



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X (print)

ISSN 2204-4264 (online)

PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 11 OCTOBER 2016 No. 185

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

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Gas Standards (Gas Supply and System Safety) Amendment Regulations 2016.....	4532
City of Greater Geraldton—Meeting Procedures Amendment Local Law 2016.....	4537
Proclamations—Graffiti Vandalism Act 2016 Commencement Proclamation 2016.....	4531
Sentencing Amendment Regulations 2016.....	4537

PART 2

Conservation	4540
Deceased Estates	4549
Fire and Emergency Services.....	4540
Health.....	4541
Justice.....	4542
Local Government.....	4542
Parliament.....	4544
Planning.....	4545

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

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

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Lower Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to email or fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2016 (Prices include GST).

Deceased Estate notices (per estate)—\$31.10

Articles in Public Notices Section—\$72.30 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices—

Per Column Centimetre—\$14.40

Bulk Notices—\$263.90 per page

Electronic copies of gazette notices sent to clients for lodgement with the Delegated Legislation Committee—\$47.50

Clients who have an account will only be invoiced for charges over \$50.

For charges under \$50, clients will need to supply credit card details at time of lodging notice (i.e. a notice under 4cm would not be invoiced).

Clients without an account will need to supply credit card details or pay at time of lodging the notice.

— PART 1 —

PROCLAMATIONS

AA101

Graffiti Vandalism Act 2016

Graffiti Vandalism Act 2016 Commencement Proclamation 2016

Made under the *Graffiti Vandalism Act 2016* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Graffiti Vandalism Act 2016 Commencement Proclamation 2016*.

2. Commencement of Act

The *Graffiti Vandalism Act 2016*, other than Part 1, comes into operation on the day after the day on which this proclamation is published in the *Gazette*.

K. SANDERSON, Governor.

L.S.

L. HARVEY, Minister for Police.

ENERGY

EN301

Gas Standards Act 1972

**Gas Standards (Gas Supply and System Safety)
Amendment Regulations 2016**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Gas Standards (Gas Supply and System Safety) 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 *Gas Standards (Gas Supply and System Safety) Regulations 2000*.

4. Regulation 5 amended

In regulation 5(2)(a) delete “4564-2005:” and insert:

4564-2011

Note: The heading to amended regulation 5 is to read:

Undertakers' duties as to quality of gas supplied to consumers

5. Regulation 7 amended

(1) In regulation 7(1A):

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

odorising; and

- (b) after paragraph (b) insert:

(c) does not include any other substance that —

- (i) may adversely affect pipework or any other component used to convey the LPG; or

- (ii) may adversely affect any gas appliance in which the LPG is used; or
 - (iii) may be toxic to a person who has contact with it, or its combustion products, in the course of the normal operation of any gas appliance in which the LPG is used.
- (2) In regulation 7(1):
 - (a) in paragraph (b) delete “odorising.” and insert:

odorising; and
 - (b) after paragraph (b) insert:
 - (c) does not include any other substance that —
 - (i) may adversely affect pipework or any other component used to convey the LPG; or
 - (ii) may adversely affect any gas appliance in which the LPG is used; or
 - (iii) may be toxic to a person who has contact with it, or its combustion products, in the course of the normal operation of any gas appliance in which the LPG is used.

Note: The heading to amended regulation 7 is to read:

Undertakers’ duties as to quality of LPG supplied to consumers

6. Regulation 12 replaced

Delete regulation 12 and insert:

12. Undertakers’ duties as to supplying mixed LPG for propulsion purposes

An undertaker must ensure that mixed LPG supplied to a consumer in liquid form for use as a fuel for use in the propulsion of a vehicle —

- (a) is a mixture of —
 - (i) propane or propene, or propane and propene; and
 - (ii) butanes or butenes, or butanes and butenes;

and

- (b) is supplied at a vapour pressure not exceeding 1 530 kPa (gauge) at 40°C; and
- (c) does not include any other substance that —
 - (i) may adversely affect pipework or any other component used to convey the mixed LPG; or
 - (ii) may adversely affect any gas appliance in a vehicle in which the mixed LPG is used; or
 - (iii) may be toxic to a person who has contact with it, or its combustion products, in the course of the normal operation of any gas appliance in a vehicle in which the mixed LPG is used.

7. Regulation 13 amended

In regulation 13(1):

- (a) delete paragraph (a) and insert:
 - (a) it is supplied as —
 - (i) propane; or
 - (ii) a mixture of propane and not more than 15 mol% propene;
 - and
- (b) in paragraph (d) delete “odorising.” and insert:

odorising; and
- (c) after paragraph (d) insert:
 - (e) it does not include any other substance that —
 - (i) may adversely affect pipework or any other component used to convey the LPG; or
 - (ii) may adversely affect any gas appliance in which the LPG is used; or
 - (iii) may be toxic to a person who has contact with it, or its combustion products, in the course of the normal operation of any gas appliance in which the LPG is used.

Note: The heading to amended regulation 13 is to read:

Undertakers’ duties as to supplying LPG through distribution system

8. Regulation 15 amended

- (1) In regulation 15(1) delete “6 m³ per hour” and insert:

7.5 m³ per hour in air

- (2) In regulation 15(3):

- (a) in paragraph (a) delete “6 m³ per hour; or” and insert:

7.5 m³ per hour in air; or

- (b) in paragraph (b) delete “6 m³ per hour.” and insert:

7.5 m³ per hour in air.

Note: The heading to amended regulation 15 is to read:

Operating requirements for master meters**9. Regulation 16 amended**

In regulation 16:

- (a) in paragraph (c) delete “12 m³ per hour; and” and insert:

12 m³ per hour in air; and

- (b) in paragraph (d) delete “6 m³ per hour but not more than 12 m³ per hour; and” and insert:

7.5 m³ per hour in air but not more than 12 m³ per hour in air; and

- (c) in paragraph (e) delete “6 m³ per hour,” and insert:

7.5 m³ per hour in air,

Note: The heading to amended regulation 16 is to read:

Replacement of master meters**10. Regulation 43 amended**

Delete regulation 43(1)(c)(ii) and insert:

- (ii) at least 100 other consumers, in the case of natural gas, and at least 50 other consumers, in the case of LPG.

11. Schedule 1 replaced

Delete Schedule 1 and insert:

**Schedule 1 — Odorant levels for various gases,
vapours and types of odorant**

[r. 6(c) and 9(c)]

Odorant type	Application	Minimum TBM (mg/m³)	Minimum total (mg/m³)	Maximum total (mg/m³)
Mainly tertiary butyl mercaptan (TBM)	Natural gas: industrial	4	5	15
Mainly tertiary butyl mercaptan (TBM)	Natural gas: general	6	8	30
Mainly tetra hydro thiophene (THT)	Natural gas: industrial	3	8	20
Mainly tetra hydro thiophene (THT)	Natural gas: general	4	12	30
Ethyl mercaptan	Liquefied petroleum gas: reticulated	Not applicable	25	100
Ethyl mercaptan	Liquefied petroleum gas (vapour): in a commercially filled cylinder	Not applicable	10	Not applicable

R. KENNEDY, Clerk of the Executive Council.

JUSTICE

JU301

Sentencing Act 1995

Sentencing Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Sentencing 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 — when the *Graffiti Vandalism Act 2016* section 6 comes into operation.

3. Regulations amended

These regulations amend the *Sentencing Regulations 1996*.

4. Schedule 2 amended

- (1) In Schedule 2 in the item for *The Criminal Code* delete “557G,”.
- (2) In Schedule 2 insert in alphabetical order:

Graffiti Vandalism Act 2016 s. 6(1)

K. H. ANDREWS, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995*City of Greater Geraldton***MEETING PROCEDURES AMENDMENT LOCAL LAW 2016**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Greater Geraldton resolved on 27 September 2016 to make the following local law.

PART 1—PRELIMINARY**1.1 Citation**

(1) This local law may be cited as the *City of Greater Geraldton Meeting Procedures Amendment Local Law 2016*.

1.2 Commencement

This local law comes into operation 14 days after the date on which it is published in the *Government Gazette*.

1.3 Principal local law amended

The *City of Greater Geraldton Meeting Procedures Local Law 2011*, as published in the *Government Gazette* on 16 February 2012, is referred to as the principal local law. The principal local law is amended.

PART 2—AMENDMENTS**2.1 Clause 4.2 amended**

Clause 4.2 (1) is amended as follows—

- (a) Delete subclause (1) 1 and subclause (1) 2.
- (b) Insert subclause 1. “Declaration of Opening”.
- (c) Insert subclause 2. “Acknowledgement of Country”.
- (d) In subclause 13 after the word “Motions” insert the words “by Members”.

2.2 Clause 4.5 amended

Clause 4.5 is amended as follows—

- (a) In the title, insert the words “by Members” after the word “Motions”.

2.3 Clause 5.7 amended

In Clause 5.7 (1)—

- (a) Delete subclause (a) to subclause (h) and insert—
 - (a) be in attendance at the meeting;
 - (b) first state their name and address;
 - (c) direct the question to the Presiding Member;
 - (d) ask the question briefly and concisely;
 - (e) limit any preamble to matters directly relevant to the question; and
 - (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
 - (g) each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions;
 - (h) where a member of the public seeks a written response to their questions to be tabled at a meeting, the member of the public must submit their questions to Council by no later than 12 noon on the day prior to the meeting date of which the response is to be tabled;
- (b) After subclause (h) insert—
 - (i) where a member of the public submits their questions after 12 noon on the day prior to the meeting date of which the response is to be tabled, a written response may be provided at the discretion of the presiding member;
 - (j) where a member of the public submits a written question after 12 noon the day prior to the meeting at which they are to be tabled, a verbal response may be provided at the meeting;
 - (k) a member of the public may ask questions without notice at a meeting, provided they present a written copy of their questions to Council prior to the commencement of the meeting.
- (c) Delete subclauses 5.7 (2) to 5.7 (8) and insert—
 - (2) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
 - (3) A response to a question—
 - (a) is to be brief and concise; and
 - (b) is not to be the subject of any discussion, except that if in the opinion of a Member, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the Presiding Member) the Member may correct or clarify the matter.
 - (4) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.
 - (5) A question may be taken on notice by the Presiding Member for a later response.

- (6) When a question is taken on notice the CEO is to ensure that—
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (7) The Presiding Member may decide that a public question shall not be responded to where—
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the presiding member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the presiding member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) The maximum amount of time to be set aside for public question time is to be 15 minutes.
- (d) After subclause 5.7 (8) insert—
 - (9) The Presiding Member has the discretion to extend public question time to ensure that all members of the public who wish to ask questions are able to do so.
 - (10) Questions relevant to items on the agenda of the meeting at which they are asked will be given priority over those not relating to items on the agenda.

2.4 Clause 5.17 amended

Clause 5.17 is amended as follows—

- (a) Delete subclause (4).

2.5 Part 6—Questions by Members amended

Part 6 is amended as follows—

- (a) In subclause (1) delete the word “governance” and replace with the word “government”;
- (b) In subclause (2)—
 - i. Insert “, but” after the first instance of the word “motion”;
 - ii. Insert “that relates to the motion”, after the first instance of the word “question”; and
 - iii. Insert “provided they relate to the motion being debated” after “further questions”.
- (c) Insert the following after subclause (2)—
 - (3) A Member may ask a question not the subject of a debate or not relevant to any item on the agenda, provided it relates to the good government of people in the district, at the part of the meeting set aside for questions from Elected Members.
- (d) All subsequent subclauses are renumbered.

2.6 Clause 9.5 amended

Clause 9.5 is amended as follows—

- (a) Delete subclauses (e)–(h) and replace with the following—
 - (e) the Presiding Member to call for any questions from Members on the motion;
 - (f) a speaker against the motion;
 - (g) a speaker for the motion;
 - (h) the Presiding Member to continue calling for speakers against and for the motion in alternating order, until there are no more speakers either for, or against;
 - (i) mover takes right of reply, which closes debate.

Dated: 3 October 2016.

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

SHANE VAN STYN, Mayor.
KENNETH DIEHM, Chief Executive Officer.

— PART 2 —

CONSERVATION

CO401

CONSERVATION AND LAND MANAGEMENT ACT 1984

MANAGEMENT PLAN FOR THE YAWURU NAGULAGUN / ROEBUCK BAY MARINE PARK

Under section 14(9) of the *Conservation and Land Management Act 1984* (CALM Act) notice is given that an indicative management plan, prepared in accordance with sections 13 and 14 of the CALM Act for the Yawuru Nagulagun / Roebuck Bay Marine Park, reserved on 4 October 2016, has been approved with modifications by the Minister for Environment.

The approved management plan, namely the *Yawuru Nagulagun / Roebuck Bay Marine Park joint management plan 2016*, will come into operation on the day of publication of this notice in the *Gazette*.

Notice is given under sections 14(7) and 60 (2) of the CALM Act of the following modifications to the indicative plan approved by the Minister for Environment—

- Additional strategies have been included to address identified pressures to further enhance conservation outcomes for waterbirds (including migratory shorebirds), finfish (including threadfin and bluenose salmon), invertebrates (including mud crabs), intertidal sand and mudflat communities, salt marsh and saline grassland communities and fossil dinosaur footprints.
- Marine mammals (including snubfin dolphins and dugongs) have been designated as a key performance indicator in recognition of their conservation value and broad community priority for management.
- Amendments have been made to the outer boundary of the marine park as it relates to Broome Port waters to reflect straight lines of latitude and longitude to facilitate user understanding and compliance.
- The intention to establish a mooring control area in Dampier Creek under the *Shipping and Pilotage Act 1967* has been removed.
- A new strategy that requires the marine park to be jointly managed between the Department of Parks and Wildlife and the Yawuru Registered Native Title Body Corporate has been included.
- Recent research findings that identify likely sources and pathways of nutrient input into Roebuck Bay and its link to periodic blooms of *Lyngbya majuscula* have been included.

The *Yawuru Nagulagun / Roebuck Bay Marine Park joint management plan 2016* and a summary of submissions can be viewed on the Department of Parks and Wildlife's website at <http://www.dpaw.wa.gov.au/parks/management-plans/approved-management-plans>.

JIM SHARP, Director General, Department of Parks and Wildlife.
MARION FULKER, Chair, Conservation and Parks Commission.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 6th October 2016 for the local government districts of—

Kalgoorlie-Boulder, Dundas, Menzies

PAUL RYAN, Assistant Commissioner of the
Department of Fire and Emergency Services,
as a sub-delegate of the Minister under section 16
of the *Fire and Emergency Services Act 1998*.

5 October 2016.

HEALTH

HE401**HEALTH PRACTITIONER REGULATION NATIONAL LAW
(WESTERN AUSTRALIA) ACT 2010****HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)
MEDICAL (AREA OF NEED) DETERMINATION (No. 17) 2016**

Made by the Chief Medical Officer, pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 17) 2016*.

Commencement

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

Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Expiry of determination

4. This determination expires on 30 June 2017.

SCHEDULE

GENERAL MEDICAL SERVICES IN THE FOLLOWING LOCATIONS—

ACACIA PRISON AND WOOROLOO PRISON FARM, WOOROLOO
ALBANY REGIONAL PRISON, ALBANY
BANDYUP WOMEN'S PRISON, MIDDLE SWAN
BANKSIA HILL DETENTION CENTRE AND HAKEA PRISON, CANNING VALE
BORONIA PRE-RELEASE CENTRE, BENTLEY
BROOME REGIONAL PRISON, BROOME
BUNBURY REGIONAL PRISON, BUNBURY
BUNGARUN WORK CAMP, DERBY
CASUARINA PRISON, CASUARINA
EASTERN GOLDFIELDS REGIONAL PRISON, BOULDER
GREENOUGH REGIONAL PRISON, GREENOUGH
KARNET PRISON FARM, SERPENTINE
MILLSTREAM WORK CAMP AND ROEBOURNE REGIONAL PRISON, ROEBOURNE
MT MORGANS WORK CAMP, LAVERTON
PARDELUP WORK CAMP, MOUNT BARKER
RANGEVIEW REMAND CENTRE, MURDOCH
WALPOLE WORK CAMP, WALPOLE
WHEATBELT WORK CAMP, KELLERBERRIN
WYNDHAM WORK CAMP, WYNDHAM

Dated this 4th day of October 2016.

Professor GARY GEELHOED, Chief Medical Officer,
Department of Health as delegate of
the Minister for Health.

JUSTICE

JU401

CHARITABLE TRUSTS ACT 1962
APPROVAL OF SCHEME

In the Supreme Court of Western Australia
CIV/1701/2016

In the Matter of the *Charitable Trusts Act 1962* (WA)

Between:

Cancer Council Western Australia (Inc)
(ABN 15 190 821 561)

Applicant

—and—

Attorney General (WA)

Respondent

Order Approving Scheme

Before the Honourable Justice Banks-Smith

Dated: 20 September 2016

Upon the application of the Plaintiff by Originating Summons dated 28 April 2016, and upon hearing Ms S Bruce for the Plaintiff and Mr C Conley for the Defendant it is ordered that—

1. Pursuant to Section 15 of the *Charitable Trusts Act 1962* (WA), the scheme set out hereunder for the variation of the terms of the Will of the late Violet Sands dated 14 May 2007 be approved.
2. The parties' reasonable costs and expenses of and incidental to—
 - (a) preparing and advertising the Scheme; and
 - (b) obtaining approval for the Scheme, including the application, be paid out of, and be on a charge on, the trust property.

By the Court,

STRK, Principal Registrar.

CHARITABLE TRUSTS ACT 1962

Scheme Pursuant to Part III

That the terms of the Charitable Trust established by clause 8 of the Will of the late Violet May Sands be varied by deleting clause 8 of the Will and substituting the following paragraph—

'I Give, Devise and Bequeath my vacant block of land situated Lot 550, 930 Albany Highway to the Cancer Foundation of Western Australia Inc (the Trustee) and I direct that the Cancer Foundation of Western Australia Inc (now the Cancer Council Western Australia (Inc)) be authorised to sell the said land by auction, tender or private treaty and, subject to the payment of all the costs and expenses of the sale and of the scheme, shall apply the net proceeds of the sale (to be known as the 'Mavis Sands Bequest') for the purposes of research into the treatment of cancer.'

LOCAL GOVERNMENT

LG401

BUSH FIRES ACT 1954

Shire of Plantagenet

PROHIBITION OF THE BURNING OF GARDEN REFUSE WITHIN
THE SHIRE OF PLANTAGENET

Notice is hereby given to all owners and occupiers of land in the Shire of Plantagenet that in accordance with the provisions of Section 24G of the *Bush Fires Act 1954* (as amended), Council resolved at its ordinary meeting on Tuesday 16 August 2016 that the burning of garden refuse in limited burning times within the Shire of Plantagenet be subject to a Permit to Burn being issued by an authorised officer.

ROB STEWART, Chief Executive Officer.

LG402

BUSH FIRES ACT 1954*Shire of Dardanup*

AUTHORISED OFFICERS

Notice is hereby given that the local government of the Shire of Dardanup, in accordance with the *Bush Fires Act 1954*, S.38 2A, has declared the following persons to be authorised Bush Fire Control Officers for the period 01/07/2016-30/06/2017—

Burekup District (Deputy CBFCO North)	Mr Clay Rose	0429 194 735 or 9726 3132
Dardanup Central District	Mr Rodney Bailey	0427 283 076 or 9728 3076
Eaton Townsite/District (Chief BFCO)	Mr Chris Hynes	0428 825 496 or 9726 0251
Ferguson District	Mr Richard George	0404 819 532 or 9728 0163
Joshua Crooked Brook District	Mr Peter Buck	0428 311 300
Upper Ferguson District	Mr Rodney Bailey	0427 283 076 or 9728 3076
Waterloo District	Mr Kingsley Palmer	0409 848 460 or 9726 3055
Wellington Mills District	Mr Rob Doherty	0427 558 697 or 9779 9502
West Dardanup District (Deputy CBFCO South)	Mr Alan Charlton	0458 281 249

MARK L. CHESTER, Chief Executive Officer.

LG501

BUSH FIRES ACT 1954*Shire of Dardanup*

FIRE PREVENTION ORDER 2016/2017

With reference to Section 33 of the *Bush Fires Act 1954*, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

This order is valid for the period 01/07/2016-30/06/2017

Work must be completed by the 30 November 2016 and maintained until the close of the Restricted Burning Period 2017.

PERSONS WHO FAIL TO COMPLY WITH THE REQUIREMENTS OF THE ORDER MAY BE ISSUED WITH AN INFRINGEMENT NOTICE PENALTY (\$250.00) OR PROSECUTED WITH AN INCREASED PENALTY (MAXIMUM PENALTY \$5,000).

ADDITIONALLY THE SHIRE OF DARDANUP MAY CARRY OUT THE REQUIRED WORK AT COST TO THE OWNER/OCCUPIER.

RESTRICTED BURNING PERIOD

Burning Permits Required

1 November 2016 to 13 December 2016

PROHIBITED BURNING PERIOD

NO FIRES PERMITTED

14 December 2016 to 15 March 2017
(subject to extension)

RESTRICTED BURNING PERIOD

Burning Permits Required

16 March 2017 to 26 April 2017
(subject to extension)

RESIDENTIAL, INDUSTRIAL, DEVELOPMENT, MIXED BUSINESS AND COMMERCIAL ZONES*

- All flammable material/vegetation (except living trees) MUST be slashed or grazed to a height that does not exceed 50 millimetres and flammable material MUST be removed.

SMALL HOLDINGS ZONE*

- BARE EARTH firebreaks of 2 metres width and 4 metres in height must be maintained within and adjacent to the lot boundary.
- Fire hazards on properties must be slashed to a height of no more than 50 millimetres and flammable material MUST be removed from the property.

GENERAL FARMING, RESTRICTED USE AND TOURIST ZONES*

- **Non Irrigated lots**—BARE EARTH firebreaks of 2 metres width and 4 metres in height must be maintained within and adjacent to the lot boundary where it adjoins a road and/or rail reserve.
- **Irrigated lots**—firebreaks are NOT required on that lot of land where the lot is being irrigated throughout the restricted and prohibited burning periods.
- Irrigation channels that are situated WITHIN and adjacent to a lot boundary will be accepted as a firebreak provided the irrigation channel is utilised in that channel throughout the restricted and prohibited burning periods.

PLANTATIONS

- BARE EARTH firebreaks of 15 metres width and 4 metres in height must be maintained within and adjacent to the perimeter of plantations with 6-10 metres wide internal firebreaks between compartments.
- Where power lines pass through plantation areas, firebreaks must be in accordance with Western Power specifications.

WHERE AND HOW TO OBTAIN BURNING PERMITS

Applications for burning permits are available from your local Bush Fire Control Officer at no cost.

No burning shall occur on properties within Residential zones unless a permit is issued by the local Bush Fire Control Officer for the purpose of hazard reduction. Residential zones of Dardanup and Burekup are exempt from the requirement of obtaining a permit during the non- prohibited burning times.

The local Bush Fire Control Officer will note the relevant conditions you must comply with on your burning permit.

You are advised that Burning Permits are automatically invalidated on days of “*severe*”, “*extreme*” or “*catastrophic*” fire danger.

FIREBREAK VARIATIONS/EXEMPTIONS

If it is considered impractical for any reason to clear firebreaks or remove flammable materials from any land as required by this Order, you should make written application to the Shire of Dardanup no later than 30 September each year and include a plan of your land detailing your fire prevention measures to abate fire hazards on the land. The prescribed Firebreak Variation/Exemption Forms are available from the Shire of Dardanup offices. If your request for a variation/exemption is not granted, you must comply with the requirements of this Order.

For further information please call the Shire of Dardanup 9724 0000 or your local Fire Control Officer.

For all fire emergencies, please dial “000”

*Zones defined by the Shire of Dardanup Town Planning Scheme No. 3.

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 date 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.
Taxi Amendment Act 2016	3 October 2016	29 of 2016
Highways (Liability for Straying Animals) Amendment Act 2016	3 October 2016	30 of 2016
Evidence Amendment Act 2016	3 October 2016	31 of 2016

NIGEL PRATT, Clerk of the Parliaments.

6 October 2016.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT*City of Gosnells*

Local Planning Scheme No. 6—Amendment No. 162

Ref: TPS/1859

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Gosnells Local Planning Scheme amendment on 19 September 2016 for the purpose of—

1. Rezoning Lot 224 Spencer Avenue, Lot 227 and 228 Thornlie Avenue, Thornlie from 'Residential R20/30' zone to 'Office' zone; and

amending the Scheme Maps accordingly.

O. SEARLE, Mayor.
I. COWIE, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT*Shire of Mundaring*

Local Planning Scheme No. 4—Amendment No. 7

Ref: TPS/1788

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 Mundaring Local Planning Scheme amendment on 1 September 2016 for the purpose of—

1. Replacing clause 5.7.12.1 with the following—
The provisions of this clause apply in addition to the provisions in this Scheme relating to Local Natural Areas and the provisions relating to watercourse protection contained in clause 5.7.5.
2. Replacing clause 5.7.12.2 with the following—
The ringbarking, cutting down, topping, removal, injuring or wilful destruction of any local native vegetation is prohibited unless approved by the Shire or unless the native vegetation is exempted from compliance with this provision pursuant to clause 5.7.12.3.
3. Modifying clause 5.7.12.3 (a) as follows—
 - (a) not local native vegetation.
4. Replacing clause 5.7.12.3 (c) with—
 - (c) constitutes an immediate danger to life and property.
5. Replacing clause 5.7.12.3 (d) with—
 - (d) Required to be removed in order to comply with a Shire approved Fire Management Statement or Fire Management Plan, or the Shire's firebreak notice issued under s33(1) of the *Bush Fire Act 1954*.
6. Modifying clause 5.7.12.3 (f) with—
 - (f) within an approved building envelope, unless the native vegetation is located within a Local Natural Area identified in the Local Planning Strategy.
7. Deleting clause 5.7.12.3 (i) required to be removed for a vehicle driveway.
8. Renumbering clauses in 5.7.12.3 sequentially.
9. Adding the following to clause 5.7.12.5—
 - (g) whether the vegetation is dead or diseased.
10. Modifying the Schedule 1 General definition term "remnant native vegetation" to "native vegetation".

D. LAVELL, President.
J. THROSSELL, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of East Fremantle
 Local Planning Scheme No. 3—Amendment No. 10

Ref: TPS/1150

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 Town of East Fremantle Local Planning Scheme amendment on 15 August 2016 for the purpose of—

1. Amending the Scheme Maps by excluding 34 George Street from the Mixed Use zone and including into a new zone “Special Zone—Royal George Hotel”.
2. Amending the Scheme Maps by including a new zone in the legend “Special Zone—Royal George Hotel”.
3. Inserting the following in Clause 4.2 Objectives of Zones—
 Special Zone—Royal George Hotel
 - To encourage the preservation and re-use of the Royal George Hotel building;
 - To accommodate the redevelopment of the Royal George Hotel site in a manner which will complement the preservation of the hotel building;
 - To enhance and promote George Street as a vibrant main street.
4. Delete the existing Zoning Table (Clause 4.3 Refers) and replace with the following amended table incorporating the following changes—
 - (i) Modifying the Zoning Table by deleting the Canning column
 - (ii) Modifying the Zoning Table by deleting the “George” Column
 - (iii) Modifying the Zoning Table to include—
 - “Home Business” as a “D” use in the Residential Zone
 - “Home Occupation” as a “P” use in the Residential Zone
 - “Amusement Parlour” as a “D” use in the Special Business Zone
 - “Ancillary Accommodation” as an “A” use in Town Centre Zone
 - “Cinema Theatre” as a “D” use in the Special Business Zone
 - “Club Premises” as a “D” use in the Town Centre Zone
 - “Consulting Rooms” as a “X/A2” use in the Residential Zone
 - “Convenience Store” as an “A” use in the Mixed use Zone and as a “D” use in the, Special Business and Town Centre Zones
 - “Family Day Care” as an “A” use in the Town Centre Zone
 - “Fast Food Outlet” as an “A” use in the Special Business Zone
 - “Grouped Dwelling” as a “D” use in the Residential Zone and as a “P” use in the Mixed Use, Special Business and Town Centre Zones
 - “Home Store” as a “D” use in all Zones
 - “Market” as an “A” use in the Mixed Use and Special Business Zones
 - “Motel” as a “D” use in the Special Business Zone
 - “Multiple Dwelling” as an “A” use in the Special Business Zones
 - “Office” as an “X/A2” use in the Residential Zone and “D” use in the Mixed Use Zone
 - “Shop” as a “P” use in the Mixed Use and Special Business Zones
 - “Tavern” as an “A” use in the Special Business Zones
 - (iv) Modify the Zoning Table by introducing a new use “Small Bar” as an “X” use in the Residential Zone and as an “A” use in the Mixed Use, Special Business and Town Centre Zones.
 - (v) Insert New Note 1 of the Zoning Table with the following—
 Consulting Rooms and Office are a “D” use only for those residential dwellings that are located adjacent to Canning Highway.

ZONING TABLE (Clause 4.3 Refers)

Use Class	Residential	Mixed Use	Special Business	Town Centre
Advertising Sign	A	A	A	A
Aged or Dependent Persons Dwelling	D	P	P	A
Amusement Parlour	X	X	D	A
Ancillary Accommodation	A	P	P	A
Bed and Breakfast	A	A	A	A
Caretaker’s Dwelling	X	D	D	D
Child Care Premises	A	A	D	P

Use Class	Residential	Mixed Use	Special Business	Town Centre
Cinema / Theatre	X	A	D	D
Civic Use	A	P	P	P
Club Premises	X	A	D	D
Community Purposes	A	D	P	D
Consulting Rooms	X/D ¹	D	P	P
Convenience Store	X	A	D	D
Educational Establishment	A	A	D	A
Exhibition Centre	X	P	P	P
Family Day Care	A	D	D	A
Fast Food Outlet (Refer 5.8.9)	X	A	A	A
Funeral Parlour	X	A	A	A
Grouped Dwelling	D	P	P	P
Home Business	D	D	D	D
Home Occupation	P	D	D	D
Home Office	P	P	P	P
Home Store	D	D	D	D
Hospital	X	X	X	A
Hotel	X	X	X	A
Industry—Cottage	A	D	D	D
Industry—Service	X	D	D	D
Market	X	A	A	A
Medical Centre	X	A	P	P
Motel	X	X	D	A
Multiple Dwelling	X/A ²	A	A	A
Night Club	X	X	X	X
Office	X/D ¹	D	P	P
Place of Worship	X	A	A	D
Pre-School / Kindergarten	A	D	D	P
Recreation—Private	X	A	D	A
Residential Building	X	A	D	A
Restaurant	X	D	P	P
Service Station	X	X	X	X
Shop	X	P	P	P
Showrooms	X	A	D	D
Single House	P	P	P	X
Small Bar	X	A	A	A
Tavern	X	A	A	A
Telecommunications Infrastructure	A ³	A ³	A ³	A ³
Veterinary Centre	X	A	P	A

1. Consulting Rooms and Office are a 'D' use only for those residential dwellings that are located adjacent to Canning Highway.
2. In areas with a density coding of R1.5, where a density bonus is sought for Grouped Dwellings on corner lots, applications shall be dealt with as an 'A' use. (Sub-clause 5.3.1)
3. In areas with a density coding of less than R40, Multiple Dwelling is an 'X' use.
4. Subject to the provisions of the *Telecommunications Act 1997*, the *Telecommunications (Low Impact Facilities) Determination 1997* and Amendment No. 1, and the *Telecommunications Code of Practice 1997*.

5. Insert new clause 5.9 Special Zone—Royal George Hotel.

6. Insert new clause 5.9.1—

- (a) An application for the refurbishment or reuse of the Royal George Hotel building is to be accompanied by a heritage plan that will ensure the preservation of the hotel building.

- (b) A heritage plan may include development standards and requirements for the development of the balance of the land on which the hotel building is located.
- (c) The Council may consider innovative approaches to the development of land on which the hotel is located, if the development will lead to the on-going reuse of the hotel building for a purpose consistent with the objectives of the zone.
7. Replacing the definition for “hotel”, “natural ground level” and “tavern” in Schedule 1: Dictionary of Defined Words and Expressions with the following—
- “**hotel**” means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises.
- “**natural ground level**” has the same meaning as in the Residential Design Codes.
- “**tavern**” means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*.
8. Inserting the following new definitions in Schedule 1: Dictionary of Defined Words and Expressions, General Definitions—
- “**dual coding**” means the designation on the Scheme map of land with a dual density code, such as “R12.5/40”.
- “**heritage building**” means a building included in the Heritage List or the Municipal Inventory.
- “**Municipal Inventory**” means the inventory of buildings compiled and maintained by the local government pursuant to section 45 of the *Heritage of Western Australia Act 1990*.
- “**plate height**” means the full height of a wall required in order to attach to it a wall plate.
- “**small bar**” means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.

Other Minor Amendments

9. Add “(including the Schedules)” after the word “Text” in Clause 1.4(a).
10. Replace sub-clause 1.5(g) with “address other matters set out in the Schedule 7 of the *Planning and Development Act 2005*.”
11. Delete the words “Town Planning Act” in Clause 1.7.1(a) and replacing with “*Planning and Development Act*”.
12. Delete the words “*Metropolitan Region Town Planning Scheme Act 1959/WA Planning Commission Act 1985*” and replace with “*Planning and Development Act*” in Clause 3.2.1.
13. Clause 4.11 being modified by deleting “Section 13 of the Town Planning Act” in the footnote and replacing with “Sections 190 and 191 of the *Planning and Development Act*”.
14. Modify Clause 5.5.2 by deleting “Schedule 11” and “Schedule 12” and replacing with “Schedule 10” and “Schedule 11” respectively wherever they appear in the Clause.
15. Modifying Clause 5.5.2 by deleting “Car Parking Standards” and replacing with “Required car parking in respect of any non-residential development in the Residential Zone”.
16. Modify Clause 5.7.1 by deleting “Schedule 10” and replacing with “Schedule 9”.
17. Modify Clause 5.8.5 by deleting “Schedule 11” and replacing with “Schedule 10” and by replacing Schedule 4 with Schedule 11.
18. Clause 5.9 to 5.9.3 being deleted.
19. The Note following Clause 8.2 (j) being modified by deleting the words “20D of the Town Planning Act” and replacing with “section 157 of the *Planning and Development Act*”.
20. Inserting a new clause 8.4.3 as follows—
- 8.4.3 Subclauses 8.4.1 and 8.4.2 do not affect the provisions of Part 13 of the *Planning and Development Act* in respect of development commenced or carried out before approval has been granted.
21. Clause 9.1.1 (h) being modified by deleting “5.5” and replacing with “5.6”.
22. Clause 9.1.1 being modified by deleting “Schedule 6” and replacing with “Schedule 5”.
23. Clause 9.1.2 being modified by deleting “Schedule 7” and replacing with “Schedule 6”.
24. Modify note 2 following sub-clause 9.1.2 by replacing “management area” with “development control area”, and *Swan River Trust Act 1988* with *Swan and Canning Rivers Management Act 2006*.
25. Replace note 3(b) following sub-clause 9.1.2 with “within or partly within a planning control area declared under Part 7 of the *Planning and Development Act 2005*.”
26. Clause 9.4.2 being deleted and replaced with the following—
- “Where an application is made for a purpose other than a purpose referred to in clause 9.4.1, the local government may require notice to be given in accordance with clause 9.4.3.”
27. Clause 9.4.4 being modified by deleting “Schedule 8” and replacing with “Schedule 7”.
28. Clause 10.4.1 being modified by deleting “Schedule 9” and replacing with “Schedule 8”.
29. The heading to Clause 10.10 being modified by deleting “APPEALS” and replacing with “REVIEWS”.
30. Clause 10.10 being modified by deleting “Part V of the Town Planning Act” and replacing with “seek a review under Part 14 of the *Planning and Development Act*”.

31. Modifying Part 11 by deleting reference to the “Town Planning Act” in clauses 11.1.1(b), 11.1.1(c), 11.6.1 and replace with “*Planning and Development Act*”.
32. Modifying Clause 11.2.4 by deleting “appeal under Part V of the Town Planning Act” and replacing with “seek a review under Part 14 of the *Planning and Development Act*”.
33. Modify Clause 11.4(b) by deleting “Section 10(4) of the Town Planning Act” in the footnote and replacing with “section 218 of the *Planning and Development Act*”.
34. Delete Clauses 11.5, 11.6 and 11.7.
35. Modifying Schedule 1 General Definitions by—
 - Deleting “section 7(3) of the Town Planning Act in the definition of “Gazettal Date” and replacing with “section 87 of the *Planning and Development Act*”.
 - Deleting “Town Planning Act” in the definition of “lot” and replacing with “*Planning and Development Act*”.
 - Deleting “section 12(2)(a) of the Town Planning Act” in the definition of “non-conforming use” and replacing with “section 172 of the *Planning and Development Act*”.
 - Deleting “*Western Australian Planning Commission Act 1985* in the definition of “region scheme” and replace with “*Planning and Development Act*”.
 - Deleting “Town Planning Act” definition and replacing with “Planning and Development Act” means the *Planning and Development Act 2005*.
 - Deleting “*Liquor Licensing Act*” in the definitions of “night club” and “restaurant” and replacing with “*Liquor Control Act*”.
 - Schedule 7, 8 and 8A being modified by deleting “TOWN PLANNING ACT 1928 (as amended)” and replacing with “*Planning and Development Act 2005*” wherever it appears.
36. Modifying Schedule 10 by replacing “clause 5.8” with “clause 5.6” and by replacing “5.4.2 and 5.7.5” with “clauses 5.5.2 and 5.8.2” respectively.
37. Modifying Schedule 11 by replacing “clause 5.4.2” with “clause 5.5.2” and by replacing “clause 5.5.5” with “clause 5.5.3” wherever they appear.
38. Modifying Schedule 11 by replacing “Clause 5.8” with “Clause 5.6”.

J. O’NEILL, Mayor.
G. CLARK, Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Grantley Charles Neil Smith, late of 26 Cottonwood Crescent, Dianella WA, deceased 5 May 2016.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased are required by the Administrator of the estate—Heather Kaye Smith of PO Box 255, Dianella WA 6059, to send particulars of their claims to her in her capacity of Executor by 7 November 2016. After which date the Executor may convey or distribute the assets having regard only to the claims of which she then has notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the Estate of Antionetta Rizzi, late of Forest Gardens Nursing Centre, Woodrow Street, Bunbury, 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 1st day of August 2012, are required by the personal representative, Guiseppina Scasserra to send particulars of their claims to Clyde & Co of Level 28, 197 St Georges Terrace, Perth WA by the 11th day of November 2016, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX403**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Daphne Boskovski, late of 6 Bangalla Place, Balcatta, Western Australia, retired homemaker, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executors of the deceased's estate being John Boskovski, care of MGB Legal, Level 1, 32 Edward Street, Perth, Western Australia and Mary Majoski, of 10 Pillargo Place, Stirling, Western Australia, to send particulars of their claims to him by 11 November 2016, after which date the Executors may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX404**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Ross Dennis Calnan, late of 111 Rosewood Avenue, Woodlands, 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 5 April 2016, are required by the executor, Scott Gregory Calnan of Apartment 201, 276 Marrickville Road, Marrickville, New South Wales to send particulars of their claims to him by the 18th day of November 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX405**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Alma Margaret Fuller, late of 16 Baronia Loop, Greenfields in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 10 August 2016, are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 14 November 2016, after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO as solicitors for the personal representative.