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— PART 1 —

PROCLAMATIONS

AA101*

OCCUPATIONAL SAFETY AND HEALTH LEGISLATION AMENDMENT ACT 2009

No. 36 of 2009

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Occupational Safety and Health Legislation Amendment Act 2009* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the Government Gazette as the day on which sections 11, 12 and 15 of that Act come into operation.

Given under my hand and the Public Seal of the State on 29 June 2010.

By Command of the Governor,

W. MARMION, Minister for Commerce.

Note 1: Under the Occupational Safety and Health Amendment Regulations (No. 2) 2010 regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the Occupational Safety and Health Legislation Amendment Act 2009 sections 11, 12 and 15 come into operation.

Note 2: Under the Industrial Relations Commission Amendment Regulations 2010 regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the Occupational Safety and Health Legislation Amendment Act 2009 sections 11, 12 and 15 come into operation.

AA102*

OCCUPATIONAL SAFETY AND HEALTH LEGISLATION AMENDMENT AND REPEAL ACT 2004

No. 51 of 2004

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Occupational Safety and Health Legislation Amendment and Repeal Act 2004* (the "2004 Act") section 2 and with the advice and consent of the Executive Council, fix the day on which the Occupational Safety and Health Legislation Amendment Act 2009 sections 11, 12 and 15 come into operation as the day on which sections 65, 66 and 68 of the 2004 Act come into operation.

Given under my hand and the Public Seal of the State on 29 June 2010.

By Command of the Governor,

W. MARMION, Minister for Commerce.

JUSTICE

JU301*

Cross-border Justice Act 2008

**Cross-border Justice Amendment
Regulations 2010**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Cross-border Justice Amendment Regulations 2010*.

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 *Cross-border Justice Regulations 2009*.

4. Regulations 19 and 20 replaced

Delete regulations 19 and 20 and insert:

19. Section 27 altered

Before section 27(1) insert:

- (1A) A police officer can exercise a power in this section in relation to a public place, or a vehicle used for public transport, anywhere in the State but cannot exercise that power in relation to a public place, or a vehicle used for public transport, in another participating jurisdiction.

20A. Section 34 altered

(1) At the beginning of section 34 insert:

(1) A police officer can exercise a power in this section in relation to a public place anywhere in the State but cannot exercise that power in relation to a public place in another participating jurisdiction.

(2) In section 34 delete “A police officer” and insert:

(2) A police officer

20B. Section 35 altered

Before section 35(1) insert:

(1A) A police officer can exercise a power in this section in relation to a place or vehicle anywhere in the State but cannot exercise that power in relation to a place or vehicle in another participating jurisdiction.

20C. Section 36 altered

(1) At the beginning of section 36 insert:

(1) An officer can exercise a power in this section in relation to a place or vehicle anywhere in the State but cannot exercise that power in relation to a place or vehicle in another participating jurisdiction.

(2) In section 36 delete “If an officer” and insert:

(2) If an officer

20D. Section 37 altered

Before section 37(1) insert:

(1A) A police officer can exercise a power in this section in relation to a place or vehicle anywhere in the State but cannot exercise that power in relation to a place or vehicle in another participating jurisdiction.

20. Section 38 altered

(1) At the beginning of section 38 insert:

(1) A police officer can exercise a power in this section in relation to a vehicle anywhere in the State but cannot exercise that power in relation to a vehicle in another participating jurisdiction.

(2) In section 38 delete “If a police officer” and insert:

(2) If a police officer

5. Regulation 23 replaced

Delete regulation 23 and insert:

23. Section 69 altered

Before section 69(1) insert:

(1A) A police officer or senior police officer can exercise a power in this section in relation to a public place anywhere in the State but cannot exercise that power in relation to a public place in another participating jurisdiction.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

CULTURE AND THE ARTS

CZ401

ART GALLERY ACT 1959 APPOINTMENTS

Art Gallery of Western Australia.

It is hereby notified for public information and in accordance with the provisions of the *Art Gallery 1959*, pursuant to section 6(2), the following members have been appointed and re-appointed to the Board of the Art Gallery of Western Australia and for their terms to expire as follows—

Appointed—

Fiona Kalaf	Chair	31 December 2010
Brian Edward Roche	Member	30 June 2014

Re-appointed—

Adrian Fini	Member	30 June 2012
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STEFANO CARBONI, Director,
Art Gallery of Western Australia.

ENERGY

EN401*

ENERGY COORDINATION ACT 1994 NOTICE UNDER SCHEDULE 1A, SUBSECTION (G) Gas Trading and Distribution Licences

Notice is given that Origin Energy Retail Limited has surrendered its gas trading and gas distribution licences, pursuant to clause 8 of these licences.

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994 PROHIBITION ON COMMERCIAL FISHING (SOUTH-WEST COAST BEACH BAIT NET) ORDER 2010 Order No. 3 of 2010

FD 1620/98 [914]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Commercial Fishing (South-West Coast Beach Bait Net) Order 2010*.

2. Interpretation

In this order—

“**authorised boat**” means a fishing boat in respect of which a fishing boat licence specified in column 2 of Schedule 3 is in force;

“**bait net**” means any fishing net that is hauled from the shore;

“**beach seine net**” means a net that—

- (a) is hauled from the shore; and
- (b) does not exceed 250 metres in length; and
- (c) does not exceed 5 metres in depth; and
- (d) has a mesh size of not less than 7 millimetres;

“**fishing unit**” means all the fishing boat licences specified in column 2 of Schedule 3 directly opposite a fishing unit specified in column 1.

3. Prohibition on commercial fishing by means of bait nets

A person must not engage in commercial fishing by means of a bait net in the waters specified in Schedule 1.

4. Exceptions to clause 3

- (1) Clause 3 does not apply to a person fishing in the waters specified in Schedule 2 with the use of—
 - (a) an authorised boat; and
 - (b) one beach seine net.
- (2) Subclause (1) does not apply to a person where—
 - (a) more than one authorised boat in respect of the same fishing unit is being used to fish in the waters of Schedule 2 at any one time; or
 - (b) more than one beach seine net is being used to fish from an authorised boat at any one time.
- (3) Clause 3 does not apply to a person fishing in accordance with the *South-West Coast Salmon Fishery Management Plan 1982*.

5. Revocation

The *South West Beach Seine Fishery Notice 1990* (Notice No. 416) is revoked.

Schedule 1

All Western Australian waters off the west and south coast of Western Australia bounded by a line commencing at the intersection of the high water mark on the mainland at 32o 39.08' south latitude and thence westerly along the geodesic to the 200 nautical mile boundary of the Australian fishing zone and thence southerly and easterly along the boundary of the Australian fishing zone to its intersection with 115o 30' east longitude and thence northerly along the meridian to the high water mark of the mainland and thence generally westerly and northerly along the high water mark to the commencement point.

Schedule 2

All Western Australian waters off the west coast of Western Australia within 800 metres of the high water mark between 32o 39.08' south latitude (Tims Thicket Point) and 33o 37.56' south latitude (Port Geographe Marina).

Schedule 3

Column 1—Fishing units	Column 2—Fishing boat licences
Fishing unit 1	Fishing boat licence No. 2268; Fishing boat licence No. 3323; Fishing boat licence No. 3324.
Fishing unit 2	Fishing boat licence No. 2284; Fishing boat licence No. 2650; Fishing boat licence No. 2651.
Fishing unit 3	Fishing boat licence No. 2309; Fishing boat licence No. 2615.
Fishing unit 4	Fishing boat licence No. 2363; Fishing boat licence No. 2611; Fishing boat licence No. 2612; Fishing boat licence No. 2613.
Fishing unit 5	Fishing boat licence No. 2625; Fishing boat licence No. 2626; Fishing boat licence No. 2901; Fishing boat licence No. 3513.
Fishing unit 6	Fishing boat licence No. 2635; Fishing boat licence No. 2636; Fishing boat licence No. 2637; Fishing boat licence No. 3346; Fishing boat licence No. 3430.
Fishing unit 7	Fishing boat licence No. 2644; Fishing boat licence No. 2646; Fishing boat licence No. 2648.
Fishing unit 8	Fishing boat licence No. 2661; Fishing boat licence No. 3263.

Column 1—Fishing units	Column 2—Fishing boat licences
Fishing unit 9	Fishing boat licence No. 2739; Fishing boat licence No. 2741; Fishing boat licence No. 2742.
Fishing unit 10	Fishing boat licence No. 2738; Fishing boat licence No. 2740; Fishing boat licence No. 2743.
Fishing unit 11	Fishing boat licence No. 2756; Fishing boat licence No. 2757; Fishing boat licence No. 3221; Fishing boat licence No. 3262.

Dated this 23rd day of June 2010.

NORMAN MOORE, Minister for Fisheries.

HEALTH

HE401*

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994
HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)—
REPEAL ORDER (NO. 2) 2010

Made by the Director, Office of Safety and Quality (as delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Repeal Order (No. 2) 2010*.

Commencement

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

Order Repealed

3. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 3) 2009* is repealed.

Dated this 25th day of June 2010.

LYN DAVID, A/Director,
Office of Safety and Quality in Healthcare,
Performance Activity and Quality Division.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

Shire of Capel
(BASIS OF RATES)

Department of Local Government.

DLG: CP5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedules hereunder shall be gross rental value for the purposes of rating with effect from 24 June 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE
 ADDITIONS TO GROSS RENTAL VALUE AREA
 SHIRE OF CAPEL

All those portions of land being Lots 4359 to 4363 inclusive, Lots 4368 to 4379 inclusive and Lots 4387 to 4391 inclusive as shown on Deposited Plan 66364.

SCHEDULE
 ADDITIONS TO GROSS RENTAL VALUE AREA
 SHIRE OF CAPEL

All those portions of land being Lots 4392 to 4396 inclusive, Lots 4498 to 4503 inclusive, Lots 4511 to 4520 inclusive, Lots 4526 to 4529 inclusive and Lots 4534 to 4535 as shown on Deposited Plan 66365.

LG402***LOCAL GOVERNMENT ACT 1995**

Shire of Capel
 (BASIS OF RATES)

Department of Local Government.

DLG: CP5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 29 June 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE
 ADDITIONS TO GROSS RENTAL VALUE AREA
 SHIRE OF CAPEL

All those portions of land being Lots 2816 to 2820 inclusive, Lots 2835 to 2840 inclusive, Lots 2857 to 2863 inclusive, Lots 2885 to 2887 inclusive, Lots 2894 to 2903 inclusive and Lot 3082 as shown on Deposited Plan 66982 and Lots 2864 to 2871 inclusive and Lot 3085 as shown on Deposited Plan 66986.

LG403***LOCAL GOVERNMENT ACT 1995**

City of Rockingham
 (BASIS OF RATES)

Department of Local Government.

DLG: RK5-4#06

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE
 ADDITIONS TO GROSS RENTAL VALUE AREA
 CITY OF ROCKINGHAM

All those portions of land being Lots 696 to 704 inclusive as shown on Deposited Plan 64775; Lots 302 to 344 inclusive as shown on Deposited Plan 66543 and Lots 705 to 723 inclusive as shown on Deposited Plan 66561.

LG404*

LOCAL GOVERNMENT ACT 1995
Shire of Serpentine Jarrahdale
(BASIS OF RATES)

Department of Local Government.

DLG: SJ5-4#04

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 28 June 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

SCHEDULE

ADDITIONS TO GROSS RENTAL VALUE AREA
SHIRE OF SERPENTINE—JARRAHDAL

All those portions of land being Lots 28 to 41 inclusive, Lots 69 to 92 inclusive and Lots 112 to 135 inclusive as shown on Deposited Plan 62672.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
RESTRICTED SPEED AREA—ALL VESSELS
2010 Avon Descent Time Trials

Department of Transport
Fremantle WA, 13 July 2010.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraphs b(1)(i), d(1)(ii) d(1)(iii) and d(1)(iv) of the notice published in the Government Gazette MH401 on 25 October 1991 relating to restricted speed areas for all vessels on the Swan and Avon Rivers.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations 1958.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2010 Avon Descent, between the hours of 1130am to 1430 pm on Sunday 25 July 2010 and will not apply to normal traffic.

After 2:30 pm on Sunday 25 July 2010 the speed limits will be re-established in accordance with the terms of the Gazettal notice MH401 issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations 1958.

DAVID HARROD FNI, General Manager, Marine Safety,
Department of Transport.

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
RESTRICTED SPEED AREAS—ALL VESSELS
2010 Avon Descent Practice Times

Department of Transport
Fremantle WA, 13 July 2009.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraphs a(1) and b(1)(i) of the notice MH401 published in the *Government Gazette* on 25 October 1991 relating to the maximum speeds of four and five knots in the upper reaches of the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations 1958.

Providing however that such revocations shall only apply from upstream of the Middle Swan Bridge to Bells Bridge and from Posselt's Ford to Northam Weir between the hours of 1200 and 1800 on Saturday 31 July 2010 and 0800 to 1200 on Sunday 1 August 2010 and is applicable only to those bona fide entrants of the 2010 Avon Descent participating in practice for that event and only during allocated practice times defined by the Northam Avon Descent Association in accordance with the events rules.

After 1200 hours on Sunday 1 August 2010 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations 1958.

DAVID HARROD FNI, General Manager, Marine Safety,
Department of Transport.

MX403*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
RESTRICTED SPEED AREAS—ALL VESSELS
2010 Avon Descent Media Launch

Department of Transport
Fremantle WA, 13 July 2010.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraph d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to the 8 knot speed area from a position 235 metres downstream of the Ascot Swimming jetties to a position 100 metres downstream of the Point Reserve jetties, on the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations 1958.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2010 Avon Descent Media Launch, between the hours of 0800 and 0900 on Thursday 5 August 2010 and will not apply to normal traffic.

After 0900 hours on Thursday 5 August 2010 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations 1958.

DAVID HARROD FNI, General Manager, Marine Safety,
Department of Transport.

MX404*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
RESTRICTED SPEED AREAS—ALL VESSELS
2010 Avon Descent

Department of Transport
Fremantle WA, 13 July 2010.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the department by this notice revokes sub-paragraphs a(1), b(1)(i), d(1)(iii) and d(1)(iv) of the notice MH401 published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan and Avon Rivers.

Also, acting pursuant to the powers conferred by Section 115A of the Western Australian Marine Act 1982, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the Navigable Waters Regulations 1958.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2010 Avon Descent, between the hours of 0800 and Sunset on Saturday 7 August and Sunday 8 August 2010 and will not apply to normal traffic.

After Sunset on Sunday 8 August 2010 the speed limits will be re-established in accordance with the terms of the Gazettal notice MH401 issued on 25 October 1991 and Regulation 48 of the Navigable Waters Regulations 1958.

DAVID HARROD FNI, General Manager, Marine Safety,
Department of Transport.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

RENEWAL OF PETROLEUM EXPLORATION PERMIT WA-285-P (R1)

Renewal of Petroleum Exploration Permit No. WA-285-P (R1) has been granted to Inpex Browse, Ltd and Total E and P Australia to have effect for a period of five (5) years from and including 8 July 2010.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

RENEWAL OF PETROLEUM EXPLORATION PERMIT WA-344-P

Renewal of Petroleum Exploration Permit No. WA-344-P has been granted to Inpex Browse, Ltd. and Total E and P Australia to have effect for a period of five (5) years from and including 8 July 2010.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP403*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

**PETROLEUM AND GEOTHERMAL ENERGY RESOURCES
(MANAGEMENT OF SAFETY) REGULATIONS 2010**

DETERMINATION

Made by the Director Petroleum Safety in the Department of Mines and Petroleum, delegate of the Minister for Mines and Petroleum by virtue of an instrument of delegation dated 14 June 2010 and published in the *Government Gazette* of Western Australia on 22 June 2010.

BACKGROUND

Details for reporting of accidents and dangerous occurrences

Accidents and dangerous occurrences must be reported to the Minister in accordance with the regulations (Clause 70 of Schedule 1 of the *Petroleum and Geothermal Energy Resources Act 1967*).

A dangerous occurrence is defined by regulation 42 of the *Petroleum and Geothermal Energy Resources (Management of Safety) Regulations 2010*.

Timing and content of reports

Subregulation 45(1) of the *Petroleum and Geothermal Energy Resources (Management of Safety) Regulations 2010* requires, unless otherwise agreed by the Minister, a written report be provided within 3 days to the Minister of an accident or dangerous occurrence, or its detection. Subregulation 45(1)(c) provides for the Minister to make a determination as to what details concerning an accident or dangerous occurrence must be included in the written report.

THE DETERMINATION

The report to be provided under subregulation 45(1) must contain material details of the types determined as follows—

General

1. Date of occurrence report.
2. Company name, Site ID number, tenement/licence and business address of employer who controls work site.
3. Contractor(s) involved with the occurrence.
4. The facility name, facility type, site or location name where the occurrence happened.
5. Name/position/telephone number/fax number/email of person submitting these details.
6. Nature of Occurrence reported.

Fatality

1. Reference number of fatality.
2. Date and time of fatality.
3. Detailed location where the fatality occurred.
4. Name of employer of deceased
5. Details of deceased person—including: name, date of birth, gender, occupation, employment, marital status and did the deceased have children?
6. Personnel that were notified.
7. Mechanism of the fatality.
8. Breakdown agency.
9. Deceased started and scheduled to complete shift (e.g. 08:00).
10. Brief description of the fatal event.

Injury

1. Reference number of injury.
2. Date and time of injury.
3. Detailed location where the injury occurred.
4. Name of employer of injured.
5. Details of injured person—including: name, date of birth, gender, occupation, employment and number of years injured worked in current role.
6. Injured started and scheduled to complete shift. (e.g. 08:00)
7. Breakdown agency and classification of injury.
8. Mechanism that causes the injury.
9. Nature and body location of injury.
10. Brief description of the injury event.

Incident

1. Reference number of incident.
2. Date and time of incident.
3. Detailed location where the incident occurred.
4. Brief description of the incident event.

Fire or Explosion

1. Reference number of fire or explosion.
2. Date and time of fire or explosion.
3. Detailed location where the fire or explosion occurred.
4. Brief description of the fire or explosion event, including any corrective actions identified or already implemented.
5. Identify number of people injured or deceased.
6. Identify method of extinguishment and to what extent.
7. Identify self rescuers used and to what extent.
8. Was external fire fighting services required, if any, provide details.
9. Identify refuge chamber used and to what extent.
10. Ignition of fire and full details.
11. Fuel for fire and full details.
12. Was the fuel isolated from other systems, if any, provide details.

Dated this 8th day of July 2010

ALAN GOOCH, Director Petroleum Safety,
Department of Mines and Petroleum, Western Australia.

MP404*

PETROLEUM PIPELINES ACT 1969
PETROLEUM PIPELINES (MANAGEMENT OF SAFETY OF
PIPELINE OPERATIONS) REGULATIONS 2010
DETERMINATION

Made by the Director Petroleum Safety in the Department of Mines and Petroleum, delegate of the Minister for Mines and Petroleum by virtue of an instrument of delegation dated 14 June 2010 and published in the *Government Gazette* of Western Australia on 22 June 2010.

BACKGROUND**Details for reporting of accidents and dangerous occurrences**

Accidents and dangerous occurrences must be reported to the Minister in accordance with the regulations (Clause 70 of Schedule 1 of the *Petroleum Pipelines Act 1969*.)

A dangerous occurrence is defined by regulation 42 of the *Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010*.

Timing and content of reports

Subregulation 45(1) of the *Petroleum Pipelines (Management of Safety of Pipeline Operations) Regulations 2010* requires, unless otherwise agreed by the Minister, a written report be provided within 3 days to the Minister of an accident or dangerous occurrence, or its detection. Subregulation 45(1)(c) provides for the Minister to make a determination as to what details concerning an accident or dangerous occurrence must be included in the written report.

THE DETERMINATION

The report to be provided under subregulation 45(1) must contain material details of the types determined as follows—

General

1. Date of occurrence report.
2. Company name, Site ID number, tenement/licence and business address of employer who controls work site.
3. Contractor(s) involved with the occurrence.
4. The facility name, facility type, site or location name where the occurrence happened.
5. Name/position/telephone number/fax number/email of person submitting these details.
6. Nature of Occurrence reported.

Fatality

1. Reference number of fatality.
2. Date and time of fatality.
3. Detailed location where the fatality occurred.
4. Name of employer of deceased
5. Details of deceased person—including: name, date of birth, gender, occupation, employment, marital status and did the deceased have children?
6. Personnel that were notified.
7. Mechanism of the fatality.
8. Breakdown agency.
9. Deceased started and scheduled to complete shift (e.g. 08:00).
10. Brief description of the fatal event.

Injury

1. Reference number of injury.
2. Date and time of injury.
3. Detailed location where the injury occurred.
4. Name of employer of injured.
5. Details of injured person—including: name, date of birth, gender, occupation, employment and number of years injured worked in current role.
6. Injured started and scheduled to complete shift. (e.g. 08:00)
7. Breakdown agency and classification of injury.
8. Mechanism that causes the injury.
9. Nature and body location of injury.
10. Brief description of the injury event.

Incident

1. Reference number of incident.
2. Date and time of incident.
3. Detailed location where the incident occurred.
4. Brief description of the incident event.

Fire or Explosion

1. Reference number of fire or explosion.
2. Date and time of fire or explosion.
3. Detailed location where the fire or explosion occurred.
4. Brief description of the fire or explosion event, including any corrective actions identified or already implemented.
5. Identify number of people injured or deceased.

6. Identify method of extinguishment and to what extent.
7. Identify self rescuers used and to what extent.
8. Was external fire fighting services required, if any, provide details.
9. Identify refuge chamber used and to what extent.
10. Ignition of fire and full details.
11. Fuel for fire and full details.
12. Was the fuel isolated from other systems, if any, provide details.

Dated this 8th day of July 2010.

ALAN GOOCH, Director Petroleum Safety,
Department of Mines and Petroleum, Western Australia.

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Broome
Town Planning Scheme No. 4—Amendment No. 60

Ref: TPS/018

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 Broome local planning scheme amendment on 29 June 2010 for the purpose of—

1. Including a new Clause 4.25.5 setting out the method of operation of Development Plans as detailed in the Draft Model Text provisions for structure planning, as follows—

4.25.5 Operation of Development Plan

4.25.5.1. A Development Plan commences operation on the date it is adopted by the local government pursuant to clause 4.25.3.4.

4.25.5.2. Subject to clause 4.25.5.5, if a Development Plan imposes a classification on the land included in it by reference to reserves, zones, or Residential Design Codes then—

- (a) The provisions of the Development Plan apply to the land as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same way as corresponding provisions incorporated in the Scheme; and
- (b) Provisions in the Scheme applicable to land in those classifications under the Scheme apply to the Development zone.

4.25.5.3. Without limiting the generality of clause 4.25.5.2, under a Development Plan—

- (a) In the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those areas were zones under the Scheme having the same designation;
- (b) The standards and requirements applicable to the zones and R Codings under the Scheme apply to the areas having corresponding designations under the Development Plan;
- (c) The planning approval procedures including the procedures for the approval of uses and developments under the Scheme are to apply as if the land were correspondingly zoned or reserved under the Scheme;
- (d) Where land is classified as a local reservation, the rights, provisions and procedures, and the obligations of the local government in regard to compensation set out in Clause 3.4 apply as if the land were correspondingly reserved under the Scheme; and
- (e) Any other provision, standard or requirement in the Development Plan is to be given the same force and effect as if it were a provision, standard or requirement of the Scheme.

4.25.5.4. A Development Plan may distinguish between the provisions, requirements or standards which are intended to have effect as if included in the Scheme, and any provisions, requirements, or standards which are only for guidance or such other purposes as stipulated in the Development Plan.

4.25.5.5. If a provision of a Development Plan which imposes a classification on the land included in it by reference to reserves, zones or Residential Design Codes is inconsistent with a provision of the Scheme, then the provision of the Scheme prevails to the extent of any inconsistency.

2. Including a new Clause 4.27 setting out the requirements for the preparation and approval of detailed area plans as detailed in the Draft Model Text provisions for structure planning, as follows—

4.27 Detailed area plans

4.27.1 Requirement for detailed area plan

4.27.1.1. The local government or the Commission may, by notice in writing, require a person to prepare and submit to the local government a detailed area plan within the time specified in the notice.

4.27.1.2. A person may prepare and submit to the local government a detailed area plan.

4.27.1.3. A detailed area plan is to relate to a particular lot or lots and may be prepared and submitted—

- (a) To enhance, elaborate or expand on the details or provisions contained in a Proposed Development Plan or a Development Plan;
- (b) In place of a development approval required to comply with clause 2.5 of the Residential Design Codes; or
- (c) For any other planning purpose.

4.27.1.4. The local government is to—

- (a) Approve with or without conditions; or
- (b) Refuse to approve the detailed area plan.

4.27.1.5. If within 60 days of receiving a detailed area plan under clause 4.27.1.1 and 4.27.1.2, or such longer period as may be agreed in writing between the person and the local government, the local government has not made one of the determinations referred to in clause 4.27.1.4, the local government is deemed to have refused to approve the detailed area plan.

4.27.1.6. The local government is to forward a copy of the detailed area plan to the Commission within 10 days of approving the detailed area plan.

4.27.1.7. The local government's refusal to approve a detailed area plan under clause 4.27.1.4. is not a valid reason for the local government to refuse to adopt or the Commission to refuse to approve a Proposed Development Plan under clause 4.25.

4.27.2 Unless clause 4.27.1.3.(b) applies, once approved by the local government, the detailed area plan is to be used as the basis for—

- (a) Making recommendations to the Commission on subdivision applications; and
- (b) Determining development applications with respect to the land subject to the detailed area plan.

4.27.3 A detailed area plan may include details as to—

- (a) Building envelopes;
- (b) Distribution of land uses within a lot;
- (c) Private open space;
- (d) The capacity and capability of water, wastewater, drainage, electricity, gas and communication utilities to service the proposed development;
- (e) Vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
- (f) The location, orientation and design of buildings and the space between buildings;
- (g) Advertising signs, lighting and fencing;
- (h) Landscaping, finished site levels and drainage;
- (i) Protection of sites of heritage, conservation or environmental significance;
- (j) Special development controls and guidelines; and
- (k) Such other information considered relevant by the local government.

4.27.4 Variation to detailed area plan

4.27.4.1. An approved detailed area plan may be modified or varied with the approval of the local government, but where there is a related Development Plan, such modifications or variations are to conform with the intent of any related Development Plan.

4.27.4.2. The local government is to forward a copy of the modification or variation to the detailed area plan to the Commission within 10 days of approving the modification or variation.

3. Insert a new Clause 5.2.6 that Development Plans may vary the standards and requirements of the Residential Design Codes as follows—

“5.2.6 Notwithstanding any other provision of this Scheme, a Development Plan may vary the standards and requirements of the Residential Design Codes applicable to the development within the Development Plan Area.”

4. Insert a new item (fa) in clause 10.2 immediately after item (f) as follows—
 “(fa) Any Development Plan prepared and adopted under the provisions of clause 4.25 of this Scheme.”

G. T CAMPBELL, Shire President.
 K. R. DONOHOE, Chief Executive Officer.

PI501*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1191/41
RATIONALISATION OF FREMANTLE PORTS OPERATIONS

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Fremantle and is seeking public comment.

The amendment seeks to rezone five areas from the urban and industrial zones and/or waterways reservation to the port installations reservation.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal will be available for public inspection, free of charge from Tuesday 13 July 2010 to Friday 15 October 2010 at—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Perth
- City of Fremantle
- City of Cockburn
- Town of East Fremantle

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5 pm **Friday 15 October 2010**.

Late submissions will not be considered.

TONY EVANS, Secretary,
 Western Australian Planning Commission.

TRAINING

TA401

VOCATIONAL EDUCATION AND TRAINING ACT 1996

CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION AND TRAINING QUALIFICATIONS

Amendment to Western Australian *Government Gazette* 2009/225

Under the *Vocational Education and Training Act 1996* section 60C, the Minister for Training and Workforce Development classifies the following—

Class B qualification

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Normal period (months) full time	Part Time	School based	Other requirements
303.2	Certificate III in Hospitality SIT30707		Trainee	24	Y	SBT for Operations stream only	

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

David Robert Brown, late of 458 Hannan Street, Kalgoorlie, Western Australia.

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 in Kalgoorlie on 14 January 2010, are required by the trustees of care of Macdonald Rudder 126 Hannan Street Kalgoorlie 6430 to send particulars of their claims to the trustees within one month from the date of publication of this notice, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MACDONALD RUDDER LAWYERS.

WESTERN AUSTRALIA

CONTAMINATED SITES ACT 2003***Price: \$16.85 plus postage**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

MOTOR VEHICLE REPAIRERS ACT 2003***Price: \$12.55 plus postage**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

LEGAL PROFESSION ACT 2008***Price: \$56.05 plus postage**

* Prices subject to change on addition of amendments.

WorkSafe Online

Information and advice on workplace safety and health is available direct to your workplace through the WorkSafe website.

www.commerce.wa.gov.au

The WorkSafe website is user friendly and packed with valuable information to assist employers, employees, and all those involved in work to meet their obligations under the *Occupational Safety and Health Act 1984*.

For further information call WorkSafe on (08) 9327 8777