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# — PART 1 —

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## ENERGY

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EN301\*

Energy Coordination Act 1994

### Energy Coordination (Gas Tariffs) Amendment Regulations 2013

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Energy Coordination (Gas Tariffs) Amendment Regulations 2013*.

**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 21 May 2013.

**3. Regulations amended**

These regulations amend the *Energy Coordination (Gas Tariffs) Regulations 2000*.

**4. Schedule 1 amended**

- (1) In Schedule 1 clause 8(1) delete “2013/14” and insert:

2014/15

Note: The heading to amended Schedule 1 clause 8 is to read:

**General adjustment for 2014/15 financial year and subsequent financial years**

(2) In Schedule 1 clause 9(1) delete “2013/14” and insert:

2014/15

(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 cl. 1 Table	18.54 12.79 11.54 (each occurrence)	19.73 13.61 12.28
Sch. 1 cl. 2 Table	16.13 11.66 9.34	17.16 12.41 9.94
Sch. 1 cl. 3 Table	20.02 (each occurrence) 9.99 14.56	21.30 10.63 15.49
Sch. 1 cl. 4 Table	20.02 14.56	21.30 15.49
Sch. 1 cl. 5 Table	41.68 11.89	44.35 12.65
Sch. 1 cl. 6 Table	41.49 10.59	44.15 11.27

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

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**ENVIRONMENT**

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EV301\*

Environmental Protection Act 1986

**Environmental Protection (Dardanup Pine Log Sawmill Noise Emissions) Approval 2013**

Approval of the Minister under the *Environmental Protection (Noise) Regulations 1997* regulation 17(7).

**1. Citation**

This approval is the *Environmental Protection (Dardanup Pine Log Sawmill Noise Emissions) Approval 2013*.

**2. Terms used**

In this approval —

*commercial premises* has the meaning given in regulation 2(1);

*Dardanup sawmill* means the pine log sawmill at Moore Road, Dardanup that is the subject of the *Dardanup Pine Log Sawmill Agreement Act 1992*;

*Director* means the Director of Environmental Regulation Division, Department of Environment and Conservation;

*industrial and utility premises* has the meaning given in regulation 2(1);

*L<sub>A 1</sub> approved level* means an approved level which, measured as a L<sub>A Slow</sub> value, is not to be exceeded for more than 1% of any period of one hour;

*L<sub>A 10</sub> approved level* means an approved level which, measured as a L<sub>A Slow</sub> value, is not to be exceeded for more than 10% of any period of one hour;

*L<sub>A max</sub> approved level* means an approved level which, measured as a L<sub>A Slow</sub> value, is not to be exceeded at any time;

*L<sub>A Slow</sub>* has the meaning given in regulation 2(1);

*noise-sensitive premises* has the meaning given in regulation 2(1);

*regulation* means a regulation of the *Environmental Protection (Noise) Regulations 1997*;

*start day* means the day on which notice of this approval is published in the *Gazette*;

*Wespine* means Wespine Industries Pty. Ltd.  
ABN 88 052 954 337.

### 3. Approval to exceed noise levels

Approval is granted to Wespine to allow the level of noise emitted from the Dardanup sawmill to exceed the standard prescribed under regulation 7(1)(a) if the level of noise emitted from the Dardanup sawmill when received at premises of a type set out in column 1 of the Table at the time set out in column 2 of the Table does not exceed the  $L_{A 10}$  approved level set out in column 3, the  $L_{A 1}$  approved level set out in column 4 or the  $L_{A \max}$  approved level set out in column 5 of the Table in relation to the type of premises and the time.

**Table**

Type of premises receiving noise	Time of day	$L_{A 10}$ approved level (dB)	$L_{A 1}$ approved level (dB)	$L_{A \max}$ approved level (dB)
Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	0700 to 1900 hours Monday to Saturday	50	55	65
	0900 to 1900 hours Sundays and public holidays	45	50	65
	1900 to 2200 hours all days	45	50	55
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sundays and public holidays	40	45	55
Noise sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	60	75	80
Commercial premises	All hours	60	75	80
Industrial and utility premises	All hours	65	80	90

### 4. Duration of approval

- (1) This approval has effect for 10 years from the start day or a longer period that applies under subclause (2).

- (2) If Wespine applies for a further approval under regulation 17 in relation to the Dardanup sawmill within the first 9 years in which this approval has effect this approval continues to operate until the Minister grants, or refuses to grant, the further approval.

**5. Condition of approval**

This approval is subject to the condition that Wespine ensures that clauses 6 and 7 are complied with.

**6. Minimisation of noise emissions and impact of noise**

- (1) Wespine must take all reasonable measures to reduce noise emissions from the Dardanup sawmill.
- (2) Wespine must take all reasonable measures to acquire land located in the area shown coloured blue on the plan marked "A" initialled by or on behalf of the parties to the Agreement as defined in the *Dardanup Pine Log Sawmill Agreement Act 1992*.

**7. Noise management plan**

- (1) Wespine must submit to the Director within 3 months of the start day a noise management plan.
- (2) The noise management plan must include details of the following —
  - (a) a noise monitoring programme to monitor noise emitted from the Dardanup sawmill;
  - (b) procedures to be adopted by Wespine to reduce noise emissions from the Dardanup sawmill;
  - (c) a programme for provision of information to the community about noise emissions from the Dardanup sawmill;
  - (d) procedures to be adopted by Wespine in responding to complaints about noise emissions from the Dardanup sawmill, including procedures to be adopted in reporting and investigating complaints;
  - (e) any other matter that the Director may require.
- (3) At any time after receiving a noise management plan from Wespine the Director may, by notice in writing, request Wespine to provide a revised noise management plan that addresses any matters specified in the notice.
- (4) A revised noise management plan requested under subclause (3) must be provided within 14 days of the request or by such other time as the Director specifies in the written notice.

Dated: 18th April 2013.

A. JACOB, Minister for Environment.

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**JUSTICE**

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JU301\*

Spent Convictions Act 1988

**Spent Convictions (Act Amendment)  
Regulations 2013**

Made by the Governor in Executive Council under sections 16 and 33 of the Act.

**1. Citation**

These regulations are the *Spent Convictions (Act Amendment) Regulations 2013*.

**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. *Spent Convictions Act 1988* amended**

These regulations amend the *Spent Convictions Act 1988*.

**4. Schedule 3 clause 1 amended**

- (1) In Schedule 3 clause 1(1) in the Table item 3 delete “constable” and insert:

police officer

- (2) In Schedule 3 clause 1(3) in the Table item 13 delete “Schools” and insert:

School

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.



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**TREASURY AND FINANCE**

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TR301\*

Taxation Administration Act 2003

**Taxation Administration Amendment  
Regulations (No. 2) 2013**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Taxation Administration Amendment Regulations (No. 2) 2013*.

**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 *Taxation Administration Regulations 2003*.

**4. Regulation 3 amended**

In regulation 3 delete “6% per annum.” and insert:

3.5% per annum.

**5. Regulation 4 amended**

In regulation 4 delete “6% per annum.” and insert:

3.5% per annum.

**6. Regulation 5 amended**

In regulation 5 delete “12% per annum.” and insert:

11.5% per annum.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

TR302\*

First Home Owner Grant Act 2000

## First Home Owner Grant Amendment Regulations 2013

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *First Home Owner Grant Amendment Regulations 2013*.

### 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 *First Home Owner Grant Regulations 2000*.

### 4. Regulation 8 amended

- (1) In regulation 8(1) and (2) delete “6% per annum.” and insert:

3.5% per annum.

- (2) In regulation 8(3) delete “12% per annum.” and insert:

11.5% per annum.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401\*

**EXOTIC DISEASES OF ANIMALS ACT 1993**

## IMPORT RESTRICTION ORDER NO. 1/2011—EXTENSION

The Import Restriction Order made by the Minister for Agriculture and Food under section 24 of the *Exotic Diseases of Animals Act 1993* and published in the *Gazette* on 7 September 2011 is extended for a further period of 30 days from the publication of this notice.

PETER MORCOMBE, Chief Veterinary Officer.

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### CONSUMER PROTECTION

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CP401\*

**ASSOCIATIONS INCORPORATION ACT 1987**

## ASSOCIATIONS REINSTATED

## VOC HISTORICAL SOCIETY INCORPORATED—A1009071P

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 10 May 2013.

DAVID HILLYARD, Director, Retail and Services  
for Commissioner of Consumer Protection.

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### JUSTICE

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JU401\*

**JUSTICES OF THE PEACE ACT 2004**

## APPOINTMENTS

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—

Sellappa Gounder Palaniappan of 16B Garnett Place, Balga WA

Derrick Ernest Peters of 56 Santara Circle, Dianella WA

Geordie Kenneth Thompson of 10 Glenkerry Road, Willetton WA

RAY WARNES, Executive Director,  
Court and Tribunal Services.

JU402\*

**JUSTICES OF THE PEACE ACT 2004**

## RESIGNATIONS

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

Mr Edward Laurence Rollinson of Mount Lawley

Mrs Glenice Alison Gordon of Swanbourne

Ms Karol Burns of Willetton

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

RAY WARNES, Executive Director,  
Court and Tribunal Services.

JU403\*

**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

## REGISTRIES

In accordance with section 13 of the *Children's Court of Western Australia Act 1988* (WA) I hereby give notice that the following places will have a registry of the Children's Court of Western Australia—

The Fines Enforcement Registry

DENIS REYNOLDS, President,  
Children's Court of Western Australia.

JU404\*

**PROFESSIONAL STANDARDS ACT 1997**

## LAW INSTITUTE OF VICTORIA LIMITED SCHEME

I, Michael Mischin MLC, Attorney General, pursuant to section 26 of the *Professional Standards Act 1997* (the Act), authorise the publication of the Law Institute of Victoria Limited Scheme (the Scheme) submitted to me by the Professional Standards Council of Victoria pursuant to the mutual recognition provisions of the Victorian and Western Australian professional standards legislation. The Scheme is published with this authorisation and commences on 1 July 2013. The Scheme remains in force from the date of its commencement until 30 June 2015, unless the Scheme is revoked, extended, or its operation ceases as specified in the Act.

MICHAEL MISCHIN MLC, Attorney General.

Dated: 11 April 2013.

**PROFESSIONAL STANDARDS ACT 2003 (VIC)**

## LAW INSTITUTE OF VICTORIA LIMITED SCHEME

## PREAMBLE

- A. The Law Institute of Victoria Limited ("the LIV") is a voluntary occupational association for legal practitioners (solicitors) in Victoria.
- B. The LIV has made an application to the Professional Standards Council ("Council"), appointed under the *Professional Standards Act 2003* (Vic) ("the Act") for approval of a scheme under the Act, and this document comprises the scheme ("the Scheme").
- C. The Scheme has been prepared by the LIV for the purposes of limiting Occupational Liability of Participating Members to the extent to which such liability may be limited under the Act.
- D. The Scheme is to apply to all Participating Members.
- E. The Scheme is intended to operate as a scheme of Victoria, New South Wales, Queensland, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory.
- F. The LIV has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its Participating Members and the means by which those strategies are intended to be implemented.
- G. Subject to s34 of the Act, the Scheme is intended to remain in force after its commencement in all applicable jurisdictions until 30 June 2015.
- H. The Scheme commences on 1 July 2010.

## LAW INSTITUTE OF VICTORIA SCHEME

**1. Preparation of the Scheme**

1.1 This Scheme is a scheme under the Act prepared by the LIV, whose business address is 470 Bourke Street, Melbourne, Victoria.

1.2 Relevant definitions for the purpose of this Scheme are as follows—

“Australian Practising Certificate” has the same meaning as it has in the *Legal Profession Act 2004* (Vic);

“Corporate Legal Practitioner” has the same meaning as it has in the *Legal Profession Act 2004* (Vic);

“Court” has the same meaning as it has in the Act;

“Damages” has the same meaning as it has in the Act;

“Financial Year” means a financial accounting period ending 30 June;

“Full Member” means a person within the category of full membership of the LIV as contemplated in the LIV’s constitution (as amended from time to time);

“Incorporated Legal Practice” means a corporation within the category of incorporated legal practice membership as contemplated in the LIV’s constitution (as amended from time to time);

“Law Practice” has the same meaning as it has in the *Legal Profession Act 2004* (Vic);

“Occupational Liability” has the same meaning as it has in the Act<sup>1</sup>;

“Participating Members” means those persons specified in clause 2.1 of the Scheme;

“Principal” has the same meaning as it has in the *Legal Profession Act 2004* (Vic);

“Relevant Time” refers to a cause of action founded on an act or omission, specifically to the time of that act or omission occurring; and

“Total Annual Fee Income” means the amount charged during a Financial Year for services provided by or on behalf of a Law Practice some of whose members are Participating Members.

**2. Persons to whom the Scheme applies**

2.1 The Scheme applies to—

2.1.1 Full Members who hold a current Australian Practising Certificate who are not excluded or exempted under clauses 2.2. or 2.3. of the Scheme;

2.1.2 Incorporated Legal Practices;

2.1.3 all persons to whom, by virtue of ss20, 21 or 22 of the Act<sup>2</sup>, the Scheme applies;

2.1.4 all persons to whom clause 2.1.1. applied at the Relevant Time but no longer applies;

2.1.5 all corporations to which clause 2.1.2. applied at the Relevant Time but no longer applies;

2.1.6 all persons to whom clause 2.1.3 applied at the Relevant Time but no longer applies.

2.2 A person referred to in clause 2.1 does not include a Corporate Legal Practitioner.

2.3 A person or corporation referred to in clause 2.1 may, on application, be exempted from participation in the Scheme by the LIV. This clause does not apply to persons to whom the Scheme applies by virtue of ss20 or 21 of the Act.

**3. Limitation of liability**

3.1 The Scheme limits the Occupational Liability of a Participating Member for Damages<sup>3</sup>—

3.1.1 arising from a single cause of action founded on the act or omission; and

3.1.2 to the extent those Damages exceed \$1.5 million for Participating Members in Class 1 or Class 2 of the table in clause 3.3, or as the case may be, \$10 million for Participating Members in Class 3 or Class 4 of the table in clause 3.3.

<sup>1</sup> Section 5(1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, any negligence or other fault of an Australian legal practitioner in acting for a client in a personal injury claim; a breach of trust or fraud or dishonesty. Section 5(2) of the Act also provides that the Act does not apply to liability, which may be the subject of proceedings under s110 of the *Transfer of Land Act 1958* (Vic).

<sup>2</sup> Sections 20 and 21 of the Act provide that if the Scheme applies to a body corporate, the Scheme also applies to each officer of the body corporate and if the Scheme applies to a person, the Scheme also applies to each partner of a person, and if the Scheme applies to a person, the Scheme also applies to each employee of that person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 22 provides that the Scheme also applies to other persons prescribed by the regulations for the purposes of s 31(4) as being associated with persons to whom a scheme applies.

<sup>3</sup> Damages as defined in s4 of the Act means—

a. damages awarded in respect of a claim or counter-claim or by way of set-off; or

b. costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); or

c. any interest payable on the amount of those damages or costs.

3.2 If a Participating Member against whom a proceeding relating to Occupational Liability is brought is able to satisfy the Court that—

3.2.1 the Participating Member has the benefit of an insurance policy or policies insuring him or her against the Occupational Liability to which the cause of action relates; and

3.2.2 the amount payable under the policy or policies in respect of that Occupational Liability<sup>4</sup> is not less than the amount of the monetary ceiling (maximum amount of liability) specified in the third column of the table in clause 3.3 as applying to such Participating Member to which the cause of action relates—

the Participating Member is not liable in Damages in relation to that cause of action above the amount of that monetary ceiling.

3.3 The monetary ceiling applicable for the purposes of limitation of liability under the Scheme at the Relevant Time is to be determined according to the table below—

Class	Description	Monetary ceiling
1	Participating Members who were at the Relevant Time in a Law Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million.	\$1.5 million
2	Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million.	\$1.5 million
3	(a) Participating Members who were at the Relevant Time in a Law Practice consisting of greater than 20 Principals; or (b) Participating Members who were at the Relevant Time in a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million.	\$10 million
4	(a) Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of greater than 20 Principals; or (b) Any Participating Member which was at the Relevant Time a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million.	\$10 million

#### 4. Conferral of discretionary authority

4.1 The LIV has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to him, her or it either in all cases or in any specified case or class of case.

4.2 If, in the exercise of its discretion under clause 4.1, the LIV has specified a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to a Participating Member, the maximum amount of liability (monetary ceiling) in relation to that Participating Member is that higher maximum amount.

#### 5. Duration

5.1 Subject to s34 of the Act, the Scheme will be in force after its commencement in all applicable jurisdictions until 30 June 2015.

<sup>4</sup> Section 4(2) of the Act provides that a reference in the Act 'to the amount payable under an insurance policy in respect of an occupational liability includes a reference to—

defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for the time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and

the amount payable under or in relation to the policy by way of excess'.

However, see also s 28A of the Act and its note, which has the effect that s 4(2) does not reduce the cap on the liability of the Participating Member to the client.

**PROFESSIONAL STANDARDS ACT 2003 (VIC)**  
**INSTRUMENT AMENDING THE LAW INSTITUTE OF VICTORIA**  
**LIMITED SCHEME**

**PREAMBLE**

- A. The Law Institute of Victoria Limited (“the LIV”) is a voluntary occupational association for legal practitioners (solicitors) in Victoria.
- B. The Law Institute of Victoria Scheme (“the Scheme”) commenced on 1 July 2010.
- C. This instrument of amendment has been prepared by the LIV under s18 of the *Professional Standards Act 2003* (Vic) (“the Act”) to amend the Scheme.

**AMENDMENT TO THE SCHEME**

1. This instrument to amend the Scheme under s18 of the Act is prepared by the LIV, whose business address is 470 Bourke Street, Melbourne, Victoria.

**Operation of the Scheme in multiple jurisdictions**

1.1 Insert a new item E in the Preamble to the Scheme as follows—

*The Scheme is intended to operate as a scheme of Victoria, New South Wales, Queensland, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory.*

1.2 Amend existing items E, F and G in the Preamble to the Scheme to become items F, G and H respectively.

**Reduction of the lower monetary ceiling in the Scheme to \$1.5 million from \$2 million**

1.3 Delete the phrase ‘\$2 million’ from clause 3.1.2 of the Scheme and substitute with the phrase ‘\$1.5 million’.

1.4 Delete the words ‘described in the fourth column of the table in clause 3.3’ from clause 3.2.1 of the Scheme.

1.5 Delete the fourth column from the table in clause 3.3 of the Scheme.

1.6 Delete the phrase ‘\$2 million’ from the second row of the table in clause 3.3 of the Scheme and substitute with the phrase ‘\$1.5 million’.

**Application of the Scheme to incorporated legal practices as members of the LIV**

1.7 Between the definitions of “Full Member” and “Law Practice” in clause 1.2 of the Scheme, insert a definition of “Incorporated Legal Practice” which provides—

*“Incorporated Legal Practice” means a corporation within the category of incorporated legal practice membership as contemplated in the LIV’s constitution (as amended from time to time);*

1.8 Insert a new clause 2.1.2 into clause 2.1 of the Scheme which provides that the Scheme applies to—

*Incorporated Legal Practices;*

1.9 Amend existing clause 2.1.2 of the Scheme to become clause 2.1.3;

1.10 Amend existing clause 2.1.3 of the Scheme to become clause 2.1.4;

1.11 Insert a new clause 2.1.5 into clause 2.1 of the Scheme which provides—

*All persons to whom clause 2.1.3 applied at the Relevant Time but no longer applies;*

1.12 Amend existing clause 2.1.4 of the Scheme to become clause 2.1.6;

1.13 Amend clause 2.3 of the Scheme to provide—

*A person or corporation referred to in clause 2.1 may, on application, be exempted from participation in the Scheme by the LIV. This clause does not apply to persons to whom the Scheme applies by virtue of ss20 or 21 of the Act.*

1.14 Amend clause 3.1.2 of the Scheme to provide—

*to the extent those Damages exceed \$1.5 million for Participating Members in Class 1 or Class 2 of the table in clause 3.3, or as the case may be, \$10 million for Participating Members in Class 3 or Class 4 of the table in clause 3.3.*

1.15 Amend the table below clause 3.3. to include a new class 2, the description of which provides—

*Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including \$10 million.*

1.16 Amend existing class 2 in the table below clause 3.3 to become class 3;

1.17 Amend the table below clause 3.3. to include a new class 4, the description of which provides—

- a. *Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of greater than 20 Principals; or*
- b. *Any Participating Member which was at the Relevant Time a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than \$10 million.*

1.18 Delete the words “him or her” in clause 4.1 of the Scheme and substitute with the words “him, her or it”.

**Duration of the Amended LIV Scheme**

1.19 Amend Item F (amended to become item G under clause 1.2 of this instrument) of the Preamble to the Scheme to provide—

*Subject to s34 of the Act, the Scheme is intended to remain in force after its commencement in all applicable jurisdictions until 30 June 2015.*

1.20 Amend clause 5.1 of the Scheme to provide—

*Subject to s34 of the Act, the Scheme will be in force after its commencement in all applicable jurisdictions until 30 June 2015.*

**COMMENCEMENT**

2. The amendments to the Scheme made by this instrument will commence on the date two months after publication of the instrument in the *Government Gazette*.

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**MINERALS AND PETROLEUM**


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**MP401\*****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

F. ZEMPILAS, Warden.

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To be heard by the Warden at Kalgoorlie on 5 July 2013.

**EAST COOLGARDIE MINERAL FIELD****Prospecting Licences**

P 25/2212-S	Morgan, Glyn Thomas
P 25/2213-S	Mazza, Bernard Peter
P 26/3615	Nex Metals Explorations Ltd
P 26/3711	Charlton, Terry Michael

**NORTH COOLGARDIE MINERAL FIELD****Prospecting Licence**

P 29/2112	Black Mountain Gold Limited
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**MP402\*****MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

F. ZEMPILAS, Warden.

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To be heard by the Warden at Kalgoorlie on 5 July 2013.

**BROAD ARROW MINERAL FIELD****Prospecting Licences**

P 24/4539	Guide Resources Pty Ltd
P 24/4540	Guide Resources Pty Ltd
P 24/4541	Guide Resources Pty Ltd
P 24/4542	Guide Resources Pty Ltd



## EAST COOLGARDIE MINERAL FIELD

## Prospecting Licences

P 25/2146 Guise, David Jonathon  
 P 26/3749 Kurana Pty Ltd  
 P 26/3750 Kurana Pty Ltd  
 P 26/3751 Kurana Pty Ltd

## N. E. COOLGARDIE MINERAL FIELD

## Prospecting Licences

P 27/1875 Kanowna Mines Ltd (ACN 053 530 037)  
 P 27/1876 Kanowna Mines Ltd (ACN 053 530 037)  
 P 27/1976 Binder, Steven Mark

**MP403\*****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
 Southern Cross WA 6426.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non-payment of rent.

PAUL ROTH, Warden.

To be heard by the Warden at Southern Cross on 23 July 2013.

## YILGARN MINERAL FIELD

## Prospecting Licence

P 77/3984 Van Blitterswyk, Wayne Craig

**MP404\*****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
 Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non-payment of rent.

T. HALL, Warden.

To be heard by the Warden at Leonora on 8 July 2013.

## EAST MURCHISON MINERAL FIELD

## Prospecting Licences

P 36/1745 Stephens, Karen Estelle  
 P 36/1746 Jones, Dale Patrick

## MT MARGARET MINERAL FIELD

## Prospecting Licences

P 37/8052	Van Blitterswyk, Wayne Craig
P 37/8053	Van Blitterswyk, Wayne Craig
P 37/8055	Van Blitterswyk, Wayne Craig
P 37/8064	Colagiuri, Stefan
P 37/8072	Gallop, Leeanne Caroline
P 37/8084	Metalminer Pty Ltd
P 37/8085	Metalminer Pty Ltd
P 37/8086	Metalminer Pty Ltd
P 37/8087	Metalminer Pty Ltd
P 37/8088	Metalminer Pty Ltd
P 37/8089	Metalminer Pty Ltd
P 38/3333	Crocker, David Alexander Jambon, Gilbert Philippe
P 38/3334	Crocker, David Alexander Jambon, Gilbert Philippe
P 38/3335	Crocker, David Alexander Jambon, Gilbert Philippe
P 38/3929	Baker, Glenn William
P 38/3932	Baker, Glenn William

**MP405\*****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

T. HALL, Warden.

To be heard by the Warden at Leonora on 8 July 2013.

## MT MARGARET MINERAL FIELD

## Prospecting Licence

P 39/5114 Churchlands Consulting Pty Ltd

## NORTH COOLGARDIE MINERAL FIELD

## Prospecting Licence

P 40/1268 Epis, James Gregory

**MP406\*****MINING ACT 1978**

## INTENTION TO FORFEIT

Department of Mines and Petroleum,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 21 June 2013 it is

the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
<b>EXPLORATION LICENCES</b>		
04/2090	JML Resources Pty Ltd	West Kimberley
15/1065	ABEH Pty Ltd	Coolgardie
15/1108	Bardoc Resources Pty Ltd	Coolgardie
15/1109	Bardoc Resources Pty Ltd	Coolgardie
15/1150	Bardoc Resources Pty Ltd	Coolgardie
15/1151	Bardoc Resources Pty Ltd	Coolgardie
15/1299	TJ & IM Leahy Pty Ltd	Coolgardie
20/763	Jones, Simon Neil David	Murchison
25/454	Guide Resources Pty Ltd	East Coolgardie
27/362	Kanowna Mines Ltd (ACN 053 530 037)	N. E. Coolgardie
47/2050-I	Aboriginal Prospecting Company Pty Ltd	West Pilbara
51/1340-I	Sacculus Pty Ltd	Murchison
51/1341-I	Sacculus Pty Ltd	Murchison
51/1342-I	Sacculus Pty Ltd	Murchison
53/1418	Venture Minerals Limited	East Murchison
69/2200	Redstone Resources Limited	Warburton
70/4024-I	Western Iron Ore Pty Ltd	South West
70/4227	New Coal Energy Pty Ltd	South West
<b>MINING LEASES</b>		
04/218	McCorry Brown Earthmoving Pty Ltd	West Kimberley
15/232	Merrysoul Pty Ltd	Coolgardie
16/491	Millward, John Stephen Bladon	Coolgardie
45/421	Deas, Garry Vincent O'Donoghue, Darryl	Pilbara

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## PLANNING

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PL401\*

### PLANNING AND DEVELOPMENT ACT 2005

#### METROPOLITAN REGION SCHEME MINOR AMENDMENT 1235/57 WATTLE GROVE URBAN PRECINCT

##### Notice of Approved Amendment

File: 833-2-24-60

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2488 and is effective from the date of publication of this notice in the *Government Gazette*.

Pursuant to section 126(3) of the *Planning and Development Act 2005*, the Shire of Kalamunda requested that the WAPC amend its Town Planning Scheme No. 3 for the urban zoned land included in the proposal. This was agreed to by the WAPC and portion of Lot 32 Brook Road and Lot 36 Welshpool Road East, Wattle Grove will be transferred to the Industrial Development zone in Town Planning Scheme No 3. This amendment to Town Planning Scheme No. 3 is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday, 17 May 2013 to Friday, 21 June 2013 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Shire of Kalamunda
- City of Gosnells

Documents are also available from the PlanningWA website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

NEIL THOMSON, Secretary,  
Western Australian Planning Commission.

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## PREMIER AND CABINET

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PR401\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon T. R. Buswell MLA to act temporarily in the office of Minister for Health; Tourism in the absence of the Hon Dr K. D. Hames MLA for the period 17 to 19 May 2013 (both dates inclusive).

PETER CONRAN, Director General,  
Department of the Premier and Cabinet.

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PR402\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon T. K. Waldron MLA to act temporarily in the office of Minister for Training and Workforce Development; Water; Forestry in the absence of the Hon D. T. Redman MLA for the period 6 to 28 July 2013 (both dates inclusive).

PETER CONRAN, Director General,  
Department of the Premier and Cabinet.

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## DECEASED ESTATES

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ZX401\*

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

Notice to Creditors and Claimants

Paul Martin Jervis, late of 9 Stella Place, Alexander Heights, Western Australia, Personal Carer, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the deceased, who died on 19 October 2010, are required by the Executor, Julie Kaye Jervis to send particulars of their claim to the Executor, care of Downings Legal, Level 11, 167 St Georges Terrace, Perth WA 6000 (Ref: JMC20110512) within one (1) month of the date of publication hereof, after which date the Executor may convey or distribute the assets having regard to the claims of which the Executor then has notice.

Dated: 13 May 2013.

DOWNINGS LEGAL, as solicitors for the Executor.

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ZX402

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

Notice to Creditors and Claimants

Valerie Margaret McAuliffe, late of 37 Giles Street, North Beach, 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 23 February 2012, are required by the Executor, Matthew Stuart Peacock, care of P.A. Martino Barristers & Solicitors, PO Box 564, West Perth WA 6872 to send particulars of their claims to him by 20 June 2013, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

## Notice to Creditors and Claimants

James Peter McAuliffe (otherwise known as Peter James McAuliffe), late of Mirrambeena Nursing Home, 12 Farrelly Street, Margaret River, 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 31 December 2009, are required by the Administrator, Peta Anne McAuliffe, care of P.A. Martino Barristers & Solicitors, PO Box 564, West Perth WA 6872 to send particulars of their claims to her by 20 June 2013, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

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**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 Robert Duncan Corbett, late of 34 Bath Street, Manjimup who died on 5 October 2012 are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Robert Duncan Corbett deceased care of Young & Young, 5 Spencer Street, Bunbury WA by the 10th day of June 2013, 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.

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**ZX405****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Seok Eng Ng, late of Mercy Aged Care, 18 Barrett Street, Wembley, 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 9 January 2013, are required by the Executors Ernest Keng Boon Ng and Fiona Bee Eng Ng both of 23 Thomas Street, Nedlands WA to send particulars of their claims to them within two months from the date of publication of this notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

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**ZX406\*****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 to send particulars of their claims to me, on or before 17 June 2013 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bell, Marjorie Doreen Annie, Also Known As Doreen Bell, late of 67 Kanowna Avenue, Redcliffe, died 10.03.2013 (DE19731121 EM24)

Burns, Emily Hazel, late of Chrystal Halliday Nursing Home, 27 Prisk Street, Karrinyup, formerly of 15A Malloway Court, Sorrento, died 20.03.2013 (DE19871330 EM35)

Gittos, Norma Maureen, late of Kingia Care Facility, 5 Allen Court, Bentley, died 1.04.2013 (DE19853040 EM17)

Meuwese, Marie Dieuwertje, late of 366 Walter Crescent, Morley, died 8.04.2013 (DE19861937 EM13)

Sackel, Betty Irene, late of Grandview Aged Care, 21 Aldwych Way, Joondalup, died 23.04.2013 (DE19831935 EM36)

Stobbs, Alan Robert, late of 24b Growden Street, Merredin, died 31.12.2012 (DE33072238 EM37)

Vawser, Alan Mervyn, late of 25 Peirse Way, Marmion, died 7.02.2013 (DE19774820 EM24)

Watson, Dulcie Rae, late of Unit 50 84 Collick Street, Hilton, died 16.04.2013 (DE19690201 EM36)

Webb, Charles Barrington, Lathlain Care Facility, 63 Archer Street, Carlisle, died 16.03.2013 (DE19933763 EM13)

Woods, Celeir Rose, Also Known As Cecilia Rose Woods, late of 28 Stevenage Street, Huntingdale, died 13.01.2012 (DE33094451 EM17)

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

ZX407\*

**PUBLIC TRUSTEE ACT 1941**  
ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 17th day of May 2013.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Edward Francis Benjamin DE19933298 EM214	4/57 First Avenue, Mount Lawley	13 November 2012	7 May 2013
Mary Knott DE19930322 EM26	86 Mills Road, Martin	2 March 2013	7 May 2013

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