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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

### COMMUNITY PROTECTION (OFFENDER REPORTING) AMENDMENT ACT 2012

No. 1 of 2012

PROCLAMATION

Western Australia

*By His Excellency  
Malcolm James McCusker,  
Companion of the Order of Australia,  
Commander of the Royal Victorian Order,  
Queen's Counsel,  
Governor of the State of Western Australia*

[L.S.]

M. J. McCUSKER  
Governor

I, the Governor, acting under the *Community Protection (Offender Reporting) Amendment Act 2012* section 2(b) and with the advice and consent of the Executive Council, fix 1 July 2012 as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 12 June 2012.

By Command of the Governor,

ROB JOHNSON, Minister for Police.

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## CONSUMER PROTECTION

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CP301\*

Co-operatives Act 2009

### Co-operatives Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Co-operatives 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 *Co-operatives Regulations 2010*.

**4. Schedule 6 amended**

Delete Schedule 6 item 12 and insert:

- 12.** Names that are subject to restrictions under Western Australian Acts including, but not limited to, the following —

- (a) *Architects Act 2004*;
- (b) *Health Practitioner Regulation National Law (Western Australia)*;
- (c) *Legal Profession Act 2008*;
- (d) *Licensed Surveyors Act 1909*;
- (e) *Pharmacy Act 2010*;
- (f) *Police Act 1892*;
- (g) *Veterinary Surgeons Act 1960*.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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**FISHERIES**

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FI301\*

Fish Resources Management Act 1994

## **Fish Resources Management Amendment Regulations (No. 3) 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Fish Resources Management Amendment Regulations (No. 3) 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 *Fish Resources Management Regulations 1995*.

**4. Regulation 39 amended**

In regulation 39(1):

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

net; or

- (b) after paragraph (c) insert:

- (d) a single throw net that has a length not exceeding 3 m measured from the centre retrieval line to the lead line and a mesh of not more than 25 mm.

**5. Regulation 64OB amended**

- (1) Delete regulation 64OB(1) and insert:

- (1) A person must not fish in any waters of the Pilbara and Kimberley Region using —

- (a) a haul net; or  
(b) a set net.

Penalty: a fine of \$2 000.

- (2) In regulation 64OB(2) delete “Subregulation (1)” and insert:

Subregulation (1)(a)

Note: The heading to amended regulation 64OB is to read

**Haul and set nets, restrictions on use of**

**6. Schedule 9 amended**

In Schedule 9 delete the item for Rock Lobster and insert:

Rock Lobster .....	50.00	25.00
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Note: The heading to regulation 64ZG is to read:

**Ord River area waters, bag limit for barramundi**

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

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**JUSTICE**

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JU301\*

Criminal Procedure Act 2004

## **Criminal Procedure Amendment Regulations 2012**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Criminal Procedure Amendment Regulations 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 *Criminal Procedure Regulations 2005*.

### **4. Schedule 1 amended**

Delete Schedule 1 Form 2 and insert:

### **2. Remand warrant**

Western Australia		<b>Remand warrant</b>	
[Name of court] at No:			
<b>To</b>	<b>All police officers. Chief executive officer under the <i>Prisons Act 1981</i>. All persons authorised to exercise a power in the <i>Court Security and Custodial Services Act 1999</i> Schedule 2 clause 2 or 3, as the case requires.</b>		
Person remanded	Full name		
	Date of birth		Male/Female
	Address		

<b>Reason for warrant</b>	<b>The above person appeared before this court in relation to these offences and the proceedings were adjourned.</b>		
<b>Command</b>	<b>This warrant authorises and commands you to keep the person in custody until the new court date stated below unless and until the person enters into bail in accordance with the conditions stated below.</b>  <b>If the person is still in custody on the new court date, then on that date, unless the court has otherwise ordered, you are —</b> [Tick one box] <b>required to bring the person before the court —</b> <input type="checkbox"/> <b>in person at the place stated below; or</b> <input type="checkbox"/> <b>by means of a video link; or</b> <input type="checkbox"/> <b>with the prior approval of the court, via an audio link.</b>  <input type="checkbox"/> <b>not required to bring the person before the court.</b>		
<b>Offences charged</b>	Prosecution notice/Indictment No.	Description of offence	
<b>New court date (if in custody)</b>	Date: _____ Time: _____ Court: _____ Place: _____ Purpose of appearance: _____		
<b>Additional information</b>			
<b>New court date (if bailed)</b>	Date: _____ Time: _____ Court: _____ Place: _____		
<b>Bail</b>	<input type="checkbox"/> Granted (see below) <input type="checkbox"/> Not granted		
<b>Bail details (if granted)</b>	Conditions: _____  Surety to be approved by <input type="checkbox"/> JP <input type="checkbox"/> Other (specify) _____		
<b>Warrant issued by</b>	Signature: _____ Judicial officer/[Title of officer]	Date	

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

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**LANDS**

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LA301\*

Transfer of Land Act 1893

**Transfer of Land Amendment Regulations  
(No. 2) 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Transfer of Land 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 1 July 2012.

**3. Regulations amended**

These regulations amend the *Transfer of Land Regulations 2004*.

**4. Regulation 9A amended**

In regulation 9A(6) delete “(including arranging postal delivery of material)”.

**5. Schedule 1 amended**

- (1) In Schedule 1 Division 6 delete items 19 and 20.
- (2) In Schedule 1 Division 7 item 14 delete “10” (each occurrence) and insert:



- (3) In Schedule 1 amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 2 it. 2(a)	\$227.00	\$242.00
Sch. 1 Div. 2 it. 2(b)	\$62.00	\$66.00
Sch. 1 Div. 2 it. 2(c)	\$227.00	\$242.00
Sch. 1 Div. 2 it. 3(a)	\$227.00	\$242.00
Sch. 1 Div. 2 it. 3(b)	\$62.00	\$66.00
Sch. 1 Div. 2 it. 4	\$227.00	\$242.00
Sch. 1 Div. 7 it. 6(a)	\$100.00	\$103.00
Sch. 1 Div. 7 it. 9	\$191.00	\$196.00

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

LA302\*

Registration of Deeds Act 1856

## **Registration of Deeds Amendment Regulations 2012**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Registration of Deeds Amendment Regulations 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 1 July 2012.

**3. Regulations amended**

These regulations amend the *Registration of Deeds Regulations 2004*.

**4. Schedule 1 Division 4 deleted**

Delete Schedule 1 Division 4.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

LA303\*

Strata Titles Act 1985

## **Strata Titles General Amendment Regulations (No. 2) 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Strata Titles General 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 1 July 2012.

**3. Regulations amended**

These regulations amend the *Strata Titles General Regulations 1996*.

**4. Regulation 38A inserted**

After regulation 37C insert:

**38A. Registration of transfer of common property  
(Act s. 19(9))**

- (1) A transfer of common property lodged for registration under section 19(9) must be accompanied by a plan

showing the land to be comprised in the parcel after the registration of the transfer.

- (2) The Registrar of Titles must, before registering the transfer by creating and registering a certificate of title, amend the registered strata/survey-strata plan using the plan mentioned in subregulation (1).

**5. Schedule 1 amended**

In Schedule 1 item 1:

- (a) in paragraph (a) delete “any plan —” and insert:

any plan (other than a plan to which paragraph (b) applies) —

- (b) in paragraph (a) delete “227.00” and insert:

242.00

- (c) in paragraph (a) delete “62.00” and insert:

66.00

- (d) delete paragraph (b) and insert:

- (b) on lodgment of a plan —

(i) under section 18(2); or

(ii) under regulation 38A(1) ..... 242.00

- (e) in paragraph (c) delete “100.00” and insert:

103.00

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

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LA304\*

## Valuation of Land Act 1978

**Valuation of Land Amendment Regulations  
(No. 2) 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Valuation of Land 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 1 July 2012.

**3. Regulations amended**

These regulations amend the *Valuation of Land Regulations 1979*.

**4. Schedule 1 amended**

In Schedule 1 amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 it. 1	137.00	140.00
Sch. 1 it. 2	54.50	56.00
Sch. 1 it. 3	7.20	7.60
Sch. 1 it. 4	16.50	17.00

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

*City of Cockburn*

(LOCAL GOVERNMENT ACT) AMENDMENT NO. 2 LOCAL LAW 2012

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the City of Cockburn resolved on 14 June 2012 to adopt the following local law.

#### 1. Citation

This local law may be cited as the *City of Cockburn (Local Government Act) Amendment No. 2 Local Law 2012*.

#### 2. Commencement

This local law comes into operation 14 days after the day of its publication in the *Government Gazette*.

#### 3. Principal Local Laws

*The City of Cockburn (Local Government Act) Local Laws 2000* published in the *Government Gazette* on 9 October 2000, and as published and amended in the *Government Gazette* on 13 November 2001, 15 November 2002, 26 September 2003, 25 November 2003, 27 July 2004, 17 May 2005, 11 January 2008, 10 December 2010 and 16 December 2011 is referred to as the Principal Local Law. The Principal Local Law is amended.

#### 4. Part I—Preliminary amended

In clause 1.6 (1) delete the definition of “**Nuisance**” and insert—

“**Nuisance**” means—

- (a) any activity, thing, condition, circumstance or state of affairs which is injurious or dangerous to the health of a person of normal susceptibility or which has a disturbing effect on the state of reasonable, physical, mental or social well-being of a person;
- (b) anything which interferes with or is likely to interfere with the enjoyment or safe use by a person of any public place; or
- (c) anything done on privately owned land or a public place which unreasonably detracts from or interferes with the enjoyment, safe use or value of land owned by a person.

#### 5. Part II Division 1 Preliminary amended

In clause 2.1 delete the definitions of “**beehive**”, “**cattery**” and “**Code of Practice**” and insert the following definitions in alphabetical order—

**beehive** means a moveable or fixed structure, container or object in which bees are kept;

**Beekeepers Act** means the *Beekeepers Act 1963*;

**cattery** means any premises where four or more cats are kept, boarded, trained or bred;

**Code of Practice** means the Code of Practice—Pigeon Keeping and Racing in Western Australia, International Standard Book Number (ISBN 7307 6330 7), published March 2003 as amended from time to time and published by the Department of Local Government.

#### 5.2 Clause 2.12 amended

In clause 2.12 delete subclause (c) and insert—

- (c) a report from an acoustic consultant verifying that the various plant, machinery and operational noise levels, including noise from dogs, will comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* or their equivalent in force from time to time.

#### 5.3 Clause 2.26 amended

In clause 2.26 delete subclauses (a) and (b) and insert—

- (a) not keep a large animal unless approval is granted by the City’s Planning Services.;
- (b) not keep a large animal on any land less than 2020m<sup>2</sup> in area; and
- (c) not allow any large animals to be loose in any yard, paddock or place, being portion of such premises, unless due provision is made to prevent large animals from approaching within 15 metres of any dwelling, shop, church or any premises where food is stored, manufactured or sold.

**5.4 Clause 2.27 amended**

In clause 2.27 delete subclause (2) and insert—

- (2) A person must register the miniature horse with the local government annually and the approved annual registration fee must be paid.

**5.5 Clause 2.27 amended**

In clause 2.27 insert subclause (3)—

- (3) The occupier of any premises where a miniature horse is kept shall—
- (a) only keep a sterilised animal and retain written proof of its sterilisation;
  - (b) confine the animal on the property at all times; and
  - (c) ensure the animal does not cause a nuisance to any neighbour regarding noise, dust or odour.

**5.6 Clause 2.29 amended**

In clause 2.29 delete subclause (a) and insert—

- (a) keep or stable, any horse within the district except in an area identified as a rural zone or resource zone unless the stable is registered under these local laws; or

**5.7 Clause 2.39 amended**

In clause 2.39 delete subclause (c) and insert—

- (c) all poultry is kept in a properly constructed and securely fastened structure or enclosure;

**5.8 Clause 2.39 amended**

In clause 2.39 delete subclause (f) and insert—

- (f) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be cleaned or otherwise dealt with in a way directed by an authorised person.

**5.9 Clause 2.42 amended**

In clause 2.42 delete the heading of “Cattery” and insert “Catteries”.

**5.10 Clause 2.43 amended**

In clause 2.43 (2) delete “effected” and insert “affected”.

**5.11 Clause 2.44 amended**

In clause 2.44 delete subclause (b) and insert—

- (b) the area of the enclosure adjacent to any shelter or group of shelters forming a cattery shall be no less than 1.7m<sup>2</sup> per cat;

**5.12 Clause 2.50 amended**

In clauses 2.50 (3) and (3)(d) delete “Principal Environmental Health Officer” and insert “Environmental Health Services Manager”;

**5.13 Clause 2.54 amended**

Delete clause 2.54 and insert—

- 2.54 The local government or an authorised person may order an owner or occupier of a house or vacant land or land upon which there are trees or structures in or on which pigeons are, or are in the habit of nesting or perching, to take adequate steps to prevent them continuing to do so.

**6. Division 8 amended****6.1 Clause 2.56 amended**

Delete clause 2.56 (1) and insert—

- 2.56. (1) A person shall not keep a beehive in a residential area or a resource zone without the written approval of the local government or an authorised person.

**6.2 Clause 2.57 amended**

In clause 2.57—

- (a) delete “2.34” and insert “2.56”; and
- (b) delete paragraph (a) and insert—
  - (a) is registered as a bee keeper under Section 8 of the *Beekeepers Act 1963*.

**6.3 Clause 2.58 amended**

In clause 2.58 delete subclauses (1) and (2) and insert—

- (1) A person shall not keep, or permit the keeping of, wild hives and/or wild bees;
- (2) Where the local government or an authorised person forms the opinion that wild hives or wild bees are being kept on residential land or any other land

within the district, a notice may be served on the owner or occupier of the land who shall within the time specified in the notice remove the bees and/or hives from the land.

**6.5 Clause 2.59 amended**

In clause 2.59 amend clause numbering from “2.36” to “2.58”.

**6.6 Insert Division 9—Limitations on Number of Cats**

**6.7 Insert clause 2.60—**

- 2.60 (1) A person shall not keep more than three cats on any premises;
- (2) Where the local government or an authorised person is satisfied that a person is keeping more than three cats on any premises, the authorised person may by notice in writing direct the owner or occupier to reduce the number of cats to three or less within a time specified in the notice;
- (3) An owner or occupier who does not comply with a notice served under Local Law 2.60 (2) commits an offence.

**7. Part V Division 3 amended**

**7.1 Clause 5.4 amended**

After clause 5.4(1) insert “(2)” and “(3)”—

- 5.4 (2) Where the local government or an authorised person is satisfied that as a result of such an undertaking or activity—
- (a) a nuisance exists; or
  - (b) the escape of smoke, air borne particles, fumes, odours, dust or other emissions in such quantity or of such nature as to cause a nuisance to any person exists; or
  - (c) the escape of any matter which may enter surface or ground waters exists; or
  - (d) an inadequate management of waste water exists; or
  - (e) an inadequate management of other solid or liquid waste exists;
- the authorised person may by notice in writing direct the owner or occupier to take such actions necessary to abate the nuisance within a time specified in the notice; or
- to prevent or minimise the escape of the smoke, air borne particles, fumes, odours, dust or other emissions or correct the inadequate management, as the case may be, within the time specified in the notice.
- 5.4 (3) An owner or occupier who does not comply with a notice served under clause 5.4(2) commits an offence.

**7.2 Division 4 amended**

Delete Division 4 and insert a new Division as follows;

**Division 4—Sand Drift and Dust Management**

**7.3 Insert clause 5.9—Abatement of Sand Drift or Dust—**

- 5.9. An owner or occupier of land or premises, from which any sand or dust is released or escapes, whether by means of wind, water or any other cause, commits an offence.

**7.4 Insert clauses 5.10 and 5.11—Dust Management—**

- 5.10 (1) An owner or occupier who intends, for any purposes, to undertake any works or activities involving the clearing, excavation or filling of any land or premises, and having the potential to cause sand drift or dust release from the land or premises, shall—
- (a) submit an application for approval of a Dust Management Plan, which shall be lodged in a format approved by the local government;
  - (b) obtain written approval of the Dust Management Plan before commencement of any such works or activities.
- (2) An authorised person may apply to the approval of a Dust Management Plan such conditions regarding the control of dust on the premises as is deemed fit.
- (3) An owner or occupier who commences such works or activities, without obtaining a written approval for a Dust Management Plan, commits an offence.
- (4) If an owner or occupier fails to comply with the Dust Management Plan approval or any associated approval conditions as issued pursuant to clause 5.10(2)—
- (a) the owner or occupier commits an offence; and,

- (b) where, as a result of that non-compliance, sand or dust has been released from the site, the works or activity shall cease until the local government is satisfied that the non-compliance is rectified.
- 5.11 (1) Where the local government is of the opinion that there is a high risk of sand or dust release as a result of the use of any premises, or from a works or activity being carried out or likely to be carried out on any land or premises, the local government may cause to be served on the owner or occupier a notice providing that the use, works or activity may only occur subject to conditions, which may include a dust management plan, and the notice shall specify the conditions.
- (2) If an owner or occupier fails to comply with a notice issued pursuant to clause 5.11(1)—
  - (a) the owner or occupier commits an offence; and,
  - (b) where, as a result of that non-compliance, sand or dust has been released from the site, the works or activity shall cease until the local government is satisfied that the non-compliance is rectified.

**7.5 Insert clause 5.12—Remediation of Dust or Sand Release—**

- 5.12 (1) The local government may serve on an owner or occupier of any land or premises in the district, from which any sand or dust has been released or has escaped, a notice requiring the owner or occupier to clean up and make good any damage resulting from that release or escape, and where the notice specifies a time and date, the requirements set out in the notice shall be completed by the time specified therein.
- (2) If an owner or occupier fails to comply with a notice issued pursuant to clause 5.12(1)—
  - (a) the owner or occupier commits an offence; and,
  - (b) the local government may undertake or cause to be undertaken that work.

**7.6 Insert clauses 5.13, 5.14 and 5.15—Terms of Notices Relating to Dust—**

- 5.13 Where the local government undertakes or causes to be undertaken any work, or carries out or causes to be carried out any conditions, it may cause to be given to the owner or occupier of the land or premises written notice of the amount expended by the local government in carrying out that work.
- 5.14 The amount specified in the notice referred to in Clause 5.13 must be paid to the local government within 14 days of the service of the notice, or otherwise according to terms agreed between the local government and the owner or occupier, and, if the amount specified is not paid within the prescribed time from the service of the notice, the local government may recover it, as well as the costs of proceeding and interest thereon, in a Court of competent jurisdiction.
- 5.15 (1) Where a notice is served on the owner or occupier of any land or premises and the owner or occupier satisfies the local government within 14 days of the date of the giving of the notice that
  - (a) it was not responsible for the conduct in respect of which the notice was issued under clauses 5.8 or 5.12, or the use, works or activity in respect of which conditions were imposed under clauses 5.10 or 5.11, as the case may be;
  - (b) it took all reasonable precautions to prevent the conduct or cause the conditions to be complied with, as the case may be; and
  - (c) where another person was responsible for the conduct or non-compliance with the conditions, as the case may be, it identifies the person responsible sufficiently to enable the notice to be issued to that person, the local government may cancel the notice.
- 5.15 (2) Without limiting the generality of paragraph (a) of subclause (1), an owner or occupier will be responsible for the conduct and compliance with conditions when
  - (a) in the case of conduct, the owner, or owner's representative with respect to management of the premises, or occupier was aware of the conduct, or gave their consent or approval.
  - (b) in the case of conditions, the owner, or owner's representative with respect to management of the premises, or occupier was aware of the use, works or activity on which conditions were imposed.
- 5.15 (3) If the local government cancels the notice it may within 28 days from the date of cancellation cause a notice (the "second notice") to be issued to the person identified by the person to whom the notice was originally given as being responsible for the conduct or non-compliance with conditions in respect of which the notice was issued.



5.15 (4) Where the second notice is issued pursuant to subclause (3), the provisions of the Division shall apply to the second notice on and from the date of service of the notice.

**7.7 Insert clause 5.16—Power of entry—**

5.16 The local government may lawfully enter any upon any land or premises for the purposes of giving effect to, or carrying out, any provisions of this Division.

**8. Part VII Division 1 amended**

**8.1 Clause 7.1 amended**

In clause 7.1 delete the definition of “Responsible Officer” and insert—

“**Responsible Officer**” means the Environmental Health Services Manager or the Waste Services Engineer.

**9. Schedule 2 MODIFIED PENALTIES amended**

**9.1 Part II—Animals amended**

Insert after clause 2.57 (a) the following new penalties—

2.60. (1) Keeping more than three cats on any premises.....	100.00
2.60 (3) Failing to comply with a notice served under 2.60 (1).....	100.00

**9.2 Part V—Dangerous and Offensive Things amended**

Delete penalty clauses “5.9 (1)”, “5.11”, and “5.12” and insert the following clauses—

5.9 Failure to abate sand drift or dust nuisance.....	500.00
5.10 (3) Commencing work without approval of Dust Management Plan .	500.00
5.10 (4) Failure to comply with Dust Management Plan approval conditions.....	500.00
5.11 (2) Failure to comply with conditions of notice .....	500.00
5.12 (2) Failure to comply with notice to make good damage from dust or sand release.....	500.00

Dated: 18 June 2012.

The Common Seal of the City of Cockburn was affixed under the authority of a resolution of Council in the presence of—

LOGAN K. HOWLETT, Mayor.  
STEPHEN CAIN, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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MP301\*

Mining Act 1978

## Mining Amendment Regulations (No. 3) 2012

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Mining Amendment Regulations (No. 3) 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 1 July 2012.

**3. Regulations amended**

These regulations amend the *Mining Regulations 1981*.

**4. Regulation 109 amended**

- (1) In regulation 109(3) delete “that set out in item 1 of Schedule 2 for that tenement.” and insert:

the rent for a mining tenement of that kind set out in Schedule 2 items 1 to 8.

**5. Schedule 2 replaced**

Delete Schedule 2 and insert:

**Schedule 2 — Fees and rents**

[r. 2, 4D(2), 16C(2), 23BA(2), 25B, 28A(1), 64(1b) and (1c), 84D, 109(1) and (3), 121(2), 163(2) and (4) and 165(7)(f)]

	\$
1. Annual rent of existing exploration licence per square kilometre or part of one square kilometre —	
(a) for years 1 to 7 of the term of the licence	44.70
(b) for year 8, and each subsequent year, of the term of the licence	150.60
2. Annual rent of graticular exploration licence —	
(a) one block licence applied for after 1 July 1999	280.65
(b) all other licences, per block —	
(i) for years 1 to 3 of the term of the licence	116.70
(ii) for years 4 and 5 of the term of the licence	181.45
(iii) for years 6 and 7 of the term of the licence	246.20
(iv) for year 8, and each subsequent year, of the term of the licence	466.20
3. Annual rent of general purpose lease per hectare or part of one hectare	13.65

		\$
4.	Annual rent of lease granted under the <i>Mining Act 1904</i> , either pursuant to or continued in force by virtue of an agreement scheduled to, incorporated in, or appearing in an Act or a variation of such an agreement, per hectare or part of one hectare	15.40
5.	Annual rent of mining lease per hectare or part of one hectare	15.40
6.	Annual rent of miscellaneous licence per hectare or part of one hectare —	
	(a) for the purpose referred to in regulation 42B(ia)	0.50
	(b) for any other purpose	13.65
7.	Annual rent of prospecting licence per hectare or part of one hectare (minimum \$22.50)	2.25
8.	Annual rent of retention licence per hectare or part of one hectare	6.70
9.	Application fee for —	
	(a) exploration licence —	
	(i) one block	282.70
	(ii) more than one block	1 207.90
	(b) general purpose lease	406.05
	(c) mining lease	406.05
	(d) miscellaneous licence	406.05
	(e) permit under section 20A r. 4D(2)	25.00
	(f) prospecting licence	267.30
	(g) retention licence	683.60
10.	Application fee for approval of retention status	257.00
11.	Copy of all or part of document or report (per copy) r. 25B	8.20
12.	Copy of —	
	(a) entry in the register (per tenement) r. 84D	8.20
	(b) dealing or other instrument (per tenement) r. 84D	8.20
13.	Certification of a document r. 109	6.80
14.	Exemption from expenditure conditions —	
	(a) one year exemption for —	
	(i) prospecting licence r. 54	335.00
	(ii) exploration licence r. 54	380.00
	(iii) mining lease r. 54	465.00
	(b) 5 year exemption for mining lease r. 54	2 325.00

		\$
15. Issue of —		
(a) duplicate instrument of lease	s. 83	33.90
(b) miner's right	s. 20	25.00
16. Partial surrender of a mining tenement	r. 45	102.80
17. Application for permit to enter private land (per lot or location affected — minimum \$27.20)	r. 5	6.80
18. Private land — application to bring under the Act	r. 8	21.60
19. Registration or recording of instruments (per tenement affected where applicable) —		
(a) application for copy document	r. 105	102.80
(b) caveat	r. 76	102.80
(c) devolution	r. 102	102.80
(d) discharge/withdrawal of any encumbrance	r. 76A, 83	6.80
(e) injunction	r. 109	102.80
(f) judgment/order of court	r. 109	102.80
(g) mortgage	r. 77	102.80
(h) power of attorney — each	r. 108	102.80
(i) seizure — notice of	r. 109	102.80
(j) tax memorial	s. 103C	102.80
(k) transfer —		
(i) mining tenement	r. 75	102.80
(ii) mortgage	r. 84	102.80
(l) withdrawal of memorial	s. 103C	6.80
20. Restoration of mining tenement	r. 51	208.70
21. Copy of front page of Form 5, together with either Attachment 1 — “Summary of Mineral Exploration/Mining Activities” or Attachment 2 — “Summary of Prospecting and/or Small Scale Mining Activities”, as the case may be	r. 96(3)	8.20
22. Fees relating to proceedings under Parts VII and VIII —		
(a) for entering a plaint or an application, excluding service fee, but including the issue of summons for each respondent and all necessary witness summonses		58.10
(b) response and all necessary witness summonses		40.10
(c) all necessary applications and affidavits		5.85
(d) order made by warden including an order for an injunction		17.50

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	\$
(e) copy of —	
(i) evidence — per page	8.20
(ii) a judgment, decision or order — per page	1.10
(f) taxation of bill of costs	\$0.05 in each amount of \$1.00 on amount of lodged bill (minimum fee \$10.00) — however where the lodged bill exceeds \$1 000 the fee is reduced to \$0.025 in each \$1.00 for the excess, plus \$50.00

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By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

MP302\*

Offshore Minerals Act 2003

## Offshore Minerals Amendment Regulations 2012

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Offshore Minerals Amendment Regulations 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 1 July 2012.

### 3. Regulations amended

These regulations amend the *Offshore Minerals Regulations 2010*.

**4. Schedule 2 replaced**

Delete Schedule 2 and insert:

**Schedule 2 — Fees**

[r. 20]

Item	Description	Fee (\$)
1.	Exploration licence —	
	(a) standard block licence application (s. 56(1))	3 000.00
	(b) tender block licence application (s. 78(1))	3 000.00
	(c) renewal application (s. 106(1))	600.00
2.	Retention licence —	
	(a) licence application (s. 139(1))	3 000.00
	(b) renewal application (s. 163(1))	600.00
3.	Mining licence —	
	(a) standard block licence application (s. 201(1))	3 000.00
	(b) tender block licence application (s. 222(1))	3 000.00
	(c) renewal application (s. 240(1))	600.00
4.	Works licence —	
	(a) licence application (s. 272(1))	3 000.00
	(b) renewal application (s. 292(1))	600.00
5.	Special purpose consent application (s. 319(1))	300.00
6.	Inspection of register and documents (s. 332(1))	20.55
7.	Registration of transfer (s. 338(1)(f))	51.40
8.	Registration of other dealing (s. 339(1)(d))	128.50
9.	Devolution of licence (s. 340(1)(d))	128.50
10.	Caveat (s. 344)	128.50
11.	Certified copy of or extract from register (s. 357(4)) (per page)	5.15
12.	Certified copy of document (s. 358(1)) (per page)	5.15
13.	Certificate (s. 359(1))	51.40
14.	Approval of transfer application (s. 363(6))	128.50

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

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**TRANSPORT**

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TN301\*

Road Traffic Act 1974

**Road Traffic (Vehicle Standards) Amendment  
Rules 2012**

Made by the Governor in Executive Council.

**1. Citation**

These rules are the *Road Traffic (Vehicle Standards) Amendment Rules 2012*.

**2. Commencement**

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

**3. Rules amended**

These rules amend the *Road Traffic (Vehicle Standards) Rules 2002*.

**4. Rule 62 amended**

- (1) Delete rule 62(4) and insert:

- (4) A trailer that —

- (a) is built to carry cattle, sheep, pigs or horses on 2 or more partly or completely overlapping decks; and
- (b) is over 4.3 m high,

must not have over 12.5 m of its length available for the carriage of animals.

- (2) After rule 62(5) insert:

- (6) However, when measuring the length of a trailer with a rounded front, the length is not to include the rounded portion.

**5. Rule 63 amended**

- (1) Delete rule 63(2) and insert:
  - (2) In a B-double that —
    - (a) consists of 2 semi-trailers built to carry cattle, sheep, pigs or horses; and
    - (b) includes at least 1 semi-trailer over 4.3 m high, the 2 semi-trailers must not have over 18.8 m of their combined length available for the carriage of animals.
- (2) After rule 63(3) insert:
  - (4) However, when measuring the length of a trailer with a rounded front, the length is not to include the rounded portion.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

TN302\*

Transport Co-ordination Act 1966

## **Country Taxi-cars (Fares and Charges) Amendment Regulations 2012**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Country Taxi-cars (Fares and Charges) Amendment Regulations 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 1 July 2012.



**3. Regulations amended**

These regulations amend the *Country Taxi-cars (Fares and Charges) Regulations 1991*.

**4. Schedule 1 amended**

In Schedule 1 amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 1	\$1.63/km (each occurrence)	\$1.70/km
Sch. 1 Div. 1	\$2.36/km	\$2.43/km
Sch. 1 Div. 2	\$1.62/km (each occurrence)	\$1.69/km
Sch. 1 Div. 2	\$2.39/km	\$2.46/km
Sch. 1 Div. 3	\$2.10/km (each occurrence)	\$2.17/km
Sch. 1 Div. 3	\$3.10/km	\$3.17/km
Sch. 1 Div. 4	\$1.59/km (each occurrence)	\$1.66/km
Sch. 1 Div. 4	\$2.38/km	\$2.45/km
Sch. 1 Div. 5	\$2.14/km (each occurrence)	\$2.21/km
Sch. 1 Div. 5	\$3.16/km	\$3.23/km
Sch. 1 Div. 6	\$1.59/km (each occurrence)	\$1.66/km
Sch. 1 Div. 6	\$2.39/km	\$2.46/km

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

## — PART 2 —

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### CONSUMER PROTECTION

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**CP401\*****CO-OPERATIVES ACT 2009****ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION**

Notice is hereby given that on 18 June 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

B.K.W. CO-OPERATIVE LIMITED

WILL MORGAN, Deputy Registrar of Co-operatives.

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**CP402\*****CO-OPERATIVES ACT 2009****ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION**

Notice is hereby given that on 15 June 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

DESIGN CO-OPERATIVE LIMITED

WILL MORGAN, Deputy Registrar of Co-operatives.

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**CP403\*****CO-OPERATIVES ACT 2009****ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION**

Notice is hereby given that on 18 June 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

SWEETER BANANA CO-OPERATIVE LIMITED

WILL MORGAN, Deputy Registrar of Co-operatives.

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### EDUCATION

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**ED401\*****EDITH COWAN UNIVERSITY ACT 1984****EDITH COWAN UNIVERSITY COUNCIL (APPOINTMENT OF MEMBER) INSTRUMENT 2012**

Made by the Governor in Executive Council under section 9(1)(a) of the *Edith Cowan University Act 1984*.

**Citation**

1. This is the *Edith Cowan University Council (Appointment of Member) Instrument 2012*.

**Appointment of member**

2. Mr Edward Alexander Bartnik is appointed to be a member of the Council of Edith Cowan University for a first term of 3 years commencing on the date of his appointment.

Dated this 12th day of June 2012.

G. MOORE, Clerk of the Executive Council.

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## ENVIRONMENT

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EV401\*

### SWAN AND CANNING RIVERS MANAGEMENT ACT 2006 DELEGATION

Notice is hereby given the Swan River Trust by resolution made on 12 June 2012 and acting pursuant to the provisions of section 27 of the *Swan and Canning Rivers Management Act 2006* does hereby delegate to the officer for the time being appointed as General Manager of the Swan River Trust to make changes to collaborative arrangements subject to the following limitations—

- an extension of time to up to 12 months at a time to a maximum of five years;
- changes to funding between milestones and changes to the total budget up to \$50,000; and
- other changes that do not modify the original intent of the project or the collaborative arrangement.

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## FISHERIES

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FI401\*

### FISH RESOURCES MANAGEMENT ACT 1994 PROHIBITION ON FISHING (DIVING) AMENDMENT ORDER 2012 Order No. 9

FD 1620/98 [1091]

Made by the Minister under section 43.

#### 1. Citation

This order may be cited as the *Prohibition on Fishing (Diving) Amendment Order 2012*.

#### 2. Order amended

The amendment in this order is to the *Prohibition on Fishing (Diving) Order 1999*.

#### 3. Clause 2 amended

Delete clause 2 and insert—

- (1) The holder of a commercial fishing licence must not fish for a commercial purpose when using any diving gear.
- (2) In subclause (1), a mask, snorkel, fins, or any equipment dependent upon the use of compressed air shall be taken to be diving gear.

Dated this 31st day of May 2012.

NORMAN MOORE, Minister for Fisheries.

FI402\*

### FISH RESOURCES MANAGEMENT ACT 1994 NETTING RESTRICTIONS (PILBARA AND KIMBERLEY) REVOCATION AND AMENDMENT ORDER 2012 Order No. 8 of 2012

FD 1620/98 [1087]

Made by the Minister under section 43.

#### 1. Citation

This order is the *Netting Restrictions (Pilbara and Kimberley) Revocation and Amendment Order 2012*.

#### 2. Revocations

- (1) The *North West and Kimberley Recreational Netting Restrictions Notice 1995* (Notice No. 691), published in the Gazette of 29 September 1995, and made under the *Fisheries Act 1905* and continued in force under regulation 186 of the *Fish Resources Management Regulations 1995* as if it was made under section 43 of the Act, is revoked.
- (2) The *Closed Waters (Point Samson) Notice 1994* (Notice No. 654) published in the Gazette of 22 April 1994, and made under the *Fisheries Act 1905* and continued in force under regulation 186 of

the *Fish Resources Management Regulations 1995* as if it was made under section 43 of the Act, is revoked.

(3) Notice No. 134 published in the *Gazette* of 27 January 1984, and made under the *Fisheries Act 1905* and continued in force under regulation 186 of the *Fish Resources Management Regulations 1995* as if it was made under section 43 of the Act, is revoked.

### 3. Notice No. 197 amended

Notice No. 197, published in the *Gazette* of 9 August 1985, is amended by deleting Areas 3 and 4 from Column 1 of the Schedule to that Notice.

### 4. Notice No. 204 amended

Notice No. 204, published in the *Gazette* of 8 November 1975, is amended by deleting the rows of the Schedule to that Notice corresponding to Areas 7 and 8.

Dated this 1st day of June 2012.

NORMAN MOORE, Minister for Fisheries.

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## HEALTH

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### HE401\*

#### HEALTH ACT 1911

#### HEALTH (DANGEROUS INFECTIOUS DISEASES) AUTHORISATION 2012

Given by the Minister for Health under section 251 of the *Health Act 1911*.

#### Citation

1. This authorisation may be cited as the *Health (Dangerous Infectious Diseases) Authorisation 2012*.

#### Duration

2. This authorisation is effective for the period commencing on 20 July 2012 and ending on 19 July 2013.

#### Authorisation

3. The Executive Director, Public Health and Scientific Support Services is authorised to exercise, and to delegate to any public health official, the special powers conferred by section 251 of the *Health Act 1911* within or with respect to any district, or any part thereof, for the purpose of more effectually checking or preventing the spread of any dangerous infectious disease.

Dated this 10th day of June 2012.

Dr KIM HAMES MLA, Deputy Premier,  
Minister for Health.

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### HE402\*

#### HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA) ACT 2010

#### HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)

#### Medical (Area of Need) Determination (No. 21) 2012

Made by the Minister for Health pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

#### Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 21) 2012*.

#### Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

#### Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

**Expiry of determination**

4. This determination expires five years after its commencement.

**SCHEDULE****GENERAL MEDICAL SERVICES IN THE SUBURB OF MIRRABOOKA IN THE CITY OF STIRLING**

Dated this 17th day of June 2012.

Dr KIM HAMES MLA, Deputy Premier, Minister for Health.

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**HERITAGE**

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**HR401\*****HERITAGE OF WESTERN AUSTRALIA ACT 1990****RESOLUTION****Delegation of Functions**

The Heritage Council of Western Australia ("the Council") resolves pursuant to Section 22(1) of the *Heritage of Western Australia Act 1990* ("the Act") to delegate and hereby does delegate to the Executive Director of the State Heritage Office the power to sign on behalf of the Council any correspondence, report, agreement or other document or legal instrument requiring the signature of the Council that does not require execution by affixing the common seal.

Dated the 22nd day of June 2012.

GRAEME GAMMIE, Executive Director,  
State Heritage Office.

**HR402\*****HERITAGE OF WESTERN AUSTRALIA ACT 1990****ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES****PERMANENT REGISTRATION**

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 place described below has been entered in the Register of Heritage Places on a permanent basis with effect from today.

**Marvel Bar Hotel (fmr), Coolgardie** at 33 and 33A Bayley Street, Coolgardie; Pt of Res 50071 being Lot 2050 on DP 222288 and the whole of the land contained in CLT V 3153 F 982; Lot 223 on DP 41415 being the whole of the land contained in C/T V 2214 F 494; Ptn of Bayley Street road reserve and being pt of Lot 500 on DP 73267 and pt of the land contained in CLT V 3020 F 952; together as shown on HCWA Survey Drawing 562.

**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 larger curtilage than previously advertised on 9 May 1997. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 3 August 2012. The larger 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*.

**Kent Street Weir** at Canning River, Wilson and Ferndale; Pt of Res 48327 being Lot 4162 on DP 93607 and being the whole of the land contained in CLT V 3110 F 181; Ptn of Lot 8 on DP 28671 being pt of the land contained in CLT V 3159 F 574; Ptn of Lots 24 and 25 on D 1594 being pt of the land contained in C/T V 2227 F 58; together as shown on HCWA Survey Drawing 4611.

Dated: 22 June 2012.

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

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## JUSTICE

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JU401\*

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

It is hereby notified for public information that the Minister has accepted the resignation of—

Mr Michael Peter Bevan of Kingsley  
Mr Graham William Duncan of Nannup  
Mr Egon Sievers of Kalamunda

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG402\*

**LITTER ACT 1979***Shire of Cunderdin***APPOINTMENTS**

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Cunderdin—

**Authorised Officers**

Peter Naylor  
Loren Clifford  
Mark Burgess  
Judith Anderson  
Gordon Tester  
Matt Sharpe  
Daniel Birleson

All previous appointments are hereby revoked.

Date 19th June 2012.

PETER NAYLOR, Chief Executive Officer.

LG401\*

**DOG ACT 1976***Shire of Cunderdin***APPOINTMENTS**

It is hereby notified for public information that pursuant to the provisions of the *Dog Act 1976*, the following persons have been appointed—

Authorised Persons

Peter Naylor  
Loren Clifford  
Mark Burgess  
Clare Passells  
Jo-Anne Beard  
Alicia Clarke  
Matthew Sharpe  
Daniel Birleson

Dog Registration Officers

Peter Naylor  
Loren Clifford  
Clare Passells  
Jo-Anne Beard  
Alicia Clarke  
Michelle Samson

Pound Keepers

Matthew Sharpe

Daniel Birleson

Peter Naylor

Mark Burgess

All previous authorisations are hereby revoked.

PETER NAYLOR, Chief Executive Officer.

Dated: 18 June 2012.

**LG403\*****BUSH FIRES ACT 1954***Shire of Moora***APPOINTMENTS**

In accordance with the *Bush Fires Act 1954* the Shire of Moora has appointed the following officers to the respective positions for the 2012-2013 fire seasons.

Chief Bush Fire Control Officer	Brendan Pratt (Miling)
Deputy Chief Bush Fire Control Officer (1)	Les Crane (Bindi Bindi)
Deputy Chief Bush Fire Control Officer (2)	Derek Stewart (Miling)
Community Emergency Services Manager	Vicki Booth (Shire of Moora)
Chief Fire Weather Officer	Hugh Bryan (Bindi Bindi)
Deputy Fire Weather Officer	Les Crane
Deputy Fire Weather Officer	Derek Stewart
Fire Control Officers:	Toby Ellis (Bindi Bindi)
	Brad Tonkin (Coomberdale)
	David McLean (Coomberdale)
	Jaden Cocking (Koojan)
	Glen Vanzetti (Koojan)
	Brad Millstead (Watheroo)
	Len Mitchell (Watheroo)
	Jamie Mullins (Town)
	Todd Lewis (Town)
	Shire Ranger

**BURNING PERMITS ONLY**

ALAN LEESON, Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954***City of Gosnells***ANNUAL FIRE HAZARD REDUCTION NOTICE**

To prevent bush fires and to minimise the spread of a bush fire, all owners and occupiers of land within the City's district are required to comply with the requirements of this Annual Fire Hazard Reduction Notice.

**OWNERS AND OCCUPIERS OF LAND ZONED "GENERAL RURAL" OR "SPECIAL RURAL"**

On or before the 30 November in each year, all owners or occupiers of land zoned "General Rural" or "Special Rural" under the City of Gosnells Town Planning Scheme No.6 ("Scheme") are required to—

- Clear and maintain the land free of all flammable matter to a height no greater than 10cm;
- Maintain a mineral earth firebreak immediately inside all external boundaries of each lot on the land; and
- Maintain a mineral earth firebreak within 20 metres of all haystacks and stockpiled flammable matter.

Mineral earth firebreaks must be continuous (no dead ends) and maintained to a minimum standard of 3 metres wide by 4 metres high (vertical clearance) so as to provide unimpeded access for emergency vehicles. Driveways must also be maintained to these standards.

Firebreaks are intended to provide safe access on your property for emergency vehicles and to ensure fire does not travel under the vehicles or underfoot.

**Note:** The firebreaks and requirements set out above must be maintained up to and including 30 April in the following year.

**OWNERS AND OCCUPIERS OF ALL OTHER LAND WHICH IS NOT ZONED "GENERAL RURAL" OR "SPECIAL RURAL"**

At all times throughout the year, all owners or occupiers of land zoned other than "General Rural" or "Special Rural" under the Scheme are required to clear and maintain the land free of all flammable matter to a height no greater than 10 centimetres.

**Note: For the purposes of this Notice**, flammable matter includes, but is not limited to, vegetation (except for living trees, shrubs, plants and lawns under cultivation), prunings, cardboard, wood, paper, general rubbish and any other combustible material.

**PERMISSION NEEDED TO VARY REQUIREMENTS**

If, due to the topography of your land, you are unable to adhere to the requirements set out in this Notice, you may apply in writing to the City for permission to provide firebreaks in alternative locations or take alternative measures.

*Unless and until permission in writing is granted by the City, you shall comply with the requirements of this Notice.*

**PENALTY FOR NON-COMPLIANCE**

Failing to comply with the requirements of this Notice is an offence under the *Bush Fires Act 1954* (Act), which carries a penalty of up to \$5,000. In addition, where the owner or occupier of the land fails to comply with a Notice given pursuant to Section 33(1), the City may enter the land to carry out the work required to comply with the Notice and also recover any costs and expenses incurred in carrying out that work from the owner or occupier of the land.

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**MINERALS AND PETROLEUM**

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**MP401\*****PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****SURRENDER OF PETROLEUM EXPLORATION PERMIT EP 463**

The surrender of Petroleum Exploration Permit No. EP 463 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

Date 18 June 2012.

W. L. TINAPPLE, Executive Director, Petroleum Division.

**MP402\*****PETROLEUM (SUBMERGED LANDS) ACT 1982****SURRENDER OF PETROLEUM EXPLORATION PERMIT TP/24**

The surrender of Petroleum Exploration Permit No. TP/24 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

Date 18 June 2012.

W. L. TINAPPLE, Executive Director, Petroleum Division.

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**PLANNING**

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**PL402\*****PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***City of Greater Geraldton***Local Planning Scheme No. 5 (Greenough)—Amendment No. 6**

Ref: TPS/0860

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 Greater Geraldton local planning scheme amendment on 5 June 2012 for the purpose of—

1. Rezoning portion of Lots 170, 1241 and 1972 (No. 427) Horwood Road, and portion of Lot 9000 Deepdale from 'Rural Residential 2' to 'Residential R2.5' and 'Residential R5'.
2. Amending the Scheme Map accordingly.

I. W. CARPENTER, Mayor.  
A. BRUN, Chief Executive Officer.



PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*Shire of Woodanilling*

Town Planning Scheme No. 1—Amendment No. 1

Ref: 853/5/18/1 Pt 1

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 Woodanilling local planning scheme amendment on 16 May 2012 for the purpose of—

1. Modifying Schedule 2—Additional Uses by adding the following—

No.	Description of Land	Additional Use	Conditions
	That portion of the Residential Zone situated south of Robinson Road as shown on the Scheme Map.	Rural Home Business	<p>1. No Rural Home Business may occur without the prior approval of Council.</p> <p>2. All applications for a Rural Home Business shall be advertised in accordance with Clause 9.4.3.</p> <p>3. In considering an application for Rural Home Business the Council shall, in addition to the matters contained in Clause 10.2, have specific regard to—</p> <ol style="list-style-type: none"> <li>the retention of any remnant vegetation on the site and the likely impact of the use and development upon this;</li> <li>the location of any adjoining development and the likely impacts upon this;</li> <li>the need for additional fire management measures.</li> </ol> <p>4. Council may impose conditions as it deems appropriate to protect the residential character of the area including conditions relating but not limited to—</p> <ol style="list-style-type: none"> <li>Landscaping and screen plantings;</li> <li>Screen fencing;</li> <li>Painting of buildings and/or the use of non reflective material;</li> <li>Lighting.</li> </ol> <p>5. Notwithstanding anything else in the Scheme, any Rural Home Business must comply with the following conditions—</p> <ol style="list-style-type: none"> <li>May only be developed on land where there is an existing dwelling.</li> <li>Shall have a maximum total activity area (including building, storage and vehicle parking) of 200m<sup>2</sup>.</li> <li>Does not employ more than 2 people not members of the occupier's household.</li> <li>Shall only operate between the hours of 0700 to 1900 Monday to Friday, not including any public holidays.</li> <li>Shall maintain the site in a tidy condition so as not to prejudicially affect the amenity of the area.</li> <li>The subject land shall have a minimum lot area of 4000m<sup>2</sup>.</li> </ol>

2. Amending the Scheme Maps accordingly.

H. R. THOMSON, Shire President.  
B. K. KNIGHT, Chief Executive Officer.

PL403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Greater Geraldton*

Local Planning Scheme No. 5 (Greenough)—Amendment No. 7

Ref: TPS/0811

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 Greater Geraldton local planning scheme amendment on 5 June 2012 for the purpose of rezoning Lots 75 and 78 Cooper Street, Waggrakine from 'Rural' to 'Rural Residential RR4'.

I. W. CARPENTER, Mayor.  
A. BRUN, Chief Executive Officer.

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## TRANSPORT

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TN401\*

**ROAD TRAFFIC ACT 1974**  
**ROAD TRAFFIC (SPEED MEASURING EQUIPMENT) NOTICE 2012**

Department of Transport Reference: RTA-2012- 00800

Made by the Minister for Transport under subsection 98A(2) of the *Road Traffic Act 1974*.**1. Citation**This notice may be cited as the *Road Traffic (Speed Measuring Equipment) Notice 2012*.**2. Previous Approval Revoked**I revoke the previous approval *gazetted* on page 6295 of the *Government Gazette* dated 10 December 2010 in relation to apparatuses bearing the name Vitronic PoliScan Speed M1.**3. Approval of laser apparatus for ascertaining speed**

I approve as types of laser apparatus for ascertaining the speed at which a vehicle is moving—

- (a) apparatuses that bear the name VITRONIC PoliScan Speed M1; and
- (b) apparatuses that bear the name VITRONIC PoliScan Speed M1 HP.

TROY BUSWELL, Minister for Transport.

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## TREASURY AND FINANCE

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TR401\*

**STATE SUPERANNUATION REGULATIONS 2001**  
**ELECTED MEMBER**

The Department of Treasury,  
140 William Street,  
Perth WA 6000.

In accordance with Regulation 238 of the *State Superannuation Regulations 2001* (Board Elections) notice is hereby given that the following persons have been elected as employee directors to the Government Employees Superannuation Board, for three year terms as indicated below—

**Name and Term**

Mr Robert Lewtas from 15 August 2012 to 14 August 2015

Mr Glen Townsing from 4 July 2012 to 3 July 2015

## WATER/SEWERAGE

WA401\*

### WATER BOARDS ACT 1904

#### BUNBURY WATER BOARD

#### Memorandum of Imposing Rates

At the meeting of the Bunbury Water Board held on June 13, 2012 it was resolved that the following Fees and Charges should be imposed on all rateable properties within the District of the Bunbury Water Board in accordance with the *Water Board's Act 1904* for the 2012/2013 financial year.

### 1. RESIDENTIAL PROPERTIES

- (a) An annual Supply Fee of \$132.80 will apply to all residential properties.
- (b) The charge (per kl) for water consumed at residential zoned properties to be—
 

First 150 kl	\$0.55
Next 200 kl	\$1.02
Next 150 kl	\$1.46
Next 200 kl	\$1.93
Next 300 kl	\$2.31
Over 1,000 kl	\$2.41
- (c) Registered pensioners to receive 50% rebate of the total amount of water supply fee payable and 50% rebate of the amount payable for water consumption up to 350 kl.
- (d) Registered Seniors who also hold the Commonwealth Seniors Health card to receive 50% water supply fee rebate and 50% rebate of the amount payable for water consumption up to 150kl.
- (e) Registered seniors to receive 25% water supply fee rebate and 50% rebate of the amount payable for water consumption up to 150 kl.

### 2. NON RESIDENTIAL PROPERTIES

- (a) The following annual supply fees will apply to all non residential customers, based on the volumetric capacity of the meter—

Meter Size (mm)	Meter Size Index	Charge
20	1.00	\$132.82
25	1.56	\$207.53
40	4.00	\$531.27
50	6.25	\$830.12
80	16.00	\$2,125.11
100	25.00	\$3,320.47
150	56.25	\$7,471.07

- (b) The charge (per kL) for water consumed at non—residential zoned properties to be \$1.46.

### 3. PENALTY FOR OVERDUE RATES AND CHARGES

A penalty charge equal to 10% per annum will accrue on a daily basis on all Fees and Charges which are overdue for payment.

### 4. GENERAL CHARGES 2012/2013

#### Fire Service Supply Charges

25mm service .....	\$73.70
40mm service .....	\$117.90
50mm service .....	\$147.40
100mm service .....	\$294.80
150mm service .....	\$442.20
200mm service .....	\$589.60

#### Hydrants

Application for Hydrant Point.....	\$88.50
Daily Hire Fee—Hydrant .....	\$29.70

#### Consumption—Standpipe/Hydrant or Fire Service

Fixed Standpipe .....	\$1.46
Standpipe/Hydrant .....	\$2.92
Fire Service (fire fighting purposes) .....	—
Fire Service (non fire fighting purposes) .....	\$2.92

**Application for Water Service***(First pre-laid service is free—20mm service only)*

20mm Service .....	\$629.45
20mm Long Service .....	\$2,200.40
25mm Service .....	\$752.40
25mm Long Service .....	\$2,490.80
40mm Service .....	\$1,291.90
40mm Long Service .....	\$3,480.40
50mm Service .....	\$1,581.70
50mm Long Service .....	\$3,835.60
> 50mm Service .....	Quote

*(A Long Service Fee applies for water services greater than 4.5 metres from the main.**This only applies to standard road width bores. Any water service installation may be subject to quote where the installation varies from standard).***Submeter Charge (including fittings)**

20mm supply only .....	\$57.70
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**Application for Fire Service**

25mm Service .....	\$712.05
25mm Long Service .....	\$2,269.60
40mm Service .....	\$1,414.35
40mm Long Service .....	\$2,970.10
50mm Service .....	\$1,551.10
50mm Long Service .....	\$3,115.75
> 50mm Service .....	Quote

*(A Long Service Fee applies for water services greater than 4.5 metres from the main.**This only applies to standard road width bores. Any water service installation may be subject to quote where the installation varies from standard).***Disconnections**

Disconnection—20mm Service .....	\$268.10
Disconnection—25mm Service .....	\$330.80
Disconnection—40mm Service .....	\$437.50
Disconnection—50mm Service .....	\$434.05
Disconnection > 50mm Service .....	Quote
Restrictor Installation & Removal .....	\$239.10

**Repair of Damaged Meters (20mm only)**

Business hours—no new meter .....	\$97.55
Business hours—new meter .....	\$187.90
Other hours—no new meter .....	\$267.90
Other hours—new meter .....	\$333.10
Repair of Damaged Meters (>20mm) .....	Quote

**Repair of Damaged Mains**

Repair Damaged Mains .....	Quote
Service call to inspect mains damaged by third party (includes GST) .....	\$318.40

**Meter Tests**

Meter Test (20mm only) .....	\$32.50
Meter Test with Calibration .....	Quote
Meter Test >20mm meter .....	Quote

**Relocating Water Meter*****< one (1) metre from existing service***

20mm service .....	\$269.30
25mm service .....	\$386.50
40mm service .....	\$452.00
50mm service .....	\$445.60
> 50mm service .....	quote

***one (1) or greater from existing service***

20mm service and greater .....	quote
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**Hydrant Repairs**

Raise/lower box .....	\$208.00
Replace lid .....	\$175.70
Replace lid/box .....	\$382.70
Replace hydrant (part) .....	quote

Raise/lower hydrant.....	quote
Locate hydrant (buried hydrants) .....	\$140.70

*The above charges may be subject to quote if the work required is non standard.*

#### **Developments**

Headworks .....	\$2,879.40
Scheme planning fee.....	3% of contract value
Deferral of Headworks—Administration Fee (per lot, includes GST) .....	\$95.48
Register Manual Memorial (includes GST) .....	\$88.11

#### **Statements**

Tenant Advice (includes GST) .....	\$24.70
Change of Ownership Read & Statement (includes GST) .....	\$46.25

S. LIAROS, Board Chairman.  
B. G. BEVIS, Chief Executive Officer.

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## **DECEASED ESTATES**

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### **ZX401**

#### **TRUSTEES ACT 1962**

##### **DECEASED ESTATES**

##### **Notice to Creditors and Claimants**

Notice to Creditors and Claimants and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates), in respect of the Estate of Richard Kenneth Arnold, who died on 7 May 2012, are required by Sydney Francis Arnold of 10 Meruka Retreat, Hillarys, Western Australia and Donald Thomas Arnold of 216th 7th Avenue, Llandilo, New South Wales, as the joint executors appointed pursuant to a Grant of Probate dated 6 June 2012 to send to Templar Legal Pty Ltd of PO Box 8243 Subiaco, particulars of such claims within 30 days of this notice. After such date, the Trustees may convey or distribute the assets of the above mentioned Estates, having regard only to the claims of which the Trustee then has notice.

### **ZX402**

#### **TRUSTEES ACT 1962**

##### **DECEASED ESTATES**

##### **Notice to Creditors and Claimants**

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the undermentioned deceased persons are required by the personal representatives of care of Culshaw Miller Lawyers, Suite 2, Ground Floor, 2 Victoria Avenue, Perth, Western Australia to send particulars of their claims to them by the 25th of July, 2012, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Brine, Alice Shirley late of Rosewood Care Group, 67 Cleaver Street, West Perth, Western Australia.  
Died on 2 April, 2012.

Paul, Raymond Cyril late of 7 Goudhurst Place, Gosnells, Western Australia. Died on 25 November, 2011.

Moore, Douglas Graham late of 4/106 Oakleigh Drive, Erskine, Western Australia. Died on 20 November, 2011.

Vale, William Kenneth late of 14 Cockle Street, Mullaloo, Western Australia. Died on 25 January, 2012.

Jones, Vivian Waugh (also known as Alan Vivian Waugh) late of 169A Eddystone Avenue, Craigie, Western Australia. Died on 18 September, 2011.

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, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 22/07/2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Franklin, Mary Elizabeth, late of Brightwater The Cove, 35 Hudson Drive, Dudley Park, died 01.06.2012 (DE19821113 EM24)

George, Marie Therese, late of 6 Nightingall Drive, Broome, died 23.03.2012 (DE33097842 EM35)

Hillman, Joseph Michael, late of 1 Meredith Way, Dianella, died 09.02.2012 (DE33079474 EM15)

Kerr, George Edison, late of 2 Rabone Way, Boya, died 05.04.2012 (DE33059187 EM13)

McLean, Mavis Irene, late of Unit 5 303 Harborne Street, Glendalough, died 18.11.2011 (DE19930783 EM313)

Meaker, Celia Teohaaki, late of Brightwater Aged Care-Onslow Gardens, 39 Hamersley Road, Subiaco, died 7.01.2012 (DE19980938 EM16)

Miller, Ivy Elizabeth, late of c./Grandview Nursing Home, 21 Aldwych Way, Joondalup, died 03.05.2012 (DE19990474 EM32)

Slade, Violet Elizabeth Matilda, late of McMahon Caring Centre, 74 Lissiman Street, Gosnells, died 11.05.2012 (DE19720991 EM36)

Smith, Denis William, late of Bethanie Waters, 18 Olivenza Crescent, Port Kennedy, formerly of Agegis Care, 14 Burke Place, Orelia and of 35 Fendam Street, Warnbro, died 09.05.2012 (DE33071556 EM37)

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

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**PUBLIC NOTICES**

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ZZ401\*

**DISPOSAL OF UNCOLLECTED GOODS ACT 1970****NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300**

To: Peter and George Rhind of 13 Hillman Street, Darkan WA 6392, bailor.

You were given notice on 11 November 2011 that Toyota Hilux Registration number 1BRS494 situated at the physical address of 4 Vernon Street, Wagin WA 6315 was ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for the redelivery, Major Motors Pty Ltd trading as South West Isuzu of 3 Giorgi Road, Picton WA 6229, bailee, intends making an application to the court for an order to sell or otherwise dispose of the vehicle in accordance with the Act.

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WESTERN AUSTRALIA**THE CRIMINAL CODE****\*Price: \$57.30 plus postage**

\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **SENTENCE ADMINISTRATION ACT 2003**

**Price: \$17.35 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **MINES SAFETY AND INSPECTION ACT 1994**

**Price: \$37.00 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **SURVEILLANCE DEVICES ACT 1998**

**Price: \$22.50 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **PAWNBROKERS AND SECONDHAND DEALERS ACT 1994**

**Price: \$28.30 plus postage**

\*Prices subject to change on addition of amendments.



WESTERN AUSTRALIA

## LAW ALMANAC 2012



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

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**PHONE: 6552 6000**

**FAX: 9321 7536**

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