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— PART 1 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Wagin

EXTRACTIVE INDUSTRIES LOCAL LAW 2015

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the local government of the Shire of Wagin resolved on 28th June 2016 to make the following local law.

PART 1—PRELIMINARY

Citation

1.1 This local law may be cited as the *Shire of Wagin Extractive Industries Local Law 2015*.

Commencement

1.2 This local law will come into operation fourteen (14) days after the day on which it is published in the *Government Gazette*.

Application

1.3 (1) The provisions of this local law—

- (a) subject to paragraphs (b), (c), (d) and (e)—
 - (i) apply and have force and effect throughout the whole of the district; and
 - (ii) apply to every excavation whether commenced prior to or following the coming into operation of this local law;
- (b) do not apply to the extraction of minerals under the *Mining Act 1978*;
- (c) do not apply to the carrying on of an extractive industry on Crown land;
- (d) do not affect the validity of any licence issued under any previous Extractive Industries local law applicable to the district; and
- (e) do not apply to the carrying on of an extractive industry on land by the owner or occupier of that land for use on that land.

(2) In subclause (1)(e) land includes adjoining lots or locations in the same occupation or ownership of the owner and occupier referred to in subclause (1)(e).

Definitions

1.4 In this local law, unless the context otherwise requires—

Act means the *Local Government Act 1995*;

carry on an extractive industry means quarrying and excavating for stone, gravel, sand and other material;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

excavation includes quarry;

licence means a licence issued under this local law;

licensee means the person named in the licence as the licensee;

Local Government means the Shire of Wagin;

occupier has the meaning given to it in the Act;

owner has the meaning given to it in the Act;

person does not include the local government;

secured sum means the sum required to be paid or the amount of a bond, guarantee or other security under clause 5.1; and

site means the land specified by the local government in a licence.

PART 2—LICENCING REQUIREMENTS FOR AN EXTRACTIVE INDUSTRY**Extractive Industries Prohibited Without Licence**

2.1 A person must not carry on an extractive industry—

- (a) unless the person is the holder of a valid and current licence; and
- (b) unless the person is the holder of a current planning approval for that extractive industry granted by the local government under the relevant local planning scheme; and
- (c) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

Penalty \$5000 and a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which an offence has continued.

Application for Licence

2.2 A person seeking the issue of a licence in respect of any land must apply in the form determined by the local government from time to time and must forward the application duly completed and signed by the applicant and the owner of the land to the CEO together with—

- (a) the application fee as prescribed by the local government;
- (b) three (3) copies of a detailed plan of the excavation site to a scale of between 1:500 and 1:2000 showing—
 - (i) the location, area, depth and volume of extraction (existing and proposed final contours at 1 metre intervals);
 - (ii) the distances from lot boundaries and all dwellings and other sensitive uses within a 1km radius of the extraction site;
 - (iii) road frontages and property access;
 - (iv) details of nearby and surrounding land uses;
 - (v) existing vegetation, wetlands, and watercourses, and distance to the proposed area of extraction;
 - (vi) areas of extracted materials, top soil and overburden stockpiles; and
 - (vii) the location of any buildings associated with the proposal;
- (c) a report accompanying the above plans, detailing—
 - (i) the type of material to be excavated;
 - (ii) the method(s) of extraction, including blasting, crushing and other on-site processing works;
 - (iii) a description of the methods by which vegetation is to be cleared and extracted material, overburden and top soil stockpiled and/or removed;
 - (iv) the hours of operation (including blasting, crushing and excavation);
 - (v) the anticipated overall lifespan of the extractive industry;
 - (vi) the type, volume, location and method of storage of any chemicals;
 - (vii) the type of equipment to be used, including size of trucks and machinery;
 - (viii) any on-site maintenance and/or refuelling of trucks or machinery;
 - (ix) the number and type of truck movements per day/week;
 - (x) the stages and the timing of the stages in which it is proposed to carry out the excavation;
 - (xi) proposed haulage routes and destinations; and
 - (xii) proposed road warning signage; and
- (d) the required report will also address the following environmental considerations—
 - (i) noise, dust and vibration abatement measures;
 - (ii) visual impact assessment, with particular reference to major roads, tourist routes and interest points, and surrounding properties and structures;
 - (iii) drainage implications including surface and ground water impacts;
 - (iv) acid sulphate soil risks (if any) and appropriate management measures;
 - (v) proposed end use of site;
 - (vi) a detailed rehabilitation plan including types of materials, staging, source of materials, re-contouring, replacement of topsoil, screen planting and revegetation (vegetation species and densities);
 - (vii) assessment of the risk of spreading *Phytophthora dieback* and management techniques appropriate to that level of risk;
 - (viii) management techniques to address potential conflict with surrounding land uses and protection of environmental attributes; and

- (ix) any other assessment that the local government may require, including but not limited to Aboriginal and Heritage considerations.

PART 3—DETERMINATION OF APPLICATION

Determination of Application

3.1 (1) The local government may refuse to consider an application for a licence that is not accompanied by the fees, information and documents required by clause 2.2.

(2) The local government may undertake consultation with surrounding land owners prior to determining the application.

(3) The applicant will be responsible for paying a consultation fee to the local government, as determined by the local government, to meet expenses for the local government undertaking any consultation under subclause (2).

(4) The local government may, in respect of an application for a licence—

- (a) refuse the application; or
- (b) approve the application—
 - (i) over the whole or part of the land in respect of which the application is made; and
 - (ii) on such terms and conditions, if any, as it sees fit.

(5) Without limiting subclause (4), the local government may impose conditions in respect of the following matters—

- (a) the orientation of the excavation to reduce visibility from other land;
 - (b) the appropriate siting of access thoroughfares, buildings and plant;
 - (c) the stockpiling of material;
 - (d) the hours during which any excavation work may be carried out;
 - (e) the hours during which any processing plant associated with, or located on, the site may be operated;
 - (f) requiring all crushing and treatment plant to be enclosed within suitable buildings to minimise the emission of noise, dust, vapour and general nuisance to the satisfaction of the local government;
 - (g) the depths below which a person must not excavate;
 - (h) distances from adjoining land or roads within which a person must not excavate;
 - (i) the safety of persons employed at or visiting the excavation site;
 - (j) the control of dust and wind-blown material;
 - (k) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
 - (l) the prevention of the spread of dieback or other disease;
 - (m) the drainage of the excavation site and the disposal of water;
 - (n) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
 - (o) the provision of retaining walls to prevent subsidence of any portion of the excavation or of land abutting the excavation;
 - (p) requiring the licensee to furnish to the local government a surveyor's certificate each year, prior to the renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation programme;
 - (q) requiring the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence;
 - (r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and
 - (s) any other matter for properly regulating the carrying on of an extractive industry.
- (6) Where the local government approves an application for a licence, it must—
- (a) determine the licence period, which must not exceed 21 years from the date of issue of the licence; and
 - (b) approve the issue of a licence in the form determined by the local government from time to time.

Payment of Annual Licence Fee

3.2 On or before 31 December in each year, a licensee must pay to the local government the annual licence fee determined by the local government from time to time.

PART 4—TRANSFER AND CANCELLATION OF LICENCE**Transfer of Licence**

4.1 (1) An application for the transfer of a licence must—

- (a) be made in writing;
- (b) be signed by the licensee and the proposed transferee of the licence;
- (c) be accompanied by the current licence;
- (d) be accompanied by the consent in writing to the transfer from the owner of the excavation site;
- (e) include any information that the local government may reasonably require; and
- (f) be forwarded to the CEO together with the fee determined by the local government from time to time.

(2) Upon receipt of any application for the transfer of a licence, the local government may—

- (a) refuse the application; or
- (b) approve the application on such terms and conditions, if any, as it sees fit.

(3) Where the local government approves an application for the transfer of a licence, the local government shall transfer the licence by an endorsement on the licence in the form determined by the local government from time to time, signed by the CEO.

(4) Where the local government approves the transfer of a licence it shall not be required to refund any part of the fees paid by the former licensee in respect of the transferred licence.

Cancellation of Licence

4.2 (1) The local government may cancel a licence where the licensee has—

- (a) ceased to substantially carry on the extractive industry for a period in excess of 12 consecutive months;
- (b) been convicted of an offence against—
 - (i) this local law; or
 - (ii) any other law relating to carrying on an extractive industry; or
- (c) transferred or assigned or attempted to transfer or assign the licence without the consent of the local government;
- (d) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this local law;
- (e) failed to pay the annual licence fee under clause 3.2; or
- (f) failed to have a current public liability insurance policy under clause 7.1(1) or failed to provide a copy of the policy or evidence of its renewal as the case may be, under clause 7.1(2).

(2) Where the local government cancels a licence under this clause—

- (a) it shall advise the licensee in writing of the cancellation;
- (b) the cancellation takes effect on and from the day on which the licensee is served with the cancellation advice;
- (c) it shall require the licensee to restore and reinstate the excavated site in accordance with the proposals approved by the local government or in such other manner as it may subsequently agree in writing with the licensee; and
- (d) the local government shall not be required to refund any part of the fees paid by the licensee in respect of the cancelled licence.

Variation of Licence

4.3 (1) An application to vary a licence must—

- (a) be made in writing;
- (b) be signed by the licensee and the owner of the excavation site (if different to the licensee);
- (c) be accompanied by the current licence;
- (d) include any information that the local government may reasonably require; and
- (e) be forwarded to the CEO together with the fee determined by the local government from time to time.

- (2) Upon receipt of any application to vary a licence, the local government may—
- (a) refuse the application; or
 - (b) approve the application on such terms and conditions, if any, as it sees fit.
- (3) Where the local government approves a licence variation, it shall notify the licensee and owner of the excavation site in a written form determined by the local government from time to time and signed by the CEO.

PART 5—SECURED SUM AND APPLICATION THEREOF

Security for Restoration and Reinstatement

5.1 (1) For the purpose of ensuring that an excavation site is properly restored or reinstated, the local government may require that—

- (a) as a condition of a licence; or
- (b) before the issue of a licence,

the licensee must give to the local government a bond, bank guarantee or other security, of a kind and in a form acceptable to the local government, in or for a sum determined by the local government from time to time.

(2) Prior to the commencement of an extractive industry, a bond required under subclause (1) is to be paid into a fund established by the local government for the purposes of this clause.

Use by the Local Government of Secured Sum

5.2 (1) If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions either—

- (a) within the time specified in those conditions; or
- (b) where no such time has been specified, within a reasonable period of time from the completion of the excavation or portion of the excavation specified in the licence conditions,

then—

- (c) the local government may carry out or cause to be carried out the required restoration and reinstatement work or so much of that work as remains undone; and
- (d) the licensee must pay to the local government on demand all costs incurred by the local government or which the local government may be required to pay under this clause.

(2) Subclauses 5.2(1)(c) and (d) also apply if a licensee fails to carry out or complete restoration and reinstatement works as required by the local government as a result of cancelling the licence.

(3) The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 5.1 towards its costs under this clause.

(3) The liability of a licensee to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause 5.1.

PART 6—LIMITATIONS AND PROHIBITIONS

Blasting

6.1 (1) A person must not carry out or permit to be carried out any blasting in the course of excavating unless—

- (a) the local government has otherwise given approval in respect of blasting generally or in the case of each blast;
- (b) subject to subclause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;
- (c) the blasting is carried out in strict accordance with the AS2187 SAA Explosives Code, the *Mines Safety and Inspection Act 1994*, the *Environmental Protection Act 1986*, and all relevant local laws of the local government; and
- (d) in compliance with any other conditions imposed by the local government concerning—
 - (i) the time and duration of blasting;
 - (ii) the purposes for which the blasting may be used; and
 - (iii) such other matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

Penalty \$5,000 for each offence, and if the offence is of a continuing nature, to a daily penalty not exceeding a fine of \$500 in respect of each day or part of a day during which the offence has continued.

(2) A person must not carry out or permit to be carried out any blasting on a Saturday, Sunday or Public Holiday except with the prior approval of the local government.

Penalty \$2,000

PART 7—MISCELLANEOUS PROVISIONS

Public Liability

7.1 (1) A licensee must have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations.

(2) The licensee shall provide to the local government a copy of the policy taken out under subclause (1), within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.

Mines Safety and Inspection Act and Environmental Protection Act

7.2 (1) In any case where the *Mines Safety and Inspection Act 1994* or the *Environmental Protection Act 1986* applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site must—

- (a) comply with all applicable provisions of that Act or those Acts; and
- (b) provide to the local government within 14 days full particulars of any inspection or report made under that Act or those Acts.

(2) In this clause, the *Mines Safety and Inspection Act 1994* and the *Environmental Protection Act 1986* include all subsidiary legislation made under those Acts.

PART 8—OBJECTIONS AND APPEALS

Local Government Act

8.1 When the local government makes a decision as to whether it will—

- (a) grant a person a licence under this local law; or
- (b) transfer, cancel or vary a licence that a person has under this local law,

the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the *Local Government (Functions and General) Regulations 1996* shall apply to that decision.

Dated this 6th day of July, 2016.

The Common Seal of the Shire of Wagin was affixed by authority of a resolution of the Council in the presence of—

Cr PHILLIP BLIGHT, Shire President.
Mr PETER WEBSTER, Chief Executive Officer.

POLICE

PO301*

Criminal Investigation (Covert Powers) Act 2012

Criminal Investigation (Covert Powers) Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Criminal Investigation (Covert Powers) Amendment Regulations 2016*.

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 *Criminal Investigation (Covert Powers) Regulations 2013*.

4. Regulation 4 amended

- (1) In regulation 4(1)(g) delete “Territory.” and insert:

Territory);

- (2) After regulation 4(1)(g) insert:

(h) the *Police (Special Investigative and Other Powers) Act* (Northern Territory) Part 2.

- (3) In regulation 4(2)(g) delete “Territory.” and insert:

Territory);

- (4) After regulation 4(2)(g) insert:

(h) the *Police (Special Investigative and Other Powers) Act* (Northern Territory) Part 3.

- (5) In regulation 4(3)(f) delete “Territory.” and insert:

Territory);

- (6) After regulation 4(3)(f) insert:

(g) the *Police (Special Investigative and Other Powers) Act* (Northern Territory) Part 4.

R. KENNEDY, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Country Areas Water Supply Act 1947

**Country Areas Water Supply (Three Springs
Water Reserve Abolition) Order 2016**

Made by the Governor in Executive Council under section 9(1)(d) of the Act.

1. Citation

This order is the *Country Areas Water Supply (Three Springs Water Reserve Abolition) Order 2016*.

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. Three Springs Water Reserve abolished

- (1) In this clause —

Three Springs Water Reserve means the Three Springs Water Reserve constituted by Order in Council titled “Constitution of Three Springs Water Reserve” (published in the *Gazette* on 2 July 1971 at p. 2356).

- (2) The Three Springs Water Reserve is abolished.

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004

AMENDED LICENCE

Notice is given that the following Electricity Retail Licence has been amended—

Licensee:	BHP Billiton Nickel West Pty Ltd ACN 004 184 598
Classification:	Electricity Retail Licence (ERL2, Version 7)
Date of Amendment:	7 July 2016
Term of Licence:	Up to and including 23 March 2021
Licence Area:	The licence area is the area as set out in plans ERA-EL-070(C) and ERA-EL-071(B) in the State of Western Australia.
Amendment:	<ul style="list-style-type: none"> - Reinstate reference to Plan ERA-EL-071(B) in Item 1 of Schedule 1; and - Revise licence area to include Agnew as shown in plan ERA-EL-070(C)
Inspection of Licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street PERTH WA 6000 http://www.erawa.com.au

Ms NICOLA CUSWORTH, Chair, Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954

BUSH FIRES (PROHIBITED BURNING TIMES) AMENDMENT NOTICE 2016 NO. 2

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 17(1) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Prohibited Burning Times) Amendment Notice 2016 No. 2*.

2. Commencement

This notice comes into operation as follows—

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

3. The notice amended

The amendments in this notice are to the Bush Fires (Prohibited Burning Times) Declaration 2012*.

[* Published in *Gazette* 3 February 2012, p. 610-615.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the prohibited burning times of the Town of Narrogin and the Shire of Narrogin, and inserting the following instead—

Prohibited Burning Time	Zone of the State
1 November to 1 March	Shire of Narrogin

WAYNE GREGSON APM, FES Commissioner of the Department of Fire and Emergency Services, as a delegate of the Minister under section 15 of the *Fire and Emergency Services Act 1998*.

FE402***BUSH FIRES ACT 1954****BUSH FIRES (RESTRICTED BURNING TIMES) AMENDMENT NOTICE 2016 NO. 2**

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 18(2) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Restricted Burning Times) Amendment Notice 2016 No. 2*.

2. Commencement

This notice comes into operation as follows—

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

3. The notice amended

The amendments in this notice are to the Bush Fires (Restricted Burning Times) Notice 2012*.

[* Published in *Gazette* 3 February 2012, p. 615-619.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the restricted burning times of the Town of Narrogin and the Shire of Narrogin, and inserting the following instead—

Restricted Burning Time	Zone of the State
1 October to 1 May	Shire of Narrogin

WAYNE GREGSON APM, FES Commissioner of the
Department of Fire and Emergency Services.

LOCAL GOVERNMENT

LG401***LOCAL GOVERNMENT ACT 1995***Shire of Serpentine Jarrahdale***(BASIS OF RATES)**

This notice, which is for public information only, is to confirm that—

I, Jenni Law, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from the date of publication in the *Government Gazette*, determined that the method of valuation to be used by the Shire of Serpentine Jarrahdale as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 216 to 251 inclusive, Lots 253 to 260 inclusive and Lots 276 to 285 inclusive as shown on Deposited Plan 408136.

JENNI LAW, A/Executive Director Sector Regulation and Support,
Department of Local Government and Communities.

MINERALS AND PETROLEUM

MP401***PETROLEUM PIPELINES ACT 1969****VARIATION OF LICENCE PL 67**

Licence PL 67, held by Hamersley Iron Pty Limited, has been varied by instrument of variation STP-PLV-0029 with effect on 29 June 2016.

JEFF HAWORTH, Executive Director, Petroleum Division.

MP402*

PETROLEUM PIPELINES ACT 1969

VARIATION OF LICENCE PL 78

The licence conditions of Licence PL 78, held by Hamersley Iron Pty Limited, have been varied by instrument of variation STP-PLV-0030 with effect on 29 June 2016.

JEFF HAWORTH, Executive Director, Petroleum Division.

MP403*

PETROLEUM PIPELINES ACT 1969

VARIATION OF LICENCE PL 67

The licence conditions of Licence PL 67, held by Hamersley Iron Pty Limited, have been varied by instrument of variation STP-PLV-0031 with effect on 29 June 2016.

JEFF HAWORTH, Executive Director, Petroleum Division.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Joondalup

Local Planning Scheme No. 2—Amendment No. 85

Ref: TPS/1714

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 Joondalup Local Planning Scheme amendment on 4 July 2016 for the purpose of—

1. Deleting the following parts and clauses from the Scheme Text, as they have been superseded by the deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
 - 4.2.5; 5.1.2; 5.1.4; 5.1.5; 5.1.6; 5.1.7; 5.1.8; 5.1.9; 5.2; 5.1.10; 6.1.1; 6.1.2; 6.1.3 (b)(c)(e)(i); 6.1.4; 6.2, 6.3; 6.4; 6.5; 6.7; 6.8; 6.9.1; 6.9.2; 6.9.3; 6.10.2; 6.11; 6.12; 8.1; 8.4; 8.5; 8.6; 8.7; 8.8; 8.11; Part 9; Schedule 7 and Schedule 8;
2. Removing the following clauses from the Scheme Text and inserting them into Schedule A—Supplemental Provisions—
 - 6.1.3 (a)(d)(f)(g)(h)(j)(k)(l)(m);
3. Deleting the following definitions from Schedule 1, as they have been superseded by the definitions in the deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
 - Act; activity centre; activity centre structure plan; advertisement; advertising device; Agreed Structure Plan; amenity; Codes; cultural heritage significance; heritage list; owner; premises; reserve; Scheme Area; structure plan; substantial development; zone
4. Modifying the following clauses by removing the cross reference to the part or clause deleted by the amendment and where appropriate replacing them with cross reference to deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
 - 1.5; 2.3.4.1; 3.2.2; 3.5.2; 3.6.3; 3.7.1; 3.7.2; 3.11.2; 3.11.3; 3.11.4; 3.12.2; 3.12.3; 4.3.1; 4.3.2; 4.5.2; 4.5.3; 4.17.2; 5.3.2.2; 6.6.2; 6.6.3; 7.1; and 7.2.2
5. Deleting reference to the following terms and replacing them with the corresponding term throughout the scheme—
 - ‘Council’ replace with ‘local government’; ‘Codes’, ‘Residential Design Codes’ and ‘Residential Planning Codes’ replace with ‘R-Codes’; and ‘Agreed Structure Plan’ replace with ‘Structure Plan’
6. Deleting the following definition from subclause 3.2.2—
 - “P” = A Use Class that is permitted but which may be subject to any conditions that the Council may wish to impose in granting its approval;
 and replacing with the following definition—
 - “P” = means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;

T. PICKARD, Mayor.
G. HUNT, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Wickepin

Town Planning Scheme No. 4—Amendment No. 1

Ref: TPS/1775

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 Wickepin Town Planning Scheme amendment on 9 May 2016 for the purpose of—

1. Deleting the following clauses from the Scheme Text, as they have been superseded by the deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
 - Parts 2, 7, 8, 9, 10 and 11 in their entirety;
 - Clause 5.15; 5.16.1; 5.21.1(c); 5.21.1(d); 5.22.2; and 6.1.5 in their entirety;
 - Schedules 6; 7; 8; 9 in their entirety;
 - Table 1—Zoning Table Special Use and Development Zone columns;
2. Removing the following clauses from the Scheme Text and inserting them into Schedule A—Supplemental Provisions—
 - Clause 8.2 (b)(v), (b)(vi), (b)(viii), (b)(ix), (c), (f), (g), (h), (i), (j)
3. Inserting the following provisions into Schedule A—Supplemental Provisions—

Clause 61(1)—

- (k) the erection or extension of a single house on a lot if a single house is a permitted (“P”) use in the zone (where the R Codes do not apply) in which that lot is located, where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is—
 - (i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29; or
 - (vi) on land which is zoned Rural Residential and a building envelope has not been formally identified for the lot; or
 - (vii) abutting a major road reserved in the Scheme; or
 - (viii) on a lot or location which does not have access to dedicated and constructed road.
- (l) the erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted (“P”) in the zone (where the R Codes do not apply) where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is—
 - (i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29; or
 - (vi) on a lot of 2 hectares or less and are outside a defined building envelope accepted by local government; or
 - (vii) on land which is zoned Rural Residential and a building envelope has not been formally identified for the lot.
- (m) the demolition of any building or structure except where the building or structure is—
 - (i) located in a place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*;

- (iii) included on the Heritage List under clause 7.1 of the Scheme; or
- (iv) located within a heritage area designated under the Scheme.
- (n) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a heritage area;
- (o) the erection of a boundary fence or screen wall except where within 0.9m of a dividing boundary and/or to a height of greater than 1.8m above natural ground level;
- (p) the carrying out of any works on, in, over or under a street or road by a public authority acting in pursuant of its statutory obligations;
- (q) the carrying out of works urgently required for public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

Clause 61(2)—

- (g) the use of land in a reserve, where such land is vested in Council or vested in a Public Authority—
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority;

provided the development complies with the provisions of the Development Table—General for the surrounding or relevant land use zone as determined by Council.

4. Delete the following definitions from Schedule 1, as they have been superseded by the definitions in the deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
 - advertisement; amenity; cultural heritage significance; local government; local planning strategy; owner; premises; region scheme; substantially commenced; zone;
5. Amend the following clauses by removing the cross reference to the clause deleted by the amendment and replace them with cross reference to deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
 - Clause 3.4.1(b), 3.4.2 (a); 4.3.2 ‘A’; 4.3.3 (Note 3.); 4.8 (c); 4.9.2; 5.4.2; 5.5.2 (a), 5.5.3 (a); 5.10; 5.22.1 (b); 6.1.7;
6. Delete reference to the following terms and replace them with the corresponding term throughout the scheme—
 - ‘consent’ replaced with ‘approval’;
 - ‘planning approval’ replaced with ‘development approval’;
 - ‘outline development plan’ replaced with ‘structure plan’;
 - ‘council’ replaced with ‘local government’;
 - ‘Town Planning Regulations 1967’ replaced with *‘Planning and Development (Local Planning Schemes) Regulations 2015’*;
7. Additional amendments to scheme provisions as follows—
 - Insert reference to the deemed provisions and supplemental provisions in Part 1.4;
 - Insert Clause 18(7) of the model provisions to ensure guidance is provided for when considering applications within a special development zone;
 - Delete the words “Council will require an outline development plan” and insert “A structure plan is” at the beginning of clause 5.10;
 - Delete “Council” and replace with “the Commission” in clause 5.22.1(b);
 - Insert ‘transportable structure/buildings’ use class into the Zoning Table after ‘trade display’ as follows—

LAND USE	Town Centre	Rural Townsite	Residential	Rural Residential	General Agriculture	Industry
Transportable structure/buildings	D	D	D	D	D	X

8. Inserting reference to the deemed provisions in the preamble to the Scheme.
9. Renumber the remaining scheme provisions and schedules sequentially and update any cross referencing to the new clause numbers as required.

J. RUSSELL JP, President.
M. HOOK, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham
 Local Planning Scheme No. 2—Amendment No. 121

Ref: TPS/1093

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 Rockingham Local Planning Scheme amendment on 15 June 2016 for the purpose of—

- (i) Amending the Scheme Map by modifying the zoning classification of Lot 9000 Crystaluna Drive, Golden Bay from 'Rural' to 'Residential' with a density of 'R12.5'.

B. SAMMELS, Mayor.
 A. HAMMOND, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988
LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
A000206704	Zammar Etakit Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as The Hummus Club.	1/08/2016
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
A000200438	Tenfold Investments Pty Ltd	Application to add/vary/cancel a condition of a Tavern licence in respect of premises situated in Ashby and known as The Ashby Bar and Bistro.	21/07/2016

This notice is published under section 67(5) of the Act.

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 8 July 2016.

TRAINING

TA401*

VOCATIONAL EDUCATION AND TRAINING ACT 1996

CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION AND TRAINING QUALIFICATIONS

Amendment to Western Australian *Government Gazette* 2015/151

Under the *Vocational Education and Training Act 1996* (the VET Act) section 60C, I, the Minister for Training and Workforce Development hereby—

- add the following prescribed vocational education and training qualification—

Class A qualification

No.	Qualification	Conditions	Training Contract Requirements					
			Title on contract	Nominal duration (months)	Part time	School based	Other requirements	Apprenticeship Title
669.1	SHB30516 Certificate III in Barbering		Apprentice	36 months	Y	N	Part-time is defined as a minimum of 20 hours per week.	Barber

Dated 1 July 2016.

Hon LIZA HARVEY, MLA, Minister for Training and Workforce Development.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Trevor Wayne Hodgson, late of 33 Bombard Street, Mount Pleasant in the State of Western Australia, Information Technology Specialist, 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 12th April 2016, are required by the Executrix, Delicia Dorothy Pereira, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 11th day of August 2016, after which date the said Executrix may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 7th day of July 2016.

GLEN B. GILES, Taylor Smart.

ZX404*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Patricia Caroline Maynard who died on 14 January 2016 of Braemar Village, Charsley Street, Willagee, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the said deceased person are required by the Executors of the deceased's estate being Suzanne Patricia Tearne and Gregory Joseph Maynard care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming Western Australia, to send particulars of their claims to them by 15 August 2016, after which date the Executors 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

Notices to debtors and creditors in the Estate of Vivienne Ruth Evans late of 64 Tuckey Street, Mandurah WA 6210, who died on the 17th August 2015 are required to send their claim to Executor Perry Wayde Evans, 1 Shaw Place Kewdale WA 6105, within 30 days after which the Executor may convey or distribute the assets having regard only to the claims of which notice has been given.

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

Notice to Creditors and Claimants

Any creditors having claims on the estate of the late Eileen Lynch of 18 Mathis Way, Carine in the State of Western Australia, deceased 7 December 2015, are required to send particulars of their claims to Jacqueline Landre, executor, C/- Lynn & Brown Lawyers, PO Box 1114, Morley, WA 6943 by 12 August 2016, after which date the executor may distribute the assets having regard only to the claims of which they then have notice.

PUBLIC NOTICES

ZZ401***PARTNERSHIP ACT 1895****DISSOLUTION OF PARTNERSHIP**

Onslow Freight and Logistics

ABN 37 160 144 254

Notice is hereby given that the partnership previously subsisting between The Simon Coote Family Company Pty Ltd (ACN 124 735 306) As Trustee for The Simon Coote Family Trust, The Shane Coote Family Company Pty Ltd (ACN 124 735 299) As Trustee for The Shane Coote Family Trust and Geographe Viticulture Pty Ltd ACN 105 899 778 As Trustee for The Gumbrell Family Trust, under the business name "Onslow Freight and Logistics" has been dissolved as of 30 June 2016 and The Simon Coote Family Company Pty Ltd (ACN 124 735 306) As Trustee for The Simon Coote Family Trust is not liable for partnership debts contracted after that date.

Notice is further given that from and including 30 June 2016 the partnership known as "Onslow Freight and Logistics" will be carried on by a new partnership subsisting of The Shane Coote Family Company Pty Ltd (ACN 124 735 299) As Trustee for The Shane Coote Family Trust and Geographe Viticulture Pty Ltd ACN 105 899 778 As Trustee for The Gumbrell Family Trust trading as "Onslow Freight and Logistics".

Dated: 30 June 2016.

ZZ402***PARTNERSHIP ACT 1895****DISSOLUTION OF PARTNERSHIP**

Exmouth Freight and Logistics

ABN 37 160 144 254

Notice is hereby given that the partnership previously subsisting between The Simon Coote Family Company Pty Ltd (ACN 124 735 306) As Trustee for The Simon Coote Family Trust, The Shane Coote Family Company Pty Ltd (ACN 124 735 299) As Trustee for The Shane Coote Family Trust and Geographe Viticulture Pty Ltd ACN 105 899 778 As Trustee for The Gumbrell Family Trust, under the business name "Exmouth Freight and Logistics" has been dissolved as of 30 June 2016 and The Simon Coote Family Company Pty Ltd (ACN 124 735 306) As Trustee for The Simon Coote Family Trust is not liable for partnership debts contracted after that date.

Notice is further given that from and including 30 June 2016 the partnership known as "Exmouth Freight and Logistics" will be carried on by a new partnership subsisting of The Shane Coote Family Company Pty Ltd (ACN 124 735 299) As Trustee for The Shane Coote Family Trust and Geographe Viticulture Pty Ltd ACN 105 899 778 As Trustee for The Gumbrell Family Trust trading as "Exmouth Freight and Logistics".

Dated: 30 June 2016.

ZZ403*

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

**INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS
VALUED IN EXCESS OF \$300**

To Darryl Ryder of 45 Moorpark Avenue, Yanchep, Bailor.

You were given notice on the 19th of May 2015 that the following goods: 1998 Nissan Patrol registration 1AFE 936, situated at Northside Nissan, 14 Berriman Drive, Wangara were ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Brad Smith of Northside Nissan, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

Dated: 7 July 2016.

BRAD SMITH, Bailee.
