mines and Petroleum, 1st Floor Mineral House, 100 Plain Street, East Perth, Western Australia.

Dated this 24th day of April 2012.

W. L. TINAPPLE, Executive Director,
Petroleum Division, Department of Mines and Petroleum.

PLANNING

PL101*

*CORRECTION***PLANNING AND DEVELOPMENT ACT 2005**

METROPOLITAN REGION SCHEME

NOTICE OF RESOLUTION—CLAUSE 27

Lot 100 Wright Road, Lots 101-104, 106-112, 124,
500 and 501 Shepherd Court, Harrisdale
City of Armadale

Amendment 1234/27

File No.: 812-2-22-14

It is hereby notified for public information that the notice under the above Amendment No. 1234/27 published at page 1691 of the *Government Gazette* No. 61 dated 17 April 2012, contained an error which is now corrected as follows—

For the words in paragraph two—

‘Residential Development’ zone

Read—

‘Urban Development’ zone

NEIL THOMSON, Secretary,
Western Australian Planning Commission.

PL401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Denmark

Town Planning Scheme No. 3—Amendment No. 125

Ref: TPS/0303

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Denmark local planning scheme amendment on 12 April 2012 for the purpose of—

1. Inserting a new scheme provision for Fire Protection and Bush Fire Control as follows—

5.37 Fire Protection and Bush Fire Control

Council’s objectives in implementing fire protection and bush fire control measures are to—

- Identify areas within the Shire where bush fires pose a threat to life and property;
- Require that all land use and development proposals incorporate appropriate fire protection requirements;
- Implement the relevant WAPC Bushfire Protection policies and guidance.

5.37.1 Council may require all planning proposals (including scheme amendments, structure plans and subdivisions) to include a fire hazard assessment and report prepared in accordance with the methodology and classifications (as determined by Council) contained in the WAPC Bushfire Protection policies and guidance at the time of application.

5.37.2 Council shall require all planning proposals to incorporate appropriate fire protection measures which may include—

- The requirements of the Shire’s Annual Fire Regulation Notice (as amended from time to time);
- The provision of an adequate fire fighting water supply and equipment including, but not limited to, fire hydrants, standpipes and hose connections;
- The provision of fire access tracks for access and egress of 2WD vehicles and access for emergency service vehicles;
- Fire prevention and suppression measures to be implemented by all landowners on land to which the development relates, including the implementation of building protection zones and hazard separation zones, collectively forming the low fuel zone;
- Incorporation of construction standards for buildings including those in AS3959 Construction of Buildings in Bushfire Prone Areas (as updated from time to time) and the Building Codes of Australia;
- In areas identified by the Council where bushfires pose a threat to life and property, allocation of land for a fire fighting building or payment of a

financial contribution to the implementation of additional fire protection measures within the local area.

- 5.37.3 Council may request the WAPC to impose conditions on subdivision proposals requiring the implementation of appropriate fire protection measures.
- 5.37.4 Notwithstanding any other fire protection provisions contained within Appendix VI—Special Rural Zone, Appendix XIII—Schedule of Tourist Zones, Appendix XIV—Special Residential Zones and/or Appendix XVI—Landscape Protection Zone of the scheme, all development shall comply with the requirements of the Shire's Annual Fire Regulation Notice (as amended from time to time).
- 5.37.5 In the event of any inconsistency between an existing scheme provision and/or approved Fire Management Plan or similar and the Shire's Annual Fire Regulation Notice, the provisions that, in the opinion of the Council, provide the greater fire risk protection and mitigation measures shall be implemented by the responsible party.

2. Altering the Table of Contents accordingly.

R. THORNTON, Shire President.
D. STEWART, 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 the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATION FOR THE GRANT OF A LICENCE			
14401	Vishal Sirohi	Application for the grant of a Restaurant licence in respect of premises situated in South Perth and known as Shishmahal Indian Restaurant	27/05/2012

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

Dated: 27 April 2012.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late Arthur Charles Borgas of 16a Berrybrow Road, Bakers Hill, Western Australia, Farmer, 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 22 January 2012, are required by me the Trustee, Pasquale Anthony Settineri of Locked Bag 18, Subiaco, Western Australia, to send particulars of any such claim to me by 4 June 2012. After that date I will convey or distribute the assets with regard only to the claims of which I have notice.

ZX402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Robert Alexander Heal, late of Discovery Holiday Home, Park Home 4, 186 Hale Road, Forreestfield 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 the 11th day of January 2012 at Rivervale in the said State are required by the personal representative David Arthur Heal of 19 Cabarita Road, Kalamunda, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd, 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 Urho Votto Karppinen

Late of 38 Alday Street, St James WA, Miner
Died 28 January 2012

Estate Late Rosina Violet Bright

Late of 2-10 Oakwood Crescent, Waikiki WA, Home Duties
Died 17 January 2012

Estate Late Elizabeth Scott Green o/w Betty

Late of 123 Grant Street, Cottesloe WA, Teacher
Died 15 February 2012

Estate Late Daphne Mary O'Hara

Late of 20 Windelya Road, Murdoch WA, Secretary
Died 29 January 2012

Estate Late Ella Jean Maynard

Late of 38 Alday Street, St James WA, Home Duties
Died 20 January 2012

Estate Late Peter John Bambridge

Late of 70/16 Leeuwin Boulevard, Busselton WA, Company Manager
Died 28 January 2012

Estate Late Pauline Christina Corley

Late of 9 Exon Court, Camillo WA, Aged Care Co-ordinator
Died 15 February 2012

Estate Late Vernon Henry Osborn

Late of 72 Downey Drive, Manning WA, Seaman
Died 31 January 2012

ZX404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Helen Gladys Harley, late of Valleyview Residence, 3-5 Vernon Street, Collie who died on 17 October 2011 are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Helen Gladys Harley, deceased care of Young & Young, 5 Spencer Street, Bunbury by 29 May 2012 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZX405

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Cyril Thomas Allport, late of St George's Home, 2 Essex Street, Bayswater, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the abovenamed Deceased, who died on 15 March 2012, are required by the Solicitor for the Trustee, David Kirchner of Templar Legal Pty Ltd, 3/94 Hay Street, Subiaco, to send particulars of their claims to him within 30 days of this notice, after which date the Trustee may convey or distribute the assets, having regard only to the claims of which they then have notice.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995**Loose Leaf Version
(Including Index)****\$54.40 (Reprinted February 2010)****Green Binder is an additional \$17.80 if required
(Prices include GST)**

Available from:

State Law Publisher**10 William Street, Perth****Telephone: 6552 6000****Fax: 9321 7536****sales@dpc.wa.gov.au****Web: www.slp.wa.gov.au**

WESTERN AUSTRALIA

**FAIR TRADING (RETIREMENT VILLAGES
CODE) REGULATIONS 2009*****Price: \$10.70 plus postage**

* Prices subject to change on addition of amendments.



WESTERN AUSTRALIA

LAW ALMANAC
2012



**Cost: \$19.65 (incl. GST)
(plus postage)**

AVAILABLE FROM:

**STATE LAW PUBLISHER
10 WILLIAM ST, PERTH**

PHONE: 6552 6000

FAX: 9321 7536

www.slp.wa.gov.au

STATE LAW PUBLISHER SUBSCRIPTION RATES FOR 2012

All subscriptions are for the period from 1 January to 31 December 2012. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically on any day.

All Gazettes	\$
Within WA	1,040.00
Interstate	1,059.00

Bound Volumes of full year 1,289.00

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	499.00
Interstate	595.00

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	986.00
Interstate	1,206.00

Bound Volumes of Hansard

	\$
Within WA	972.00
Interstate	986.00

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA.....	351.00
Interstate	391.00
Overseas	455.00
Half Calf Bound Statutes	970.00

Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA.....	378.00
Interstate	391.00

Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA	520.00
Interstate	546.00

CLAIMS FOR MISSING SUBSCRIPTION ITEMS

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this period will not be recognised and will attract payment in full.

Please debit my: Visa Card Mastercard

Card Number:

Expiry date of card:...../.....

Name of card holder:.....