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GOVERNMENT
Gazette**

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— PART 1 —

PROCLAMATIONS

AA101

Firefighters and Emergency Volunteers Legislation Amendment
(Compensation) Act 2016

Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Act 2016 Commencement Proclamation (No. 2) 2017

Made under the *Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Act 2016* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Act 2016 Commencement Proclamation (No. 2) 2017*.

2. Commencement of Act

The *Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Act 2016*, other than Parts 1 and 4, comes into operation on the day after the day on which this proclamation is published in the *Gazette*.

K. SANDERSON, Governor.

L.S.

F. LOGAN, Minister for Emergency Services.

Note: The *Fire and Emergency Services Amendment Regulations (No. 2) 2017* come into operation on the day on which the *Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Act 2016* Part 3 comes into operation.

FIRE AND EMERGENCY SERVICES

FE301

Fire and Emergency Services Act 1998

**Fire and Emergency Services Amendment
Regulations (No. 2) 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fire and Emergency Services Amendment Regulations (No. 2) 2017*.

2. Commencement

These regulations come into operation on the day on which the *Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Act 2016* Part 3 comes into operation.

3. Regulations amended

These regulations amend the *Fire and Emergency Services Regulations 1998*.

4. Part 1 heading inserted

Before regulation 1 insert:

Part 1 — Preliminary**5. Part 2 heading inserted**

Before regulation 3 insert:

Part 2 — Emergency Services Levy**6. Part 3 heading inserted**

Before regulation 12 insert:

Part 3 — Shutting off services

7. Part 4 heading inserted

Before regulation 13 insert:

**Part 4 — SES Units, VMRS Groups and
FES Units**

8. Part 5 inserted

After regulation 15 insert:

Part 5 — Insurance of volunteers

15A. Insurance limits

The amount of compensation for which a responsible agency is required by section 36ZQ(4) of the Act to insure is limited as follows —

- (a) for loss caused at any one incident to any money or negotiable instrument the personal property of any one volunteer: a limit of \$250 in total;
- (b) for loss or damage caused at any one incident to any watch or jewellery the personal property of any one volunteer: a limit of \$2 000 for each item or set of items;
- (c) for loss or damage caused at one or more incidents in any period of 12 months to anything (other than vehicles, appliances, equipment or apparatus) that is the personal property of any one volunteer: a limit of \$10 000 in total.

15B. Apportionment of amounts

- (1) If an amount payable needs to be apportioned between persons under section 36ZW(3) of the Act, the apportionment is to be made according to the respective financial losses of support from the injured volunteer suffered by those persons —
 - (a) as agreed between those persons; or
 - (b) as determined under subregulation (3).
- (2) If the persons cannot agree on the apportionment, one or more of them may apply in writing to the FES Commissioner for the apportionment to be determined.
- (3) If an application is made under subregulation (2), the apportionment must be determined —
 - (a) by the FES Commissioner; or

- (b) by a suitably qualified person appointed in writing by the FES Commissioner to make the determination.

9. Part 6 heading inserted

Before regulation 16 insert:

Part 6 — Miscellaneous

N. HAGLEY, Clerk of the Executive Council.

WATER

WA301

Rights in Water and Irrigation Act 1914
Water Agencies (Powers) Act 1984
Water Services Act 2012

Water Legislation Amendment Regulations 2017

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Water Legislation Amendment Regulations 2017*.

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.

Part 2 — *Rights in Water and Irrigation Regulations 2000* amended

3. Regulations amended

This Part amends the *Rights in Water and Irrigation Regulations 2000*.

4. Schedule 3 amended

- (1) In Schedule 3 Form 3:
(a) delete:

**The Chief Finance Officer
Department of Water
PO Box K822
PERTH WA 6842**

and insert:

**The Chief Finance Officer
Department of Water and Environmental Regulation
Locked Bag 33 Cloisters Square
PERTH WA 6850**

- (b) delete “Department of Water” and insert:

Department

- (2) In Schedule 3 Form 5 delete “Department of Water *or*” and insert:

Department *or*

**Part 3 — *Water Agencies (Infringements)*
Regulations 1994 amended**

5. Regulations amended

This Part amends the *Water Agencies (Infringements) Regulations 1994*.

6. Schedule 1 amended

- (1) In Schedule 1 Form 1:
(a) delete:

* The Chief Finance Officer
Department of Water
PO Box K822
PERTH WA 6842

and insert:

* The Chief Finance Officer
Department of Water and Environmental Regulation
Locked Bag 33 Cloisters Square
PERTH WA 6850

- (b) delete “Department of Water* / Water Corporation*” and insert:

Department* / Water Corporation*

- (2) In Schedule 1 Form 3 delete “Department of Water* or” and insert:

Department* or

Part 4 — *Water Services (Water Corporations Charges) Regulations 2014* amended

7. Regulations amended

This Part amends the *Water Services (Water Corporations Charges) Regulations 2014*.

8. Regulation 28 amended

In regulation 28(1) delete “11.1%” (each occurrence) and insert:

10.5%

Part 5 — *Water Services Regulations 2013* amended

9. Regulations amended

This Part amends the *Water Services Regulations 2013*.

10. Regulation 80B amended

In regulation 80B in the definition of *revised plan* delete “80H(3)(b);” and insert:

80H(3);

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

CONSERVATION

CO401

CONSERVATION AND LAND MANAGEMENT ACT 1984**CONSERVATION AND LAND MANAGEMENT (EXCISION FROM STATE FOREST)
ORDER (NO. 4) 2017**

Made by the Minister for Environment under section 9(3)(b) of the *Conservation and Land Management Act 1984*.

1. Citation

This order may be cited as the *Conservation and Land Management (Excision from State Forest) Order (No. 4) 2017*.

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. Portions of State Forest No. 2 excised

The area described in Schedule 1 is ordered to be excised from State Forest No. 2.

Schedule 1—Land no longer part of State Forest No. 2

All that portion of land situated about 8 kilometres east of Busselton and comprising of Lot 4411 on Deposited Plan 213198.

Area: 2.1712 hectares

On Landgate plan: Busselton (1930-I-NE).

4. Purpose of excision

The area described in Schedule 1 is for the purpose of rationalising the tenure of Bussell Highway.

Hon STEPHEN DAWSON MLC, Minister for Environment.

FIRE AND EMERGENCY SERVICES

FE401

FIRE AND EMERGENCY SERVICES SUPERANNUATION ACT 1985**APPOINTMENTS**

The following have been appointed/elected to the Fire and Emergency Services Superannuation Board—

Member

Mr K. W. Jolly (Elected) 19 August 2017-18 August 2020

Alternate Member

Mrs T. E. Longman (Re-elected) 19 August 2017-18 August 2018

Mr P. R. Markovic (Elected) 19 August 2017-18 August 2018

HEALTH

HE401

MENTAL HEALTH ACT 2014

MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) REVOCATION ORDER (NO. 10) 2017

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*.

1. Citation

This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No. 10) 2017*.

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) clause 3—on the day after that day.

3. Revocation of designation

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

Schedule 1

Name	Profession
Coker, Eve	Social Worker
Beadle, Howard	Occupational Therapist
Shields, Emma	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

11 September 2017.

JUSTICE

JU401

PRISONS ACT 1981

PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Department of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Tinline	John	WAN002	06/09/17
Tinline	John	AP0839	06/09/17

This notice is published under section 15P of the *Prisons Act 1981*.

SUE HOLT, A/Director Procurement and Contracted Services.

7 September 2017.

JU402

PRISONS ACT 1981

PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Department of Corrective Services has issued the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Issue Date
Alexander	Denise	PA 0195	07/09/17

This notice is published under section 15P of the *Prisons Act 1981*.

SUE HOLT, A/Director Procurement and Contracted Services.

13 September 2017.

LANDS

LA401

TRANSFER OF LAND ACT 1893

APPLICATION N464291

Take notice that Philippa Geraldine Harmer of 20 Kalbarri Pass, Jane Brook and Steven David Harmer of Post Office Box 139 Toodyay have made application to be registered under the Act as proprietors of an estate in fee simple in possession in the land situated at Lovers Lane, Morangup being portion of Avon Location 258 being Lot 258 on Deposited Plan 224206 containing 3.7517 hectares being the whole of the Land comprised in Memorial Book XXIX No. 231.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge with Landgate on or before 6 October 2017 a caveat forbidding the land being brought under the operation of the Act.

JEAN VILLANI, Registrar of Titles.

LOCAL GOVERNMENT

LG401

BUSH FIRES ACT 1954*City of Joondalup***PROHIBITION ON THE BURNING OF GARDEN REFUSE OR RUBBISH**

Notice is hereby given that the City of Joondalup has resolved, pursuant to section 24G of the *Bush Fires Act 1954*, to prohibit the burning of garden refuse or rubbish by any person at any time on private land within the district of Joondalup.

This prohibition does not apply to devices which are specifically designed and used for the purposes of cooking or heating.

A local government may, by notice given under section 24G, prohibit or impose restrictions on the burning of garden refuse or rubbish that is otherwise permitted under section 24F of the *Bush Fires Act 1954*.

Accordingly, the effect of this notice is, that the burning of garden refuse, either in an incinerator or on the ground which is emitted under section 24F, is now prohibited at all times during the year.

GARRY HUNT PSM, Chief Executive Officer.

Dated: 8 September 2017.

LG402

BUSH FIRES ACT 1954*Shire of Broomehill-Tambellup***APPOINTMENTS**

The following persons have been appointed to the designated position for the Shire of Broomehill-Tambellup in accordance with the *Bush Fires Act 1954*. All other appointments are hereby cancelled.

Benjamin Hewson
Ian Cunningham
Wayne Newby
Cynthia Pearce
Luke Simpson
Warrick McMahan

Neil Tears
Andrew Leonhardt
Jarrod Thorn
Laurie Hull
Keith Williams

LG403

LOCAL GOVERNMENT ACT 1995*Shire of Capel***BASIS OF RATES**

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

I, Michael Connolly, 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 5 September 2017, determine that the method of valuation to be used by the Shire of Capel, 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 6024 to 6037 inclusive, Lots 6039 to 6047 inclusive, Lots 6049 to 6057 inclusive, Lot 6148, Lot 6149 and Lots 6152 to 6154 inclusive as shown on Deposited Plan 76446.

MICHAEL CONNOLLY, Deputy Director General—Regulation,
Department of Local Government, Sport and Cultural Industries.

LG404

LOCAL GOVERNMENT ACT 1995

City of Wanneroo

BASIS OF RATES

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

I, Michael Connolly, 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 24 August 2017, determined that the method of valuation to be used by the City of Wanneroo, as the basis for a rate in respect of the land referred to in the Schedules is to be the gross rental value of the land—

Schedule A

	Designated land
UV to GRV	All those portions of land being Lots 150 to 152 inclusive as shown on Deposited Plan 407072; Lot 102, Lot 103, Lots 138 to 140 inclusive and Lot 153 as shown on Deposited Plan 407814; Lots 201 to 251 inclusive as shown on Deposited Plan 409288; Lot 112, Lot 113, Lots 115 to 120 inclusive and Lots 165 to 167 inclusive as shown on Deposited Plan 409293 and Lots 1179 to 1184 inclusive as shown on Deposited Plan 411256.

Schedule B

	Designated land
UV to GRV	All those portions of land being Lots 1 to 28 inclusive as shown on Survey Strata Plan 69319.

MICHAEL CONNOLLY, Deputy Director General—Regulation,
Department of Local Government, Sport and Cultural Industries.

LG501

BUSH FIRES ACT 1954

City of Stirling

FIREBREAK NOTICE 2017-2018

Notice to all property owners and occupiers within the City of Stirling

Pursuant to Section 33 of the *Bush Fires Act 1954*, you are hereby required, on or before 30 November 2017 or within 14 days of becoming the owner or occupier after 30 November 2017, to remove from the land owned or occupied by you, all flammable material and/or clear firebreaks in accordance with the following land areas and thereafter to maintain that land or firebreaks up to and including 31 March 2018—

Where the area of the land is less than 2,000 square metres—

Slash/mow all grass to a height no greater than five (5) centimetres and remove all slashed matter and other flammable material from the land **OR** install a continuous firebreak of three (3) metres wide, clear of all bush and flammable material along all external boundaries of the land. Prune trees and shrubs and remove dead flammable material around all structures. Ensure the roofs, gutters and walls of all buildings on the land are free of flammable material.

Where the area of the land is greater than 2,000 square metres and the land is vacant—

Install a continuous firebreak of three (3) metres wide, clear of all bush and flammable material along all external boundaries of the land.

Where the area of the land is greater than 2,000 square metres with a building on it—

Install a continuous firebreak of three (3) metres wide around all structures and immediately inside all external boundaries of the land. Prune trees and shrubs and remove dead flammable material around all structures. Ensure the roofs, gutters and walls of all buildings on the land are free of flammable material.

These standards must be maintained until 31 March 2018.

‘Flammable material’ is defined for the purpose of the notice to include any mineral, vegetable, substance, object, thing or matter that may, or is likely to, catch fire and burn, or any other thing deemed by an authorised officer to be capable of combustion. It does not include green standing trees, growing bushes, and plants in gardens and/or lawns—unless deemed otherwise.

If it is considered impracticable to clear a firebreak or to remove flammable material from the land as required by this notice, an application to the City of Stirling in writing may be made prior to 14 November 2017 for permission to provide firebreaks in alternative positions or to take alternative action to mitigate the fire hazard. Until written permission is received from the City, compliance with this notice is required.

Burning off without written authorisation is strictly prohibited within the City of Stirling.

The penalty for failing to comply with this notice is a fine of up to \$5,000. If the works are not carried out by the date required in this notice, the owner of the land is liable, whether prosecuted or not, to pay all costs for performing the works directed in this notice.

STUART JARDINE, Chief Executive Officer,
City of Stirling.

LG502

BUSH FIRES ACT 1954

FIREBREAK NOTICE

Shire of Broomehill-Tambellup

Notice to all Owners and/or Occupiers of Land in the Shire of Broomehill-Tambellup

In accordance with 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 made to advise individual land owners that it is their responsibility for fire prevention.

The penalty for non-compliance with this notice is a maximum fine of \$1000, and notwithstanding prosecution, Council may enter upon the land and carry out required work at the owner's/occupier's expense.

An inspection of fire breaks and hazard removal will be carried out in Rural and Urban areas on or after 19th September each year.

1.0 LAND ZONED RESIDENTIAL, TOWN CENTRE, INDUSTRIAL (Townsite land)

During the period from 31st October 2017 to 15th April 2018 inclusive you shall have firebreaks in the following positions—

1.1 On land which is 4000 square metres (one acre) or less in area, you shall remove all flammable material from the whole of the land, except live standing trees.

1.2 Land which exceeds 4000 square metres

On land which is 4000 sq metres (1 acre) or more in area, clear firebreaks not less than 2 metres completely surrounding and not more than 20 metres from the perimeter of all buildings, haystacks and fuel storage areas situated on the land. The height of all grass on the land is to be less than 150mm in height.

2.0 LAND ZONED RURAL RESIDENTIAL/SPECIAL RURAL (Townsite and Suburban areas)

During the period from 31st October 2017 to 15th April 2018 inclusive you shall have firebreaks in the following positions—

2.1 Clear firebreaks not less than 2 metres completely surrounding and not more than 20 metres from the perimeter of all buildings, haystacks and fuel storage areas situated on the land.

Minimise fire hazardous material to the satisfaction of the Chief Fire Control Officer by stocking, slashing or other means. The height of all grass on the land is to be less than 150mm in height. Properties will be inspected and orders may be issued.

3.0 LAND ZONED FARMING—HOMESTEADS, BUILDINGS, HAYSTACKS, BULK FUEL, DRUMS AND LIQUID PETROLEUM

3.1 During the period from 31st October 2017 to 15th April 2018 inclusive, you shall have firebreaks at least 5 metres wide, if provided by burning, cultivating or chemical spraying, or 10 metres wide if provided by being closely grazed or mowed to the satisfaction of the Bush Fire Control Officer, in such positions as are necessary to completely surround the perimeter of any homestead building (excluding isolated nonflammable buildings), fuel installation (including drums), hay stacks (but only haystacks within 100 metres of any building) or group of such structures or installations. Provided that

wherever 10 metre wide alternative is chosen, the outer 3 metres of the 10 metre area must be totally free of any flammable material and where mowing is the method used, all residue of the mowing process must be removed from the area.

4.0 LAND GREATER THAN 40 HECTARES

The owner/occupier must have a mobile firefighting unit (self-propelled, towed or slip-on) in good working order, with a minimum capacity of 400 litres.

GENERAL INFORMATION

If it is considered impractical for any reason to clear firebreaks on any land as required by this notice, you may apply to Council or its duly authorised officers for permission to provide firebreaks in alternative positions or to take alternative action to abate fire areas on the land. If permission is not granted by Council or its duly authorised officers, you shall comply with the requirements of the notice.

PLEASE NOTE: Following the method adopted by Council to inspect the firebreaks in this notice, it is not necessary for the council to notify you or give you any prior warning that legal action may proceed for failing to comply with the requirements of this notice.

HAZARD REDUCTION

Landowners are advised that inspections of properties may be carried out prior to 19th September each year and Orders for any Hazard Reduction will be served by 1st October each year requiring that the necessary work be undertaken prior to 1st November of that year.

Failure to comply with Hazard Reduction Orders will result in the work being undertaken by Council or its agents at the landowners' expense.

DEFINITIONS

For the purpose of this notice—

Bush: Includes trees, bushes, plants, stubble, scrub and undergrowth of all kinds whatsoever alive or dead and whether standing or not standing and also part of a tree, bush, plant or undergrowth and whether severed therefrom or not so severed.

Haystack: Means any collection of hay including round bales stacked or placed together.

PLANTATION FIREBREAKS

NOTICE to all owners and /or occupiers of land, within the Shire of Broomehill-Tambellup, currently planted, or proposed to be planted, as a Hardwood or Softwood plantation or tree farm.

PURSUANT to the powers contained in Section 33 of the *Bush Fires Act 1954* you are hereby required on all Hardwood or Softwood **PLANTATIONS/TREE FARMS** owned or occupied by you, to plough, cultivate, scarify, burn, chemically spray or otherwise clear of all inflammable material, **FIREBREAKS** of dimensions as set out in this notice.

FIREBREAKS shall be installed on all **PLANTATION/TREE FARMS** by 31st October annually and shall be maintained and kept clear as required by this notice until 15th April each year.

1.0 BOUNDARY FIREBREAKS

1.1 Firebreaks shall be constructed fifteen (15) metres wide on the boundaries of all Plantations, Tree Farms or such other location as may be agreed to by the Council, in accordance with the requirements of definition—specification 2.2.

1.2 Firebreaks shall be constructed around Plantation Compartments of approximately thirty (30) hectares, in accordance with the requirements of definition—specification 2.3.

2.0 DEFINITIONS—SPECIFICATIONS

2.1 Plantations/Tree Farms—A plantation tree farm is defined as an area exceeding 3 hectares within *townsites* or an area exceeding 10 hectares within *rural* areas of trees planted for *commercial purposes*.

2.2 Boundary Firebreaks—Fifteen (15) metre requirement—

A boundary firebreak is defined as an area clear of all inflammable material both on ground and vertically, from the boundary inwards ten (10) metres and from this point to the first line of trees at fifteen (15) metres being a strip five (5) metres wide, maintained in a low fuel condition, eg. short grass and clear vertically, of all low overhanging branches at least four (4) metres from ground level.

2.3 Planting Compartments—A planting compartment is defined as an individual area of approximately thirty (30) hectares surrounded by firebreaks cleared of all inflammable material six (6) metres wide, with a vertical clearance of all overhanging branches at least four (4) metres upwards from ground level to allow unrestricted access for firebreak maintenance and fire fighting equipment at all times.

3.0 FIRE EQUIPMENT STANDARDS—As per the Fire Equipment Standards specified in the Plantation Fire Protection Guidelines, where insufficient brigade fire fighting equipment is available for plantation fire protection or where plantation growers do not participate in the community based plantation fire equipment scheme, the following equipment levels are required.

4.0 DEFINITIONS

Fast Attack relates to a 1 tonne 4x4 vehicle carrying minimum of 400 litres of water

2.4 Medium Duty relates to a 4x4 truck carrying 2000 litres of water

3.4 Heavy Duty relates to a 4x4 truck carrying 3000 litres of water
Appliances are to be equipped to Bush Fire Service of WA standards.

Plantation Area (ha)	Fast Attack Min 400L Capacity	2.4 Medium Duty Unit Min 2000L Capacity	3.4 Heavy Duty Unit 3000L Capacity
Up to 100	1		
101 to 1000		1	
1001 plus			1

HARVESTING—As per the Bush Fires Act it is now compulsory that an engine powered unit and not less than 400 litres of water be in attendance during grain harvesting operations. Trailed units must have the towing vehicle attached at all times. Firefighting unit must be situated in, or adjacent to, the paddock being harvested at all times.

SWATHERS AND BALERS—Are subject to the same conditions as harvesting during operations from 31st October 2017.

EXCEPTION: It is not compulsory to have a fire unit in attendance during the swathing of canola.

TRACK/ROCK CHAINING—All persons are required to obtain a permit from your Fire Control Officer to Track/Rock chain during the Restricted and Prohibited Burning Periods.

The following definitions shall apply on the ban of vehicle and machinery movement and the operation of internal combustion engines under Regulation 28A and 38B of the Bush Fires Act.

Laneway/Roadway (non-gazetted)

A laneway roadway is defined as having a trafficable surface, free of all inflammable material, a minimum of six metres wide. Overhanging vegetation must be pruned back so as to not come into contact with parts of a vehicle.

Registered On and Off Loading Area

A registered On and Off Loading area is defined as an area free of inflammable material, save live standing trees to a radius of 20 metres from the edge of the storage facility, and has written approval of the Council to be used as such.

Prescribed Fire Fighting Unit

A mobile firefighting unit is defined of having a minimum water carrying capacity of 400 litres, fitted with a minimum of six (6) metres of nineteen (19) millimeter diameter firefighting hose and pump capable of delivering water through an adjustable nozzle in the spray and jet configurations.

Regulated Activities

1. Loading and offloading of grain, fertiliser and feed is only permitted on sites which are approved and registered by Council on an annual basis and which are clear of all inflammable material save live standing trees to a radius of at least 20 metres from the outer edge of storage facility. A mobile firefighting unit shall be in attendance at all times while the site is in use during the ban period.

(Please note that an owner or occupier of a site may appeal to the Chief Fire Control Officer in cases where approval was not granted or granted subject to additional conditions).

2. Water carting for stock and domestic purpose provided it is accompanied by a prescribed firefighting unit, or alternatively, the water carting vehicle is a prescribed firefighting unit.

(400L of water must be retained on the vehicle at all times).

3. All necessary travel to and from and within piggeries, sheep or cattle feed lots, provided this is undertaken in a prescribed firefighting unit.

4. All necessary carting of livestock provided that such a vehicle is accompanied by a prescribed mobile firefighting unit.

5. Activities which receive specific exemptions from Council or the Chief Bush Fire Control Officer (CBFCO).

THE ISSUE OF A PERMIT TO LOAD AND OFFLOAD GRAIN, FERTILISER AND FEED FROM A REGISTERED SITE DOES NOT ABSOLVE THE OWNER / OCCUPIER OF THE SITE FROM LIABILITY FOR DAMAGES INCURRED AS A RESULT OF FIRE EMANATING FROM THE SITE OR CAUSED AS A RESULT OF ACTIVITIES ON THE SITE.

1. IMPORTANT DATES TO REMEMBER

19th September 2017:	Commencement of Restricted Burning Period.
1st November 2017:	Commencement of Prohibited Burning Period.
14th February 2018:	Close of Prohibited Burning Period.
15th April 2018:	Close of Restricted Burning Period.
30th March-2nd April 2018:	EASTER—BURNING PROHIBITED

2. PROHIBITED BURNING PERIOD 1ST NOVEMBER 2017 TO 14TH FEBRUARY 2018 (DATES INCLUSIVE)

Only protective burning can be carried out during the prohibited burning time and under the following conditions—

1. No burning permitted after December 20th.
2. All burning must be carried out between the hours of 6.00pm and midnight of the same day.
3. All conditions of Restricted Burning must be complied with.
4. A permit to burn must be obtained.

3. PROTECTIVE BURNING

Burning to protect a Dwelling, House, other building or a stack of produce (section 23). Section 18 of the Act must be complied with by constructing two plough firebreaks at least 2.5 metres wide and not more than 100 metres from the property to be protected.

Any protective burning that is to be carried out within the Prohibited Burning Period, from 1st November to 20th December 2017 (refer 3.1), is to be carried out between the hours of 6.00pm and midnight.

4. CHRISTMAS DAY

Harvesting and the carting of grain are banned on Christmas day throughout the Broomehill-Tambellup Shire.

5. EASTER

Burning is prohibited during the Easter period from Good Friday to Easter Monday inclusive.

6. SWATHERS AND BALERS

Swathers and Balers are subject to the same conditions as harvesting, i.e. a mobile and operational firefighting unit having a capacity of at least 400 litres in attendance during operations from 31st October until the end of the Restricted Burning Period.

7. OXYACETYLENE, ARC WELDERS, ANGLE GRINDERS AND OTHER POWER EQUIPMENT

Operation of Oxyacetylene, arc welders, angle grinders and other power equipment during Restricted Burning Periods require the work site to be adequately cleared of inflammable material prior to the use of the above mentioned equipment and an appropriate fire extinguisher in attendance.

8. HARVEST BAN ZONES

The Shire of Broomehill-Tambellup has been split into two zones for the purpose of imposing harvest bans and mopping up operations. The zones will be known as EASTERN ZONE and WESTERN ZONE. Any harvest ban imposed on a specific zone will also INCLUDE BOTH TOWNSITES by default. The boundary between the two zones will be along the Great Southern Highway.

LG503

BUSH FIRES ACT 1954

Shire of Chittering

FIREBREAK NOTICE

Notice to all owners and/or occupiers of land situated in the Shire of Chittering

To assist in the control of bush fires, and/or prevent the spread, or extension of a bush fire which may occur, all owners and occupiers of land within the shire's district are required before the 16th day of October in each year, or within 14 days of becoming the owner or occupier of land if after that date, to clear firebreaks, and/or take measures in accordance with this notice to maintain those firebreaks and measures in accordance with this notice up to, and including, the 31st day of May in the following year.

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, all owners and occupiers are hereby required to clear all flammable material from fire breaks, not less than 3 metres in width and 4 metres in height, immediately inside all external boundaries of any lot owned or occupied by you, and situated within the Shire of Chittering. Such firebreaks may be constructed by one or more of the following methods—

PLOUGHING, CULTIVATING, SCARIFYING, RAKING, BURNING, CHEMICAL SPRAYING OR OTHER APPROVED METHOD

LAND CATEGORIES—

The following land categories are to be cleared and maintained to the satisfaction of an Authorised Officer of the Shire—

1. **All properties, including Rural Residential and Shire Town sites with land equal to or greater than 5,000m² (land greater than ½ hectare)—**
 - Must clear a firebreak of all flammable materials 3 metres wide, with a 4 metre vertical clearance (trafficable) along the inside of the boundary to the property.

- Maintain a Building Protection Zone around habitable buildings (i.e. an area reduced of flammable materials).
 - Ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter.
- 2. Rural Residential and Shire Town sites with land with less than 5,000m² (land under ½ hectare)—**
- Do not require firebreaks but are required to follow General Fire Hazard Reduction (section 7 of this notice).
 - Maintain a Building Protection Zone around habitable buildings (an area reduced of flammable materials).
 - Ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter.
- 3. Land greater than 120 hectares—**
- Land with an area of 120 hectares or more must have a firebreak in such a position which divides the land into areas not exceeding 120 hectares.
- 4. Plantations—**
- (i) Install and maintain external and internal firebreaks, firebreaks that form compartments (cells), firebreaks and hazard reduction measures that protect neighbouring communities and essential infrastructure in accordance with the requirements of a Fire Management Plan approved in writing by the Shire; or
 - (ii) Where no such Shire approved Fire Management Plan exists—
 - (a) Unless the Shire approves an alternative plan in writing in accordance with clause 3(2)(b), install and maintain external and internal firebreaks and firebreaks that form compartments (cells), and carry out all other firebreaks and hazard reduction measures which are required in accordance with the requirements and specifications within the Department of Fire and Emergency Services *Guidelines for Plantation Fire Protection* 2011 publication; or
 - (b) If, for any reason, it is considered impractical to carry out the plantation requirements outlined above in clause 3(2)(a), plantation owners and managers may apply in writing to the Shire to implement an alternative plan, or measures in accordance with clause 4 of this notice. A Fire Management Plan may be required to be developed and submitted as part of the application.
- 5. Haystacks and Fuel Storage**
- Clear a firebreak, not less than 5 metres wide with a 4 meter vertical clearance completely surrounding haystacks and fuel storage areas within the property.
- 6. Bushfire or Emergency Management Plans (compliance is required throughout the year, each and every year)**
- All properties with a bushfire management, emergency management plan, or an approved Bushfire Attack Level (BAL) assessment, approved as part of a Town Planning Scheme, subdivision approval, development approval or a building permit for an individual, or group of properties, shall comply with the plan in its entirety.
- All bushfire management plans requirements are in addition to the requirements of this notice.
- 7. General Fire Hazard Reduction**
- All property owners are required to reduce fire hazards on their property prior to the summer season by maintaining grassed areas as far as reasonably practicable, to a height of no more than 50mm over the entire area, by slashing, or the application of stock. It is recommended that property owners program their hazard reduction in conjunction with the clearing and maintenance of firebreaks. Hazard Reduction Orders **will** be issued where landowners have failed to reduce fire hazards.
- 8. Installation of Asset Protection Zone**
- Asset Protection Zones (also known as Building Protection Zones) for habitable buildings must extend 20 metres out from any external walls of the building, attached structures, or adjacent structures that are within 6 metres of the habitable building.
 - On sloping ground the Building Protection Zone distance shall increase at least 1 metre for every degree in slope on the sides of the habitable building that are exposed to down slope natural vegetation.
 - Building Protection Zones predominantly consist of managed vegetation, reticulated lawns and gardens and other non-flammable features.
 - All grass is maintained at or below 50mm in height.
 - Fuel loads must be maintained at 2 tonnes per hectare or lower (almost no leaf litter).
 - Clear separation distance between adjoining or nearby tree crowns, or a small group of trees within close proximity to one another may be treated as one crown provided the combined crowns do not exceed the area of a large or mature crown size for that species.
 - Trees are to have any growth 'low pruned' (or under pruned) to a height of at least 2 metres from the ground.
 - No trees, or shrubs, over 2 metres high are to be within 2 metres of a habitable building.

- Tall shrubs over 2 metres high are not to be planted in groups close to a habitable building(s) and there must be a gap of at least three times the height (at maturity) of the shrub away from a habitable building.
- There are no tree crowns or branches over-hanging habitable buildings.
- Paths and non-flammable features should be installed immediately adjacent to a habitable building.
- Wood piles and flammable materials should be stored a safe distance from habitable buildings.

9. Alternative Firebreaks

If it is impractical for you to clear a firebreak along your boundary, you can request permission from the Shire to install a firebreak in an alternative location, or of a different nature. All requests must be in writing to the Shire and received by **1 October**.

10. Harvesting Operations (including stubble processing)

The Shire will permit harvesting operations, including stubble processing, during the Restricted and Prohibited period on the following conditions—

- That a fully operational firefighting unit (inclusive of associated pump, hose system and a minimum of 600 litres of water is present) at all times.
- Harvesting operations, and stubble processing, are not permitted when the Shire has declared a Harvest and Vehicle Movement Ban, including Hot Works Activities.

11. Harvesting operations (including stubble processing) on Sunday and Public holidays, except Christmas Day, Boxing Day and New Year's Day, will be permitted on the following conditions, in addition to the conditions above—

- The Local Fire Control Officer (FCO) is notified.
- Two able-bodied adult persons are present during the harvesting operations, only one of whom may be harvesting.

12. Restricted and Prohibited Burning Periods

Burning is prohibited from 1st December to 31st March. Permits are required from 1st October to 30st November, and 1st April to 31st May.

13. Control of operations likely to cause a fire

Property owners should take care to prevent bush fires. The operation of welding equipment and angle grinders are activities likely to create a fire danger when used in the open air.

A person shall provide at least one fire extinguisher at the place where welding or cutting operations are carried out and surround this place with a firebreak which is at least 5 metres wide.

For updates on Hot Works, Harvest and Movement of Machinery Bans please ring the information line on: 9576 0219 (recorded message) or register with the SMS warning system with the Shire to receive a text when a ban is implemented.

“HOT WORKS, HARVEST AND MOVEMENT OF MACHINERY BAN WILL BE IN PLACE ON CHRISTMAS DAY, BOXING DAY AND NEWS YEARS DAY”

14. Fire Danger Rating

No fire of any kind may be lit on a day when the forecast Fire Danger rating for the District is Very High or above.

The fire danger rating is supplied daily by the Bureau of Meteorology. This information is also available from Telstra Weather service on Ph: 1196, the Bureau of Meteorology website (www.bom.gov.au) and is displayed on the information boards located: (1) Great Northern Highway, Muchea; (2) John Glenn Park, Muchea; (3) Muchea East Road, Lower Chittering; (4) Great Northern Highway, Bindoon; (5) corner Crest Hill and Mooliabeenee Roads, Bindoon. The Chittering fire weather district is the Lower West Inland.

15. Burning of garden refuse

Garden refuse must not be burnt at any time during the prohibited burning period, or at any time if a Total Fire Ban or a harvest and vehicle movement ban has been declared, or at any time if the Fire Danger rating is Very High or above.

A permit is required to burn garden refuse before 6pm during the RESTRICTED Burning Periods, and is subject to the conditions as set out on the permit. Garden refuse may be burnt without a permit after 6pm during the RESTRICTED burning periods, subject to the following conditions of the *Bush Fires Act 1954* and the *Health Miscellaneous Provisions Act 1911*—

- You must notify your neighbours and local fire control officer of your intention to burn.
- The pile of refuse being burnt does not exceed 1 cubic metre.
- A 5 metre wide area clear of flammable material surrounds the pile (lawn, paths, driveways, etc. may be considered as cleared area).
- The fire is only lit between 6pm and 11pm.
- Only 1 pile is to be alight at one time.
- The fire is completely extinguished by midnight.
- At least 1 adult person is in attendance at all times.
- There is a means of extinguishing the fire available at all times (e.g. garden hose, knapsack spray or fire unit).

- The smoke from your fire does not create a traffic hazard.
- Do not burn household or commercial waste or any noxious materials.
- Do not burn damp, wet or green material at any time as this will cause excessive smoke.
- Other than during the RESTRICTED or PROHIBITED periods, garden refuse may be burnt at any time, but care must be exercised.
- Smoke from the burning of garden rubbish can cause nuisance and annoyance to other residents. Please consider this and plan to minimise smoke.

16. The following restrictions apply throughout restricted and prohibited periods

- No burning on Sundays and Public Holidays
- No burning of garden refuse without a permit
- No lighting of camp fires, solid fuel BBQs, and wood fired pizza ovens or any uncontrolled flame in the open air in the Shire of Chittering (*“Open Air” means any open place, yard, field or construction area which is not Enclosed by a building or structure*)
- Burning of road side verges is prohibited without written approval from the Shire of Chittering or other authorities.

*FIREBREAKS MUST BE CLEARED BY 16 OCTOBER AND REMAIN CLEARED UNTIL 31 MAY
BURNING IS STRICTLY PROHIBITED BETWEEN 1 DECEMBER TO 31 MARCH
BURNING PERMITS ARE REQUIRED BETWEEN 1 OCTOBER TO 30 NOVEMBER, AND 1 APRIL TO 31 MAY*

PENALTIES

Failure to comply with this Firebreak Notice can result in fines ranging from \$250 to \$250,000 or imprisonment.

A. J. SHERIDAN, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

PETROLEUM PIPELINES ACT 1969

APPLICATION STP-PLV-0064 FOR VARIATION OF LICENCE PL 29

Varanus Island East Spar Onshore Pipeline

Notice is hereby given that, pursuant to section 15 of the *Petroleum Pipelines Act 1969*, an application has been received from Quadrant Oil Australia Pty Limited, on behalf of the registered title holders, to vary licence PL 29 for the Varanus Island East Spar Onshore Pipeline, for the purpose of updating the pipeline particulars.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Petroleum Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

JEFF HAWORTH, Executive Director,
Petroleum Division.

12 September 2017.

MP402

PETROLEUM PIPELINES ACT 1969

APPLICATION STP-PLV-0063 FOR VARIATION OF LICENCE PL 30

East Spar to Varanus Island Pipeline (MLW to PL 29)

Notice is hereby given that, pursuant to section 15 of the *Petroleum Pipelines Act 1969*, an application has been received from Quadrant Oil Australia Pty Limited, on behalf of the registered title holders, to vary licence PL 30 for the East Spar to Varanus Island Pipeline (MLW to PL 29), for the purpose of amending the Maximum Allowable Operating Pressure.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Petroleum Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

JEFF HAWORTH, Executive Director,
Petroleum Division.

12 September 2017.

MP403

PETROLEUM (SUBMERGED LANDS) ACT 1982

APPLICATION TTP-PLV-0010 FOR VARIATION OF PIPELINE LICENCE TPL/12

East Spar to Varanus Island Pipeline (Territorial Sea)

Notice is hereby given that, pursuant to section 71 of the *Petroleum (Submerged Lands) Act 1982*, an application has been received from Quadrant Oil Australia Pty Limited, on behalf of the registered title holders, to vary pipeline licence TPL/12 for the East Spar to Varanus Island Pipeline (Territorial Sea), for the purpose of amending the Maximum Allowable Operating Pressure of the pipeline.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Petroleum Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

JEFF HAWORTH, Executive Director,
Petroleum Division.

12 September 2017.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Lake Grace

Local Planning Scheme No. 4—Amendment No. 5

Ref: TPS/2089

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 Lake Grace Local Planning Scheme amendment on 30 August 2017 for the purpose of—

1. Inserting reference to the deemed provisions in the preamble to the Scheme as follows—
 - First paragraph: “This Local Planning Scheme of the Shire of Lake Grace consists of this Scheme Text, the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 and the Scheme Maps. The Scheme should be read with the Local Planning Strategy for the Shire.
 - Second paragraph, first sentence: “Part 2 of the deemed provisions...”.
 - Third paragraph, last sentence: replace ‘scheme text’ with ‘scheme’.
2. Inserting reference to the deemed provisions and supplemental provisions in Part 1.4 by inserting sub-clauses (b) and (c) and renumbering the sub-clauses accordingly—
 - 1.4 (b) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2;
 - 1.4 (c) the supplemental provisions contained in Schedule A; and
 - 1.4 (d) the Scheme Map (Sheets 1—9).
3. Amending the Note after clause 1.4 to update the map reference numbers as follows—

Note: The Scheme Map comprises nine (9) separate map sheets. Maps 1 to 5 are at a scale of 1:250,000 and cover all of the local government district of the Shire. Maps 6 to 9 are at a scale of 1:15,000 and cover the Lake Grace, Newdegate, Lake King and Varley townsites.
4. Deleting reference to the following terms and replacing them with the corresponding term throughout the scheme—
 - ‘planning approval’ replaced with ‘development approval’
 - ‘council’ replaced with ‘local government’
 - ‘Town Planning Act’ replaced with ‘Planning and Development Act’
5. 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 Schemes) Regulations 2015* Schedule 2—
 - Parts 2, 7, 8, 9, 10 and 11 in their entirety
 - Clauses 5.15.2, 5.15.3, 5.18, 5.21 and 5.22 in their entirety
 - Schedules 6, 7, 8 and 9 in their entirety

6. Deleting clauses 5.19.2 to 5.19.14 from the Scheme Text as they have been superseded by the deemed to comply provisions of the R-Codes.
7. Amending the following clauses by removing the cross reference to the clause deleted by the amendment and replacing them with cross reference to deemed provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2—
 - Clause 3.4.1(b): Part 7 of the deemed provisions
 - Clause 3.4.2(a): Clause 67 of the deemed provisions
 - Clause 4.3.2 'A': Clause 64 of the deemed provisions
 - Clause 4.3.3 Note 3: Clause 67 of the deemed provisions
 - Clause 4.4.2(b): Clause 64 of the deemed provisions
 - Clause 4.8(c): Clause 80 of the deemed provisions
 - Clause 4.9.2: Clause 64 of the deemed provisions
 - Clause 5.4.2: Clause 64 of the deemed provisions
 - Clause 5.5.2(a): Clause 64 of the deemed provisions
 - Clause 5.5.3(a): Clause 67 of the deemed provisions
 - Clause 5.10.2: Clause 4 of the deemed provisions
 - Clause 5.36.4: Clause 4 of the deemed provisions
8. Inserting as Clause 3.4.3, Clause 18(7) of the model provisions, to provide clarity to the interpretation of the Table 1—Zoning Table as follows—
 - 3.4.3 If the Zoning Table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land—
 - (a) a structure plan
 - (b) an activity centre plan
 - (c) a local development plan
9. Correcting Schedule references as follows—
 - Clause 5.6.1: Schedule 6
 - Clause 5.26.3: Schedule 7
 - Clause 5.28: Schedule 8
10. Modifying the Table 1—Zoning table by—
 - (a) Deleting the following land use classes—
 - aged person's hostel
 - agroforestry
 - communications antennae—domestic
 - communications antennae—commercial
 - hobby farm
 - landscape supplies
 - museum
 - nursing home
 - piggery
 - plant nursery
 - plantation
 - poultry farm
 - aged and dependent persons dwelling
 - showroom
 - storage yard
 - (b) Modifying the following land use class terms as follows—
 - Art and Craft Centre to Art Gallery;
 - Hotel / Tavern to Hotel and Tavern respectively as separate land use classes;
 - Industry—General to Industry;
 - Industry—Rural to Industry—Primary Production;
 - Restaurant to Restaurant / Cafe;
 - Rural Pursuit to Rural Pursuit / Hobby Farm;
 - Warehouse to Warehouse / Storage

- (c) Inserting the land use classes 'Bulky goods showroom', 'Residential aged care facility', 'Tavern', 'Tree Farm' with their corresponding permissibilities, and also modify the permissibility of 'Warehouse / Storage' within Table 1—Zoning Table as follows—

USE CLASSES		ZONES						
		Residential	Commercial	Service Commercial	General Industry	Townsite Development	General Agriculture	Rural Residential
13	Bulky good showroom	X	D	D	D	D	X	X
36	Garden centre	X	A	D	P	D	D	X
69	Residential aged care facility	D	D	X	X	D	X	D
82	Tree farm	X	X	X	X	X	P	X
84	Warehouse / storage	X	A	D	D	X	A	X

- (d) Deleting the 'Special Use' column within Table 1—Zoning table.
- (e) Deleting text '*Special Use: Use in accordance with the conditions specified in Schedule 4. # Subject to the specific requirements of clause 5.17.'
11. Inserting the following provisions in Schedule A—Supplemental Provisions—

Clause 61(1)

- (k) the erection or installation of a sign or advertisement of a class specified in Schedule 5 of this Scheme that applies in respect of the sign unless the sign is to be erected or installed—
- (i) on a place included on a heritage list prepared in accordance with this Scheme; or
 - (ii) on land located within an area designated under this Scheme as a heritage area.
- (l) the erection or extension of a single house on a lot of 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* Part 6; 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) proposed on a lot which does not have access to a dedicated and/or constructed road.
- (m) the erection or extension of an ancillary dwelling, outbuilding, external figure, 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 the *Heritage of Western Australia Act 1990* Part 6; 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) proposed on a lot which does not have access to a dedicated and/or constructed road.
- (n) 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*; or
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
 - (iii) included on the Heritage List prepared in accordance with the scheme; or
 - (iv) located within a heritage area designated under the Scheme.
- (o) the erection or demolition of any farm sheds or outbuildings on any lot classified General Agriculture zone.

12. 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 Schemes) Regulations 2015* Schedule 2—
- Advertisement
 - Amenity
 - Ancillary Use
 - Cultural Heritage Significance
 - Heritage Area
 - Heritage List
 - Local Government
 - Local Planning Strategy
 - Owner
 - Place
 - Premises
 - Residential Design Codes
 - Substantially Commenced
 - Zone
 - Town Planning Act
 - Aged and Dependent Persons Dwelling
 - Aged Persons Hostel
 - Agroforestry
 - Aquaculture
 - Art and Craft Centre
 - Cafe
 - Communications Antennae—Domestic
 - Communications Antennae—Commercial
 - Hobby Farm
 - Industry—General
 - Industry—Rural
 - Landscape Supplies
 - Museum
 - Nursing Home
 - Piggery
 - Plant Nursery
 - Plantation
 - Poultry Farm
 - Restaurant
 - Rural Pursuit
 - Showroom
 - Storage
 - Warehouse
13. Amending the following definitions from Schedule 1, to be consistent with the model provisions set out in Part 6 Schedule 1 of the Regulations—
- Gazettal date
 - Lot
 - Incidental use
 - Abattoir
 - Agriculture—Extensive
 - Amusement Parlour
 - Animal Husbandry—Intensive
 - Bed and Breakfast
 - Betting Agency
 - Caravan Park
 - Caretaker's Dwelling
 - Car Park
 - Child Care Premises
 - Civic Use
 - Community Purpose
 - Consulting Rooms

- Convenience Store
 - Dwelling
 - Educational Establishment
 - Family Day Care
 - Fuel Depot
 - Funeral Parlour
 - Home Business
 - Home Occupation
 - Home Office
 - Home Store
 - Hospital
 - Hotel
 - Industry
 - Industry—Extractive
 - Industry—Light
 - Medical Centre
 - Motel
 - Motor Vehicle Repair
 - Night Club
 - Office
 - Park Home Park
 - Reception Centre
 - Recreation—Private
 - Restricted Premises
 - Roadhouse
 - Service Station
 - Shop
 - Tavern
 - Telecommunications Infrastructure
 - Transport Depot
14. Inserting new land use terms and definitions for superseded land use terms within Schedule 1 of the Scheme, consistent with the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, as follows—
- Tree Farm
 - Residential Aged Care Facility
 - Art Gallery
 - Bulky Goods Showroom
 - Industry—Primary Production
 - Garden Centre
 - Restaurant / Cafe
 - Rural Pursuit / Hobby Farm
 - Warehouse / Storage
15. Adding a close bracket to all sub-clauses. Example: (i) and (a).
16. Inserting a new clause following Clause 4.17—
- 4.18 Amenity of non-residential development
- The amenity of non-residential development shall be determined in the context of each proposed development and site conditions, but shall generally be in accordance with the following—
- (a) the form and scale of the development is to be compatible with surrounding land uses;
 - (b) buildings are to have co-ordinated or complementary materials, colours and styles and be reflective of the character of the locality;
 - (c) visual impacts are to be minimised by the use of vegetation screening and tree retention.
17. Renumbering the remaining scheme provisions and schedules sequentially and updating any cross referencing to the new clause numbers as required.

J. DE LANDGRAFFT, President.
D. GOBBART, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Narrogin
 Town Planning Scheme No. 2—Amendment No. 5

Ref: TPS/1745

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 Narrogin Town Planning Scheme amendment on 23 August 2017 for the purpose of—

1. Amend Clause 3.1.1 by inserting the following zone—
RURAL ENTERPRISE
2. Insert the following as Clause 3.3.
3.3 SPECIAL USE ZONES
 - 3.3.1 Schedule 3 sets out—
 - (a) special use zones for specified land that are in addition to the zones in the zoning table; and
 - (b) the classes of special use zone that are permissible in that zone; and
 - (c) the conditions that apply in respect of the Special Uses.
 - 3.3.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

Note: Special Use zones apply to special categories of landuses which do not comfortably sit within any other zone in the Scheme.

3. Amend Table 1—Zoning Table to inset the Rural Enterprise zone, several new land uses and associated permissibilities for new and existing land uses—

Commercial vehicle parking	AA
Home business	AA
Home occupation	AA
Home office	AA
Industry—cottage	AA
Industry—light	AA
Motor vehicle repair	AA
Office	AA
Single house	P

 Renumber accordingly.
4. Amend Table 1—Zoning Table to insert the following permissibilities for the industrial zone—

Commercial vehicle parking	P
Road house	AA
Telecommunication infrastructure	AA
Warehouse/storage	AA

 Renumber accordingly.
5. Amend Table 1—Zoning Table by updating the following land use terms—
 - Motor vehicle repair station to Motor vehicle repair.
 - Rural pursuit to Rural pursuit/hobby farm
6. Insert the following as Clause 4.11 and renumber subsequent clauses.

4.11 RURAL ENTERPRISE ZONE

Objectives: to provide a range of lots in a rural environment where people live and may also work on the same property. Council may consider a range of light industrial, cottage and rural industries and home business land uses that are of a scale compatible with maintaining the amenity of a rural environment. Lot sizes shall range from 1ha to 4ha.

In considering an application for development approval Council will consider the need to protect residential amenity and the operation of enterprise through careful lot layout and high quality building design.

- 4.1.1 **General Provisions**: the provision for controlling subdivision and development in the Rural Enterprise zone shall comply with the requirements of Schedule 3 and with the following—
 - (a) development of a single house shall be in accordance with the R2 density provisions of the Residential Design Codes, with the exception of the minimum lot size area, which is not applicable. No more than one dwelling will be permitted on each lot.
 - (b) where an enterprise has been established in association with a single house, the house shall only be occupied by the owner/occupier of the business and their family.

- (c) no enterprise will be granted development approval for a lot within the zone, unless a single house exists on the lot, or a single house is to be constructed within the first stage of a development.
- (d) all lots shall be connected to a reticulated potable water supply provided by a licensed service provider, in accordance with state government policy.
- (e) development approval will be required for all signage located on land.
- (f) car parking shall be provided in accordance with the requirements of Clause 4.6 of the Scheme.

If a provision in Schedule 3 conflicts with any other provision of the Scheme, the provision of Schedule 3 shall prevail.

7. Amending Schedule 1—Interpretations by inserting the following land use terms and definitions as set out in Schedule 1, Provision 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- (a) 'Commercial vehicle parking'
 - (b) 'Home business'
 - (c) 'Home office'
 - (d) 'Road house'
 - (e) 'Telecommunication infrastructure'; and
 - (f) 'Warehouse/storage'.
8. Amending Schedule 1—Interpretations by updating the following land uses terms and definitions, as set out in Schedule 1, Provision 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- (a) 'Caretaker's Dwelling'
 - (b) 'Fuel Depot'
 - (c) 'Home Occupation'
 - (d) 'Industry Light'
 - (e) 'Motor Vehicle Repair'
 - (f) 'Rural Pursuit/Hobby Farm'
 - (g) 'Service Station'; and
 - (h) 'Transport Depot'
9. Amend Schedule 1—Interpretations by deleting the following land use terms—
- (a) 'Hobby Farm'
 - (b) 'Industry-hazardous'; and
 - (c) 'Industry-service'.
10. Insert the following table as Schedule 3—

SCHEDULE 3—SPECIAL USE ZONES IN THE SCHEME AREA

No.	Description of Land	Special Use	Conditions
1.	Lot 31 Great Southern Highway, Dumberning.	Composite uses comprising uses permissible in the 'Special Rural', 'Rural Enterprise' and 'Industrial zone with the exception of the use 'Industry—General'.	<p>1. Development of the land shall be in accordance with a Local Development Plan (LDP) approved by the local government. The LDP should provide sufficient information to address the requirements of the Scheme and the following—</p> <ul style="list-style-type: none"> (i) The provision of portable reticulated water and onsite wastewater disposal. (ii) Revegetation and the introduction of separation distances and buffers from sensitive land uses. (iii) Bushfire risk. (iv) The spatial extent of precincts that encompass the 'Industrial', 'Rural Enterprise' and 'Special Rural' uses. (v) The spatial extent and location of residential building envelopes in the 'Special Rural' precinct. (vi) The spatial extend and location of residential building envelopes and enterprise envelopes in the 'Rural Enterprise' precinct. (vii) The staging of infrastructure. (viii) The transition between 'Industrial' uses and 'Residential' uses, including bulk and scale and separation distances.

No.	Description of Land	Special Use	Conditions
			<p>(ix) The size of lots in the 'Industrial' precinct having consideration to separation distances and land use buffers.</p> <p>(x) Areas of low capability for on-site effluent disposal.</p> <p>(xi) Access and traffic management; and</p> <p>(xii) Waste management including bin disposal areas in the 'Rural Enterprise' and 'Industrial' precincts.</p> <p>2. Prior to subdivision or development, a Local Water Management Strategy (LWMS) shall be prepared and approved by the local government on the advice of the Department of Water. Stormwater drainage shall be contained on-site to the satisfaction of the local government.</p> <p>3. Prior to subdivision or development a revegetation plan shall be prepared. The revegetation plan should include native species to the specification of the local government.</p> <p>4. Prior to subdivision or development a bushfire management plan is to be prepared and approved.</p> <p>5. Development on the site being provided with an onsite effluent disposal system to the satisfaction of the local government and the Department of Health.</p> <p>6. Development requirements set out in Clause 4.5 of the Scheme shall be applied to the 'Industrial' precinct.</p> <p>7. Residential building envelopes within the 'Special Rural' precinct shall be limited to a maximum size of 1200m² and setback 10 metres from the primary street and side/rear boundaries.</p> <p>8. Notwithstanding anything elsewhere appearing in the Scheme, the minimum building setback to Great Southern Highway in the 'Special Rural' precinct shall be 30 metres.</p> <p>9. Residential building envelopes and enterprise envelopes within the 'Rural Enterprise' precinct shall be located behind the main residential building line, setback 10 metres from side boundaries and screened accordingly.</p> <p>10. Enterprise envelopes within the 'Rural Enterprise' precinct shall be located behind the main residential building line, setback 10 metres from side boundaries and screened accordingly.</p> <p>11. Development shall be confined to either a residential building envelope or enterprise envelope in the 'Special Rural' and 'Rural Enterprise' precinct, as depicted on an approved LDP.</p> <p>12. Buildings within a nominated enterprise envelope in the 'Rural Enterprise' precinct shall be limited to a maximum total floor space of 900m², unless otherwise approved by the local government.</p> <p>13. At subdivision or development stage lots in the 'Special Rural' precinct shall be subject to a notification on title to advise landowners of the potential impact from nearby agricultural and light industrial land uses.</p> <p>14. Development approval shall be required for all development including signage.</p>

No.	Description of Land	Special Use	Conditions
			15. Minimum lot size in the 'industrial' precinct should average 4 hectares and consider on-site separation distances. 16. No lot shall have direct access onto Great Southern Highway or Wanerie Road. Access shall be restricted to local access roads. 17. Access points shall be designed, approved and constructed to Main Roads Western Australia specifications. 18. Built form is to be consistent with a predominant theme for the site, in terms of scale, colour and use of materials. The use of colorbond and/or non-reflective materials may be required. 19. Use of land or buildings for any form of human habitation is prohibited within nominated enterprise envelopes in the 'Rural Enterprise' precinct. 20. Stockings rates for rural pursuit/hobby farm apply to 'Special Rural' uses, as guided by the local government.

11. Rezone Lot 31 Great Southern Highway, Dumberning from 'Farming' to 'Special Use' as depicted on the Scheme map and denote it as SU1.

R. CHADWICK, President.
A. COOK, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Kwinana
Town Planning Scheme No. 2—Amendment No. 147

Ref: TPS/2088

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 Kwinana Town Planning Scheme amendment on 11 August 2017 for the purpose of—

1. Modifying the Subdivision Guide Plan No. 2 in accordance with the proposed new lot configuration for Lot 9 (No. 81) Robinson Road, Wandii; and
2. Within the Second Schedule of the Scheme, rename 'Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated March 2014' to 'Subdivision Guide Plan No. 2 for Special Rural Zone No. 2 dated December 2016' for Special Rural Zone No. 2 and modifying the Development Conditions of Special Rural Zone No. 2 under the Second Schedule of TPS2 to reflect this.

C. ADMAS, Mayor.
J. ABBISS, Chief Executive Officer.

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Kwinana
Town Planning Scheme No. 2—Amendment No. 151

Ref: TPS/2014

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 Kwinana Town Planning Scheme amendment on 11 August 2017 for the purpose of—

- (1) Amending Appendix IV—Interpretations—

- (i) To include a definition for Commercial Vehicle as follows—

“Commercial Vehicle” means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes and/or which is greater than 7 metres in length and 2.4 metres in height, including—

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and

- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);
- (ii) By deleting the existing definition of “Transport Depot” in the Scheme and replacing with the following definition—
- ‘Transport Depot’ means premises used primarily for the parking or garaging of 3 or more commercial vehicles including—
- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another,
- but does not include the parking or garaging of one or more commercial vehicles approved pursuant to clause 6.20 of the Scheme.
- (2) Inserting a new heading and development provisions into Section 6.20 as follows—
- “6.20 Parking of Commercial Vehicles
- 6.20.1 Subject to this clause, the parking or garaging of a commercial vehicle on any land requires the prior approval of the Council.
- 6.20.2 An application for the approval of the Council under this clause may be made on the form prescribed in Appendix II.
- 6.20.3 This clause does not apply where the proposed parking of commercial vehicle(s)—
- (a) occurs during the period that the commercial vehicle(s) is engaged in work on the lot on which it is parked (for example, harvesting or earthmoving on the lot);
- (b) is solely for the purpose of visiting the subject lot for the delivery or receiving of goods and is for a duration of no longer than 4 hours between 7am to 7pm in any 24 hour period for Residential zones and Special Residential Zones and no longer than 5 hours in any 24 hour period for Special Rural Zone, Rural Water Resource and Rural Zones; or
- (c) is approved under this Scheme as a transport depot, or is an incidental activity carried out in conjunction with an approved Commercial or Industrial use.
- 6.20.4 An approval under this clause may only be granted where an occupier of the lot upon which the commercial vehicle(s) is to be parked is also—
- (a) the owner of the commercial vehicle(s); or
- (b) the driver of the commercial vehicle(s); or
- (c) the proprietor of a business which owns or operates every commercial vehicle which is to be parked or garaged on the lot.
- 6.20.5 The maximum number of commercial vehicles which may be approved by Council under clause 6.20.1 within a particular zone is set out in Schedule VIII.
- 6.20.6 The requirements of clause 6.20.4 and 6.20.5 are not capable of variation by clause 6.2 of the Scheme except in the following manner—
- (a) For lot sizes greater than 500m², Council may vary the ‘Maximum number of motorised Commercial Vehicles’ as stipulated in Column 3 of Schedule VIII by a maximum of one additional motorised commercial vehicle provided—
- (i) the applicant satisfies each of the criteria outlined within clause 6.20.4;
- (ii) the additional commercial vehicle will be sufficiently screened from view of the surrounding streets and the adjacent properties; and
- (iii) the additional commercial vehicle will not detrimentally impact on the character, safety or amenity of the surrounding locality.
- (b) For lot sizes greater than 500m², Council may vary the ‘Maximum number of non-motorised Commercial Vehicles’, as stipulated in Column 4 of Schedule VIII provided the additional trailer(s) or other attachments—
- (i) will only be used in conjunction with a motorised commercial vehicle(s) permitted to be parked on the subject lot pursuant to this clause;
- (ii) will be sufficiently screened from view of the surrounding streets and adjacent properties; and
- (iii) will not detrimentally impact on the character of the surrounding locality.
- (3) Inserting a new Schedule VIII under Schedules as follows—

SCHEDULE VIII—PARKING OF COMMERCIAL VEHICLES

The following provisions stipulate the maximum number of commercial vehicles that Council may approve in any application for approval under Clause 6.20 Parking of Commercial Vehicles.

Zone	Lot Size	Maximum number of motorised Commercial Vehicles	Maximum number of non-motorised Commercial Vehicles
All zones	Lot size of 500m ² or less	No commercial vehicles are permitted.	No non-motorised commercial vehicles are permitted.

Zone	Lot Size	Maximum number of motorised Commercial Vehicles	Maximum number of non-motorised Commercial Vehicles
Residential Special Residential	Lot size of greater than 500m ²	1. One rigid (non-articulated) vehicle not exceeding 7m in length and 2.4m in height. 2. No prime mover will be permitted to be parked on any lot.	One non-motorised commercial vehicle but not a trailer which exceeds 7 metres in length.
Special Rural Rural Water Resource Rural A Rural B	Lot size of greater than 500m ²	1. One rigid (non-articulated) commercial vehicle or one prime mover. 2. Commercial vehicle with a Gross Vehicle Mass (GVM) in excess of 42 tonnes is prohibited.	One trailer exceeding 7 metres in length or one other non-motorised commercial vehicle.

- (4) Deleting Clause 6.4.5 Commercial Vehicles under Division 1- Residential Zone
“6.4.5 Commercial Vehicles

No person within the Residential Zone shall—

- (a) park or allow to remain stationary for more than four hours consecutively—
 - (i) more than one commercial vehicle;
 - (ii) any vehicle which, due to size or load, is not capable of being completely housed within a domestic garage approved by Council;
 - (iii) a vehicle which, together with its load, exceeds three metres in height.
- (b) repair, service or clean a commercial vehicle unless such work is carried out whilst the vehicle is housed in a domestic garage or a domestic building;
- (c) park or allow to remain stationary a commercial vehicle of a load capacity exceeding 2 tonnes.”

- (5) Deleting development conditions 14, under Schedule 1—Special Residential Zones—

14. No person shall within a Special Rural Zone—

- (a) park or allow to remain stationary for more than four hours consecutively—
 - (i) more than one commercial vehicle;
 - (ii) any vehicle which, due to size or load, is not capable of being completely housed within a domestic garage approved by Council;
 - (iii) a vehicle which, together with its load, exceeds three metres in height.
- (b) repair, service or clean a commercial vehicle unless such work is carried out whilst the vehicle is housed in a domestic garage or a domestic building;
- (c) park or allow to remain stationary a commercial vehicle of a load capacity exceeding 2 tonnes.

C. ADAMS, Mayor.
J. ABBISS, Chief Executive Officer.

PL405

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Swan
Local Planning Scheme No. 17—Amendment No. 119

Ref: TPS/1659

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Swan Local Planning Scheme amendment on 6 September 2017 for the purpose of—

1. Rezoning all lands within the area bounded by Morrison Road, Byers Road, William Street, Great Eastern Highway, Cale Street and Lloyd Street from “City Centre—Residential” zone; “City Centre—Commercial Deferred” zone; “City Centre—Business” zone; “City Centre—Shopping” zone to a new zone—“Midland Strategic Regional Centre” zone, except land that is shown as ‘Public Purpose’, ‘Local Road’ and ‘Recreation’, to be shown on the Scheme Map and installed in the Legend in accordance with the Amendment Map.
2. Modifying the Scheme Text by deleting sub-clause 4.2.1 Midland Strategic Regional Centre (General) and substitute with the following—
 - 4.2.1 Midland Strategic Regional Centre Zone
The objectives of the Midland Strategic Regional Centre Zone are to—
 - (a) ensure development of the centre accords with the WA Planning Commission’s Policy as it applies to activity centres.

- (b) facilitate the creation of employment within the centre so as to reduce the demand for travel, and enhance the level of self-sufficiency within the sub-region.
- (c) promote the development of a wide range of commercial facilities and services including major offices, retailing and a mix of entertainment, recreation and community facilities to meet the needs of the sub-regional community.
- (d) facilitate the complimentary development of housing so as to enhance the vibrancy of the centre, improve the viability of businesses and provide a wider choice of accommodation within the district.
- (e) promote a high degree of accessibility to and within the centre, for users of all modes of transport (bus, rail, private car, cycle and pedestrian) and to avoid fragmentation of commercial development.
- (f) enhance pedestrian connectivity within the centre, so as to facilitate movement between sites and from public and private transport nodes.
- (g) encourage mixed uses and complementary development within the centre so as to enhance the viability of business and the efficient use of facilities and services.
- (h) ensure future development and re-development accords with activity centre design principles as referred to in State Planning Policy No. 4.2, providing an integrated, attractive, safe and vibrant focus for the community.
- (i) ensure car parking and access facilities do not disrupt the continuity of development or reduce pedestrian connectivity within the centre.
- (j) ensure development and re-development within the centre affords appropriate recognition of heritage values and the character of existing streetscapes, with reference to scale, form and design.

Note—

1. The development and use of land within the Midland Strategic Regional Centre zone shall be in accordance with Schedule 15 of LPS17 and the approved Midland Activity Centre Structure Plan.
3. Modifying the Scheme Text by deleting sub-clauses 4.2.2—4.2.7 inclusive.
4. Modifying the Zoning Table at sub-clause 4.3 by—
 - Deleting from the second column at the top of the Table—
 - The term ‘Strategic Regional Centre’ and the following zones encompassed within that column—
 - City Centre—Business
 - City Centre—Shopping
 - City Centre—Showroom
 - City Centre—Mixed Use
 - City Centre—Residential
 - City Centre—Commercial Deferred
 - the matrix of symbols within these zones cross-referenced against the use classes.
 - Substituting a new term in the second column at the top of the Table—‘Strategic Centre’.
 - Insert new zone ‘Midland Strategic Regional Centre’, with asterisk appended, beneath ‘Strategic Centre’, with the following text inserted for cross reference against the use classes—
 - “Development and use of land to be in accordance with the Midland Strategic Regional Centre zoning table—refer to Schedule 15”
 - (Refer to modified 4.3 Zoning Table, attached).
5. Modifying Clause 4.5 text from ‘Zoning Table’ to ‘Zoning Tables’, so that it reads—
 - “Despite anything contained in the Zoning Tables, the land specified in Schedule 2 may be used for the specific use or uses that are listed in additional to any uses permissible under the Zoning Tables in the zones in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.”
6. Modifying Clause 4.6 text from ‘Zoning Table’ to ‘Zoning Tables’, so that it reads—
 - “Despite anything contained in the Zoning Tables, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.”
7. Delete sub-clause 5.3.1 and renumber the sub-clauses appropriately.
8. Modifying Part 5A of the Scheme Text by—
 - Deleting from the note beneath the heading the words—“the City Centre-Commercial Deferred zone” and substituting the words—“Midland Strategic Regional Centre zone”.
 - Deleting from (e) at sub-clause 5A.1.1 the words “City Centre—Commercial Deferred zone” and substituting with “Midland Strategic Regional Centre zone”.
9. Modifying the ‘Schedules’ table of content by inserting under Schedule 1 the following—
 - “D. Land Use definitions applicable to Schedule 15—Midland Strategic Regional Centre”

10. Modifying Schedule 1, by introducing—

“D. Land Use definitions applicable to Schedule 15—Midland Strategic Regional Centre only

As well as the land use definitions contained in A. or B. above, the following additional land use definitions apply to the Midland Strategic Regional Centre zone—

“Short Term Residential”: means a building or buildings, which include self-contained units, for temporary accommodation of less than 3 months.

“Small Bar”: means licensed premises on land or buildings used for the onsite consumption of alcohol as outlined in Clause 4 (1aa) of the *Liquor Control Act 1988*.”

11. Amending the Exempted Development table in Schedule 5 and Schedule 5A by deleting from the second column all references to—

“City Centre—Mixed Use”

“City Centre—Residential”

“City Centre—Commercial Deferred”

“All City Centre Zones...”

and substituting the words “Midland Strategic Regional Centre”.

12. Introduction of new Schedule 15—Midland Strategic Regional Centre into LPS17, to enable the Strategic Regional Centre Land Use Permissibility Table, The Midland Strategic Regional Centre zoning plan, the Strategic Regional Centre Precinct Map and the Strategic Regional Centre Active Edge plan to be included as part of the Scheme.

Schedule 15—Midland Strategic Regional Centre

A: Land Use Permissibility Table for the Midland Strategic Regional Centre

MIDLAND STRATEGIC REGIONAL CENTRE

Land Use	Precincts					
	Morrison Road West		Morrison Road East	Midland Oval	Midland West End	Midland Gate
	Residential	Mixed Use Retail/Commercial	Residential	Mixed Use Residential/Commercial	Mixed Use Retail/Commercial	Retail/Regional Shopping
Aged or Dependent Persons Dwelling	P	P	P	A	D	X
Agriculture—Extensive	X	X	X	X	X	X
Agriculture—Intensive	X	X	X	X	X	X
Agroforestry	X	X	X	X	X	X
Amusement Parlour	X	X	X	X	X	D
Ancillary Accommodation	X	X	X	D	D	X
Animal Establishment	X	X	X	X	X	X
Animal Husbandry—Intensive	X	X	X	X	X	X
Bed and Breakfast	D	P	D	P	P	X
Betting Agency	X	X	X	A	P	P
Cabin or Chalet	X	X	X	X	X	X
Camping Area	X	X	X	X	X	X
Car Park	X	X	X	A	A	A
Caravan Park	X	X	X	X	X	X
Caretaker's Dwelling	X	D	X	D	D	X
Child Care Premises	A	P	A	P	P	P
Cinema/Theatre	X	X	X	D	D	P
Civic Use	X	D	X	P	P	D
Club Premises	X	X	X	A	A	X
Community Purpose	X	A	X	D	A	P
Consulting Rooms	D	D	D	D	D	D
Convenience Store	X	A	X	D	D	D
Corrective Institution	X	X	X	X	X	X
Educational Establishment	D	D	D	D	D	D
Equestrian Facility	X	X	X	X	X	X
Exhibition Centre	X	D	X	D	D	A
Family Day Care	D	P	P	D	D	D
Fast Food Outlet	X	D	X	D	P	P
Food and Beverage Production	X	X	X	X	X	A
Fuel Depot	X	X	X	X	X	X
Funeral Parlour	X	X	X	X	X	X
Garden Centre	X	X	X	X	X	D
Grouped Dwelling	P	X	P	X	X	X
Home Business	D	D	D	D	D	D
Home Occupation	A	P	A	P	P	P

Land Use	Precincts					
	Morrison Road West		Morrison Road East	Midland Oval	Midland West End	Midland Gate
	Residential	Mixed Use Retail/Commercial	Residential	Mixed Use Residential/Commercial	Mixed Use Retail/Commercial	Retail/Regional Shopping
Home Office	D	P	D	P	P	P
Home store	X	A	X	D	A	A
Hospital	X	A	X	A	A	A
Hotel	A	X	X	D	D	A
Industry-Cottage	X	X	X	X	X	X
Industry-Extractive	X	X	X	X	X	X
Industry-General	X	X	X	X	X	X
Industry-Light	X	X	X	X	X	X
Industry-Mining	X	X	X	X	X	X
Industry-Noxious	X	X	X	X	X	X
Industry-Rural	X	X	X	X	X	X
Industry-Service	X	X	X	X	X	D
Lunch Bar	X	D	X	D	D	P
Marine Filling Station	X	X	X	X	X	X
Market	X [see note (a)]	X [see note (a)]	X [see note (a)]	X [see note (a)]	A [see note (a)]	D [see note (a)]
Medical Centre	X	A	X	D	D	D
Motel	X	X	X	X	D	X
Motor Vehicle Repair	X	X	X	X	X	X
Motor Vehicle Wash	X	D	X	D	D	D
Motor Vehicle, Boat or Caravan Sales	X	X	X	D	X	D
Multiple Dwelling	P (see note b)	P (see note b)	P (see note b)	P (see note b)	P (see note b)	A (see note b)
Night Club	X	X	X	A	A	X
Office	X	P	X	P	Ground Floor: D Upper Floors: P	P
Place of Assembly	X	A	X	D	D	P
Place of Worship	X	A	X	D	D	D
Radio and TV Installation Private	A	D	A	D	D	D
Reception Centre	X	D	X	D	D	D
Reception-Private	A	D	X	D	D	D
Reception-Public	X	A	X	D	D	D
Residential Building	A	A (see note b and c)	A	A (see note b and c)	A (see note b and c)	X
Restaurant	A	D (see note d)	X	P (see note d)	P (see note d)	P (see note d)
Restricted Premises	X	X	X	A	A	A
Roadhouse	X	X	X	X	X	X
Rural Pursuit	X	X	X	X	X	X
Service Station	X	X	X	D	X	D
Shop	X	D (see note d)	X	P (see note d)	P (see note d)	P
Short Term Residential	D	D (see note c)	D	A (see note c)	A (see note c)	A (see note c)
Showroom	X	X	X	A	A	D
Single Bedroom Dwelling	X	P (see note c)		P (see note c)	P (see note c)	P (see note c)
Single House	X	X	D	X	X	X
Small Bar	X	X	X	D	D	D
Storage	X	X	X	X	X	X
Tavern	X	X	X	D	D	D
Telecommunications Infrastructure	X	X	X	A	A	A
Tourist Facilities	X	X	X	D	D	D
Trade Display	X	X	X	X	X	X
Transport Depot	X	X	X	X	X	X
Vehicle Wrecking	X	X	X	X	X	X
Veterinary Centre	X	X	X	A	X	X
Warehouse	X	X	X	X	X	X
Winery	X	X	X	X	X	X

Note—

- (a) Provided that 'Market' may be permitted on public land by the Local Government.
- (b) Ground floor land use shall be non-residential at the street frontage for buildings along areas identified in the Active Edge map.
- (c) Ground floor of development may contain residential uses within 'Commercial and Residential Front Door' street frontages as defined by the Active Edge map.
- (d) Shops and Restaurants shall only be allowed in conjunction with commercial and/or residential uses within the 'Commercial and Residential Front Door' street frontages as defined by the Active Edge map.

- A (i): Interpretation of the Land Use Permissibility Table for the Midland Strategic Regional Centre.

The permissibility of any uses is determined by cross-reference between the list of use classes on the left-hand side of the Land Use Permissibility Table for the Midland Strategic Regional Centre and the list of precincts at the top of the Table.

Schedule 15 C—Shows the Midland Strategic Regional Centre Precincts

Where a specific use is mentioned in the Land Use Permissibility Table for the Midland Strategic Regional Centre, it is deemed to be excluded from the general terms used to describe any other use.

- A (ii) The symbols used in the cross reference in the Land Use Permissibility Table for the Strategic Regional Centre have the following meanings—

‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Structure Plan.

‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 9.4 of the Scheme; and

‘X’ means a use that is not permitted.

- A (iii) Where a person proposes to carry out on land any use that is not specifically mentioned in the Land Use Permissibility Table for the Strategic Regional Centre and cannot reasonably be determined as falling within the type, class or genus of activity of any other listed use class, the local government may—

- determine the use to be consistent with the general objectives of the Strategic Metropolitan Centre and/or the intent of the particular Precinct and thereafter follow the advertising procedures as set out by Clause 9.4 in the Scheme in considering an application for planning approval; or
- determine that the use is not consistent with the general objectives of the Strategic Metropolitan Centre and/or the intent of the particular Precinct and is therefore not permitted.

13. Amending the Local Planning Scheme No. 17 Table of Content, Scheme Map and Legend Accordingly.

M. WAINWRIGHT, Mayor.
M. FOLEY, Chief Executive Officer.

PL406

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Murray
Town Planning Scheme No. 4—Amendment No. 299

Ref: TPS/2034

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Murray Town Planning Scheme amendment on 6 September 2017 for the purpose of—

1. Delete the portion of Schedule 5—Special Use Zone which relates to portion of Lot 24 and Lot 25 Lakes Road and portion of Lot 27 Nambeelup Road, Nambeelup and replace it with the following—

Nambeelup Kennel Estate East—Lots either side of Greyhound Retreat and Bush Retreat, Nambeelup	<ol style="list-style-type: none"> 1. The objective of this Special Use Zone is to provide a specific area for the clustering of kennels in a rural residential setting, planned in a way that is sensitive to the environment and will ensure a high standard of amenity. 2. No further subdivision of land within this zone is permitted. 3. The following uses are permitted— <ul style="list-style-type: none"> Home office Kennel Single house 4. The following uses may be permitted at the discretion of Council— <ul style="list-style-type: none"> Ancillary dwelling Canine supply outlet Cottage industry Home business Home occupation Public utility Veterinary centre
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5. All other uses are prohibited.
6. No other stock apart from dogs shall be permitted within the zone.
7. No person shall keep dogs or permit dogs to be kept unless the person responsible for the dogs permanently resides in an approved dwelling on the lot. Should an application for development approval be granted for a kennel, its construction shall not commence unless a dwelling has been approved and has been constructed to at least plate height.
8. All buildings and effluent disposal systems are to be contained within an approved building envelope for each lot. Minor ancillary buildings such as small shelters may be permitted outside the approved building envelope provided it is considered by the local government that the clearing of significant vegetation is not required, any other significant environmental features are not adversely impacted and all other relevant provisions of the Scheme are met.
9. Building envelopes are to be set back a minimum of 10 metres from any boundary.
10. Kennels are to be set back a minimum of 30 metres from the primary street boundary and 10 metres from all other boundaries.
11. Exercise yards, dog runs and training tracks are to be set back a minimum of 5 metres from any side and rear boundary.
12. Notwithstanding special provisions 10 and 11, no part of a kennel, exercise yard, dog run or training track shall be closer to the primary street frontage than the rear of a dwelling.
13. No part of a kennel, exercise yard, dog run or training track shall be closer than 10 metres to a dwelling or ancillary dwelling.
14. All kennels are to be connected to a suitable nutrient-retentive effluent disposal system, separate from any effluent disposal system associated with a dwelling.
15. A maximum of 20 adult dogs and 20 puppies (no older than 6 months) associated with an approved kennel are permitted on each lot.
16. All dogs are to be confined within the kennel building between sunset and sunrise.
17. The external walls of all kennel buildings shall be constructed of brick. Alternative materials may only be permitted at the discretion of the local government where it can be adequately demonstrated that the alternative materials will be at least as effective as brick at attenuating noise.
18. Kennels on those lots on the eastern side of Bush Retreat shall be constructed—
 - on the eastern side of the exercise yard;
 - with two metre high noise attenuation barriers on the northern, eastern and southern sides of the exercise yard;
 - with doors of solid material;
 - with rooves of metal decking with 50mm thick insulation installed under the roof sheeting, plus one layer of 13mm plasterboard to the underside of the purlins; and
 - with any opening for ventilation located on the western side of the building.
19. Persons responsible for the dogs shall collect all dog faeces from area accessible by dogs on a daily basis and dispose of the faeces using an appropriate receptacle in readiness for collection or offsite disposal in an approved manner.
20. All dog carcasses and other putrescible organic refuse shall be disposed of offsite at an approved waste facility.
21. No fencing shall be constructed through any conservation category wetland or a 50 metre buffer surrounding it.
22. All boundary fencing shall be in accordance with the Specifications for a Sufficient fence for a Rural Lot as provided in the Shire of Murray Fencing Local Law 2012 (as amended) or approved alternative similar style of fencing.
23. All fencing within a lot shall be in accordance with the Specifications for a Sufficient Fence for a Rural Lot as provided in the Shire of Murray Fencing Local Law 2012 (as amended), unless—
 - an alternative similar style of fencing is approved by the local government;
 - the fencing is required in order to meet the greyhound perimeter fencing requirements of the Shire of Murray Dogs Local Law 2007 (as amended); or

	<ul style="list-style-type: none"> • the fencing is within an approved building envelope where the local government may grant development approval to an impermeable style of fencing to a maximum height of 1.8 metres provided the fencing is positioned or sufficiently screened by vegetation so it does not adversely impact the character and visual amenity of the area. <p>24. Native vegetation shall not be cleared without the written approval of the local government, except where required for the erection of approved buildings and kennels (including associated exercise yards, training tracks and runs), effluent disposal systems, access ways, fences and for the purposes of maintaining land in accordance with the Shire of Murray Firebreak Notice or an approved Bushfire Attack Level Assessment.</p>
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2. Delete the definition for 'Veterinary Clinic' and 'Veterinary Hospital' and insert a new definition for 'Veterinary centre' in Appendix 1—Interpretations in appropriate alphabetical order as follows—

Veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.

3. Replace the definition for 'Kennels' in Appendix 1—Interpretations as follows—

Kennel means land and buildings used for the purposes of keeping, breeding, training, rearing and/or boarding of dogs and does not include the keeping of dogs by a landowner as domestic pets.

4. In Table 1—Zoning Table, replace the use 'Veterinary Clinic' with 'Veterinary Centre' and delete the use 'Veterinary Hospital' and the associated symbols.

M. REID, President.
D. UNSWORTH, Chief Executive Officer.

POLICE

PO401

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000
AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Gary Dreiberger, acting Commissioner of Police, acting pursuant to regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a "licensed pilot vehicle driver" pursuant to regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated this Monday, 4 September 2017.

GARY DREIBERGER APM, Acting Commissioner of Police.

Surname	First Name	State	Pilot Licence Number	Training Provider
Erhard	Robert	WA	00346	Keen Bros
Giadresco	Matthew	WA	00347	Keen Bros
Putelli	Dean	WA	00345	Keen Bros
Sirihong	Jonathon	WA	00355	Keen Bros

PO402

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC (APPROVED DEVICE) NOTICE 2017

Made by the Minister under section 72(2)(c) of the Act.

1. Citation

This notice is the *Road Traffic (Approved Device) Notice 2017*.

2. Commencement

This notice comes into operation as follows—

- (a) clause 1 and 2—on the day on which this notice is published in the *Gazette*;
- (b) clause 3 and 4—on the day following the day on which this notice is published in the *Gazette*.

3. Previous Approval Revoked

Under subsection 72(2) of the *Road Traffic Act 1974* I revoke the *Road Traffic (Approved Device) Notice 2007* which is gazetted on page 5605 of the *Government Gazette* dated 17 October 2007.

4. Device approved

The SECURETEC DRUGWIPE II TWIN COMBO is approved as a type of device for the purpose of conducting drug testing of a sample of a person's oral fluid for the purposes of the *Road Traffic Act 1974* section 66D.

M. ROBERTS, Minister for Police.

PO403

**MISUSE OF DRUGS ACT 1981
MISUSE OF DRUGS REGULATIONS 1982
APPROVED BOTANIST**

I, Gary Dreiberger APM, acting Commissioner of Police in the State of Western Australia, under section 3A of the *Misuse of Drugs Act 1981* declare the following person, employed by the Western Australian Herbarium, as an approved botanist for the purposes of the Act.

Title	Given Names	Surname	DOB	Qualifications
Dr	John Marinus	Huisman	20/03/1958	B.Sc. (Hons) Ph.D.

Dated: 8 September 2017.

GARY DREIBERGER APM, Acting Commissioner of Police.

PUBLIC SERVICE

PS401

**PUBLIC SECTOR MANAGEMENT ACT 1994
VOLUNTARY TARGETED SEPARATION SCHEME FOR PUBLIC SECTOR RENEWAL
APPROVED BY THE MINISTER**

Pursuant to regulation 16 of the *Public Sector Management (Redeployment and Redundancy) Regulations 2014* (the Regulations), I, Mark McGowan, Premier; Minister for Public Sector Management, hereby approve a scheme, under which employing authorities are authorised to invite employees to apply to be offered voluntary severance, as follows—

- the scheme shall apply to eligible employees under the *Public Sector Management Act 1994* and the Regulations, with priority to be given to employees affected by Machinery of Government changes;
- the scheme shall provide for an employing authority to make an offer of a voluntary severance to an eligible employee;
- a period of not less than 4 weeks is to be specified after an offer is made within which the employee may accept or refuse the offer; this period may be varied by mutual consent by the parties before an offer is made;
- the employee shall resign no later than 4 weeks after the day on which the offer is accepted;
- regulations 3, 13, 14, and 17 shall apply to all offers of voluntary severance made under this scheme;
- an employee who accepts a voluntary severance shall be paid an incentive payment consistent with regulation 15;
- a \$500 payment for each employee who accepts a voluntary severance to be paid on separation;
- the period within which an application under the scheme may be made will be up to and including 31 March 2018; and
- applications made, as provided above, may only be accepted on the basis that the employee exits the public sector no later than 31 March 2018.

MARK MCGOWAN, Premier;
Minister for Public Sector Management.

DECEASED ESTATES

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

Notice to Creditors and Claimants

Margaret Elaine McPhee, late of Unit 21 Alfred Carson Lodge, 30 Bay Road, Claremont, 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 4 May 2017, are required by the executors, Simon Christopher McPhee and Noel Edward Harding to send particulars of their claims to Tolson & Co Solicitors, PO Box 3050, East Perth, Western Australia 6892 within 1 month of the date of publication of this notice, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZX402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 15 October 2017, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Constantine, Jennifer Ann, late of Bridgewater Lifestyle Village, U 232 106 Oakleigh Drive, Erskine WA 6210, who died on 13 August 2017 (DE19841019 EM24).

Hollingsworth, Leslie John, late of Juniper John Bryant House, 95 Rawlinson Drive, Marangaroo WA 6064, who died on 27 July 2017 (DE33041915 EM22).

Pedley, Terence William, late of 2 Westralia Gardens, Rockingham WA 6168, who died on 12 August 2017 (DE19971758 EM37).

South, Joan Maxine, late of Carramar Hostel, 23A Redgum Way, Morley WA 6062, who died on 2 August 2017 (DE19640644 EM36).

Stephens, Mavis Alvina, late of St Francis Hostel, C10/678 North Beach Road, Gwelup WA 6018, who died on 10 July 2017 (DE19793321 EM36).

Waugh, Rodney William, late of Unit 111 Yallabee Hostel, 2 Fenton Street, Mundaring WA 6073, who died on 23 June 2017 (DE33144819 EM37).

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