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Gazette**

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— PART 1 —

RACING, GAMING AND LIQUOR

RA301

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003
RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 12 October 2016 resolved that the *RWWA Rules of Thoroughbred Racing 2004* be amended as follows—

Amendment to Australian Racing Rules (National Rules) effective 1 November 2016

Amend AR.14B(f), AR.14B(g), AR.64N and AR.103

Delete and replace AR.177B(2)

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park WA 6017 or Racing and Wagering Western Australia website, www.rwwa.com.au.

RICHARD BURT, Chief Executive Officer.

— PART 2 —

CONSUMER PROTECTION

CP401

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 30 September 2016, pursuant to section 19 of the Act, a certificate of registration was issued to—

AUSIKEN CO-OPERATIVE LIMITED

Dated: 12 October 2016.

LAILY YASSIN, A/Manager Associations and Charities
for Registrar of Co-Operatives.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 14th October 2016 for the local government districts of—

Kaloorlie-Boulder, Coolgardie, Dundas, Laverton, Leonora, Menzies

Dated 13th October 2016.

MURRAY BAWDEN, Assistant Commissioner of the
Department of Fire and Emergency Services, as a
sub-delegate of the Minister under section 16 of
the *Fire and Emergency Services Act 1998*.

JUSTICE

JU401

PROFESSIONAL STANDARDS ACT 1997

THE RICS VALUERS LIMITED SCHEME

Amendment

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

Dated: 10 October 2016.

Hon MICHAEL MISCHIN MLC, Attorney General.

PROFESSIONAL STANDARDS ACT 1994 (NSW)
INSTRUMENT AMENDING THE RICS VALUERS LIMITED SCHEME

PREAMBLE

- A. The RICS Valuers Limited (“RICSV Limited”) is a voluntary occupational association for valuers. It is a national organisation whose principal place of business is in Sydney, New South Wales.
- B. The RICSV Limited Scheme (“the scheme”) commenced on 1 January 2016.
- C. This instrument of amendment has been prepared by the RICSV Limited under s16A of the *Professional Standards Act 1994* (NSW) (“the Act”) to amend the Scheme.

AMENDMENT TO THE SCHEME

This instrument to amend the scheme under s16 of the Act is prepared by the RICSV, whose business address is Suite 1, Level 9, 1 Castlereagh Street, Sydney, NSW 2000. Amendments are as below.

Persons to whom the scheme applies

Clause 2.1: delete “The scheme applies to all members of RICS Valuers Limited” and replace with “The scheme applies to all members of RICSV Limited”.

Insert new clause 2.3 “Upon application by a member to whom the scheme applies, RICSV Limited may exempt the member from the scheme, provided that the scheme does not apply to the person by operation of section 18, 19 or 20 of the Act”

Limitation of liability

Clause 3.2(a): delete “of a kind which complies with the standards determined by the RICSV Limited” and replace with “of a kind which complies with the RICSV Insurance Standards”.

Clause 3.3: insert the phrase “in relation to a Valuation” thus “The monetary ceiling (maximum amount of liability) in relation to a Valuation required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is to be determined according to the following table”.

Conferral of discretionary authority

Clause 4.1: delete “the RICS Valuers Limited” and replace with the defined term “the RICSV Limited” thus “Pursuant to section 24 of the Act, this scheme confers to the RICSV Limited a discretionary authority to specify, on application by a person to whom the scheme applies, in relation to that person a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the person either in all cases or in any specified case or class of case.

Definitions

Clause 6.1: delete “RICSV means the RICS Valuers Limited” and replace with “RICSV Limited means the RICS Valuers Limited.

Insert the phrase “in any future amendments” in the definition “Property Value” thus: “**Property Value** means the value of a property as at the date of the Valuation as determined under Market Value or as defined by the International Valuation Standards Council (IVSC) in any future amendments.”

Insert new definition “**Valuation** means an opinion or estimate of value made in writing by an individual member of RICSV Limited, or countersigned by an individual member of RICSV Limited pursuant to a client’s written instructions.”

COMMENCEMENT

The amendments to the scheme made by this instrument will commence after publication in the appropriate *Government Gazette*(s).

PROFESSIONAL STANDARDS ACT 1994 (NSW)
RICS VALUERS LIMITED SCHEME

PREAMBLE

- A. The RICS Valuers Limited (RICSV Limited) is an occupational association.
- B. The RICSV Limited has made an application to the Professional Standards Council, constituted by the *Professional Standards Act 1994* (NSW) (the Act), for a scheme under the Act.
- C. The scheme is prepared by the RICSV Limited for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The RICSV Limited has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- E. The scheme is intended to commence on 1 January 2016 and remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to section 32 of the Act.
- F. The scheme is intended to apply in New South Wales, Victoria, South Australia, the Australian Capital Territory, the Northern Territory, Queensland, and Western Australia.

RICS VALUERS LIMITED SCHEME

1. Occupational association

1.1 The RICS Limited Scheme (the scheme) is a scheme under the *Professional Standards Act 1994* (NSW) (the Act) prepared by the RICS Valuers Limited (RICS Limited) whose business address is: Suite 1, Level 9, 1 Castlereagh Street, SYDNEY NSW 2000

2. Persons to whom the scheme applies

2.1 The scheme applies to all members of RICS Limited.

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

2.3 Upon application by a member to whom the scheme applies, RICS Limited may exempt the member from the scheme, provided that the scheme does not apply to the person by operation of section 18, 19 or 20 of the Act.

3. Limitation of liability

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

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

- (a) of a kind which complies with the RICS Insurance Standards,
- (b) insuring such person against that occupational liability, and
- (c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in this scheme,

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

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

Class	Description	Band	Monetary Ceiling
1	Property Value A	\$0 million to < \$3 million	\$1 million
2	Property Value B	\$3 million to < \$5 million	\$2 million
3	Property Value C	\$5 million to < \$10 million	\$3 million
4	Property Value D	\$10 million to < \$20 million	\$4 million

For properties valued at above \$20 million the ceiling will be 20% of the value of the property on the day of the Valuation, up to \$10 million.

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

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

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

4. Conferral of discretionary authority

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

5. Duration

5.1 This scheme will be in force for a period of 5 years from the date of commencement.

6. Definitions

6.1 Relevant definitions for the purposes of the scheme are as follows—

RICS Limited means the RICS Valuers Limited.

RICS Insurance Standards mean the insurance standards approved by the RICS from time to time.

The Act means the *Professional Standards Act 1994* (NSW).

Property Value means the value of a property as at the date of the Valuation as determined under Market Value or as defined by the International Valuation Standards Council (IVSC) in any future amendments.

Market Value means the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion or as defined by the International Valuation Standards Council (IVSC) in any future amendments.

Valuation means an opinion or estimate of value made in writing by an individual member of RICS Limited, or countersigned by an individual member of RICS Limited pursuant to a client's written instruction.

LOCAL GOVERNMENT

LG401

SHIRE OF CHITTERING

APPOINTMENTS

It is hereby notified for public information that Samantha Friend has been appointed Authorised Officer in accordance with the relevant Acts hereunder effective immediately—

Cat Act 2011—Registration Officer only

Dog Act 1976—Registration Officer only

All previous authorisations for Karen Parker under the following relevant Acts are hereby revoked effective immediately—

Control of Vehicles (Off-road Areas) Act 1978 and Regulations

Dog Act 1976 and Regulations

Litter Act 1979 and Regulations

Local Government Laws

Local Government Act 1995 (sections 3.39, 9.10, 9.11 and 9.15)

Updated: 14 October 2016.

ALAN SHERIDAN, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

CANCELLATION OF PETROLEUM EXPLORATION PERMIT EP 412

The cancellation of petroleum exploration permit EP 412, held by Rough Range Oil Pty Ltd and Bounty Oil and Gas NL, will take effect on the date this notice appears in the *Government Gazette*.

DENIS WILLS, Acting Executive Director, Petroleum Division,
Department of Mines and Petroleum.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Swan

Local Planning Scheme No. 17—Amendment No. 127

Ref: TPS/1646

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Swan Local Planning Scheme amendment on 27 September 2016 for the purpose of—

1. Rezoning Lot 23 and Part Lots 24 and 25 Stirling Crescent, Hazelmere from 'General Rural' to 'Special Use'.

2. Inserting a new 'Special Use Zone No. 18' with the following text into Schedule 4—Special Use Zones—

No.	Description of Land	Special Use	Conditions
18	Lot 23 and Part Lots 24 and 25 Stirling Crescent, Hazelmere	Land uses shall be guided by in an approved structure plan.	1. A structure plan prepared and approved pursuant to Part 4 of the deemed provisions shall apply to the area to guide subdivision and/or development.

3. Amending the scheme map to—
- delineate the change in zone subject to Point 1 on the proposed zoning plan.
 - apply a 'Special Use Zone No. 18' designation to Lot 23 and Part Lot 24 and 25 Stirling Crescent, Hazelmere on the proposed zoning plan; and
 - update the existing zoning plan to show Lots 21, 22 Stirling Crescent, Hazelmere and portion of Lot 300 (Certificate of Title: 2223/175) as a 'Parks and Recreation' reservation.

M. WAINWRIGHT, Mayor.
M. FOLEY, Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Peter Lewis, late of 42 Wicca Street, Rivervale in the State of Western Australia, Pensioner, 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 5th day of July 2016, are required by the Executors and Trustees, being Ms Judith Anne Martin and Mr Geoffrey Peter Lewis, of c/- Mort & Associates, PO Box 20, Cannington, WA 6987, to send particulars of their claims to them at Mort & Associates of PO Box 20, Cannington, WA 6987, by the 28th day of November 2016, after which date the Executors and Trustees may convey or distribute the assets, having regard only to claims of which they then have notice.

MORT & ASSOCIATES as solicitor for the Executors and Trustees.

ZX402

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Timi Rawiri Williams (also known as Tim Rawiri Williams, Timi Williams, Tim Rehua Williams and Rehua Williams), late of 34 Whittaker Turn, Piara Waters in the State of Western Australia, Mine Worker, 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 7th day of March 2016, are required by the Executor and Trustee, being Ms Sally Agnes Williams, of c/- Mort & Associates, PO Box 20, Cannington WA 6987, to send particulars of their claims to her at Mort & Associates of PO Box 20, Cannington WA 6987, by the 28th day of November 2016, after which date the Executor and Trustee may convey or distribute the assets, having regard only to claims of which she then has notice.

MORT & ASSOCIATES as solicitor for the Executor and Trustee.

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 Trustee Company Limited, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

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

Estate Late Beverly Joan Reed

Late of Aegis Balmoral, 29 Gardner Street, Como, WA—Home Duties

Died 14 July 2015

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 Edith Elizabeth Byrd (deceased), late of Hocart Lodge Aged Care, 3 Knowles Street, Harvey, Western Australia, who died on 5 January 2016, are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Edith Elizabeth Byrd deceased, care of Young & Young, 5 Spencer Street, Bunbury by 21 November 2016, 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

Olive Theresa Pereira, late of 20/55 Belgrade Road, Wanneroo in the State of Western Australia, died on 30 June 2016.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of her estate are required by Eric Tan who has been granted Probate for her estate, to send particulars of their claims to him at Robertson Hayles Lawyers of PO Box Z5403, Perth WA 6831 within one month of the date of publication, after which date the he may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice.

Dated: 12 October 2016.

ZX406**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Elaine Grace Madgen, late of 180 Horwood Road, Swan View, Patient Support Worker, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) against the estate of the deceased, who died on 10th of January 2016, are required by the Executor to send particulars of their claims to the Executor, Beth Joan Green of 4/25 Mackie Street, Victoria Park by 17 November 2016, after which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice.
