



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041



**PERTH, FRIDAY, 22 MARCH 2013 No. 46**

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

© STATE OF WESTERN AUSTRALIA

**CONTENTS**

**PART 1**

|  | Page |
|--|------|
| Dividing Fences Act 1961—City of Cockburn Fencing Amendment Local Law 2013 .....                             | 1251 |
| Local Government Act 1995—   |      |
| City of Cockburn Fencing Amendment Local Law 2013 .....  | 1251 |
| Shire of East Pilbara—Repeal Local Law 2013 .....  | 1251 |
| Petroleum Products Pricing Act 1983—Petroleum Products Pricing (Maximum Terminal Gate Price) Order 2013..... | 1247 |
| Racing and Wagering Western Australia Act 2003—RWWA Rules of Harness Racing 2004                             | 1252 |

**PART 2**

|                                   |      |
|-----------------------------------|------|
| Agriculture and Food .....        | 1254 |
| Consumer Protection .....         | 1254 |
| Deceased Estates .....            | 1262 |
| Fire and Emergency Services ..... | 1254 |
| Justice.....                      | 1255 |
| Local Government.....             | 1255 |
| Marine/Maritime.....              | 1255 |
| Planning .....                    | 1256 |
| Water/Sewerage .....              | 1261 |

## **IMPORTANT COPYRIGHT NOTICE**

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.



## **GOVERNMENT GAZETTE**

### **PUBLISHING DETAILS FOR EASTER 2013**

**Gazettes will not be published on Friday, 29 March or  
Tuesday, 2 April 2013.**

A Gazette will be published on Thursday, 28 March at noon.  
Copy closes at noon on Tuesday, 26 March.

The next Gazette published will be on Friday, 5 April at noon.  
Copy closes at noon on Wednesday, 3 April.



## **GOVERNMENT GAZETTE**

### **PUBLISHING DETAILS FOR ANZAC DAY 2013**

Due to the public holiday on Thursday, 25 April 2013,  
Copy will close at **noon on Tuesday, 23 April** for the  
*Gazette* published on **Friday, 26 April**.

# — PART 1 —

---

---

## CONSUMER PROTECTION

---

---

CP301\*

Petroleum Products Pricing Act 1983

### Petroleum Products Pricing (Maximum Terminal Gate Price) Order 2013

Made by the Commissioner for Consumer Protection under section 12 of the Act.

#### 1. Citation

This order is the *Petroleum Products Pricing (Maximum Terminal Gate Price) Order 2013*.

#### 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 the day after that day.

#### 3. Terms used

In this order —

***Commissioner's FuelWatch website*** means the website at the address [www.fuelwatch.wa.gov.au](http://www.fuelwatch.wa.gov.au);

***controlled petroleum product*** means, while it is a declared petroleum product —

- (a) regular unleaded petrol (91 to 93 RON); or
- (b) premium unleaded petrol (95 to 98 RON); or
- (c) diesel fuel;

***declared terminal, supplier*** and ***terminal***, have the meanings given to those terms in section 22A(1) of the Act;

***notified price***, in relation to a controlled petroleum product supplied from a declared terminal by a supplier, means the price notified by the supplier to the Commissioner under clause 4(1);

***relevant price***, in relation to a controlled petroleum product supplied from a declared terminal by a supplier, means the price

applying to that product, notified to the Commissioner by the supplier, as required under section 22B of the Act;

**TGP changeover time**, in relation to a controlled petroleum product supplied from a declared terminal by a supplier, means the time when the notified price becomes the relevant price, calculated in accordance with clause 5.

#### 4. Supplier may notify Commissioner of price change

- (1) A supplier may notify the Commissioner by 2.00 p.m. on any day, by directly uploading the information using the Commissioner's FuelWatch website, of —
  - (a) the relevant price for the sale of a controlled petroleum product from a declared terminal to a reseller that is to apply from TGP changeover time on the following day; and
  - (b) each component of that price.
- (2) In subclause (1)(b) —

**component**, in relation to a notified price, means, expressed in cents/litre —

  - (a) any amount of EXE, LIPP or TOM; and
  - (b) any GST on the sum of any amount referred to in paragraph (a); and
  - (c) any other amount,

that the notified price comprises.
- (3) If LIPP is determined by the supplier as the sum of  $PSPASP + P + F + I + W$ , each of those amounts is also a component for subclause (1)(b).
- (3) In this clause, in relation to a controlled petroleum product —

**EXE** means the excise and other taxes (not including GST) payable by the supplier in respect of the controlled petroleum product;

**F** means an amount determined by the supplier for the freight costs of the controlled petroleum product to the terminal from which it is supplied;

**GST** has the same meaning as it has in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);

**I** means an amount determined by the supplier for insurance and loss based on a reasonable percentage of the sum of the value of the controlled petroleum product and F;

**LIPP**, (which stands for landed international product price) means —

  - (a) in relation to a controlled petroleum product imported into the State —
    - (i) the actual amount paid for the controlled petroleum product; or

- (ii) an amount determined by the supplier in accordance with the formula in paragraph (b);

or

- (b) in relation to any other controlled petroleum product, an amount that is the sum of —  
 $PSPASP + P + F + I + W$ ;

**P** means an amount determined by the supplier as a reasonable premium for the controlled petroleum product conforming with specifications under the *Environmental Protection (Petrol) Regulations 1999*;

**PSPASP** (which stands for Platts Singapore Products Assessment (Spot) Price (the *spot price*)) means —

- (a) the spot price (or the mean of a quoted PSPASP price range), as set out in the Platts Singapore Products Assessment (Table 6) of “Platts Global Alert” published on subscription by Standard and Poors, a Division of McGraw-Hill Companies, for the controlled petroleum product, as determined by the supplier; or
- (b) if there is no relevant price under paragraph (a) for the controlled petroleum product —
  - (i) the spot price that most closely approximates to the controlled petroleum product, adjusted by an appropriate premium or discount, as the case requires, measured per barrel and determined by the supplier; or
  - (ii) the weighted average, as determined by the supplier, of one or more of the spot prices that approximate to the controlled petroleum product;

**TOM** (which stands for terminal operation margin) means an amount determined by the supplier that represents a reasonable return to the supplier on the cost of the establishment and operation of the terminal from which the controlled petroleum product is supplied;

**W** means the wharfage charges payable by the supplier to the relevant port authority in the State in respect of the controlled petroleum product.

## 5. TGP changeover time

- (1) Unless otherwise approved under this clause, TGP changeover time in relation to a controlled petroleum product supplied from a declared terminal by a supplier, is 8.30 a.m. on the day following the day that the supplier notifies the Commissioner of a notified price under clause 4(1) (*notification day*) in relation to the product.
- (2) A supplier may, in writing, request that the Commissioner approve of a notified change to a relevant price taking effect from a time, other than 8.30 a.m., on the day following notification day, as is specified in the request.

- (3) A supplier may make a request under this clause in relation to one, or more than one, declared terminal, as is specified in the request.
  - (4) If the Commissioner approves, in writing, a request under this clause then the time specified in the approved request is the TGP changeover time for the relevant price to take effect in relation to the terminal, or terminals, specified in the approved request.
- 6. Maximum terminal gate price**
- The maximum price at which a controlled petroleum product may be sold by a supplier from a declared terminal to a reseller is the notified price for that product from —
- (a) the TGP changeover time for that product; until
  - (b) the TGP changeover time for a new price for that product, following notification under clause 4(1).
- 7. Post terminal gate charges not affected**
- A maximum price fixed under clause 6 for the sale of a controlled petroleum product does not limit or otherwise affect an amount that is charged by a supplier for any of the following —
- (a) delivery;
  - (b) use of a brand;
  - (c) a credit facility;
  - (d) anything else connected with the sale of the controlled petroleum product.
- 8. Exemption for certain sales**
- This order does not apply to the sale of a controlled petroleum product from a declared terminal to a reseller in accordance with an agreement or arrangement entered into before 1 November 2000.
- 9. Revocation**
- The *Petroleum Products Pricing (Maximum Terminal Gate Price) Order 2002* is revoked.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

---

---

---

## LOCAL GOVERNMENT

---

---

**LG301\*****DIVIDING FENCES ACT 1961  
LOCAL GOVERNMENT ACT 1995****CITY OF COCKBURN FENCING AMENDMENT LOCAL LAW 2013**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Cockburn resolved on 14 March 2013 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Cockburn Fencing Amendment Local Law 2013*.

**2. Commencement**

This local law will commence 14 days after the date of the publication in the *Government Gazette*.

**3. Principal Local Laws**

In this local law the *City of Cockburn Fencing Local Law 2012* as published in the *Government Gazette* of 3 July 2012, is referred to as the Principal Local Law. The Principal Local Law is amended.

**4. Clause 1.5 amended**

In clause 1.5 delete the definition for **AS/NZS 3016:2002** and replace with the following—

**AS/NZS 3016:2002** means Australian Standard/New Zealand Standard AS/NZS 3016:2002 Electrical installations-Electric security fences published by Standards Australia on 10 January 2003 as amended from time to time;

**5. Clause 4.1 amended**

Clause 4.1 is amended as follows—

- (a) In subclause (1)(a)(iii) delete 'AS/NZS 3016:1994' and insert 'AS/NZS 3016:2002'; and (b) In subclause (2)(b) delete 'AS/NZS 3016:1994' and insert 'AS/NZS 3016:2002'.

Dated: 15 March 2013.

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

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

**LG302\*****LOCAL GOVERNMENT ACT 1995***Shire of East Pilbara***REPEAL LOCAL LAW 2013**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the local government of the Shire of East Pilbara resolved on 15 March 2013 to make the following local law.

**1. Citation**

This local law is the *Shire of East Pilbara Repeal Local Law 2013*.

**2. Commencement**

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

**3. Repeal**

The following local laws are repealed—

- (a) *Prevention of Damage to Roads (Marble Bar)*, as published in the *Government Gazette* on 21 September 1951;  
(b) *Prevention of Damage to Roads (Nullagine)*, as published in the *Government Gazette* on 21 September 1951;

- (c) *Caravan Parks—Draft Model No. 2*, as published in the *Government Gazette* on 8 April 1964;
- (d) *By-laws Relating to Long Service Leave*, as published in the *Government Gazette* on 7 November 1972;
- (e) *Long Service Leave*, as published in the *Government Gazette* on 19 January 1979;
- (f) *Adoption of Draft Model By-laws Relating to Signs, Hoardings and Bill Posting No. 13*, as published in the *Government Gazette* on 16 April 1982;
- (g) *Adoption of Draft Model By-laws Relating to Removal and Disposal of Obstructing Animals or Vehicles No.7*, as published in the *Government Gazette* on 30 April 1982;
- (h) *Adoption of Draft Model By-laws Relating to Model By-laws (Standing Orders) Amendment By-laws 1981*, as published in the *Government Gazette* on 3 June 1983;
- (i) *By-laws Relating to Amusements*, as published in the *Government Gazette* on 19 August 1983;
- (j) *By-laws Relating to Parking Facilities*, as published in the *Government Gazette* on 4 January 1985;
- (k) *By-laws Relating to Fencing and Obstructions at Intersections*, as published in the *Government Gazette* on 9 August 1996;
- (l) *Local Laws Relating to the Removal and Disposal of Obstructing Animals or Vehicles*, as published in the *Government Gazette* on 10 June 1997;
- (m) *Local Laws Relating to Parking Facilities*, as published in the *Government Gazette* on 10 June 1997;
- (n) *Local Laws Relating to Firebreaks*, as published in the *Government Gazette* on 22 February 2000;
- (o) *Health Amendment Local Laws 2000*, as published in the *Government Gazette* on 10 November 2000;
- (p) *Activities on Thoroughfares and Public Places Amendment Local Law 2001*, as published in the *Government Gazette* on 8 June 2001;
- (q) *Local Government Property Amendment Local Law 2001*, as published in the *Government Gazette* on 8 June 2001;
- (r) *Local Law (Signs, Hoardings and Bill Posting)*, as published in the *Government Gazette* on 27 August 2002;
- (s) *Signs, Hoardings and Bill Posting Amendment Local Law*, as published in the *Government Gazette* on 6 May 2003; and
- (t) *Health Amendment Local Laws 2003*, as published in the *Government Gazette* on 30 May 2003.

Dated: 15 March 2013.

The Common Seal of the Shire of East Pilbara was affixed by the authority of a resolution of the local government in the presence of—

LYNNE CRAIGIE, Shire President.  
ALLEN COOPER, Chief Executive Officer.

---



---

## RACING, GAMING AND LIQUOR

---



---

RA301\*

### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

#### RWWA RULES OF HARNESS RACING 2004

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 13 March 2013 resolved that, the *RWWA Rules of Harness Racing 2004* be amended as follows—

#### Amendment to National Rules

Amendments to SCHEDULE 1 Dictionary

Add—

“**Australian Racing Board**” means the Australian Racing Board Limited constituted in accordance with AR208 Australian Rules of Racing.

**“Registered training establishment”** means a property approved by a Controlling Body to be used for the purposes of conducting harness racing activities.

Add sub-rule (iii) to “Drug of Abuse”—

**“Drug of Abuse”** means—

- (iii) For the purposes of determining whether a substance is a drug of abuse, any declaration by the Australian Racing Board shall prevail over any document published by Standards Australia.

Amend Rule 135(5).

Add Rules 15(1)(af), 119C(1), (2), 149(4), (5), (6), (7), 313(3)

Repeal existing Rules 43(1), (2), (3). Add new Rules 43(1), (2).

Add Rule 163(4) renumber existing Rules 163(4) to 163(5) and 163(5) to (163(6).

Add Rule 252A(b) renumber existing Rule 252A(b) to 252A(c)

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

RICHARD BURT, Chief Executive Officer.

---

---

---

## — PART 2 —

---

---

---

---

### AGRICULTURE AND FOOD

---

---

AG401\*

**EXOTIC DISEASES OF ANIMALS ACT 1993**  
IMPORT RESTRICTION ORDER NO. 1/2011—EXTENSION

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

PETER MORCOMBE, Chief Veterinary Officer.

---

---

### CONSUMER PROTECTION

---

---

CP401\*

**ASSOCIATIONS INCORPORATION ACT 1987**  
REINSTATED ASSOCIATION

The Classic Guitar Society of W.A.

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

Dated: 14 March 2013.

LANIE CHOPPING, A/Director, Retail and Services,  
for Commissioner of Consumer Protection.

---

---

### FIRE AND EMERGENCY SERVICES

---

---

FE401\*

**EMERGENCY MANAGEMENT ACT 2005**  
EMERGENCY SITUATION DECLARATION

The FES Commissioner is the prescribed hazard management agency for emergency management for the whole of the State for the hazards of cyclone and flood.

I, Wayne Gregson, FES Commissioner, do hereby declare an emergency situation in respect of Tropical Cyclone Rusty.

The area of the State to which the emergency situation declaration applies is—

Shires of Roebourne, East Pilbara, Ashburton, Port Hedland and Broome

This emergency situation declaration has effect from 1700hrs Monday 25 February 2013 and remains in force until—

- (a) expiry; or
- (b) it is revoked under section 53 of the *Emergency Management Act 2005*; or
- (c) the expiry of any extension of the emergency situation declaration made by the State Emergency Coordinator under section 52 of the *Emergency Management Act 2005*.

This emergency situation declaration is made under section 50 of the *Emergency Management Act 2005*.

WAYNE GREGSON APM, FES Commissioner.

Date: 25 February 2013.

---

---

## JUSTICE

---

---

JU401\*

### JUSTICES OF THE PEACE ACT 2004 APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Alan Maxwell Lewis of 45 Waratah Boulevard, Canning Vale

Celine Ann Rowson of 25 Wilfred Road, Thornlie

Amanda Fox of Lot 238 Meldrum Loop, Bedforddale

RAY WARNES, Executive Director,  
Court and Tribunal Services.

---

---

## LOCAL GOVERNMENT

---

---

LG401

### BUSH FIRES ACT 1954

*City of Albany*

#### APPOINTMENT

It is hereby notified for public information that in accordance with Section 38 of the *Bush Fires Act 1954*, the following person has been appointed as Bush Fire Control Officer for the Kalgan Bush Fire brigade—

Mr Graeme Poole

---

---

## MARINE/MARITIME

---

---

MA401\*

### WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS 1958

*Shire of Northampton*

#### CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS

Murchison River—Kalbarri

Department of Transport,  
Fremantle WA, 22 March 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke section (a) (25) (i) and (ii) of Notice TR 402 as published in the *Government Gazette* on 27 January 1995 and hereby close the following area of water to motorised vessels until further notice—

**Murchison River Kalbarri:** All waters within 20 metres of the shoreline commencing along the southern bank of the Murchison River that are east of a line through 114° 9.502' E, 27° 42.530' S and 114° 9.502' E, 27° 42.513' S (adjacent the Chinaman's Point car park) and west of a line through 114° 9.730' E, 27° 42.601' S and 114° 9.730' E, 27° 42.541' S (approximately 20 metres west of the recreational jetty). All coordinates based on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

---



---

**PLANNING**


---



---

PL401\*

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

*City of Gosnells*

Town Planning Scheme No. 6—Amendment No. 135

Ref: TPS/0916

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Gosnells local planning scheme amendment on 6 March 2013 for the purpose of—

1. Rezoning portion of Lot 374 Alcock Street, Maddington, from 'Residential' to 'Residential Development' zone and 'Residential Development' to 'Residential' zone.
2. Amending the Residential Density Code for Lot 2, Pt Lot 22 and portion of Lot 374 Alcock Street, Maddington from 'R17.5' to 'R25'.
3. Amending the scheme map accordingly.

D. GRIFFITHS, Mayor.  
 I. COWIE, Chief Executive Officer.

PL402\*

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

*City of Swan*

Local Planning Scheme No. 17—Amendment No. 75

Ref: TPS/0876

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Swan local planning scheme amendment on 6 March 2013 for the purpose of—

1. Introducing into "Schedule 2—Additional Uses" an Additional Use—"Transport Depot" for Lot 301 (D96440) Arum Lily Place, Hazelmere as follows—

| No. | Description of Land                               | Additional Use    | Conditions   |
|-----|---|-------------------|--|
| 89. | Lot 301 (D96440)<br>Arum Lily Place,<br>Hazelmere | P—Transport Depot | 1. A maximum of— <ol style="list-style-type: none"> <li>a. Six motorised commercial vehicles; and</li> <li>b. Six trailers/attachments.</li> </ol> 2. Any development approval for a "Transport Depot" shall be personal to Leon Noel Pietersen and will not be granted to any subsequent owner or lessee of the subject land.<br>3. A Stormwater Drainage Management Plan is to be lodged and approved by the City prior to any development approval being granted on the subject lot. The Drainage Plan is to demonstrate that stormwater can be disposed of without unacceptable impact on the Hazelmere Lakes. |

2. Amending the Scheme maps accordingly.

C. ZANNINO, Mayor.  
 M. J. FOLEY, Chief Executive Officer.

## PL404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Augusta-Margaret River*  
 Local Planning Scheme No. 1—Amendment No. 7

Ref: TPS/0753

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 Augusta-Margaret River local planning scheme amendment on 6 March 2013 for the purpose of—

1. Inserting the following Scheme Text into Schedule 11—Special Provisions Relating to Development on Land zoned “Rural Residential”, for Lot 1 Caves Road, Margaret River—

| Scheme Map Ref No. | Site Description                 | Specific Conditions and Requirements   |
|--------------------|----------------------------------|--|
| R-R27              | Lot 1 Caves Road, Margaret River | 1. Subdivision and development shall be generally in accordance with the adopted Structure Plan for the land.<br>2. The minimum lot size shall be 1ha. |

2. Amending the Scheme Map to depict the “R-R27” designation for the subject land.

R. COLYER, Shire President.  
 G. EVERSLED, Chief Executive Officer.

## PL403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Augusta-Margaret River*  
 Local Planning Scheme No. 1—Amendment No. 10

Ref: TPS/0824

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 Augusta-Margaret River local planning scheme amendment on 6 March 2013 for the purpose of—

1. Rezoning Location 1035 Rowe Road, Witchcliffe from ‘Priority Agriculture’ to ‘Rural Residential’ as depicted on the Scheme Amendment Map.
2. Amending the Scheme Text by inserting in ‘Schedule 11—Special provisions relating to development on land zoned Rural Residential’, as follows—

| Scheme Map Ref No. | Site Description                     | Specific conditions and requirements  |
|--------------------|--------------------------------------|---|
| R-R28              | Location 1035 Rowe Road, Witchcliffe | 1. Lot size and configuration shall generally be in accordance with a structure plan adopted under Part 6 of the Scheme.<br>2. At the time of subdivision and development the relevant components of the Fire Management Plan endorsed by the Local Government and the Department of Fire and Emergency Services shall be implemented.<br>3. The land is a ‘Bush Fire Prone Area’ for the purpose of the Building Code of Australia and accordingly all dwellings within the zone shall comply with AS3959—Construction of Buildings in Bushfire Prone Areas (as amended from time to time).<br>4. The Fire Management Plan may be varied from time to time by the Local Government provided the owner/s of any land affected by the variation is notified in writing of the terms of the variation.<br>5. At the time of subdivision a Landscape Management Plan shall be prepared and implemented that addresses the following to the satisfaction of the Shire of Augusta- Margaret River and DEC— <ul style="list-style-type: none"> <li>– Fauna and flora protection measures.</li> <li>– Landscape buffers to screen dwellings from Bussell Highway and the Rails to Trails.</li> </ul> |

| Scheme Map Ref No. | Site Description | Specific conditions and requirements   |
|--------------------|------------------|--|
|                    |                  | <ul style="list-style-type: none"> <li>– Landscape buffers adjoining Lot 12 incorporating all trees and to appropriately rehabilitate the understorey.</li> <li>– Landscape buffers areas are to be marked on site with steel posts in order to protect vegetation.</li> </ul> <p>6. At the time of subdivision an Urban Water Management Plan will be required to be prepared to the satisfaction of the Local Government and implemented prior to subdivision clearance.</p> <p>7. At the time of subdivision the intersection of Rowe Road and Bussell Highway will be formalised to an appropriate standard by the subdivider.</p> |

3. Amending Table No. 1 (Zoning Table) of the Scheme by including the following under the general heading of 'Conservation Zones'—

| Use Class               | Bushland Protection |
|-------------------------|---------------------|
| Dwelling                | P                   |
| Ancillary Accommodation | A                   |
| Home Occupation         | A                   |
| Holiday House           | A                   |
| Plant Nursery           | X                   |
| Agriculture—extensive   | A                   |
| Agriculture—intensive   | A                   |
| Family Day Care         | A                   |

4. Amending the Scheme Text by including new provisions as follows, and renumbering provisions accordingly—

#### **Bushland Protection Zone**

##### 4.2.1.4 Bushland Protection Zone

#### **Purpose of the Bushland Protection Zone—**

- (a) To encourage the protection of natural area on privately owned properties within rural localities which are considered to have high environmental, conservation, and biodiversity values.
- (b) To restrict the type, scale and distribution of land uses and development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values.
- (c) In some instances provide for the opportunity for subdivision as an incentive for the protection of special biodiversity values in perpetuity.

#### **Objectives of the Bushland Protection Zone—**

- (a) Ensure the preservation and protection of significant natural areas on private land by—
  - (i) Minimising the clearing of natural areas;
  - (ii) Encouraging the retention and protection of existing natural areas;
  - (iii) Encouraging the rehabilitation of natural areas where appropriate;
  - (iv) Encouraging the development and protection of corridors/linkages on private land as well as rehabilitating these areas where appropriate;
  - (v) Controlling the introduction and spread of alien species of flora and fauna;
  - (vi) Protecting aboriginal heritage and cultural and historical values;
  - (vii) Retaining visual amenity and landscape values; and
  - (viii) Ensuring the protection of water features, karst, acid sulphate soils, sensitive landforms etc.
- (b) To give the preservation of natural area an economic value by providing a limited subdivision incentive in some instances, through the creation of conservation lots, in exchange for protecting natural areas.
- (c) To encourage land owners to include significant natural areas within the Bushland Protection zone and have these areas protected in perpetuity via the provisions of the zone and a conservation covenant which is to be applied as a condition of subdivision.

- (d) To ensure development and subdivision is consistent with a Structure Plan (where appropriate) approved by the Local Government and adopted by the WAPC.
- (e) To support subdivision only where there is no detrimental impact on the aesthetic, conservation or biodiversity values of the land, where the objective of retention of these values in perpetuity will be achieved, and where further protection will be ensured by way of enabling the application of a restrictive covenant to the land.

#### **4.15 Development in the Bushland Protection Zone**

4.15.1 Development shall be contained within the approved building envelope designated for each lot on any approved Structure Plan or plan of subdivision. Building envelopes may be subject to relocation following the procedure set out at Part 5.10 of the Scheme. Each building envelope is to be located to the satisfaction of the local government which shall, in determining such ensure—

- (a) Where available, a cleared area is used for the location of the building envelope;
- (b) The preservation of remnant vegetation is maximised;
- (c) That the envelope is not located within an area of poorly represented vegetation and will not impact on any declared rare flora and fauna;
- (d) There is no adverse or potential impacts on watercourses, wetlands, river or estuary systems or groundwater; and
- (e) Maintenance of landscaping values of the site and the general area.

4.15.2 Consistent with the purpose and objectives of this zone, development shall—

- (a) Provide for the protection of remnant vegetation, where practicable;
- (b) Provide for the rehabilitation of cleared and degraded areas;
- (c) Be sited and designed so as to minimise impact on the rural character, amenity, and the landscape elements of the locality; and
- (d) Not impact on any sensitive dune structures.

4.15.3 Development shall comply with any approved Structure Plan, approved Landscape Management Plan and Fire Management Plan which will—

- (a) Provide for the protection of remnant vegetation, where practicable;
- (b) Provide for the rehabilitation of cleared and degraded areas;
- (c) Be sited and designed so as to minimise impact upon the rural character, amenity, and the landscape elements of the locality; and
- (d) Not impact any sensitive dune structures.

4.15.4 No agriculture or grazing shall be undertaken within the vegetated or wetland areas of a lot within the Bushland Protection Zone.

4.15.5 In considering applications for Agriculture Intensive or Extensive in the Bushland Protection Zone the local government shall ensure—

- (a) There are no adverse or potential impact on watercourse, wetlands, river or estuary systems or groundwater;
- (b) The proposal does not conflict with any restrictive covenant applying to the land; and
- (c) Adequate buffers are provided between the agricultural use and vegetated areas, wetlands or watercourses. Where Threatened Flora is present, advice from the Department of Environment shall be sought in determining an adequate buffer separation distance.

4.15.6 No wetlands on any lot in the Bushland Protection Zone may be filled, drained, cleared or excavated.

4.15.7 Subdivision of land included in the Bushland Protection zone will only be considered in accordance with a subdivision incentive as may be provided for in an applicable Local or State Government Policy. Where such an incentive has already been applied and a restrictive covenant applied to the land, further subdivision will not be supported.

5. Amending the Scheme Text by including new provisions to renumbered '4.15 Development in Priority and General Agriculture Zones' as follows—

4.15.1 (g) where a conservation lot and balance lot has been created through subdivision for conservation, land uses shall be limited to uses consistent with any conservation covenants that might apply to the land.

4.15.5 (f) Notwithstanding 4.15.5 (a) subdivisions will be considered where the significant conservation values of land are protected in perpetuity through conservation covenants consistent with criteria set out in an applicable Policy endorsed by Council and the Western Australian Planning Commission.

6. Amending Clause 5.20 of the Scheme to add the terms underlined below as follows—

#### **5.20 Land Clearing**

##### **5.20.1 Land Clearing**

- (a) Notwithstanding the Zoning Table, and unless otherwise specifically stated in this Scheme, no person shall clear land within areas classified Rural-Residential, Priority

Agriculture, General Agriculture, Bushland Protection, LNR Conservation, LNR Landscape Amenity and Southern Ocean Foreshore Protection without the prior planning approval of the local government. In considering any such application, the local government will take into account proposals, including arrangements for entering into covenants with the local government, for the retention and protection of other remnant vegetation.

7. Amending the Scheme Text by including the following definitions into Schedule 1—General Definitions—

**Balance Lot** means the residual lot created from a conservation lot subdivision. The balance lot may be in the form of a cleared lot to be used for agriculture or other approved purposes.

**Conservation Lot** is a lot containing remnant vegetation to be protection through a conservation covenant established through the subdivision process under local or state policies.

**Conservation Lot Subdivision** means subdivision of a maximum of two conservation lots on Priority and General Agricultural zoned land in return for the protection of native vegetation through conservation covenants.

8. Including portion of Lot 12 Bussell Highway, Witchcliffe within the Bushland Protection Zone as depicted on the Scheme Amendment Map.

R. COLYER, Shire President.  
G. EVERSLED, Chief Executive Officer.

PL405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Chittering*  
Town Planning Scheme No. 6—Amendment No. 41

Ref: TPS/0699

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 6 March 2013 for the purpose of—

1. Rezoning Lot 103 Gray Road, Bindoon from 'Agricultural Resource' to 'Rural Residential' and 'Rural Retreat' zones and 'Conservation' reserve.
2. Amending the Scheme Map accordingly.
3. Inserting—

**5.17 Bushfire Hazard Areas**

5.17.1 Bushfire Hazard Areas and development requirements are listed and mapped in Schedule 14—Bushfire Hazard Areas.

5.17.2 Planning approval is required for any habitable building within a Bushfire Hazard Area.

5.17.3 If a bushfire hazard area has been determined under Schedule 14 of this scheme, when considering a planning application the local government may impose conditions to reduce bush fire risk to people and/or property including—

- (a) the provision of a fire fighting water supply;
- (b) the provision of fire services access;
- (c) the preparation and implementation of a fire management plan in accordance with relevant Local Government and Western Australian Planning Commission bushfire protection policies and guidelines; and
- (d) the implementation of measures to ensure that landowners are aware of the relevant scheme provisions and fire management plan.

5.17.4 Where a Fire Management Plan has been endorsed by the local government and/or the Fire and Emergency Services Authority of Western Australia, the affected land owners will be responsible for the ongoing implementation of the 'land owners' responsibilities' as specified in that Fire Management Plan.

4. Inserting—

8.2 (b) (vii) The proposal is located within a Designated Bushfire Hazard Area as identified in Schedule 14—Bushfire Hazard Areas of the Scheme.

5. Inserting—

**Schedule 14—Bushfire Hazard Areas**

| No. | Description of Land        | Bushfire Classification | Conditions   |
|-----|----------------------------|-------------------------|--|
| 1   | Lot 103 Gray Road, Bindoon | Moderate                | <p>1. Prior to the first stage of subdivision a Fire Management Plan must be prepared and implemented. The implementation shall include the construction of a secondary fire/emergency access way.</p> <p>2. All dwellings must be constructed to Australian Standard 3959—2009 (or any updates). AS 3959 allows for a permanent cleared vegetation buffer of 100 metres or increased building requirements.</p> |

A. DOUGLAS, Shire President.  
G. TUFFIN, Chief Executive Officer.

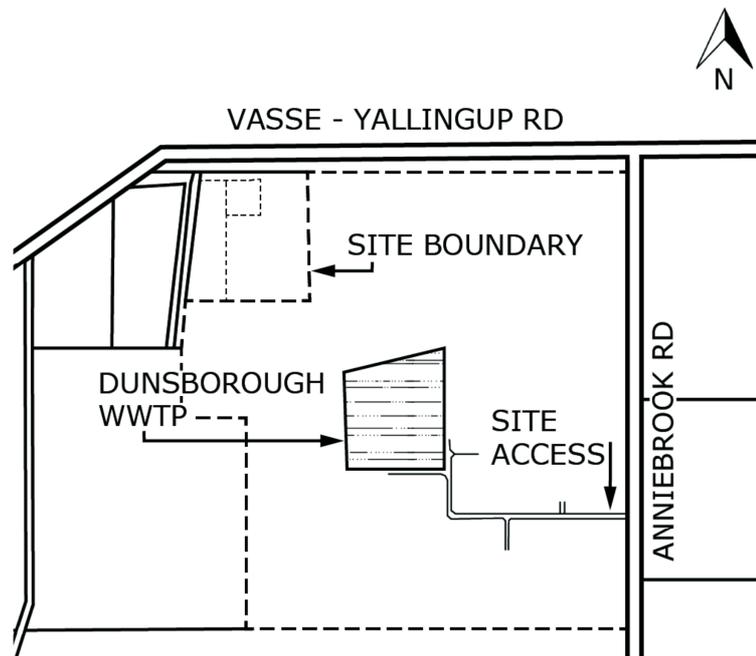
---

## WATER/SEWERAGE

---

WA401\*

**WATER AGENCIES (POWERS) ACT 1984**  
DUNSBOROUGH WASTEWATER TREATMENT PLANT UPGRADE



Water Corporation proposes to undertake upgrade works to increase the capacity of the Dunsborough Wastewater Treatment Plant (WWTP).

Scheduled to begin in June 2013, the proposed works will take around three months.

Objections to the proposed works will be considered if lodged in writing to Project Manager, George Golowyn, Water Corporation, PO Box 100, Leederville WA 6902, by close of business, Friday, 19 April 2013.

A copy of this Notice of Proposal is available for viewing during office hours at Water Corporation's Head Office, John Tonkin Water Centre, 629 Newcastle Street, Leederville or Level 3, 61 Victoria Street, Bunbury.

For further information please contact the Project Manager on (08) 9420 2161 during business hours.

---

**DECEASED ESTATES**

---

**ZX401****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of Rehana Natwarlal Parekh, late of Unit 9, 132 Terrace Road, Perth, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died at Perth, WA on 25 June 2012, are required by the executors and trustees, Kelvin Ka Chuen Tang and Anfernee Hok Ming Lai, both of Tang Legal, Suite 2, 191 James Street, Northbridge, Western Australia 6003 to send particulars of their claims to them by the 1st day of May 2013, after which date the executors and trustees 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 estate of Laszlo Toth, who died on 11 September 2012, of 10a Ruffian Loop, Willetton, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executors of the deceased's estate being Karen Marie Senseri and Peter Angus Tibbits, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming, Western Australia to send particulars of their claims to them by 19 April 2013, after which date the Executors may convey or distribute the assets having regard only to the claims of which they then have notice.

---

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

## Notice to Creditors and Claimants

Lorraine Muriel Watson, late of Murray District Hospital, Pinjarra, Western Australia and of 13 Dundas Place, Greenfields in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 16 October 2012, are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 24 April 2013, after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

---

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

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 22 April 2013 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Adams, Isabella Margaret, late of Second Avenue Nursing Home, 51-53 Second Avenue, Mount Lawley, died 25.01.2013 (DE33024167 EM32)

Birnie, Olive Lucy, late of Hamersley Aged Care Home, 441 Rokeby Road, Subiaco, died 29.01.2013 (DE19912304 EM32)

Bolton, Minnie, late of St, Francis Aged Care Facility, Holland Street, Fremantle, died 18.02.2013 (DE19773603 EM23)

Fallows, Dorothy May, late of Je Murray Home, Room 15 16 Deerness Way, Armadale, died 5.01.2013 (DE19991871 EM13)

Humes, Christopher, late of 16/16 Bunderra Road, Karawara, died 4.02.2013 (DE33083220 EM26)

Jacobs, Jette, late of 73 Johnston Road, Wagin, died 9.02.2013 (DE19973441 EM15)

Lyon, Jean Gwendoline, late of Bethanie Nursing Home, 98 Ellersdale Avenue, Warwick, died 29.01.2013 (DE19873634 EM113)

Marshall, Roderick Cecil, late of 18 Wilsley Street, Gosnells, died 25.02.2013 (DE19681667 EM36)

Russell, Allen Ralph, late of 28 Ind Street, Lesmurdie, died 10.02.2013 (DE19591436 EM16)

Stephen, Frederick Charles, late of c/- Parkview Aged Care, 6 Drummond Street, Redcliffe, formerly of 144 Alexander Road, Rivervale, died 14.12.2012 (DE19894033 EM35)

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

ZX405\*

**PUBLIC TRUSTEE ACT 1941**  
ADMINISTERING OF ESTATES

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

Dated at Perth the 22nd day of March 2013.

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

| Name of Deceased                        | Address                     | Date of Death                                      | Date Election Filed |
|---|-----------------------------|--|---------------------|
| Richard Penill Oxford<br>DE33092790EM32 | 36A McKail Street,<br>Orana | between<br>12 September 2011-<br>21 September 2011 | 14 March 2013       |

WESTERN AUSTRALIA

**RETIREMENT VILLAGES ACT 1992**

**Price: \$53.15 plus postage**

**RETIREMENT VILLAGES REGULATIONS 1992**

**\*Price: \$6.45 plus postage**

\* Prices subject to change on addition of amendments.

## STATE LAW PUBLISHER SUBSCRIPTION RATES FOR 2013

All subscriptions are for the period from 1 January to 31 December 2013. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

### GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically on any day.

|                     |          |
|---------------------|----------|
| <b>All Gazettes</b> | \$       |
| Within WA .....     | 1,069.00 |
| Interstate .....    | 1,088.00 |

**Bound Volumes of full year** ..... 1,325.00

---

### INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

|                  |        |
|------------------|--------|
|                  | \$     |
| Within WA .....  | 513.00 |
| Interstate ..... | 611.00 |

### HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

|                  |          |
|------------------|----------|
|                  | \$       |
| Within WA .....  | 1,013.00 |
| Interstate ..... | 1,240.00 |

### Bound Volumes of Hansard

|                  |          |
|------------------|----------|
|                  | \$       |
| Within WA .....  | 999.00   |
| Interstate ..... | 1,013.00 |

### STATUTES

#### Bound Statutes

Bound volumes are posted during March of the following year.

|                                |        |
|--------------------------------|--------|
|                                | \$     |
| Within WA.....                 | 361.00 |
| Interstate .....               | 402.00 |
| Overseas .....                 | 467.00 |
| Half Calf Bound Statutes ..... | 997.00 |

#### Loose Statutes

Statutes are posted weekly as they become available.

|                  |        |
|------------------|--------|
|                  | \$     |
| Within WA.....   | 388.00 |
| Interstate ..... | 402.00 |

#### Sessional Bills

Bills are posted weekly as they become available.

|                  |        |
|------------------|--------|
|                  | \$     |
| Within WA .....  | 534.00 |
| Interstate ..... | 561.00 |

### CLAIMS FOR MISSING SUBSCRIPTION ITEMS

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this period will not be recognised and will attract payment in full.

Please debit my:       Visa Card       Mastercard

Card Number:                          

Expiry date of card:...../.....

Name of card holder:.....