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CONTENTS

PART 1

	Page
Australian Energy Market Operator (Functions) Regulations 2015.....	3929
City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015.....	3943
Electricity Industry (Independent Market Operator) Amendment Regulations 2015	3927
Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2015.	3930
Gas Services Information Amendment Regulations (No. 2) 2015	3931
Hospitals (Services Charges for Specialised Orthoses) Determination 2015.....	3933

PART 2

Cemeteries.....	3947
Deceased Estates	3958
Justice.....	3947
Local Government.....	3948
Minerals and Petroleum	3950
Parliament.....	3951
Planning	3951

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— PART 1 —

ENERGY

EN301*

Electricity Industry Act 2004
Gas Services Information Act 2012

Electricity Industry (Independent Market Operator) Amendment Regulations 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Industry (Independent Market Operator) Amendment Regulations 2015*.

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 *Electricity Industry (Independent Market Operator) Regulations 2004*.

4. Regulation 3 amended

In regulation 3 in the definition of *function* delete “and (2)” and insert:

and (2B) to (2)

5. Regulation 21 amended

After regulation 21(1) insert:

- (2A) It is a function of the IMO to assist in the transfer or proposed transfer of a function of the IMO.

- (2B) If it is proposed to transfer a function of the IMO, the Minister must, by instrument in writing given to the IMO, identify the function and the person upon whom the function is proposed to be conferred.
- (2C) A reference to the transfer of a function of the IMO is a reference to a function being conferred on another person under the *Electricity Industry Act 2004* or the *Gas Services Information Act 2012* and ceasing to be a function of the IMO.
- (2D) Without limiting the generality of subregulation (2A), assisting in the transfer or proposed transfer of a function includes —
- (a) assisting with activities relating to a due diligence process in relation to the IMO undertaken by a person upon whom a function has been or is proposed to be conferred, for the purposes of the transfer or proposed transfer of the function; and
 - (b) allowing access to information held by the IMO for the purposes of the transfer or proposed transfer of the function; and
 - (c) assisting in the transfer of information, assets, rights, liabilities, members of staff and contracts and other arrangements of the IMO for the purposes of the transfer of the function.
- (2E) A due diligence process includes the following activities —
- (a) the examination and review of, and reporting on, information held by the IMO relating to —
 - (i) the financial position of the IMO;
 - (ii) the assets, rights, liabilities and contracts and other arrangements of the IMO;
 - (iii) the terms and conditions on which members of staff of the IMO are employed;
 - (b) the identification and description of, and reporting on, systems, assets, rights, liabilities, members of staff and contracts and other arrangements of the IMO;
 - (c) the examination and review of, and reporting on, contracts and other arrangements of the IMO.

EN302*

Electricity Industry Act 2004
Gas Services Information Act 2012

Australian Energy Market Operator (Functions) Regulations 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Australian Energy Market Operator (Functions) Regulations 2015*.

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. Term used: AEMO

In these regulations —

AEMO means the Australian Energy Market Operator (ACN 072 010 327).

4. Functions of AEMO

- (1) It is a function of the AEMO to prepare for the proposed conferral of a function on it under the *Electricity Industry Act 2004* or the *Gas Services Information Act 2012*.
- (2) For the purposes of subregulation (1), the Minister must, by instrument in writing given to the AEMO, identify the function.
- (3) Without limiting the generality of subregulation (1), preparing for the proposed conferral of a function includes —
 - (a) undertaking feasibility studies, and similar studies and analysis, for the purposes of the proposed conferral of the function; and
 - (b) in relation to a function that is, at the time, a function of another person —
 - (i) carrying out activities relating to a due diligence process undertaken in relation to the other person for the purposes of the proposed conferral of the function; and
 - (ii) making arrangements relating to the transfer of information, assets, rights, liabilities, employees and contracts and other arrangements of the other person for the purposes of the proposed conferral of the function.

- (4) A due diligence process in relation to a person includes the following activities —
- (a) the examination and review of, and reporting on, information held by the person relating to —
 - (i) the financial position of the person;
 - (ii) the assets, rights, liabilities and contracts and other arrangements of the person;
 - (iii) the terms and conditions on which employees of the person are employed;
 - (b) the identification and description of, and reporting on, systems, assets, rights, liabilities, employees and contracts and other arrangements of the person;
 - (c) the examination and review of, and reporting on, contracts and other arrangements of the person.

5. Cost recovery limited

- (1) Fees and charges to be paid by registered participants under the *Electricity Industry (Wholesale Electricity Market) Regulations 2004* and registered gas market participants under the *Gas Services Information Regulations 2012* for the performance of the functions of the AEMO under these regulations are, in total, not to exceed the amount determined by the Minister from time to time.
- (2) An amount determined by the Minister for the purposes of subregulation (1) is to be published on the market website (as defined in the *Electricity Industry (Wholesale Electricity Market) Regulations 2004* regulation 3) and the GSI website (as defined in the *Gas Services Information Regulations 2012* regulation 3(1)).

N. HAGLEY, Clerk of the Executive Council.

EN303*

Electricity Industry Act 2004

Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2015*.

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 *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

AEMO means the Australian Energy Market Operator (ACN 072 010 327);

5. Regulation 21 amended

- (1) In regulation 21(1)(a) delete “2004” and insert:

2004, the Australian Energy Market Operator (Functions) Regulations 2015

- (2) After regulation 21(1) insert:

- (2A) Costs submitted by the AEMO in relation to performing functions under the *Australian Energy Market Operator (Functions) Regulations 2015* must not relate to functions under the *Gas Services Information Act 2012*.

N. HAGLEY, Clerk of the Executive Council.

EN304*

Gas Services Information Act 2012

Gas Services Information Amendment Regulations (No. 2) 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Gas Services Information Amendment Regulations (No. 2) 2015*.

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 *Gas Services Information Regulations 2012*.

4. Regulation 3 amended

In regulation 3(1) insert in alphabetical order:

AEMO means the Australian Energy Market Operator (ACN 072 010 327);

5. Regulation 8 amended

Delete regulation 8(2)(d) and insert:

- (d) fees and charges to be paid by registered gas market participants for —
 - (i) the performance of the functions of the operator under these regulations and the GSI rules; and
 - (ii) the performance of the functions of the AEMO under the *Australian Energy Market Operator (Functions) Regulations 2015* to the extent to which they are functions under the Act;

N. HAGLEY, Clerk of the Executive Council.

HEALTH

HE301*

Hospitals and Health Services Act 1927
Hospitals (Services Charges) Regulations 1984

Hospitals (Services Charges for Specialised Orthoses) Determination 2015

Made by the Minister under the *Hospitals and Health Services Act 1927* section 37(3)(af) and under the *Hospitals (Services Charges) Regulations 1984* regulation 5(2)(e) and (3).

1. Citation

This determination is the *Hospitals (Services Charges for Specialised Orthoses) Determination 2015*.

2. Commencement

This determination comes into operation as follows —

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

3. Term used: chargeable patient

In this determination —

chargeable patient means —

- (a) a private in-patient; or
- (b) a compensable in-patient; or
- (c) an ineligible in-patient; or
- (d) a compensable out-patient; or
- (e) an eligible out-patient; or
- (f) an ineligible out-patient; or
- (g) a private same day patient; or
- (h) a compensable same day patient; or
- (i) an ineligible same day patient.

4. Charges payable in respect of specialised orthoses: Royal Perth Hospital and Fiona Stanley Hospital

The charge payable in respect of the supply at or by Royal Perth Hospital or Fiona Stanley Hospital to a chargeable patient of a specialised orthosis described in the 3rd column of the Table is the charge set out opposite that orthosis in the 4th column of the Table.

Table

Item	Code	Description of orthosis	Charge
1	AFOAT	Ankle foot orthosis, articulated plastic with toe plate	\$1 216.92
2	AFOPR	Ankle foot orthosis, bed resting	\$370.42
3	AFOPRL	Ankle foot orthosis, bed resting spare liners	\$211.19
4	CAME	Ankle foot orthosis, CAM walker	\$132.05
5	CAMA	Ankle foot orthosis, CAM walker adjustable ankle joint	\$474.09
6	AFOCF	Ankle foot orthosis, carbon fibre	\$762.11
7	CROWI	Ankle foot orthosis, Charcot restraint orthotic walker	\$2 183.85
8	AFOFL	Ankle foot orthosis, custom plastic, fixed with liner	\$859.85
9	AFOFT	Ankle foot orthosis, custom plastic, fixed with toe plate	\$806.57
10	FER	Ankle foot orthosis, ferrule fitting to shoe only	\$122.66
11	AFOHR	Ankle foot orthosis, heel protection, bed resting	\$193.57
12	AFMD	Ankle foot orthosis, metal, double bar only	\$628.86
13	AFMDFT	Ankle foot orthosis, metal, double bar with ferrule and T-strap	\$869.00

Item	Code	Description of orthosis	Charge
14	AFMDF	Ankle foot orthosis, metal, double bar with ferrule only	\$778.35
15	AFMS	Ankle foot orthosis, metal, single bar only	\$442.37
16	AFMSFT	Ankle foot orthosis, metal, single bar with ferrule and T-strap	\$682.51
17	AFOOS	Ankle foot orthosis, oedema compression stocking	\$259.48
18	AFON	Ankle foot orthosis, plastic lined night use with tread	\$198.26
19	AFOS	Ankle foot orthosis, posterior leaf spring	\$216.94
20	AODES	Ankle foot orthosis, strap shoeless, dorsi assist	\$267.86
21	AODE	Ankle foot orthosis, strap to shoe, dorsi assist	\$192.41
22	TS	Ankle orthosis, T-strap only	\$133.21
23	AOS	Ankle orthosis, air-cast stirrup	\$173.63
24	LSAB10	Back orthosis, abdominal binder 10" width	\$138.76
25	LSAB8	Back orthosis, abdominal binder 8" width	\$128.03
26	LSODP	Back orthosis, corset elastic lower back dual pull	\$176.31
27	TLSOCF	Back orthosis, corset front lace	\$688.70

Item	Code	Description of orthosis	Charge
28	TLSOCS	Back orthosis, corset side lace	\$487.50
29	TLSOBV	Back orthosis, custom bivalve	\$1 799.06
30	TLSOPL2	Back orthosis, custom, post trauma, plastic	\$1 437.65
31	TLSOBK	Back orthosis, kyphotic module	\$1 587.16
32	TLSOJ	Back orthosis, metal frame, hyperextension	\$405.98
33	PRWO	Back orthosis, pelvic rib wedge orthosis	\$193.66
34	PRWS	Back orthosis, pelvic rib wedge straps (pair) only	\$77.24
35	TLSOS	Back orthosis, prefabricated, bivalve, plastic	\$709.05
36	TLSOBS	Back orthosis, scoliosis, module	\$1 469.12
37	TLSOSC	Back orthosis, scoliosis, flexible	\$5 593.32
38	TLSOW2	Back orthosis, scoliosis, rigid plastic	\$1 989.75
39	CPU	Crutches permanent users	\$174.00
40	CSCP	Customized steel crutches	\$521.27
41	EOPF	Elbow orthosis, custom fixed	\$466.22
42	EOPH	Elbow orthosis, custom hinged	\$801.36
43	EOT	Elbow orthosis, telescoping, adjustable	\$320.99

Item	Code	Description of orthosis	Charge
44	FO2P1	Foot orthosis, 2 pairs to make one pair	\$1 012.94
45	FOCS	Foot orthosis, custom made surgical shoes	\$2 327.44
46	FOS1	Foot orthosis, insoles pair 2/3 length	\$113.12
47	FOS3	Foot orthosis, insoles pair full length	\$118.64
48	FOD	Foot orthosis, interim shoe	\$123.33
49	FOXD	Foot orthosis, orthopaedic extra depth	\$530.06
50	FOMIP	Foot orthosis, pair of custom moulded insoles	\$359.38
51	PB	Foot orthosis, patten bottom shoe adaption	\$942.62
52	UCBL	Foot orthosis, plastic insole cup (each)	\$374.10
53	UCBLP	Foot orthosis, plastic insole cup (pair)	\$471.61
54	SFP	Foot orthosis, shoe float (pair)	\$154.48
55	SMFTP	Foot orthosis, shoe modification with ferrule and T-strap (pair)	\$320.72
56	SMFTS	Foot orthosis, shoe modification with ferrule and T-strap (single)	\$197.59
57	FOMIU	Foot orthosis, single custom moulded insoles	\$190.33

Item	Code	Description of orthosis	Charge
58	SFS	Foot orthosis, single shoe float	\$98.52
59	SOLE	Foot orthosis, sole rebuild	\$111.93
60	HOD1	Hand orthosis, driving (each)	\$266.41
61	WPM	Hand orthosis, wheelchair push mitts	\$266.41
62	WPME	Hand wrist orthosis, extended wheelchair push mitts	\$358.22
63	PHOC	Head orthosis, custom protective helmet	\$595.42
64	PHOM	Head orthosis, modified protective helmet shell	\$382.66
65	PHO	Head orthosis, protective helmet	\$306.64
66	HR1	Heel raise 1 cm	\$107.03
67	HR2	Heel raise 2 cm	\$126.50
68	HR3	Heel raise 3 cm	\$147.78
69	RGO	Hip knee ankle foot orthosis, reciprocating gait	\$13 254.90
70	HAOP	Hip orthosis, abduction and flexion control	\$1 378.78
71	HFO	Humeral orthosis, fracture	\$472.24
72	KAFOM	Knee ankle foot orthosis, metal with assembly components	\$2 604.77
73	KAFOP	Knee ankle foot orthosis, plastic with assembly components	\$2 096.68

Item	Code	Description of orthosis	Charge
74	KOROM	Knee orthosis, adjustable range of motion	\$318.50
75	KOU	Knee orthosis, compartment unloader	\$1 180.60
76	KOC	Knee orthosis, long, hyperextension control	\$496.52
77	KOS	Knee orthosis, metal cage	\$299.72
78	KOM	Knee orthosis, neoprene hinged	\$219.24
79	CTLSO	Neck and back orthosis, custom plastic	\$2 902.95
80	CTOLM	Neck and back orthosis, plastic body, metal neck	\$1 200.72
81	CTLSOS	Neck and back orthosis, prefabricated bivalve	\$1 111.45
82	COVP	Neck orthosis, adjustable replacement pad set only	\$101.39
83	COVE	Neck orthosis, adjustable with extra pads	\$233.99
84	CTOMJTE	Neck orthosis, extended plastic and liner with extra pads	\$901.79
85	CTOAA	Neck orthosis, extended, multi adjustable	\$811.74
86	SOMI	Neck orthosis, extended, adjustable lined metal frame	\$664.19

Item	Code	Description of orthosis	Charge
87	CTOAP	Neck orthosis, extended, multi adjustable, replacement pads set only	\$120.83
88	HALOC	Neck orthosis, halo complete system	\$5 140.22
89	COP	Neck orthosis, hard foam	\$106.57
90	CTPS	Neck orthosis, hard foam stabilizer only	\$114.90
91	CTOP	Neck orthosis, hard foam with stabilizer	\$157.63
92	CTONH	Neck orthosis, non-invasive halo	\$3 029.56
93	COMJ	Neck orthosis, plastic and liner	\$243.38
94	CTOE	Neck orthosis, plastic and liner extension only with extra pad	\$722.24
95	CTC	Neck orthosis, plastic and liner extension replacement pad only	\$258.14
96	CC1	Neck orthosis, plastic and liner, adult pad set only	\$112.25
97	COS	Neck orthosis, soft	\$101.87
98	RMO1	Repair/modification orthosis, labour up to one hour	\$55.32
99	RMO2	Repair/modification orthosis, labour up to 2 hours	\$140.42
100	RMO3	Repair/modification orthosis, labour up to 3 hours	\$225.53

Item	Code	Description of orthosis	Charge
101	WOP	Wrist orthosis, custom plastic	\$358.22
102	WOS1	Wrist orthosis, prefabricated	\$130.31

5. Charges payable in respect of specialised orthoses: Princess Margaret Hospital for Children

The charge payable in respect of the supply at or by Princess Margaret Hospital for Children to a chargeable patient of a specialised orthosis described in the 2nd column of the Table is the charge set out opposite that orthosis in the 3rd column of the Table.

Table

Item	Description of orthosis	Charge
1	3 point dynamic pressure orthosis	\$181.18
2	Abdominal binder	\$89.27
3	Abduction wedge (Charnley pillow)	\$177.54
4	Abduction orthosis plastic	\$761.70
5	Ankle foot orthosis bivalved	\$468.18
6	Ankle foot orthosis fixed ankle	\$402.08
7	Ankle foot orthosis hinged	\$493.26
8	Ankle foot orthosis off the shelf	\$183.54
9	Ankle foot orthosis carbon fibre off the shelf	\$642.99
10	Bachelor hip orthosis	\$654.70
11	Boots and bar replace boots	\$695.81
12	Cam walker	\$94.27
13	Collar Aspen child	\$546.35
14	Collar Aspen adult	\$381.35
15	Collar Aspen extended	\$1 396.35
16	Collar Miami J	\$407.40

Item	Description of orthosis	Charge
17	Collar Miami J extended	\$749.10
18	Collar Philadelphia	\$114.91
19	Collar Philadelphia extended	\$363.84
20	Collar soft	\$64.27
21	Correctio hip brace	\$294.18
22	Corset ready-made (off the shelf)	\$147.27
23	Edinburgh hip orthosis	\$335.54
24	Elbow crutches	\$102.95
25	Foot orthosis off the shelf (pair)	\$94.27
26	Foot orthosis EVA (pair)	\$210.13
27	Foot orthosis UCBL type (each)	\$226.52
28	Graphite insoles	\$223.72
29	Ground reaction ankle foot orthosis	\$427.26
30	Helmet cranio	\$702.32
31	Hip knee ankle foot orthosis	\$8 652.40
32	Jewett spinal brace	\$302.81
33	Knee ankle foot orthosis plastic and joints	\$1 570.96
34	Knee ankle foot orthosis plastic fixed	\$361.53
35	Kidney guard	\$157.54
36	Knee immobiliser	\$94.27
37	Knee brace range of motion	\$208.91
38	Patellar stabiliser	\$109.27
39	Pavlik hip orthosis	\$298.18
40	Perthes abduction orthosis	\$1 302.50
41	Plantar fasciitis night splint	\$133.91
42	Rhino hip orthosis	\$342.63

Item	Description of orthosis	Charge
43	Spinal orthosis rigid	\$926.61
44	Standing frame flexistand	\$674.08
45	Standing, walking and sitting orthosis	\$2 385.26
46	Thoracolumbar hip knee ankle foot orthosis	\$4 106.21
47	Wraparound neoprene	\$223.18
48	Wraparound neoprene - bilateral	\$446.35
49	Wrist orthosis	\$94.27

6. Determination revoked

The *Hospitals (Services Charges for Specialized Orthoses and Protheses) Determination 1994* is revoked.

K. HAMES, Minister for Health.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

HEALTH ACT 1911

City of Greater Geraldton

ANIMALS, ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2015

Under the powers conferred by the *Local Government Act 1995, Health Act 1911* and under all other powers enabling it, the Council of the City of Greater Geraldton resolved on 25 August 2015 to make the following local law.

1. Citation

This local law may be cited as the *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*.

2. Commencement

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

3. Application

This local law applies throughout the district.

4. Principal local law

In this local law, the *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014* made under the *Local Government Act 1995* and passed by the local government of the City of Greater Geraldton on 24 March 2014, by notice published in the *Government Gazette* No. 69 p. 1495, on 13 May 2014, is referred to as the principal local law.

5. Principal local law amended

The Principal local law is amended by deleting the existing PART 2—KEEPING OF ANIMALS and substituting a new PART 2 as follows—

PART 2—KEEPING OF ANIMALS

Division 1—Keeping of birds

2.1 Keeping of poultry and pigeons in a residential zone

An owner or occupier of premises in a residential zone shall not keep or permit to be kept on the premises—

- (a) more than 12 poultry; or
- (b) more than 12 pigeons unless the owner or occupier is an affiliated person in which case the maximum number of pigeons is increased to 100.

2.2 Conditions for keeping of poultry

A person who keeps poultry or permits poultry to be kept shall ensure that—

- (c) no poultry shall be kept less than 9 metres from any residential building;
- (d) no poultry is able to approach within 15 metres of a public thoroughfare, public building, commercial premises or food premises;
- (e) all poultry is kept in a properly constructed and securely fastened structure;
- (f) the structure has an impervious floor laid with a fall to the front of at least 1 in 50;
- (g) all structures or enclosures within which poultry are kept are maintained at all times in a clean condition; and
- (h) all poultry is kept continually confined.

2.3 Roosters, geese, turkeys and peafowl

Except on land with an area of 1 hectare or more or with the prior written permission of the local government, an owner or occupier of premises shall not keep any—

- (i) roosters;
- (j) geese;
- (k) turkeys; or
- (l) peafowls.

2.4 Conditions for keeping of pigeons

A person who keeps pigeons or permits pigeons to be kept shall ensure that—

- (m) all pigeons are kept in a properly constructed pigeon loft, except where registered homing pigeons are freed for exercise;
- (n) all structures or enclosures within which pigeons are kept are maintained at all times in a clean condition;
- (o) no opening to a pigeon loft, including openings for ventilation, is within 9 metres of any residential building; and
- (p) no opening to a pigeon loft, including openings for ventilation, is within 15 metres of a thoroughfare, public building, commercial premises or food premises.

2.5 Conditions of keeping aviary birds

A person who keeps, or permits to be kept, aviary birds shall ensure that the aviary or cage is kept in clean condition and good repair at all times.

2.6 Nuisance caused by birds

An owner or occupier of land shall not keep any bird or birds which—

- (q) are or create a nuisance; or
- (r) emit an unreasonable noise.

Division 2—Keeping of farm animals

2.7 Keeping of farm animals

Subject to clause 2.8, an owner or occupier of land shall not keep, or allow to be kept, any farm animal unless in a rural zone and in accordance with the provisions of any local planning scheme applicable to that zone.

2.8 Conditions for keeping farm animals

(1) An owner or occupier of premises upon which a farm animal or farm animals are kept, shall maintain the place or places where the animals are kept in clean condition and good repair at all times.

(2) An owner or occupier of premises in a rural zone shall not keep more than 1 pig other than on premises registered as a piggery pursuant to the provisions of the *Health Act 1911*, except with the express written approval of the local government.

6. Amend Schedule 1—Prescribed Offences—Items 1-22 as follows

The Principal local law is amended in Schedule 1 by deleting the existing rows of items 1-22 and substituting the new items 1-22 as described below—

Schedule 1

[cl. 6.4]

Item	Clause	Description of offence	Modified penalty— first offence	Modified penalty— subsequent offence
1	2.1(a)	Keeping more than 12 poultry	\$250	\$500
2	2.1(b)	Keeping more than 12 pigeons	\$250	\$500
3	2.2(a)	Keeping poultry within 9 metres of a residential building	\$250	\$500
4	2.2(b)	Poultry approaching within 15 metres of a building or thoroughfare	\$250	\$500
5	2.2(c)	Poultry not kept in a secure structure	\$250	\$500
6	2.2(d)	Poultry structure not having an impervious floor	\$250	\$500
7	2.2(e)	Not maintaining a poultry structure in a clean condition	\$250	\$500
8	2.2(f)	All poultry not being continually confined	\$250	\$500
9	2.3(a)	Keeping of roosters on land under 1 hectare	\$250	\$500
10	2.3(b)	Keeping of geese on land under 1 hectare	\$250	\$500
11	2.3(c)	Keeping of turkeys on land under 1 hectare	\$250	\$500
12	2.3(d)	Keeping of peafowls on land under 1 hectare	\$250	\$500
13	2.4(a)	Pigeons not being kept in a properly constructed pigeon loft	\$250	\$500
14	2.4(b)	Not maintaining a structure for pigeons in a clean condition	\$250	\$500
15	2.4(c)	Keeping of pigeons with 9 metres of a residential building	\$250	\$500
16	2.4(d)	A pigeon loft being within 15 metres of a thoroughfare or commercial building	\$250	\$500
17	2.5	Aviary cage not being kept in a clean condition	\$250	\$500
18	2.6(a)	Bird causing a nuisance	\$250	\$500
19	2.6(b)	Bird emitting an unreasonable noise	\$250	\$500
20	2.7	Keeping of a farm animal other than in a rural zone	\$250	\$500

Item	Clause	Description of offence	Modified penalty— first offence	Modified penalty— subsequent offence
21	2.8(1)	Fail to keep a place where farm animals are kept in a clean condition and good repair	\$250	\$500
22	2.8(2)	Keeping more than one pig other than on premises registered as a piggery	\$250	\$500

This Local Law was made by the City of Greater Geraldton at an Ordinary Meeting held on 25 August 2015.

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

IAN CARPENTER, Mayor.
KEN DIEHM, Chief Executive Officer.

Dated this 26th day of August 2015.

Consented to—

TARUN WEERAMANTHRI, Executive Director
Public Health.

Dated this 11th day of September 2015.

— PART 2 —

CEMETERIES

CE401*

CEMETERIES ACT 1986

DWELLINGUP PUBLIC CEMETERY

Fees and Charges

In pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Dwellingup Cemetery Board hereby records having resolved on 11 May 2015 to amend the 1st Schedule to apply as follows—

	2015 \$	Old Price \$
(1) Burial Fees—		
(a) Ordinary Land for Adults and children (2.4m x 1.2m)	500.00	
(b) Placement of ashes in family grave/niche wall	100.00	
(c) Single funeral License on each interment	100.00	90.00
(d) Reserve Grant of right of Burial/Placement	60.00	
(e) Grave number Marker Plate	70.00	55.00
(f) Placing Monuments in Cemetery	100.00	
(g) Transfer Grant of Right of Burial	30.00	
(h) Copy of Grant	15.00	
(i) Interment Fee	640.00	
(j) Re-opening—No masonry	640.00	
(k) Re-opening—Masonry	640.00	
(l) Exhumation	700.00	
(m) Re-interment after exhumation	450.00	
(n) Reserve / Purchase niche compartment—single/double	50.00	
(o) Genealogy Searches	By Quotation	By Quotation
(p) Plaques for niche wall	By Quotation	By Quotation

M. KELLY, Chairperson.
D. WATTS, Secretary.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

It is hereby notified for public information that Her 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—

Sharyn Clare Brocket of 62B Odin Road, Innaloo

Bruce Ernest Bussey of 24 Burroughs Road, Karrinyup

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996***City of Kalgoorlie-Boulder***INTENTION TO APPLY FOR REVESTING OF LAND IN THE CROWN FOR
NON PAYMENT OF RATES**

Notice of intent is hereby given, as rates and service charges have been outstanding for a period of more than three years, that Council will make application to the Minister for Local Government in accordance with Section 6.74 of the *Local Government Act 1995* to have the following land revested in the Crown.

Signed for and on behalf of the City of Kalgoorlie-Boulder this 2nd day of October 2015.

R. J. RADOSEVICH, Acting Chief Executive Officer.

Description of Land		
Names of Owners and all Other Persons appearing to have an Estate of Interest in the Land	Description of land referred to, including title references	Amount Outstanding in Rates and other Service Fees
Dunstan, Thomas Henry	Lot 27 Crown Street, Boorara Townsite on Deposited Plan 222095 being the whole of the land comprised in Certificate of Title Volume 351, Folio 18	\$3,490
Chappell, Richard James	Lot 27 Crown Street, Boorara Townsite on Deposited Plan 222095 being the whole of the land comprised in Certificate of Title Volume 351, Folio 18	
Tweedie, Margaret Person claiming an interest in the Land under Caveat *C1346/1905	Lot 27 Crown Street, Boorara Townsite on Deposited Plan 222095 being the whole of the land comprised in Certificate of Title Volume 351, Folio 18	

The abovementioned persons to whom this notice of intention is addressed may, within 30 days of the date of notice, lodge an objection to the revestment.

LG402*

LOCAL GOVERNMENT ACT (CI) 1995*Shire of Christmas Island***APPOINTMENTS**

It is hereby notified for public information that Sho Yit Meng and Foo Say Wah have been appointed as Rangers for the Shire of Christmas Island and are duly authorised in accordance with the following Acts, Regulations and Local Laws—

- Local Government Act (CI) and Regulations 1995,
- Local Government (Miscellaneous Provisions) Act (CI) 1960,
- Local Government (Functions and General) Regulations (CI) 1996,
- Shire of Christmas Island Local Laws,
- Litter Act (CI) 1979 and Regulations,
- Control of Vehicles (Off-road Areas) Act (CI) 1978 and Regulations.

All previous Ranger appointments and authorisations are hereby cancelled.

KELVIN J. MATTHEWS, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954*Shire of Gingin***FIREBREAK ORDER 2015/2016**

Notice is hereby given to all landowners/occupiers within the Shire of Gingin, that bare earth cleared firebreaks must be installed and maintained from 1 November 2015 until 31 May 2016.

RURAL/RURAL LIVING/RURAL RESIDENTIAL/LIGHT INDUSTRIAL LAND**8ha (20 acres) or larger**

Install and maintain a bare earth cleared firebreak, for a width of not less than three metres (3m), within the first five metres (5m) of the external boundaries of the property.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along the firebreak.

Install and maintain a 20m Building Protection Zone around all buildings, large hay stacks and fuel storage areas.

2023 m² (half an acre) to 8 ha (20 acres)

Install and maintain a bare earth cleared firebreak, for a width of not less than three metres (3m), within the first five metres (5m) of the external boundaries of the property.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along the firebreak.

On heavily grassed blocks slash all dry grass to a height of no more than 50mm.

Install and maintain a 20m Building Protection Zone around all buildings, large hay stacks and fuel storage areas.

ALL TOWNSITE LAND**Land 2023m² (Half acre) or less**

Slash the grass on the entire property to a height of less than fifty millimetres (50mm), and remove all dead flammable material.

Land larger than 2023m² (Half acre)

Install and maintain a bare earth cleared firebreak, for a width of not less than three metres (3m), within the first five metres (5m) of the external boundaries of the property.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along the firebreak.

Slash the grass on the entire property to a height of less than fifty millimetres (50mm), and remove all dead flammable material.

ALTERNATIVE ALIGNMENTS

If it is impractical to have a firebreak immediately inside a boundary for environmental or any other reason(s), you are required to notify the Shire of Gingin in writing, before 1 October, to obtain permission for firebreaks to be installed in an alternative position. Once approval is granted, there is no need to re-apply each year unless circumstances change.

PLANTATIONS**Tree Plantations of less than three hectares (3ha)**

Construct a ten metre (10m) wide bare earth cleared firebreak, immediately surrounding the plantation (adjacent areas of the same property subject to provisions as for Rural Areas).

Plantations larger than three hectares (3ha)

Construct a fifteen metre (15m) wide bare earth cleared firebreak, immediately surrounding the plantation (adjacent areas of the same property subject to provisions as for Rural Areas).

Internal firebreaks are required to be six metres (6m) bare earth cleared surrounding compartments of no larger than 30 hectares.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along all firebreaks.

A minimum water supply of 25,000 litres for every 50 hectares of plantation must be maintained, with a hardstand area provided for fire appliances to park when drawing water. Water sources must be located so as to allow for a maximum refill turnaround of 20 minutes from any area in the plantation.

HARVEST/MOVEMENT OF VEHICLES BANS

A ban on harvesting and the movement of vehicles in paddocks (except for the watering of stock) is likely to be imposed when the predicted weather conditions are classified by the Bureau of Meteorology as very high or extreme.

ADDITIONAL RESPONSIBILITIES AND PENALTIES

Persons who fail to comply with the requirements of this Order may be fined up to \$10,000. In addition, Council can arrange for the required work to be carried out at the cost of the owner or occupier.

Gas or electric barbecues **ONLY** are permitted during Prohibited Burning Times. No solid fuel or wood barbecues allowed. Camping and cooking fires are prohibited during the Prohibited and Restricted Burning Periods unless a valid permit has been issued by a Shire of Gingin Fire Control Officer.

A Permit to Burn must be obtained during Restricted Burning Periods. Permits are generally subject to a number of conditions but are **NOT valid for burning on Sundays or Public Holidays**, unless approved by the Chief Bush Fire Control Officer. Permits to burn must be obtained to burn any garden refuse during Restricted Burning Periods.

Prior to any burning, you are required to notify your neighbours, Fire Control Officer and the Shire of Gingin.

Besides being responsible for the safety of your own property, if a fire escapes from your property you may be liable to pay compensation for any damage caused outside of your property—this could be very costly.

Public infrastructure must not be placed in a manner that results in an above-ground encroachment into the firebreak area. Trees must not be planted in a manner that results in vegetation encroaching into the firebreak area.

BURNING PERIODS

RESTRICTED BURNING PERIOD

Permit to burn required from a Fire Control Officer

1 October to 21 November

1 March to 31 May

PROHIBITED BURNING PERIOD

22 November to 28 February

NO BURNING WITHOUT EXCEPTION

JEREMY EDWARDS, Chief Executive Officer.

Dated: 22 September 2015.

MINERALS AND PETROLEUM

MP401*

MINING ACT 1978 RESTORATION OF MINING LEASES

Department of Mines and Petroleum,
East Perth WA 6004.

In accordance with the provisions of section 97A of the *Mining Act 1978*, I hereby cancel the forfeiture of the undermentioned mining leases previously forfeited for non-payment of penalty and restore the mining leases to the former holder.

Hon BILL MARMION MLA, Minister for Finance;
Mines and Petroleum.

Number	Holder	Minerals Field
	<i>Mining Lease</i>	
M30/16	Carnegie Gold Pty Ltd	North Coolgardie
M30/157	Carnegie Gold Pty Ltd	North Coolgardie
M30/178	Carnegie Gold Pty Ltd	North Coolgardie

MP402*

MINING ACT 1978 APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Southern Cross WA 6426.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining*

Act 1978 for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

PAUL ROTH, Warden.

To be heard by the Warden at Southern Cross on 24 November 2015.

YILGARN MINERAL FIELD

Prospecting Licences

P 77/4070 Argow Gold Pty Ltd

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bills

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Ninth Parliament.

Title of Act	Date of Assent	Act No.
Land Tax Amendment Act 2015	24 September 2015	24 of 2015
Criminal Law Amendment (Home Burglary and Other Offences) Act 2015	24 September 2015	25 of 2015

NIGEL PRATT, Clerk of the Parliaments.

25 September 2015.

PLANNING

PL401*

HOPE VALLEY-WATTLEUP REDEVELOPMENT ACT 2000

APPROVED MASTER PLAN AMENDMENT

Hope Valley-Wattleup Redevelopment Project Master Plan—
Amendment No. 9

Ref: DP/14/00203

It is hereby notified for public information, in accordance with section 15(4) of the *Hope Valley-Wattleup Redevelopment Act 2000*, that the Minister for Planning has granted final approval to Amendment No. 9 on 14 September 2015.

Amendment 9 proposes changes including; reconfiguring existing planning precinct boundaries, consolidating development areas and development contribution areas, rationalising land reserved for parks and recreation, modify existing land use permissibility under Table 1, introduce new provisions relating to restricted uses and modifying Schedule 3 to introduce 'restricted use' provisions.

Details of the amendment are available for inspection at the relevant offices of the Authority, the Commission's office and the offices of the City of Kwinana and the City of Cockburn or the Authority's website www.latitude32planning.com.au.

Western Australian Land Authority
Level 6 Wesfarmers House
40 The Esplanade, Perth WA 6000

Dated: 2 October 2015.

FRANK MARRA, for and on behalf of the Authority.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Swan
 Local Planning Scheme No. 17—Amendment No. 70

Ref: TPS/0734

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 14 September 2015 for the purpose of—

- i. Applying a density code of R20 to Lots 2 (No. 31), 3 (No. 29), 4 (No. 27) 5 (No. 25), 8 (No. 17), 9 (No. 21), 10 (No. 19) and 11 (No. 23) Mary Street, Hazelmere.
- ii. Amending the Scheme Maps accordingly.

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

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Murray
 Town Planning Scheme No. 4—Amendment No. 278

Ref: TPS/1176

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 Murray local planning scheme amendment on 14 September 2015 for the purpose of—

1. Rezoning Lots 51, 52, 53, 54, 57, 58, 59 and 60 Avoca Retreat and Lots 55 and 56 Readheads Road, North Dandalup from 'Farmlot' to 'Special Rural'.
2. Amending the Scheme Text to replace the existing Specified Land description (A) and Special Provisions (B) for SR34 with the following particulars in Schedule 4—Special Rural Zone of the Scheme Text as follows—

(A) Specified Land	(B) Special Provisions Relating to (A)
SR34 Area bounded by Lakes Road, McMahon Road, Readheads Road and Hopeland Road, North Dandalup	<ol style="list-style-type: none"> 1. Within the Zone the objective is to create a mixture of equestrian lots and rural residential lifestyle lots. 2. The minimum lot size within the zone shall be 1 ha. 3. Subdivision and development shall generally be in accordance with a Subdivision Guide Plan endorsed by both Council and the Western Australian Planning Commission. 4. In order to conserve the landscape, trees and other indigenous vegetation shall not be felled or cleared without the prior written approval of the Council, except where required for the erection of a single house, outbuilding, stables, effluent disposal systems, accessways, fences and firebreaks. 5. (a) The following uses are permitted ("P")— Home Office Single House Outbuilding Public Utility (b) The following uses may be permitted at the discretion of Council ("AA")— Ancillary Dwelling Cottage Industry Family Day Care Home Occupation Home Business Bed and Breakfast Rural Produce Stalls Rural Pursuit Stables (c) All other uses are Not Permitted ("X")

(A) Specified Land	(B) Special Provisions Relating to (A)
	<ol style="list-style-type: none"> <li data-bbox="735 271 1396 546">6. The keeping or agistment of livestock shall not be permitted without the approval in writing of Council and shall only be undertaken in accordance with any conditions of approval. The type and number of any livestock shall comply with the recommendations of the Department of Agriculture and food in accordance with the pasture and soil type. Notwithstanding the foregoing, Council may require the stocking rates to be reduced where they are excessive or the land is subject to significant additional nutrient application or land degradation. <li data-bbox="735 555 1396 680">7. Horses may only be kept on lots where there is an approved Equine Management Plan and the keeping and management of horses shall be in accordance with the provisions and requirements of the approved Equine Management Plan. <li data-bbox="735 689 1396 869">8. Council may require the landowner to erect stock proof fencing around environmental features (including remnant vegetation). This may include fencing around individual isolated trees where appropriate. Such fencing shall be thereafter maintained by the landowner to the satisfaction of Council. <li data-bbox="735 878 1396 949">9. All fencing shall be open post and rail or post and wire and on equestrian lots, the boundary fence abutting public roads or thoroughfares, shall include a top rail. <li data-bbox="735 958 1396 1030">10. All development other than fencing shall be constructed within the confines of approved Building Envelopes. <li data-bbox="735 1039 1396 1352">11. Building envelopes shall be in the vicinity of 2000m² in area and not be closer to side or rear lot boundaries than 10 metres or front lot boundaries of 20 metres, although Council may approved lesser distances if it is satisfied that— <ol style="list-style-type: none"> <li data-bbox="783 1173 1396 1245">(a) The topography or shape of the lot or natural flora on it makes it desirable to alter this provision and; <li data-bbox="783 1254 1396 1352">(b) The location of the building will not detract from the environmental quality of the area or the amenity of existing or future residences on adjoining lots. <li data-bbox="735 1361 1396 1563">12. Council may vary Building Envelopes at the request of landowners and such requests shall be in the form of an Application for Planning Approval under the Scheme although Council shall not approve variations which place building envelopes within the Dampier Bunbury Natural Gas Pipeline Easement or within the 100 metre Gas Pipeline Buffer as defined on the Subdivision Guide Plan. <li data-bbox="735 1572 1396 1975">13. No dwelling shall be approved by Council unless it is connected to a Nutrient Retentive Effluent Disposal System (as approved by the Health Department WA) with an adequate phosphorous retention capacity as determined by the Environmental Protection Authority and with the base of the system or the modified irrigation area being a vertical distance above the highest known water table as determined by Health Department or Environmental Protection Authority requirements for the type of effluent disposal system. Council may require that the sand pad accommodating the dwelling and effluent disposal system include amended soils with improved phosphorous retention capability. The effluent disposal system and irrigation areas shall be totally within the building envelope. <li data-bbox="735 1984 1396 2056">14. No Nutrient Retentive Effluent Disposal system shall be constructed within 50 metres of North Dandalup River. <li data-bbox="735 2065 1396 2107">15. No well or bore shall be located within 30 metres on an onsite effluent disposal system.

(A) Specified Land	(B) Special Provisions Relating to (A)
	<ol style="list-style-type: none"> 16. Each dwelling shall be connected to a reticulated water supply, 17. Prior to the subdivision of the land the subdivider shall prepare and implement a Fire Management Plan to the satisfaction of Council. 18. Access shall be permitted to domestic water supplies for emergency firefighting purposes to the satisfaction of the Department of Fire and Emergency Services or its equivalent responsible agency. 19. A fuel free zone clear of all flammable vegetation/materials shall be maintained to a distance of 20 metres surrounding all buildings. 20. Use and development of land within the Dampier Bunbury Natural Gas Pipeline Corridor shall be in accordance with the "Land Use Guidelines—Dampier to Bunbury Natural Gas Pipeline Corridor" or variations thereto. This includes the requirement to obtain approval from the Department of Regional Development and Lands or its equivalent or its delegates in addition to seeking the Planning Approval of Council, prior to commencing development. 21. Land use within and beyond the Dampier to Bunbury Natural Gas Pipeline Corridor shall be in accordance with the Western Australian Planning Commission's Planning Bulletin 87 "High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region" or variations or substitutions thereto. This includes adherence to buffer distances to sensitive premises based on the EPA's guidelines for risk assessment and mitigation. 22. No direct lot access will be permitted to Hopeland Road unless specifically provided for in an endorsed Subdivision Guide Plan. Where direct lot access is provided for in an endorsed Subdivision Guide Plan, crossovers should be shared by adjoining lots in the locations shown on the endorsed Subdivision Guide Plan. 23. No direct lot access will be permitted to Lakes Road. Crossovers for lots abutting Lakes Road should be located on the secondary road frontages as shown on the Subdivision Guide Plan, although provisions for access to Lakes Road by emergency vehicles may be provided with written approval of Council. 24. Road reserve widths within Special Rural Zone 34 should be determined by Council having regard for the drainage and servicing requirements of the subdivision layout, reflected in the Subdivision Guide Plan. 25. The subdividing landowners will be responsible for the upgrading of McMahon Road and Readheads Road to an appropriate rural standard to the specifications of Council. 26. The subdividing landowners may be required to upgrade intersections of Lakes Road and McMahon Road and Lakes Road and Hopeland Road, to the specifications of Council and Main Roads WA and may be required to accommodate minor road widening of Lakes Road at these locations to accommodate these upgrades. 27. Remnant Marri and Jarrah vegetation shall be preserved as fauna habitat during subdivision, by the subdividing landowner and thereafter by subsequent landowners. 28. Remnant Marri and Jarrah vegetation to be preserved as fauna habitat should be spatially located by survey during the subdivision process. If necessary the subdivision and civil works design may be adjusted generally consistent with the Subdivision Guide Plan, to ensure the protection of vegetation.

(A) Specified Land	(B) Special Provisions Relating to (A)
	<p>29. Building Envelopes are to be defined on plans at an appropriate scale, by the subdividing landowner for endorsement by Council, prior to the clearance of conditions of subdivision.</p> <p>30. A buffer distance of 30 metres shall be maintained between future development and the banks of the North Dandalup River.</p> <p>31. Living Streams Drainage Easements are to be defined on the Subdivision Guide Plan to provide a dual function of drainage and nutrient removal consistent with the principles of water sensitive design and to provide ecological value. Within the Living Stream Easement area landowners shall preserve the drainage function and not use the land in a manner inconsistent with the principles of Living Streams.</p> <p>32. Within land defined as "Living Streams Drainage Easement" on the endorsed Subdivision Guide Plan, no person shall fill, alter the drainage alignment or remove associated vegetation or allow stock to access the area without prior Council approval. In order to prevent stock encroaching into the Living Stream Easement area the landowner shall establish stock proof fencing at the edge of the easement.</p> <p>33. Crossover locations on corner lots depicted on the endorsed Subdivision Guide Plan should be located to avoid encroachment into the Living Stream Easement area. On single frontage lots where encroachment is unavoidable, crossover should be shared by adjoining lots in the locations shown on the approved Subdivision Guide Plan to minimise the disruption to stormwater flow. Crossovers and culverts in these locations shall be constructed by the subdividing landowner to Council's satisfaction.</p> <p>34. Front and side boundary fencing and gates within the Living Streams Easement area will require the written consent of Council and such fencing and gates where approved by Council should facilitate ease of access by Council for maintenance purposes and not obstruct the flow of stormwater within the drainage channel.</p> <p>35. A Memorial is to be placed on the title of all lots affected by the Dampier to Bunbury Natural Gas Pipeline Corridor, to highlight its existence.</p> <p>36. The subdivider is to make satisfactory arrangements to ensure that prospective purchasers of the lots are aware of the Town Planning Scheme provisions which affect the land.</p> <p>37. The subdivider shall prepare and implement a Revegetation Plan as a condition of subdivision approval.</p> <p>38. All revegetation carried out as part of the subdivision of the land or otherwise in accordance with a Revegetation Plan, Local Water Management Plan or similar plan endorsed by the Shire for the proposed lots shall be maintained in a healthy condition on an ongoing basis by the landowner and shall not be cleared or otherwise removed without the prior written approval of the Shire.</p> <p>39. At the time of subdivision of Lot 51 Lakes Road, whereupon proposed Lot 79 (as shown on the Subdivision Guide Plan) is created, the existing crossover to Lakes Road shall be closed to the satisfaction of Council.</p>

3. Amending the Scheme maps accordingly.

W. C. BARRETT, Shire President.
D. UNSWORTH, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Kalamunda
 Town Planning Scheme No. 3—Amendment No. 67

Ref: TPS/1392

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 Kalamunda local planning scheme amendment on 2 September 2015 for the purpose of—

- (a) Deleting clause 5.6.1 and inserting the following clause in its place—
 - “5.6.1 Except for development in respect of which the Residential Design Codes apply and development in a Bushfire Prone Area, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such condition as the local government thinks fit.”
- (b) Deleting clause 5.9.1 (iii).
- (c) Deleting clause 5.9.2 (iv) and renumbering remaining clauses accordingly.
- (d) Deleting clause 5.11.1 (i)(e)
- (e) Deleting clause 5.11.2 (vi) and renumbering remaining clauses accordingly.
- (f) Deleting clause 5.12.1 (i)(e) and renumbering remaining clauses accordingly.
- (g) Deleting clause 5.12.2 (v)
- (h) Deleting clause 5.13.1 (i)(f)
- (i) Deleting clause 5.13.2 (vi)
- (j) Amending Clause 6.1.1 to insert a new subclause “(i)” as follows—
 - “(i) Bushfire Prone Areas shown on the Scheme Map as BPA”
- (k) Inserting a new clause 6.7 to follow existing clause 6.6 “Middle Helena Catchment Area” as follows—

6.7 Bushfire Prone Areas**6.7.1 Interpretation**

In clause 6.7, unless the context otherwise requires—

“AS3959” means Australian Standards AS 3959 – 2009 Construction of buildings in bushfire-prone areas, as adopted from time to time as a referenced document for the purposes of the Building Code;

“Bushfire” has the same meaning given to it by the Planning for Bush Fire Protection Guidelines;

“Bushfire Attack Level (BAL)” means the bushfire attack level of a site assessed in accordance with AS3959;

“Bushfire Hazard” has the same meaning given to it by the Planning for Bush Fire Protection Guidelines;

“Bushfire Prone Area” means a bushfire prone special control area shown on the Scheme Map as BPA;

“Bushfire Risk” has the same meaning given to it by the Planning for Bush Fire Protection Guidelines.

“Planning for Bush Fire Protection Guidelines” means the policy entitled ‘Planning for Bush Fire Protection Guidelines – Edition 2 (WAPC and FESA May 2010)’, as amended from time to time. If the Planning for Bush Fire Protection Guidelines are superseded, any reference in the Scheme to the Planning for Bush Fire Protection Guidelines should be read as a reference to the relevant equivalent provision within the document which supersedes it;

“Fire Management Plan” has the same meaning given to it by the Planning for Bush Fire Protection Guidelines.

“State Planning Policy 3.4” means State Planning Policy 3.4 *Natural Hazards and Disasters (WAPC, 2006)*, as amended from time to time;

6.7.2 Purpose

The purpose and intent of designating a Bushfire Prone Area is to—

- (a) identify land that is bushfire prone by reason of it being subject to, or likely to be subject to, a bushfire hazard;
- (b) ensure that development within a Bushfire Prone Area is effectively designed in accordance with AS3959 to address the level of bushfire hazard applying to the land;
- (c) facilitate improved strategic planning for bushfires and more effective bushfire risk management; and

- (d) implement the requirements under State Planning Policy 3.4 and the Planning for Bush Fire Protection Guidelines.

Note: The designation of particular parts of the district as Bushfire Prone Areas does not mean that land not designated as a Bushfire Prone Area is free from risk associated with bushfire threat.

6.7.3 Applications in a Bushfire Prone Area

An application for planning approval within a Bushfire Prone Area must be accompanied by—

- (a) a Bushfire Attack Level assessment prepared by a suitably qualified professional in accordance with AS3959; and
- (b) a Fire Management Plan prepared by a suitably qualified professional in accordance with the Planning for Bush Fire Protection Guidelines which addresses each criteria to the satisfaction of the local government to demonstrate that the proposed development effectively addresses the level of bushfire hazard applying to the land.

6.7.4 Development requirements in a Bushfire Prone Area

(1) Development in a Bushfire Prone Area shall comply with AS3959; and

(2) Where a Fire Management Plan has been endorsed by the local government and/or the Department of Fire and Emergency Services, the affected landowners will be responsible for the ongoing implementation of the “land owners’ responsibilities” as specified in that Fire Management Plan.

6.7.5 Determination of the applications in a Bushfire Prone Area

(1) In respect of land in a Bushfire Prone Area and without detracting from clause 3.4.2 or clause 10.2, the local government in—

- (a) Determining an application for planning approval; or
- (b) Making a recommendation in respect of an application for subdivision approval; or
- (c) The adoption or amendment of a structure plan resulting in the introduction or intensification of development;

shall have due regard to—

- (a) State Planning Policy 3.4 or any other State Planning Policy that guides bushfire risk management;
- (b) The Planning for Bush Fire Protection Guidelines or any replacement guidelines;
- (c) AS3959;
- (d) Any other relevant policy, guideline or standard dealing with areas subject to bushfire hazard; and
- (e) Any relevant advice in relation to the application from the local government’s Chief Bush Fire Control Officer.

(2) Notwithstanding any other provision of this Scheme, the local government may refuse to approve a proposed development within a Bushfire Prone Area, if the local government considers—

- (a) The proposed development does not comply with State Planning Policy 3.4, the Planning for Bush Fire Protection Guidelines, AS3959 or any other relevant policy, guideline or standard applicable to Bushfire Prone Areas;
- (b) The level of bushfire hazard to which the proposed development is likely to be subject presents an unreasonable level of risk to life and property; or
- (c) The site of the proposed development is assessed to have a Bushfire Attack Level of BAL-40 or BAL-FZ.

(l) Amending clause 8.2 “Permitted Development” by deleting subclause (b) and substituting the following subclause—

“(b) The erection on a lot of a single house including any extension, ancillary outbuildings, swimming pools, driveways and gates, except where—

- (i) The proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Residential Design Codes;
- (ii) The development will be located in a heritage area designated under the Scheme; or
- (iii) The development is located in a Bushfire Prone Area with the exception of—
 - Renovation, alteration, extension, improvement or repair that is minor in nature and in the opinion of the local government does not significantly increase the Bushfire Risk;
 - Gates and driveways that are compliant with the Planning for Bush Fire Protection Guidelines;
 - Outbuildings further than 6m away from any development used for permanent or temporary habitation; and
 - Swimming pools.”

- (m) Amending Schedule 1 by inserting the following definition in appropriate alphabetical order—
“Bushfire Prone Area” has the meaning given to it by clause 6.7.1;
“Planning for Bush Fire Protection Guidelines” has the meaning given to it by clause 6.7.1;
- (n) Including Designated Bush Fire Prone Area Mapping under the Scheme.

S. BILICH, Shire President.
R. HARDY, Chief Executive Officer.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Oliver Francis Everson, late of 3C Galvin Street, Harvey in the State of Western Australia, Labourer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Oliver Francis Everson deceased, who died on the 21st day of October 2014 at Manjimup in the said State, are required by the personal representative Joe Scurria of 32 Stirling Street, Bunbury, Western Australia to send particulars of their claims to Joe Scurria & Associates, PO Box 1998, Bunbury, Western Australia 6231 by the 2nd day of November 2015, after which date the personal representative 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 Niall Anthony Lucy, late of 2 Central Avenue, Beaconsfield, in the State of Western Australia, Professor of Critical Theory, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 5th day of June 2014, are required by the personal representative, Samantha Jane Stevenson to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth, Western Australia by the 2nd day of November 2015, after which date the said personal representative may convey or distribute the assets, having regard only to the claims of which she has had notice.

Dated the 23rd day of September 2015.

GARRY E. SAME, Taylor Smart.

ZX403

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

William Humphrey Bevan Mitchell, late of Unit 12, RAAFA Village, 1 Ulster Road, Albany, 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 14 April 2015, are required by the trustee of the estate of the late William Humphrey Bevan Mitchell of c/- Haynes Robinson Lawyers 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 1st day of October 2015.

HAYNES ROBINSON.

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

Notice to Creditors and Claimants

Sophia Zaikos, late of St Michael's Residential Care, 53 Wasley Street, North Perth in the State of Western Australia, Soft Furnishing Producer, 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 21 March 2015 at St Michael's Residential Care, 53 Wasley Street, North Perth in the State of Western Australia are required by the personal representative, being Alan Michael Brook to send particulars of their claims to care of Brook Legal, PO Box 93, Wembley, Western Australia 6913 within 30 days of publication of this notice, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 24 September 2015.

BROOK LEGAL.

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

Notice to Creditors and Claimants

In the Estate of Marie Joseph Jean Baptiste Fanlo, late of Tandara Nursing Home, 73 Jarrah Road, Bentley, 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 the 21st day of June 2015, are required by the personal representative, Armando Dos Santos of 40 Chiddington Street, Beckenham, Western Australia to send particulars of their claims to Merle Bloch Barrister & Solicitor of Suite 3, 5 Colin Street, West Perth, Western Australia by the 2nd day of November 2015, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 2 November 2015, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Anderson, Mary Kathleen, late of Kimberly Nursing Home, 78 Kimberly Street, West Leederville, formerly of 32/33 Cambridge Street, Leederville, died 8 August 2015 (DE19832540 EM110)

Astley, Francis Joseph, also known as Frank Joseph Astley, Francis Astley and Francisco Astley, late of Sandstrom Nursing Home, 44-46 Whatley Crescent, Mount Lawley, died 14 June 2015 (DE33066277 EM17)

Blum, Werner, also known as Werner Theo Blum and Theo Blum, late of Edward Collick Nursing Home, 173 Wilson Street, Kalgoorlie, died 18 May 2015 (PM33105410 TM52)

Duff, Grant Learmonth, late of 447 Raglan Street, Hopetoun, died 12 August 2015 (DE19790315 EM24)

Keeghan, Thomas John, late of Moonya Lodge, 59 Ipsen Street, Manjimup, formerly of 21/162 Aberdeen Street, Albany, died 27 June 2015 (DE19810995 EM26)

Little, Richard Clarence, late of 13 Mitchell Street, Cue, died 15 November 2011 (DE33118785 EM38)

Maso, Aurora, late of 495 Marmion Street, Booragoon, formerly of 54 Howick Street, Lathlain, died 26 June 2015 (DE33120680 EM32)

Orr, George Smith, late of Vivian Bullwinkel Lodge, 85 Hester Avenue, Merriwa, died 4 September 2015 (DE19883132 EM36)

Smith, Hazel Yvone, late of Mandurah Gardens Estate, 67/445 Pinjarra Road, Coondanup, died 17 August 2015 (DE19822874 EM22)

Whittaker, Winifred, late of 210 Waminda Care Facility Adie Court, Bentley, died 15 July 2015 (DE19760327 EM26)

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

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