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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

### ROAD TRAFFIC LEGISLATION AMENDMENT (DISQUALIFICATION BY NOTICE) ACT 2010

No. 51 of 2010

PROCLAMATION

Western Australia

*By the Honourable  
Justice Michael John Murray,  
deputy of the Lieutenant-Governor and  
Administrator of the State of  
Western Australia*

[L.S.]

MICHAEL JOHN MURRAY  
Deputy of the Lieutenant-Governor and  
Administrator

I, the deputy of the Lieutenant-Governor and Administrator, acting under the *Road Traffic Legislation Amendment (Disqualification by Notice) Act 2010* section 2(c) and with the advice and consent of the Executive Council, fix 4 July 2011 as the day on which section 12 of that Act, other than section 12(2)(c), (5)(d) and (7)(b), comes into operation.

Given under my hand and the Public Seal of the State on 17 May 2011.

By Command of the deputy of the Lieutenant-Governor and Administrator,

T. BUSWELL, Minister for Transport.

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## HEALTH

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HE301\*

Health and Disability Services (Complaints) Act 1995

### Health Services (Conciliation and Review) Amendment Regulations 2011

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

#### 1. Citation

These regulations are the *Health Services (Conciliation and Review) Amendment Regulations 2011*.

**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 *Health Services (Conciliation and Review) Regulations 2010*.

**4. Regulation 1 replaced**

Delete regulation 1 and insert:

**1. Citation**

These regulations are the *Health and Disability Services (Complaints) Regulations 2010*.

**5. Regulation 4 amended**

In regulation 4(1):

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

Inc.;

- (b) after paragraph (b) insert:

- (c) the chief executive of the Royal Flying Doctor Service of Australia (Western Operations);
- (d) the chief executive of Silver Chain Nursing Association Incorporated.

**6. Schedule 1 replaced**

Delete Schedule 1 and insert:

**Schedule 1 — Private hospitals**

[r. 4(2)(b)]

- 1. Abbotsford Private Hospital
- 2. Albany Community Hospice
- 3. Attadale Private Hospital
- 4. Bethesda Hospital
- 5. Busselton Hospice Care Incorporated
- 6. Glengarry Private Hospital

7. Hollywood Private Hospital
8. Joondalup Health Campus
9. The Marian Centre
10. Mercy Hospital
11. Mount Hospital
12. Mount Lawley Private Hospital
13. Ngala Family Services
14. Peel Health Campus
15. Perth Clinic
16. South Perth Hospital
17. St John of God Hospital, Bunbury
18. St John of God Hospital, Geraldton
19. St John of God Hospital, Murdoch
20. St John of God Hospital, Subiaco
21. Subiaco Private Hospital Pty Limited
22. Waikiki Private Hospital

**7. Schedule 2 amended**

In Schedule 2 in the Form:

- (a) delete “*Health Services (Conciliation and Review) Act 1995*” and insert:

*Health and Disability Services (Complaints) Act 1995*

- (b) delete “Office of Health Review” and insert:

Health and Disability Services Complaints Office

By Command of the Deputy of the Lieutenant-Governor and  
Administrator,

G. MOORE, Clerk of the Executive Council.

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**JUSTICE**

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JU301

*CORRECTION TO REPRINT***GAMING AND WAGERING COMMISSION REGULATIONS 1988**

Reprint 5 as at 1 April 2011.

At page 38: In Schedule 1 item 5(g)(ii), delete “195” and insert:

200

JU302\*

Magistrates Court (Civil Proceedings) Act 2004

## **Magistrates Court (Minor Cases Procedure) Amendment Rules 2011**

Made by the Magistrates Court.

**1. Citation**

These rules are the *Magistrates Court (Minor Cases Procedure) Amendment Rules 2011*.

**2. Commencement**

These rules come into operation as follows —

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

**3. Rules amended**

These rules amend the *Magistrates Court (Minor Cases Procedure) Rules 2005*.

**4. Part 11 Division 2 heading replaced**

Delete the heading to Part 11 Division 2 and insert:

**Division 2 — Service at a residential or business address****5. Rule 64 amended**

In rule 64(2):

- (a) in paragraph (a)(ii) delete “rule 10(1); or” and insert:

rule 25B; or

(b) delete paragraph (b)(i) and insert:

- (ii) the Court dealing with your application orders otherwise.

Dated: 18 April 2011.

Magistrates' signatures:

STEVEN HEATH, Chief Magistrate.

ELIZABETH WOODS, Deputy Chief Magistrate.

PAUL HEANEY, Magistrate.

DONNA WEBB, Magistrate.

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JU303\*

Magistrates Court Act 2004  
Magistrates Court (Civil Proceedings) Act 2004

## **Magistrates Court (Civil Proceedings) Amendment Rules 2011**

Made by the Magistrates Court.

### **1. Citation**

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules 2011*.

### **2. Commencement**

These rules come into operation as follows —

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

### **3. Rules amended**

These rules amend the *Magistrates Court (Civil Proceedings) Rules 2005*.

**4. Rule 96 amended**

After rule 96(4) insert:

- (5) An application under the *Prohibited Behaviour Orders Act 2010* may be lodged at any registry of the Court.

**5. Rule 111 amended**

- (1) In rule 111(2)(a)(ii) delete “rule 10(1); or” and insert:

rule 41B; or

- (2) In rule 111(2)(b)(i) and (ii) delete “if”.

**6. Rule 123 amended**

In rule 123 in the definition of *conferring Act* delete “an Act” and insert:

legislation

Note: The heading to amended rule 123 is to read:

**Terms used****7. Rule 124 amended**

- (1) In rule 124(1) in the Table insert in alphabetical order:

*Animal Welfare Act 2002* s. 44, 56

*Prohibited Behaviour Orders Act 2010* s. 5, 21

*Weapons Act 1999* s. 17(1)

- (2) After rule 124(3) insert:

- (4) This Division applies to an application made to the Court under the *National Credit Code*, as defined in the *National Consumer Credit Protection Act 2009* (Commonwealth) section 5(1), sections 100 and 101.

**8. Rule 126 amended**

In rule 126(1) delete “129B or 129C,” and insert:

129B, 129C or 131B,



**9. Rule 127 amended**

Delete rule 127(1a) and insert:

- (1A) This rule does not apply to an application made to the Court under a provision listed in the Table.

**Table**

<b>Written law</b>	<b>Provision(s)</b>
<i>Animal Welfare Act 2002</i>	s. 44, 56
<i>Criminal and Found Property Disposal Act 2006</i>	Any provision
<i>Criminal Investigation Act 2006</i>	s. 49(1), 147(5)
<i>Prohibited Behaviour Orders Act 2010</i>	s. 5, 21
<i>Restraining Orders Act 1997</i>	Any provision
<i>Weapons Act 1999</i>	s. 17(1)

**10. Rule 129AB inserted**

After regulation 129A insert:

**129AB. *Animal Welfare Act 2002***

An application under the *Animal Welfare Act 2002* section 44 or 56 must be lodged together with a supporting affidavit.

**11. Rule 131A replaced**

Delete rule 131A and insert:

**131A. *National Consumer Credit Protection Act 2009 (Commonwealth)***

Under the *National Consumer Credit Protection Act 2009* (Commonwealth) section 199(1)(b), a person who wants the small claims procedure to apply to the proceedings must so indicate in the person's application made under that Act.

**131B. *Prohibited Behaviour Orders Act 2010***

- (1) In this rule, unless the contrary intention appears —  
*Act* means the *Prohibited Behaviour Orders Act 2010*;  
*section* means a section of the Act.
- (2) If a term used in this rule is defined in the Act, it has the same meaning in this rule as it has in the Act, unless the contrary intention appears.

- (3) To make an application under section 5 for a PBO against a person (the *respondent*), the prosecutor must —
  - (a) complete the approved form for the application and state in it —
    - (i) the constraints the prosecutor wants the Court to specify in the PBO under section 10; and
    - (ii) the period of the PBO the prosecutor wants the Court to specify in the PBO under section 12;
  - and
  - (b) give the application to the judicial officer presiding at the hearing at which the respondent is to be sentenced; and
  - (c) if the respondent is present at that hearing, give a copy of the application to the respondent personally.
- (4) If the respondent is not present when an application for a PBO is made, a registrar must attach a copy of the application to the hearing notice that the registrar gives the respondent under section 7(2).
- (5) Within 28 days after the date on which an application for a PBO is made, the applicant must —
  - (a) lodge an affidavit in support of the application; and
  - (b) give a copy to the respondent in accordance with section 33.
- (6) Unless the Court permits otherwise, the supporting affidavit must state the following —
  - (a) details of the respondent's convictions of relevant offences on which the applicant relies to allege the respondent is a person described in section 8(2)(a);
  - (b) if any such conviction is of a relevant offence that is not a prescribed offence, the material facts of the offence;
  - (c) details of the matters listed in section 9(3)(a), (c), (e) and (f);
  - (d) any other facts on which the applicant intends to rely in support of the application.
- (7) Unless the Court permits otherwise, the supporting affidavit must refer to and have attached to it each of these documents —
  - (a) the respondent's criminal record;

- (b) any order referred to in section 9(3)(d) that is in force against the respondent;
  - (c) any order listed in section 10(7) that is in force against the respondent.
- (8) To make an application under section 21 to vary or cancel a PBO, a person must lodge —
- (a) the application; and
  - (b) 2 copies of an affidavit in support of the application.
- (9) The respondent to an application made under section 5 or 21 may file an affidavit in response to the affidavit filed in support of the application.
- (10) An affidavit referred to in subrule (9) must be —
- (a) lodged within 21 days after the date on which the respondent is served with the affidavit lodged in support of the application; and
  - (b) served on the applicant at least 5 clear days before the hearing of the application.
- (11) If a PBO is corrected under section 25, a registrar must cause a copy of the corrected PBO to be given —
- (a) to each party to the PBO proceedings; and
  - (b) if the Commissioner of Police is not a party to the PBO proceedings — to the Commissioner of Police.

**131C. *Weapons Act 1999***

An application made under the *Weapons Act 1999* section 17(1) must be lodged together with a supporting affidavit.

**12. Rule 138 inserted**

At the end of Part 22 insert:

**138. *Residential Tenancies Act 1987 s. 18***

For the purposes of the *Residential Tenancies Act 1987* section 18(2)(b) —

- (a) if the address of the other party is known to the Court, the notice to be given by the Court under section 18(2)(b)(ii) of that Act must be given by giving the other party a copy of the application; and
- (b) if the address of the other party is not known to the Court, the notice to be given by the Court under section 18(2)(b)(ii) of that Act must be

given by giving the other party a summary of the relief sought by the applicant.

Dated: 16 May 2011.

Magistrates' signatures:

STEVEN HEATH, Chief Magistrate.

ELIZABETH WOODS, Deputy Chief Magistrate.

GREGORY SMITH, Magistrate.

DONNA WEBB, Magistrate.

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

#### *City of Gosnells*

#### ANIMALS, ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Gosnells resolved on 10 May 2011 to make the following local law.

#### 1. Citation

This local law is the *City of Gosnells Animals, Environment and Nuisance Amendment Local Law 2011*.

#### 2. Commencement

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

#### 3. Principal local law

In this local law the *City of Gosnells Animals, Environment and Nuisance Local Law 2009* as published in the *Government Gazette* on 15 December 2009, is referred to as the principal local law. The principal local law is amended.

#### 4. Clause 3(1) amended

- (a) Delete "food premises" and insert "food business"
- (b) Delete "Health Act 1911" and insert "Food Act 2008";
- (c) Delete the definition for "Code of Practice-Pigeon keeping" and insert—  
"Code of Practice-Pigeon keeping" means the document entitled "A Code of Practice for Pigeon Keeping and Racing in Western Australia" published by the Pigeon Racing Federation of WA (Incorporated) and the Independent Racing Pigeon Federation (Incorporated), as amended from time to time.
- (d) Delete the definition for "miniature horse" and insert—  
"miniature horse" means a horse whose maximum adult height does not exceed 863.6 millimetres and is classified as a miniature by the Miniature Horse Association of Australia.

#### 5. Term updated

Delete "food premises" and insert "food business" instead in—

- (a) clause 6(b);
- (b) clause 8(1)(d);

- (c) clause 13(a);
- (d) clause 15(1)(a);
- (e) clause 17(1)(e); and
- (f) clause 18(1)(a)

**6. Clause 9(b) amended**

In Clause 9(b) delete “a provision” and insert “clauses 10 or 11”.

**7. Clause 16(2)(b) amended**

In clause 16(2)(b) delete “a provision” and insert “clauses 17 or 18”.

**8. Part 4, Division 4—Dangerous Excavations amended**

Delete Part 4, Division 4—Dangerous Excavations and clause 35.

**9. Schedule 3 amended**

In the Modified Penalties table in Schedule 3, delete clause number “35”, its description and modified penalty.

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Dated: 13 May 2011.

The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

OLWEN SEARLE, JP, Mayor.  
IAN COWIE, Chief Executive Officer.

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LG302\*

Local Government Act 1995

## Local Government (Greater Geraldton - Creation) Order 2011

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council on the recommendation of the Minister for Local Government.

**1. Citation**

This order is the *Local Government (Greater Geraldton - Creation) Order 2011*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on 1 July 2011.

**3. Term used: commencement day**

In this order —

*commencement day* means the day on which the rest of this order comes into operation under clause 2(b).

**4. Districts of Geraldton-Greenough and Mullewa abolished (s. 2.1(1)(c) of the Act)**

The districts of Geraldton-Greenough and Mullewa are abolished at the beginning of commencement day.

**5. District of Greater Geraldton declared (s. 2.1(1)(a), 2.3(1) and 2.4(1) of the Act)**

- (1) On and from commencement day, the area of the State described in Schedule 1 is declared to be a district.
- (2) The district is named Greater Geraldton.
- (3) The district is designated a city.

**6. District divided into wards (s. 2.2(1)(a) and 2.3(2) of the Act)**

On and from commencement day, the district of Greater Geraldton is divided into the wards described and named in Schedule 2.

**7. Number of councillors (s. 2.18(1)(a) and (b) of the Act)**

- (1) On and from commencement day, the number of offices of councillor on the council of the City of Greater Geraldton is 14.
- (2) On and from commencement day, the number of offices of councillor for each ward described and named in Schedule 2 is 2.

**8. Method of election of first mayor (s. 2.11(1)(a) of the Act)**

The first mayor of the City of Greater Geraldton is to be elected by the electors of the district under Part 4 of the Act.

**9. Polling day for inaugural election (s. 4.3 and 9.62 of the Act)**

The poll for the inaugural election to elect —

- (a) the councillors of the first council of the City of Greater Geraldton; and
- (b) the mayor of the City of Greater Geraldton,

is to be held on 15 October 2011.

**10. Appointment of commissioners (s. 2.6(4) and 2.40(1) of the Act)**

- (1) The following people are appointed to be commissioners of the City of Greater Geraldton —
  - (a) Ronald Yuryevich of 81 Ward Street, Kalgoorlie;

- (b) Ian Carpenter of 2/5 Wiebbe Hayes Lane, Geraldton;
  - (c) Neil McIlwaine of 240A First Street, Wonthella;
  - (d) Antonino Messina of 90 Brenkley Road, Tenindewa;
  - (e) Barbara Thomas of 2027 Williams Road, Pindar.
- (2) Ronald Yuryevich is appointed to be the chairperson of the commissioners.
  - (3) Ian Carpenter is appointed to be the deputy chairperson of the commissioners.
  - (4) The appointments made under this clause —
    - (a) take effect on commencement day; and
    - (b) end when the offices of members of the council are filled for the first time and the council holds its first meeting.

**11. Consequential directions (s. 9.62 of the Act)**

- (1) The City of Greater Geraldton is not required to prepare a plan under section 5.56 of the Act in the financial year ending on 30 June 2012.
- (2) During the period beginning on commencement day and ending on 30 June 2016, section 6.33 of the Act is modified to the extent necessary to allow the City of Greater Geraldton to impose differential general rates according to whether —
  - (a) the land is in the area of the State that, immediately before commencement day, was the district of Mullewa; or
  - (b) the land is in the area of the State that, immediately before commencement day, was the district of Geraldton-Greenough.
- (3) The City of Greater Geraldton is not required to comply with section 6.36 of the Act in relation to any —
  - (a) differential general rates; or
  - (b) minimum payment applying to a differential rate category under section 6.35(6)(c) of the Act,imposed in respect of the financial year ending on 30 June 2012.

**Schedule 1 — Description of district of Greater Geraldton**

[cl. 5]

The district of Greater Geraldton is the area of the State that, immediately before commencement day, comprised the districts of Geraldton-Greenough and Mullewa.

## **Schedule 2 — Description of wards**

[cl. 6]

### **Division 1 — Mullewa Ward**

The Mullewa Ward is the area of the State that, immediately before commencement day, comprised the district named Mullewa.

### **Division 2 — Chapman Ward**

The Chapman Ward is the area of the State that, immediately before commencement day, comprised the ward named Chapman in the district of Geraldton-Greenough.

### **Division 3 — Hills Ward**

The Hills Ward is the area of the State that, immediately before commencement day, comprised the ward named Hills in the district of Geraldton-Greenough.

### **Division 4 — Tarcoola Ward**

The Tarcoola Ward is the area of the State that, immediately before commencement day, comprised the ward named Tarcoola in the district of Geraldton-Greenough.

### **Division 5 — Port Ward**

The Port Ward is the area of the State that, immediately before commencement day, comprised the ward named Port in the district of Geraldton-Greenough.

### **Division 6 — Willcock Ward**

The Willcock Ward is the area of the State that, immediately before commencement day, comprised the ward named Willcock in the district of Geraldton-Greenough.

### **Division 7 — Champion Bay Ward**

The Champion Bay Ward is the area of the State that, immediately before commencement day, comprised the ward named Champion Bay in the district of Geraldton-Greenough.

By Command of the Deputy of the Lieutenant-Governor and  
Administrator,

G. MOORE, Clerk of the Executive Council.

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**MARINE/MARITIME**

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MA301\*

Western Australian Marine Act 1982

**W.A. Marine (Load Lines) Amendment  
Regulations 2011**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *W.A. Marine (Load Lines) Amendment Regulations 2011*.

**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 *W.A. Marine (Load Lines) Regulations 1983*.

**4. Regulation 6 replaced**

Delete regulation 6 and insert:

**6. Fees**

- (1) In this regulation —

**Code** means Section 7 of the Code as incorporated in these regulations;

**periodic survey** means a survey or inspection of a vessel carried out under the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* regulation 6;

**scheduled time and place** means a time and place notified to the public by the Department as a time and place at which a person may have a vessel surveyed or inspected without incurring travel or attendance fees under this regulation or the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983*.

- (2) The fee for the initial survey of a vessel for the issue of a load line certificate under the Code is \$95.10 for each metre of the load line length.
- (3) The fee for a survey of a vessel for the reissue of a load line certificate under the Code is —
  - (a) if the survey is carried out in conjunction with a periodic survey of the vessel — \$56.20; or
  - (b) if the survey is not carried out in conjunction with a periodic survey of the vessel — \$56.20 plus —
    - (i) \$20.50 per half hour (or part) during which the surveyor is engaged on the survey; or
    - (ii) if the survey is carried out during overtime hours, a weekend or a public holiday — \$222.00 per hour (or part) during which the surveyor is engaged on the survey.
- (4) The fee for a periodical inspection of a vessel under the Code, that is not carried out in conjunction with a periodic survey of the vessel, is \$20.50 per half hour (or part) during which the surveyor is engaged on the inspection.
- (5) If a fee is payable under subregulation (2), (3) or (4) for a survey or inspection, a fee for the attendance of the surveyor at the vessel is also payable, unless one of the following applies —
  - (a) the survey or inspection is carried out within the metropolitan area of Perth or at Geraldton;
  - (b) the survey or inspection is carried out at a scheduled time and place;
  - (c) the survey or inspection is carried out in conjunction with a periodic survey of the vessel.
- (6) For the purposes of subregulation (5), the attendance fee is —
  - (a) \$186.10 per hour (or part) of travelling time or waiting time (or both) of the surveyor in order to attend the vessel; plus
  - (b) the reasonable travel and accommodation costs and expenses of the surveyor in order to attend the vessel.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MA302\*

Western Australian Marine Act 1982

## W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2011

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

### 1. Citation

These regulations are the *W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2011*.

### 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 *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983*.

### 4. Schedule 1 amended

- (1) In Schedule 1 clause 2 in the Table delete item 11.
- (2) In the provisions listed in the Table delete “travel expenses” and insert:

reasonable travel and accommodation costs and expenses incurred

**Table**

Sch. 1 cl. 1(b)(ii)(A)	Sch. 1 cl. 2 item 6(a)
Sch. 1 cl. 2 item 7(a)	Sch. 1 cl. 2 item 8(a)
Sch. 1 cl. 2 item 12	

By Command of the Deputy of the Lieutenant-Governor and Administrator,

G. MOORE, Clerk of the Executive Council.

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**TRANSPORT**

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TN301\*

Road Traffic Act 1974

**Road Traffic (Charges and Fees) Amendment  
Regulations (No. 2) 2011**

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2011*.

**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 31 May 2011.

**3. Regulations amended**

These regulations amend the *Road Traffic (Charges and Fees) Regulations 2006*.

**4. Regulation 20 amended**

In regulation 20(1) delete “\$65” (each occurrence) and insert:

\$67

**5. Regulation 39 amended**

In regulation 39(1) delete “\$30.80” and insert:

\$31.80

**6. Schedule 1 amended**

- (1) Amend Schedule 1 Division 1 as set out in the Table.

**Table**

<b>Clause</b>	<b>Delete</b>	<b>Insert</b>
cl. 3	\$17.02	\$17.53
cl. 4	\$17.02	\$17.53
cl. 5	\$8.51	\$8.77
cl. 6(1)	\$34.04	\$35.06
cl. 6(2)	\$51.08	\$52.60

(2) Amend Schedule 1 Division 2 as set out in the Table.

**Table**

<b>Item</b>	<b>Delete</b>	<b>Insert</b>
it. 2	61.00	62.80
it. 3	87.40	90.00
it. 4	47.70	49.10
it. 5	61.00	62.80
it. 6	61.00	62.80
it. 7	140.40	144.60
it. 8	95.40	98.30
it. 8A	10.80	11.10
it. 9(a)(i)	14.80	15.20
it. 9(b)	16.10	16.50
it. 9(c)	19.80	20.40
it. 12	15.00	15.40
it. 17(a)	23.90	24.00
it. 17(b)	17.90	15.00
it. 17(d)	29.00	25.00
it. 18	848.00	874.00
it. 19(a)	8 515.90	8 771.40
it. 19(b)	1 703.70	1 754.80
it. 19(c)	848.10	873.50

<b>Item</b>	<b>Delete</b>	<b>Insert</b>
it. 19(d)	169.40	174.50
it. 19(e)	1 703.70	1 754.80
it. 19(f)	74.10	76.30
it. 20	425.20	438.00
it. 21(a)	17.60	18.10
it. 21(b)	17.60	18.10
it. 22(a)	193.00	198.80
it. 22(b)	93.50	96.30
it. 23(a)	17.60	15.00
it. 23(b)	17.60	15.00
it. 24	17.60	18.10
it. 25(b)	30.90	32.00

**7. Schedule 2 amended**

Amend Schedule 2 as set out in the Table.

**Table**

<b>Item</b>	<b>Delete</b>	<b>Insert</b>
it. 1A	17.40	17.90
it. 1B	17.40	17.90
it. 1(a)(i)	68.30	70.00
it. 1(a)(ii)	154.30	158.30
it. 1(b)	36.20	37.00
it. 2(a)	71.80	73.70
it. 2(b)	160.60	165.00
it. 5	103.30	106.00
it. 5A	103.30	106.00

By Command of the Deputy of the Lieutenant-Governor and  
Administrator,

G. MOORE, Clerk of the Executive Council.

TN302\*

Road Traffic Act 1974

## Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2011

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

### 1. Citation

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2011*.

### 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 31 May 2011.

### 3. Regulations amended

These regulations amend the *Road Traffic (Charges and Fees) Regulations 2006*.

### 4. Specified day

For the purposes of section 28A of the Act, the specified day in relation to these regulations is 1 July 2011.

### 5. Schedule 1 amended

- (1) In Schedule 1 Division 1 clause 8 delete the Table and insert:

**Table**

Licence Class	Charge \$
1B2	418
2B2	418
2B3	2 298
AB3	418

- (2) In Schedule 1 Division 1 clause 9 delete the Table and insert:

**Table**

<b>Licence class</b>	<b>Charge \$</b>
1R2	418
2R2	718
1R3	718
2R3	945
1R4	718
2R4	945
1R5	718
2R5	945
SR2	718
SR3	945
SR4	1 754
SR5	1 754
MR2	6 417
MR3	6 417
MR4	6 931
MR5	6 931
LR2	8 848
LR3	8 848
LR4	8 848
LR5	8 848

- (3) In Schedule 1 Division 1 clause 10 delete the Table and insert:

**Table**

<b>Licence class</b>	<b>Charge \$</b>
SP2	1 101
SP3	4 327



<b>Licence class</b>	<b>Charge \$</b>
SP4	4 759
SP5	4 759
MC2	7 764
MC3	7 764
MC4	8 539
MC5	8 539

- (4) In Schedule 1 Division 1 clause 12 delete the Table and insert:

**Table**

<b>Licence class</b>	<b>Charge \$</b>
PSV	102
TSV	102
OSV2	341
OSV3	682
OSV4	1 023
OSV5	1 364
OSV6	1 705
OSV7	2 046
OSV8	2 387
OSV9	2 728

- (5) Amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 1 cl. 3	\$408.00	\$418.00
Sch. 1 Div. 1 cl. 4	\$1 075.00	\$1 101.00
Sch. 1 Div. 1 cl. 7	\$4.26	\$4.38

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 1 cl. 7	\$99.00	\$102.00
Sch. 1 Div. 1 cl. 11	\$408.00	\$418.00

By Command of the Deputy of the Lieutenant-Governor and  
Administrator,

G. MOORE, Clerk of the Executive Council.

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## — PART 2 —

### AGRICULTURE AND FOOD

AG401\*

#### PERTH MARKET ACT 1926 APPOINTMENTS

Department of Agriculture and Food,  
South Perth WA 6151.

I, Terry Redman, Minister for Agriculture and Food, acting under sections 3 and 5 of the *Perth Market Act 1926*, hereby appoint Mr David Thomas, Mr Grant Etherington, Mr Vasilios Gotsis, Ms Patricia Robinson, Mr Michael O'Neill, Ms Diane Fry and Mr David Anderson as members of the Perth Market Authority for a term of office expiring on 23 September 2014.

TERRY REDMAN MLA, Minister for Agriculture and Food.

### CEMETERIES

CE401\*

#### CEMETERIES ACT 1986 GERALDTON CEMETERY BOARD Fees and Charges

In pursuance of the powers conferred by Section 53 of the *Cemeteries Act 1986*, the Geraldton Cemetery Board hereby records having resolved on the 11 May 2011 that the following fees and charges shall apply from 1 July 2011.

Schedule Includes 10% Goods and Services Tax except where shown exempt.

BURIALS	General Cemetery	Lawn Cemetery
<b>A: BURIAL FEES—including registration and tablet fee</b>		
Adult Interment, 13 years and over .....	\$987.00	\$1,050.00
Child interment, under 13 years of age—including stillborn in ground not set aside for such purpose—Single Interment.....	\$756.00	\$787.50
Interment of any stillborn child in Infant Burial Area .....	\$294.00	n/a
<b>B: LOT FEES</b>		
A 'Grant or Right of Burial' (25 year tenure) being issued for each Lot and shall be additional to those fees prescribed in paragraph (A) above		
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery .....	\$1,045.00	\$1,450.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep in Infant Burial Area .....	\$410.00	n/a
Pre-need purchase—land selected by applicant or land reserved in advance.....	\$1,180.00	\$1,610.00
<b>C: OTHER</b>		
For exhumation .....	\$1,160.00	\$1,560.00
For re-burial after exhumation.....	\$987.00	\$1,050.00
<b>MISCELLANEOUS CHARGES</b>		
<b>PERMITS:</b>		
For permit to erect a headstone, monument or rail in General cemetery .....	\$320.00	exempt
For permit to place a plaque in Lawn Cemetery One & Three .....	\$189.00	exempt

For permit to place a monument in Lawn Cemetery Two.....	\$283.00	exempt
For permit to place monument in Infants & Dream Gardens.....	\$189.00	exempt
For permit to renovate or add to a monument all areas.....	\$100.00	exempt
For permit to add inscription to a monument all areas.....	\$90.00	exempt
For permit to have 150 x150mm (maximum) Identification Marker.	\$90.00	exempt
Monuments commissioned by Office of Australian War Graves— permit fee waived		
Single Funeral Permit (Funeral Directors's only).....	\$288.00	exempt
Single Funeral Permit (Other than Funeral Directors) .....	\$567.00	exempt
<b>LICENCES:</b>		
Funeral Director's Annual Licence Fee.....	\$572.00	exempt
Monumental Mason's Annual Licence Fee.....	\$409.00	exempt
Single Monumental Mason's Work Licence (permit fee also payable) .....	\$178.00	exempt
<b>OTHER:</b>		
Hire of crematorium facility for one (1) hour being extra or Burial...	\$189.00	
Purchase of small raised headstone .....	\$178.00	
Purchase of large raised headstone .....	\$294.00	
Copy of Grant or Right of Burial .....	\$142.00	
Transfer of Grant or Right of Burial .....	\$142.00	
Copy of By-laws and regulations .....	\$63.00	
Refund of an unexpired grant of right of burial or prepaid cremation not to exceed the amount originally paid less an administration fee of.....	\$158.00	
<b>EXTRA CHARGES:</b>		
Interment or cremation without due notice .....	\$525.00	
For each interment or cremation on a Saturday.....	\$577.00	
Removal of Sand from Burial Sight.....	\$330.00	
Plot Selection—with appointment.....	\$194.00	
Plot Selection—without appointment.....	\$246.00	
For each interment or cremation not in usual hours.....	\$525.00	
For late departure of a funeral from cemetery grounds 15 mins over allocated times .....	\$189.00	
For early arrival of more than 15 mins prior to booked time.....	\$189.00	
<b>CREMATORIUM</b>		
<b>A:</b> Adult cremation, 13 years and over.....	\$1,203.00	
Non Attend Cremation, 13 years and over.....	\$1,014.00	
Child cremation, under 13 years of age.....	\$693.00	
Cremation of stillborn without memorial service .....	\$368.00	
Cremation of stillborn with memorial service.....	\$527.00	
Pre-need cremation .....	\$1,449.00	
<b>B: DISPOSAL OF ASHES</b> —tenure on all cremation memorials shall be 25 years from date of receipt of scheduled fee		
Kerbing placement including 152 x 152mm bronze plaque.....	\$607.00	
Garden placement including 152 x 152 mm bronze plaque.....	\$756.00	
Marble Garden placement including 400x300mm Plus Lettering .....	\$1,092.00	
Garden placement including 381 x 279mm double bronze plaque with one plate.....	\$1,402.00	
—second interment including second plate.....	\$241.00	
Rose garden placement including 185 x 150mm sculptured rose border plaque.....	\$898.00	
<b>Interment in Single Niche:</b>		
Brick including 150 x 140mm bronze plaque .....	\$525.00	
Tile including 150 x 140mm bronze plaque.....	\$546.00	
Marble including 150 x 140mm bronze plaque .....	\$583.00	
<b>Interment in Double Niche:</b>		
Brick including 320 x 130mm bronze plaque and first plate.....	\$1,045.00	
Tile including 320 x 130mm bronze plaque and first plate .....	\$1,155.00	

Marble including 320 x 130mm bronze plaque and first plate .....	\$1,296.00	
Second interment and second plate.....	\$241.00	
<b>Garden of Dreams:</b>		
Butterfly 180 x 150mm bronze plaque .....	\$693.00	
Oval 190 x 120mm bronze plaque .....	\$730.00	
Square 152 x 152mm bronze plaque .....	\$567.00	
<b>Other memorials</b> .....		
Reserve pre need memorial position or niche .....	\$241.00	
Scatter ashes to winds, with issue of certificate .....	\$142.00	
Scatter ashes in memorial gardens, with issue of certificate.....	\$142.00	
Interment of ashes in a family grave .....	\$178.00	
Post ashes overseas .....	\$136.00	
Post ashes within Australia.....	\$95.00	
Hold ashes in safe custody after six months (per month) Max. of six months charged.....	\$10.00	
Extra ashes Urns .....	Lge \$30	Sm \$25
Attendance fee for memorial garden placement, each installation ...	\$90.00	
For permit to place a memorial in the Memorial Gardens.....	\$173.00	exempt
Registration of ashes from other crematoria .....	\$100.00	
<b>C: MEMORIAL POSITION</b> (plaque not included)		
Tenure on all memorial positions shall be 25 years from date of receipt of scheduled fee		
Kerbing position Memorial Garden No. 1 - 2 - 3 - 4.....	\$367.00	
Rose garden position Memorial Garden No. 2 .....	\$525.00	
Other Garden positions in Memorial Gardens 1 to 4 .....	\$682.00	
Single brick niche position .....	\$305.00	
Double brick niche position.....	\$577.00	
Single tile niche position.....	\$315.00	
Double tile niche position.....	\$598.00	
Single marble niche position.....	\$346.00	
Double marble niche position .....	\$661.00	
<b>Garden of Dreams:</b>		
Rose garden position .....	\$435.00	
Inner kerb position.....	\$330.00	
Garden bank.....	\$362.00	

The fees and charges in the above schedule were set by resolution at a duly convened meeting of the Geraldton Cemetery Board held on 11 May 2011.

MAXWELL ALLAN CORREY, Chairman.  
JANICE HATCH, Secretary.

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## CONSUMER PROTECTION

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CP401\*

### CHARITABLE COLLECTIONS ACT 1946

#### REVOCATION OF LICENCES

I, Anne Driscoll, being the officer delegated by the Minister administering the *Charitable Collections Act 1946*, and acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisations listed below—

- BEYOND THE BELL INC
- DUCKS ON THE RIVER INC
- GUY WALLACE FOUNDATION LIMITED
- SAILABILITY NEW SOUTH WALES INCORPORATED
- SOUTH PERTH OUTREACH INC

Dated this 12th day of May 2011.

ANNE DRISCOLL, Commissioner for Consumer Protection.

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## HERITAGE

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HR401\*

**HERITAGE OF WESTERN AUSTRALIA ACT 1990****ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES****PROPOSED REGISTRATIONS**

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to directions from the Minister for Heritage, it is proposed that the places described below be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 1 July 2011. The places will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

**Barrett's House, Scotch College** at 76 Shenton Road and Lot 5375 Australind Street, Swanbourne; Ptn of Lot 500 on DP 301989 being part of the land contained in CT V 1187 F 623; Ptn of Lot 5375 on DP 162530 being part of the land contained in CT V 1189 F 807; together as shown on HCWA survey drawing 11977.

**AMENDMENTS TO CURTILAGE OF A PROPOSED REGISTERED PLACE**

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described below be entered in the Register of Heritage Places on a permanent basis. This proposal is for a smaller curtilage than previously advertised on 24 November 2010. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 1 July 2011. The smaller curtilage of this place will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

**The Hermitage** at Onslow Street and Cathedral Avenue, Geraldton; Res 39642 being Lot 2863 on DP 186893 and being the whole of the land contained in CLT V 3039 F 329; Res 39643 being Lot 302 on DP 51452 and being the whole of the land contained in CLT V 3151 F 131; Res 39641 being Lot 2862 on DP 186893 and being the whole of the land contained in CLT V 3039 F 327.

GRAEME GAMMIE, Executive Director,  
Office of Heritage  
108 Adelaide Terrace,  
East Perth WA 6004.

20 May 2011.

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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 the Lieutenant-Governor and Administrator in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Robert Charles Price of Dalyellup

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 resignations of—

Juanita Maree Ellis of Newman

Peter James Frederick Longley of Carmel

John Robert White of North Fremantle

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

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401\*

*CITY OF KALGOORLIE-BOULDER*  
APPOINTMENTS

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Kimberley Versace as an authorised officer to operate within the City of Kalgoorlie-Boulder to enforce the following Acts, Regulations and Local Laws effective immediately—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976 and Regulations
- Litter Act 1979
- Bush Fires Act 1954 and Regulations—(Bush Fire Control Officer)
- Bush Fires (Infringements) Regulations 1978
- Control of Off Road Vehicles (Off Road Areas) Act 1978 and Regulations
- Caravan Parks and Camping Grounds Act and Regulations 1997
- City of Kalgoorlie-Boulder Local Laws

The City of Kalgoorlie-Boulder also wishes to advise the cancellation of the appointments of Brell McKenna and Jodie Forward.

D. S. BURNETT, Chief Executive Officer.

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## PLANNING

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PL101\*

*CORRECTION*  
**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME AMENDMENT 1197/57  
NORTH WEST CORRIDOR ANOMALIES  
Approved Amendment

File: 833-2-30-124

It is hereby notified for public information that the notice under the above Amendment No. 1197/57 published at page 1543 of the *Government Gazette* No. 70 dated 29 April 2011, contained an omission which is now corrected by inserting the following—

The City of Wanneroo requested the concurrent amendment to those areas being zoned urban in proposals 2 and 3 to an ‘urban development’ zone under the City of Wanneroo District Planning Scheme No. 2, using the provisions of section 126(3) of the *Planning and Development Act 2005*. This request has been agreed to by the WAPC. Accordingly, the amendment to the Metropolitan Region Scheme and the City of Wanneroo District Planning Scheme No. 2 is effective from the date of publication of this notice in the *Government Gazette*.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Busselton*  
Town Planning Scheme No. 20—Amendment No. 154

Ref: TPS/0330

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 Busselton local planning scheme amendment on 10 May 2011 for the purpose of—

1. Rezoning Lot 8 (House 226) Naturaliste Terrace, Dunsborough from “Industrial” to “Restricted Business”.
2. Applying an Additional Use (73) to the whole of Lot 8 (House 226) Naturaliste Terrace, Dunsborough on the Scheme map.

## 3. Inserting the following particulars into Schedule 4 of the Scheme Text—

No.	Particulars	Land Use Permitted/Specified
73	Lot 8 (House 226) Naturaliste Terrace, Dunsborough	Shop and Office

I. W. STUBBS, Shire President.  
M. ARCHER, Chief Executive Officer.

**PL402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Busselton*  
Town Planning Scheme No. 20—Amendment No. 155

Ref: TPS/0355

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 Busselton local planning scheme amendment on 10 May 2011 for the purpose of rezoning Lots 43 and 44 Queen Street and Lot 45 (24) Marine Terrace, Busselton from reserve for 'Public Purposes' to 'Business' zone.

I. W. STUBBS, Shire President.  
M. ARCHER, Chief Executive Officer.

**PL403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Chittering*  
Town Planning Scheme No. 6—Amendment No. 29

Ref: 853/3/4/6 Pt 29

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 Chittering local planning scheme amendment on 10 May 2011 for the purpose of—

1. Amending Clause 6.1.1 under TPS 6 and inserting a new clause at 6.7 "Development Contribution Scheme" as follows—

**6.7 DEVELOPMENT CONTRIBUTIONS**

- 6.7.1 The *Planning and Development Act 2005* provides for local schemes to make agreements and recover expenses incurred in order to implement, enforce and give effect to the scheme.
- 6.7.2 Development contributions may be made for standard infrastructure such as roads, water, power, sewer and public open space through the subdivision process.
- 6.7.3 Community infrastructure includes, but is not limited to, public open space in rural areas, sporting and recreational facilities, community centres, child care centres, libraries and cultural facilities.
- 6.7.4 Development contributions for community infrastructure may only be levied in accordance with the requirements of *State Planning Policy 3.6—Development contributions for infrastructure*. Prior to seeking contributions for community infrastructure local governments need to prepare a—
  - (a) community infrastructure plan for the area with demand analysis and service catchments;
  - (b) a capital expenditure plan;
  - (c) projected growth figures; and
  - (d) infrastructure costs, with provision for cost escalation.
- 6.7.5 Development contributions can be calculated and applied as either standard conditions of subdivision, conditions of development or through voluntary legal agreements. Provisions in this scheme relate to development contributions prepared through a scheme amendment process, and do not cover voluntary legal agreements between local government and developers.
- 6.7.6 Development contributions for standard infrastructure can generally be summarised as—
  - (a) land contributions—public open space, river setbacks, land for primary schools, roads and road widening and primary distributor roads where justified by the subdivision;



- (b) infrastructure works—water, sewerage, drainage, electricity, roads and other traffic works, footpaths, pedestrian access ways and dual-use paths, road upgrades, construction and widening;
- (c) standard water, sewerage and drainage headworks charges for off-site works, monetary contributions in lieu of land or works and to reimburse other owners where costs are shared;
- (d) other contributions as provided for in WAPC policies.

6.7.7 Development contributions relate only to the provision of infrastructure and not the ongoing maintenance of said infrastructure.

6.7.8 For matters relating to the calculation and information required to support a development contribution plan, the clauses of *State Planning Policy 3.6—Development contributions for infrastructure* shall apply as if they were part of this scheme.

#### **6.7.9 Principles for requiring development contributions**

In considering development contributions, it must be demonstrated that—

- (a) the proposed development generates a need for the infrastructure;
- (b) the calculation and application of the contributions is clear and transparent;
- (c) contributions are levied equitably across a development contribution area;
- (d) all development contributions are identified and methods for dealing with escalation be agreed upon at the commencement of a contribution arrangement;
- (e) contributions should be justified on a whole of life capital cost basis and prevent over-recovery of costs;
- (f) landowners and developers are consulted on the manner of determining contributions and have the opportunity to seek review by an independent third party; and
- (g) development contributions must be determined and expended in an accountable manner.

#### **6.7.10 Development contribution areas and development contribution plans**

6.7.11 Development contribution areas are shown on the scheme map and included in schedule 13 of the scheme.

6.7.12 In respect of a development contribution area shown on a scheme map, the provisions applying to the area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the scheme.

6.7.13 The purpose of having development contribution areas is to—

- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
- (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- (c) coordinate the timely provision of infrastructure.

6.7.14 Development contribution areas must be supported by a development contribution plan, which is then referenced in schedule 13 of the scheme.

6.7.15 The content, form and process for preparing and implementing a development contribution plan is outlined in *State Planning Policy 3.6—Development contributions for infrastructure*. For matters of process, valuation, arbitration or conflict resolution, the clauses of *State Planning Policy 3.6—Development contributions for infrastructure* shall apply as if they were part of this scheme.

6.7.16 Development contribution plans may involve administrative costs involved in the preparation and implementation of the plan, including legal, accounting, planning, engineering and other professional advice.

6.7.17 Costs not identified in a development contribution plan may not be apportioned or levied at a later date.

6.7.18 A development contribution plan is only enforceable once it is incorporated into the scheme. This enacts the advertising and other provisions under the *Town Planning Regulations 1967* applicable to the making of schemes and amendments.

6.7.19 Any amendment to a development contribution plan will require a scheme amendment in order to become enforceable.

#### **6.7.20 Payment of cost contributions**

6.7.21 As a general principle, the local government incurs costs associated with a development contribution plan up-front, and then recoups costs from landowners. This may be varied by agreement between the parties.

6.7.22 The landowners liability to pay the owner's cost contribution to the local government arises when—

- (a) the Western Australian Planning Commission endorses the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;
- (b) the commencement of any development on the owner's land within the development contribution area;

- (c) the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area; or
- (d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.
- 6.7.23 The liability arises only once upon the earliest of the above listed events.
- 6.7.24 Interaction between outline development plans and development contribution plans**
- 6.7.25 A development contribution plan will generally be supported by an outline development plan adopted by the Western Australian Planning Commission.
- 6.7.26 In order to effect a development contribution plan, it is necessary to—
- (a) prepare an outline development plan to identify the land uses and development in the development contribution area;
  - (b) establish a development contribution area based on the outline development plan area;
  - (c) prepare a development contribution plan;
  - (d) amend the scheme to appropriately zone land in the development contribution area; and
  - (e) amend the scheme to introduce the development contribution area to the scheme map and reference the development contribution plan in schedule 13.
- 6.7.27 The development contribution area may encompass multiple outline development plan areas.
- 6.7.28 It is possible to conduct all five steps concurrently, the local government may elect to prepare an outline development plan and development contribution plan as a first stage. This provides for effective risk management and gives the local government the opportunity to—
- (a) consult with landowners, community groups and agencies in the preparation of the outline development plan to address major issues prior to a scheme amendment;
  - (b) use the outline development planning process to inform the eventual zones in the scheme and provide a basis for the development contribution area;
  - (c) use the outline development planning process to clarify and refine the administrative costs required in the development contribution plan; and
  - (d) determine whether the scheme amendment should be proceeded with prior to investing in the preparation of a development contribution plan.
2. Creating a new Schedule 13 as follows—

SCHEDULE 13

COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION PLANS FOR  
DEVELOPMENT CONTRIBUTION AREAS

*The first amendment for a development contribution plan will create a table that accords with State Planning Policy 3.6—Development contributions for infrastructure.*

A. DOUGLAS, Shire President.  
H. HAWKINS, Chief Executive Officer.

**PL404\***

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

*Shire of Menzies*

Town Planning Scheme No. 1—Amendment No. 3

Ref: 853/11/10/1 Pt 3

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 Menzies local planning scheme amendment on 10 May 2011 for the purpose of—

1. Rezoning Lots 57-60 Reid Street and Lot 60 Brown Street, Menzies from 'Residential' zone to 'Special Use—Caravan Park' zone.
2. Rezoning Lots 41-44 Shenton Street, Menzies, from 'Commercial' zone to 'Special Use—Caravan Park' zone.
3. Zoning a portion of the Right-of-Way adjacent to Lots 41-44 Shenton Street, Menzies to 'Special Use—Caravan Park' zone.

4. Rezoning Lot 45 Shenton Street, Menzies, from 'Commercial' zone to 'Residential' with a Residential Planning Code of 'R30'.
- as more clearly shown on the Scheme Amendment Map.

G. DWYER, Shire President.  
B. SEALE, Chief Executive Officer.

**PL405\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Roebourne*  
Town Planning Scheme No. 8—Amendment No. 11

Ref: 853/8/5/8 Pt 11

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 Roebourne local planning scheme amendment on 10 May 2011 for the purpose of—

1. Rezoning a portion of Reserve 40378, being Lot 4225 on Deposited Plan 216828, Tambrey Drive, Nickol from 'Public Purposes—Education' reserve to 'Urban Development' zone.
2. Amending the Scheme Map accordingly.

N. LOCKWOOD, Shire President.  
C. LONGMORE, Chief Executive Officer.

**PL406\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Roebourne*  
Town Planning Scheme No. 8—Amendment No. 19

Ref: TPS/0482

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 Roebourne local planning scheme amendment on 10 May 2011 for the purpose of—

1. Adding to Appendix No. 6—Additional Uses, under the headings the following—

Additional Use Entry No.	Description of Land	Base Zoning	Additional Uses	Special Conditions
A4	Portion of Reserve No. 42726 (and being Part of Lot 258 on Deposited Plan 188814).	Infrastructure Reservation	Industry—Noxious (Restricted)	(a) The use of the site to be restricted to the following additional uses as defined in Schedule 1 of the <i>Environmental Protection Regulations 1987 (as amended)</i> — <ol style="list-style-type: none"> <li>i. 61—liquid waste facility;</li> <li>ii. '62—solid waste depot'; and</li> <li>iii. '39 chemical or oil recycling'</li> </ol> (b) The following incidental uses are also applicable— <ol style="list-style-type: none"> <li>i. waste transfer facility; and</li> <li>ii. transient workforce accommodation.</li> </ol>

Additional Use Entry No.	Description of Land	Base Zoning	Additional Uses	Special Conditions
				(c) The transient workforce accommodation shall— <ol style="list-style-type: none"> <li data-bbox="1043 383 1323 510">i. provide for a maximum of eight employees of the waste transfer facility;</li> <li data-bbox="1043 517 1323 645">ii. be located to maximise the distance from the waste transfer facility; and</li> <li data-bbox="1043 651 1323 770">iii. also require the approval of the Health Department of WA.</li> </ol>

2. Adding the Additional Use symbol to the Scheme Map on Portion of Reserve No. 42726 (and being part of Lot 258 on Deposited Plan 188814).

N. LOCKWOOD, Shire President.  
C. LONGMORE, Chief Executive Officer.

## PREMIER AND CABINET

PR401\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

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

Hon Dr K. D. Hames MLA to act temporarily in the office of Minister for Mental Health; Disability Services in the absence of the Hon H. M. Morton MLC for the period 9 to 24 July 2011 (both dates inclusive).

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

## 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 qualifications

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
602.1	Diploma of Child, Youth and Family Intervention CHC52308		Protective Care Work	24	Y		

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**WORKSAFE**

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WS401\*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984**

## INSTRUMENT OF DECLARATION NO. 6 OF 2011

The Minister for Commerce, being the Minister administering the *Occupational Safety and Health Act 1984*, and the Minister for Mines and Petroleum, being the Minister administering the *Mining Act 1978* and the *Mines Safety and Inspection Act 1994* declare that the Instrument of Declaration No. 4 of 2011 dated 1 March 2011, which was published in the *Western Australian Government Gazette* No. 57 on 6 April 2011 at pages 1257 to 1269, is cancelled with effect from 15 May 2011.

Dated the 15th day of May 2011.

SIMON O'BRIEN MLC, Minister for Commerce.

20 April 2011.

NORMAN FREDERICK MOORE MLC, Minister for Mines and Petroleum.

28 April 2011.

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**DECEASED ESTATES**

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ZX401

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Thomas John Hickey also known as John Thomas Hickey, late of 35 Valance Way, Gwelup, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the above deceased, who died on 18 January 2011, are required by the deceased's personal representatives to send particulars of their claims to their solicitor R H George, George Lawyers PO Box 929 Balcatta WA 6914 within one month of the date of publication after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZX402

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

In the matter of the Estate of Marie Emilie Alice Frichot, late of Melvista Nursing Home, 20 Betty Street, Nedlands in the State of Western Australia, Widow, 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 6th day of July 2010, are required by the Administrators, Gerald Marie Frichot and Therese Sabine Frichot, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 21st day of June 2011, after which date the said Administrators may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 13th day of May 2011.

GARRY E. SAME, Taylor Smart.

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

## Notice to Creditors and Claimants

In the matter of the Estate of Mark Andrew Bird, late of Unit 12/18 Eighth Avenue, Maylands in the State of Western Australia, Handyman, 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 19th day of January 2011, are required by the Administrator, Garry Evan Same, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 21st day of June 2011, after which date the said Administrator may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 13th day of May 2011.

GARRY E. SAME, Taylor Smart.

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

## Notice to Creditors and Claimants

Brenda May Oates, late of Pilgrim House, 22 Wolsely Road, East Fremantle, Western Australia, Married Woman, 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 16 September 2010, are required by the Executors, Kenneth John Oates and Peter Raymond Oates both care of Allion Legal, Level 2, 50 Kings Park Road, Western Australia to send particulars of their claims to them within one (1) month of 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.

ALLION LEGAL.

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

## Notice to Creditors and Claimants

Anthony John Kenneth Henson late of Unit 2 Yakamia Gardens, Barnesby Drive, Albany, 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 on 2nd day of October 2010, are required by the trustee of the late Anthony John Kenneth Henson of C/- Haynes Robinson Solicitors of PO Box 485, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 20th day of May 2011.

HAYNES ROBINSON.

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

## Notice to Creditors and Claimants

Douglas John Moir late of 1550 Cape Riche Road, Wellstead, 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 on 25 November 2010, are required by the trustee of the late Douglas John Moir of C/- Haynes Robinson Solicitors of PO Box 485, Albany, Western

Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 20th day of May 2011.

HAYNES ROBINSON.

ZX407\*

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 20/6/2011 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Allan, Lindsay Paul, late of 27 Moorhen Drive, Yangebup, died 19.03.2011 (DE20010395 EM23)

Clarke, Charles Geoffrey, late of Bethanie Beachside Yanchep 629 Two Rocks Road, Yanchep, formerly of Bethanie Kingsley 190 Twickenham Drive, Kingsley, died 24.03.2011 (DE19832453 EM35)

Hillman, Rona Loreley, late of Regents Garden, Aged Care 2 Amur Place, Bateman, died 12.04.2011 (DE19891630 EM16)

Jolly, Robert Fredrick, late of 7/29 Third Avenue, Mount Lawley, died 3.08.2010 (DE20011603 EM36)

Mann, Dapheen, late of Elimatta Hostel, Unit 3 / 45 Alexander Drive, Mount Lawley, died 29.03.2011 (DE19892945 EM37)

Oakley, Edna George, late of Koh-I-Noor Nursing Home, 34 Pangbourne Street, Wembley, died 25.03.2011 (DE19640681 EM15)

Parker, Dudley Joseph, late of Kimberley Nursing Home, 76-78 Kimberley Street, Leederville, formerly of Hollywood Village, Monash Avenue, Nedlands, died 23.02.2011 (DE19774234 EM38)

Wadonga, Polly, also known as Polly Wadanga, late of c./-Kununurra Aged Care Facility Post Office Box 239 Kununurra, died 19.01.2010 (DE33068066 EM36)

Walczak, Ronny Zdzislaw Michael, late of 35 Stead Road, Albany, died 18.4.2011 (DE19980225 EM110)

Willcocks, Robert Jocelyn, late of St, Luke's Nursing Home, 429 Rokeby Road, Subiaco, formerly of 114 Gloster Street, Subiaco, died 13.04.2011 (DE19811216 EM313)

Williams, Kennedy William, late of Alchera Village, Unit 12 Eyre Street, Esperance, died 13.04.2011 (DE19732056 EM36)

Wood, William George, Also Known As George William Wood, late of Brightwater—The Cove 35 Hudson Drive, Dudley Park Mandurah, died 26.04.2011 (DE19641538 EM37)

JOHN SKINNER, Public Trustee,  
Public Trust Office,  
565 Hay Street,  
Perth WA 6000.  
Telephone: 9222 6777

WESTERN AUSTRALIA

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