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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER AND ANZAC DAY 2018

A *Gazette* will be published at noon on **Thursday 29th March** and closing time for copy is **Tuesday 27th March** at noon.

A *Gazette* will be published at noon on **Friday 6th April** and closing time for copy is **Wednesday 4th April** at noon.

The *Gazette* will not be published on Tuesday 3rd April 2018.

The closing time for copy for *Gazette* published **Friday 27th April 2018** is **Tuesday 24th April** at noon.

— PART 1 —

PROCLAMATIONS

AA101

Port Kennedy Development Act 2017

Port Kennedy Development Act 2017 Commencement Proclamation 2018

Made under the *Port Kennedy Development Act 2017* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Port Kennedy Development Act 2017 Commencement Proclamation 2018*.

2. Commencement of Act

The *Port Kennedy Development Act 2017*, other than Part 1, comes into operation on 27 February 2018.

K. SANDERSON, Governor.

L.S.

R. SAFFIOTI, Minister for Planning.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

*Shire of Northam*ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING
AMENDMENT LOCAL LAW 2018

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Northam resolved by Absolute Majority on 17 January 2018 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Northam Activities In Thoroughfares and Public Places and Trading Amendment Local Law 2018*.

2. Commencement

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

3. Principal local law

(1) In this local law the Shire of Northam *Activities On Thoroughfares and Public Places and Trading Local Law 2008* as published in the *Government Gazette* on 16 September 2008, is referred to as the Principal local law.

(2) This local law amends the Principal local law.

4. Title Amended

(1) In the title of the local law, delete the word “ON” and insert the word “IN”.

(2) In clause 1.1, delete the word “on” and insert the word “in”.

5. Clause 1.2 Amended

In clause 1.2—

(1) in the definition of “**vehicle**” after the words “but excludes” delete “(a)” and insert “(c)”.

(2) in the definition of “**vehicle**” after the words “but excludes” delete “(b)” and insert “(d)”.

(3) in the definition of “**vehicle**” after the words “but excludes” delete the word “wheelchair” and insert “mobility scooter”.

6. Clause 2.1(a)(i)(ii) Deleted

Delete sub clauses (i) and (ii).

7. Clause 2.1(a) amended

In clause 2.1(a) after the words “plant any plant on a thoroughfare” insert the words “except grasses or a similar plant within 10m of an intersection”.

8. Clause 2.1(c) Amended

In clause 2.1(c) delete the words “1m” and insert the words “2m”.

9. Clause 2.4 Amended

(1) In clause 2.4 sub clause (2)(a) delete the word “builder” and insert the word “person”.

(2) In clause 2.4 subclause (2)(a) delete the words “*Local Government (Miscellaneous Provisions) Act 1960*” and insert “*Building Act 2011*”.

10. Clause 2.4 Amended

In clause 2.4 subclause (2)(b) delete the words “*Local Government (Miscellaneous Provisions) Act 1960*” and insert “*Building Act 2011*”.

11. Clause 2.7 Amended

(1) In clause 2.7 after the words “applies to” insert the word “the”.

(2) In clause 2.7 remove the last letter “s” from the word “townsites”.

12. Clause 3.4 Amended

(1) In clause 3.4(a) sub clause (ix) delete the word “and” after the words “good condition;”.

(2) In clause 3.4(a) sub clause (ix) delete the “;” after the words “good condition;” and insert a “.”.

13. Clause 5.1 Amended

In clause 5.1 delete the words “established under the Land Resource Policy Council within the Office of Premier and Cabinet, but now located in the Department of Environment and Conservation” and insert the words “appointed by the responsible Minister”.

14. Clause 6.5(2) Amended

(1) In clause 6.5(2) delete entire sub clause (b).

(2) In clause 6.5(2) subclause (c)(iii) delete the word “or” after the word “property”.

(3) In clause 6.5(2) delete entire sub clause (d).

15. Clause 6.8(1) Amend

In clause 6.8(1) sub clause (c) delete the words “*Trade Measurement Administration Act 2006*” and insert the words “*National Measurement Act 1960*”.

16. Clause 6.17 Amend

(1) In clause 6.17 sub clause (a) delete the word “premises” and insert the word “business”.

(2) In clause 6.17 sub clause (b) delete the word “premises” and insert the word “business”.

(3) In clause 6.17 sub clause (b) delete the word “are” before the word “registered” and insert the word “is”.

(4) In clause 6.17 sub clause (b) delete the words “*Health Act 1911*” and insert the words “*Food Act 2008*”.

(5) In clause 6.17 delete sub clause (c).

17. Clause 6.18 Amended

(1) In clause 6.18 sub clause (a) delete all words after “provisions of this local law”.

(2) In clause 6.18 delete sub clause (e).

18. Clause 7.7(2) Amended

(1) In clause 7.7 sub clause (b) move the following words “shall apply to an application for the renewal of a permit with all the necessary changes required.” next to the word “renewed,”.

(2) In clause 7.7 sub clause (b) delete the words “mutatis mutandis” and insert the words “with all the necessary changes as required”.

19. Clause 10.4 Amended

In clause 10.4 delete sub clause (3).

20. Clause 10.5 Amended

(1) In clause 10.5 sub clause (a) delete the word “Regulations” and insert the words “*Local Government (Functions and General) Regulations 1996*”.

(2) In clause 10.5 sub clause (b) delete the word “Regulations” and insert the words “*Local Government (Functions and General) Regulations 1996*”.

(3) In clause 10.5 sub clause (c) delete the word “Regulations” and insert the words “*Local Government (Functions and General) Regulations 1996*”.

Clause	Description	Modified Penalty \$
2.1(a)	Plant of 0.75m in height on thoroughfare within 10m of intersection	150
2.1(b)	Damaging lawn or garden	150
2.1(c)	Plant (except grass) on thoroughfare within 2m of carriageway	150
2.1(d)	Placing hazardous substance on footpath	150
2.1(f)	Playing games so as to impede vehicles or persons on thoroughfare	150
2.1(g)	Riding of skateboard or similar device on mall or verandah of shopping centre	150
2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	150
2.2(1)(b)	Throwing or placing anything on a verge without a permit	150
2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	150
2.2(1)(h)	Felling tree onto thoroughfare without a permit	150
2.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	150
2.2(1)(k)	Creating a nuisance on a thoroughfare without a permit	150
2.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	150
2.2(1)(m)	Interfering with anything on a thoroughfare without a permit	150
2.3(1)	Consumption or possession of liquor on thoroughfare	150
2.10	Failure to maintain permissible verge treatment or placement of obstruction on verge	150
2.11	Failure to comply with notice to rectify a verge treatment	150
2.17(2)	Failure to comply with sign on public place	150
3.2(1)	Placing advertising sign or affixing any advertisement on a thoroughfare without a permit	150
3.2(3)	Erecting or placing of advertising sign in a prohibited area	150
4.1(1)	Animal or vehicle obstructing a public place or local government property	150
4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	150
4.2(2)(b)	Animal on public place with infectious disease	150

Clause	Description	Modified Penalty \$
4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	150
4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	150
4.5	Person leaving shopping trolley in public place other than trolley bay	150
4.6(2)	Failure to remove shopping trolley upon being advised of location	150
5.11	Failure to obtain permit to clear a thoroughfare	500
5.13	Burning of thoroughfare without a permit	500
5.17	Construction of firebreak on thoroughfare without a permit	500
5.19	Commercial harvesting of native flora on thoroughfare	500
6.8(1)(a)	Failure of stallholder or trader to display or carry permit	150
6.8(1)(b)	Stallholder or trader not displaying valid permit	150
6.8(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	150
6.8(2)	Stallholder or trader engaged in prohibited conduct	150
6.10	Performing in a public place without a permit	150
6.11(2)	Failure of performer to move onto another area when directed	150
6.14	Failure of performer to comply with obligations	150
6.18	Failure of permit holder of outdoor eating Facility to comply with obligations	150
6.20(1)	Use of equipment of outdoor eating Facility without purchase of food or drink from Facility	100
6.20(2)	Failure to leave outdoor eating Facility when requested to do so by permit holder	100
7.5	Failure to comply with a condition of a permit	150
7.9	Failure to produce permit on request of authorized person	150
10.1	Failure to comply with notice given under local law	150

Dated: 15 February 2018.

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

CHRISTOPHER R. ANTONIO, President.
JASON B. WHITEAKER, Chief Executive Officer.

LG302

WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007 LOCAL GOVERNMENT ACT 1995

Town of East Fremantle

WASTE AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995* and all other powers enabling it, the Council of the Town of East Fremantle resolved on 20 February 2018 to adopt the following local law.

1.1 Citation

This local law is cited as the *Town of East Fremantle Waste Amendment Local Law 2017*.

1.2 Commencement

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

1.3 Town of East Fremantle Waste Local Law 2017 amended

The *Town of East Fremantle Waste Local Law 2017* published in the *Government Gazette* on 31 March 2017 is amended as follows—

- (a) In clause 1.6, the definition of ‘vectors of disease’ is deleted; and
- (b) After Part 4, Part 5 is inserted as follows—

Part 5—Objection and Appeal**5.1 Objection and appeal rights**

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to grant, renew, vary or cancel—

- (a) An approval under clause 2.6(b);
- (b) An exemption under clause 2.7(2);
- (c) An authorisation under clause 2.8(b);
- (d) An approval under clause 2.9(1);
- (e) An authorisation under clause 3.2(1)(c);
- (f) An approval under clause 3.2(2);
- (g) An approval under clause 3.3; and
- (h) An approval under clause 3.4(2)(a).

Consented to—

KELLY FAULKNER, A/Chief Executive Officer,
Department of Water and Environmental Regulation.

Dated: 15 January 2018.

The Common Seal of the Town of East Fremantle was affixed by authority of a resolution of the Council in the presence of—

MICHAEL McPHAIL, Deputy Mayor.
GARY TUFFIN, Chief Executive Officer.

Dated this 21st day of February 2018.

— PART 2 —

CONSUMER PROTECTION

CP401

RETAIL TRADING HOURS ACT 1987
**RETAIL TRADING HOURS (PERTH METROPOLITAN AREA) PUBLIC HOLIDAY
VARIATION ORDER 2018**

Made by the Minister for Commerce and Industrial Relations under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (Perth Metropolitan Area) Public Holiday Variation Order 2018*.

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. Variation of retail trading hours

(1) General retail shops, other than motor vehicle shops, in the Perth metropolitan area, are authorised to be open, at times when those shops would otherwise be required to be closed—

- (a) on each day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Monday 5 March 2018	From 8.00 am until 6.00 pm
Monday 2 April 2018	From 8.00 am until 6.00 pm

4. Relationship with *Retail Trading Hours (Public Holidays) Order 2012*

This order has effect despite the *Retail Trading Hours (Public Holidays) Order 2012*.

W. JOHNSTON, Minister for Commerce and Industrial Relations.

EDUCATION

ED401

SCHOOL EDUCATION ACT 1999
DECLARATION OF LOCAL-INTAKE AREAS FOR SCHOOLS WITH SECONDARY STUDENTS

(Pursuant to Sections 60, 78, 79 and 80)

The Hon. Minister for Education has declared that the local-intake areas for the secondary schools listed hereunder shall be as stated in this notice. Children of compulsory school age who reside within the local-intake areas of the following secondary schools shall be entitled to attend the schools to which such local-intake areas apply if there is an appropriate educational program for them at that school. Children who reside outside these local-intake areas may apply to attend the schools to which such local-intake areas apply.

SHARYN O'NEILL, Director-General of Education.

INNER CITY COLLEGE (Planning Name) (Feb18)

The following will define the local-intake area of this school from 2020—

From the point on the Swan River foreshore where the Narrows Bridge crosses over Riverside Drive, west through Kings Park to the junction of Thomas Street and Nicholson Road, west along Nicholson Road (north side included) to Hensman Road, north along Hensman Road (east side

included) to Barker Road, west along Barker Road (north side included) to Railway Road, north east along Railway Road (east side included) to the intersection of Hay Street, Railway Road and Roberts Road, north east along Roberts Road (south east side included) to Centro Avenue, north west along Centro Avenue (north east side included) to Harborne Street, north along Harborne Street (east side included) to Grantham Street, west along Grantham Street (north side included) to Alexander Street, north along Alexander Street (east side included) to Herdsman Parade, west along Herdsman Parade (north side included) to Moondine Drive, north along Moondine Drive (east side included) to the shore of Herdsman Lake, north along the shore of Herdsman Lake to a point on the south west extension of Gould Street, north east along the aforesaid extension and continuing north east along Gould Street (south east side included) to Walters Drive, south east along Walters Drive (south west side included) to the un-named lane between Walters Drive and Scarborough Beach Road, north east along this un-named lane (south east side included) to Scarborough Beach Road, south east and east along Scarborough Beach Road (south west and south sides included) to the intersection of Scarborough Beach Road, Green Street, Brady Street, and Main Street, east along Green Street (south side included) to the intersection of Green Street and London Street, south along London Street (west side included) to the intersection of London Street, Loftus Street and Scarborough Beach Road, south along Loftus Street (west side included) to the intersection of Loftus Street and Newcastle Street, south east along Newcastle Street (south west side included) to the junction of Newcastle Street and Lord Street, north east and east along the Graham Farmer Freeway (south side included) to the Swan River foreshore, south and south west along the Swan River foreshore to the point where Narrows Bridge crosses over Riverside Drive.

The following defines an optional area between Inner City College (planning name) and Dianella Secondary College—

From the intersection of Scarborough Beach Road and Mitchell Freeway, north along Mitchell Freeway (east side included), to Roberts Street, east along Roberts Street (south side included) to Wanneroo Road, south along Wanneroo Road (west side included) to Charles Street, south along Charles Street (west side included) to the intersection of Charles Street and Green Street, west along Green Street (north side included) to the intersection of Green Street, Scarborough Beach Road, Brady Street, and Main Street, west along Scarborough Beach Road (north side included) to the intersection of Scarborough Beach Road and Mitchell Freeway.

The following defines an optional area between Inner City College (planning name) and Shenton College—

From the intersection of Nicholson Road and Hensman Road, north along Hensman Road (west side included) to Barker Road, west along Barker Road (south side included) to Railway Road, south west along Railway Road (south east side included) to Nicholson Road, and east along Nicholson Road (north side included) to Hensman Road.

The following defines an optional area between Inner City College (planning name) and Shenton College—

From the intersection of Cambridge Street and Harborne Street, west along Cambridge Street (south side included) to Denton Street, south along Denton Street (east side included) to Old Jacaranda Way, south along Old Jacaranda Way (east side included) and its southern extension through the lake to the circular pathway, south along the circular pathway to the steps leading to the walkway leading to Rossello Lane, south west up the steps to the walkway, south west along the walkway between 50 Rossello Lane (excluded) and 52 Rossello Lane (included) to Rossello Lane, south east along Rossello Lane (north east side included) to the junction with Price Street, south west through Lords Recreation Centre to the junction of Hay Street and Troy Terrace, east along Hay Street (north side included) to Roberts Road, generally north east along Roberts Road (north west side included) to Centro Avenue, north west along Centro Avenue (south west side included) to Harborne Street and north along Harborne Street (west side included) to Cambridge Street.

SHENTON COLLEGE (Feb18)

The following will define the local-intake area of this school from 2020—

From the point on the Swan River foreshore where the Narrows Bridge crosses over Riverside Drive, west through Kings Park to the junction of Thomas Street and Nicholson Road, west along Nicholson Road (south side included) to Railway Road, north east along Railway Road (north west side included) to the intersection of Hay Street, Railway Road and Roberts Road, west along Hay Street (south side included) to Troy Terrace, north east through Lords Recreation Centre to the junction of Price Street and Rossello Lane, north west along Rossello Lane (south west side included) to the walkway between 50 Rossello Lane and 52 Rossello Lane, north east along the walkway between 50 Rossello Lane (included) and 52 Rossello Lane (excluded), to the steps leading to the circular pathway, down the steps to the circular pathway, north along the pathway to a point due south of the centre of the lake, north through the centre of the lake to Old Jacaranda Way and continuing north along Old Jacaranda Way (west side included) to Denton Street, north along Denton Street (west side included) to Cambridge Street, east along Cambridge Street (north side included) to Harborne Street, north along Harborne Street (west side included) to Grantham Street, west along Grantham Street (south side included) to The Boulevard, north west and west along The Boulevard (south side included) and its western extension to the coastline, south along the coastline to the local government boundary between Town of Mosman Park and the City of Fremantle, east along this local government boundary to the Swan River foreshore, in a generally northerly and easterly direction along the Swan River foreshore to the point where the Narrows Bridge crosses over Riverside Drive.

The following defines an optional area between John Curtin College of the Arts, Melville Senior High School, Shenton College and Fremantle College—

From the Stirling Bridge, north along the Swan River western foreshore to the local government boundary between the City of Fremantle and the Town of Mosman Park, north and west along this local government boundary to the coastline of the Indian Ocean, south along the coastline to North Mole, east and north east along the north wharf of Fremantle Harbour and the northern foreshore of the Swan River to the Stirling Bridge.

The following defines an optional area between Inner City College (planning name) and Shenton College—

From the intersection of Nicholson Road and Hensman Road, north along Hensman Road (west side included) to Barker Road, west along Barker Road (south side included) to Railway Road, south west along Railway Road (south east side included) to Nicholson Road, and east along Nicholson Road (north side included) to Hensman Road.

The following defines an optional area between Inner City College (planning name) and Shenton College—

From the intersection of Cambridge Street and Harborne Street, west along Cambridge Street (south side included) to Denton Street, south along Denton Street (east side included) to Old Jacaranda Way, south along Old Jacaranda Way (east side included) and its southern extension through the lake to the circular pathway, south along the circular pathway to the steps leading to the walkway leading to Rossello Lane, south west up the steps to the walkway, south west along the walkway between 50 Rossello Lane (excluded) and 52 Rossello Lane (included) to Rossello Lane, south east along Rossello Lane (north east side included) to the junction with Price Street, south west through Lords Recreation Centre to the junction of Hay Street and Troy Terrace, east along Hay Street (north side included) to Roberts Road, generally north east along Roberts Road (north west side included) to Centro Avenue, north west along Centro Avenue (south west side included) to Harborne Street and north along Harborne Street (west side included) to Cambridge Street.

Note: All families with children currently living in the existing local intake area for Shenton College will have the choice for their children to attend either their current local intake school or their new local intake area school (if it has changed) from 2020.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

STATEMENT OF DETERMINATION

Abalone Management Plan 1992

I Heather Brayford, Deputy Director General Sustainability and Biosecurity as delegate for the Chief Executive Officer of the Department of Primary Industries and Regional Development Western Australia, pursuant to clause 11(3) of the *Abalone Management Plan 1992*, hereby make a determination in regard to the maximum quantity of abalone that may be taken from the relevant areas of the Abalone Managed Fishery during the licensing period commencing on 1 April 2018, as set out below—

Area 1—

- 5,000 kilograms of Roe's abalone (whole weight)
- 1,200 kilograms of Greenlip abalone (meat weight)
- 60 kilograms of Brownlip abalone (meat weight)

Area 2—

- 12,000 kilograms of Roe's abalone (whole weight)
- 9,000 kilograms of Greenlip abalone (meat weight)
- 5,000 kilograms of Brownlip abalone (meat weight)

Area 3—

- 8,000 kilograms of Greenlip abalone (meat weight)
- 5,000 kilograms of Brownlip abalone (meat weight)

Area 4—

- 0 kilograms of Greenlip abalone (meat weight)
- 0 kilograms of Brownlip abalone (meat weight)

Area 5—

- 15,000 kilograms of Roe's abalone (whole weight)

Area 6—

- 12,000 kilograms of Roe's abalone (whole weight)

Area 7—

- 24,000 kilograms of Roe's abalone (whole weight)

Area 8—

0 kilograms of Roe's abalone (whole weight)

HEATHER BRAYFORD, Deputy Director General Sustainability
and Biosecurity as delegate for the Chief Executive Officer.

Dated this 23rd day of February 2018.

LANDS

LA401

LICENSED SURVEYORS ACT 1909
LAND SURVEYORS LICENSING BOARD
Register of Licensed Surveyors

In accordance with Section 12 of the *Licensed Surveyors Act 1909*, the register of licensed surveyors can be inspected at the Board's website—www.lslb.wa.gov.au

GRAEME HOLLOWAY, Secretary,
Land Surveyors Licensing Board.
www.lslb.wa.gov.au

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
PROHIBITED SWIMMING AREA
Shire of Augusta-Margaret River

Department of Transport,
Fremantle WA, 27th February 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to swimming between 7:30pm and 8:30pm on Sunday 4th March 2018.

Augusta River Mouth

All the waters within a 100 metre radius of the firing point located at approximately 34° 19.468'S, 115° 10.309'E (approximately 230 metres east of Albany Terrace).

This area is set aside for safety measures during the set up and display of pyrotechnics.

CHRISTOPHER J. MATHER, Director of Waterways Safety Management,
Department of Transport.

MA402

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
PROHIBITED SWIMMING AREA
Point Walter Foreshore, Swan River
City of Melville

Department of Transport,
Fremantle WA, 27th February 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming between the hours of 7:45pm and 8:15pm on Sunday 4th March 2018.

Point Walter Foreshore, Swan River

Area of Closure—All the waters within a 150 metre radius of the firing point located at approximately 32°0.617'S, 115°47.324'E, (approximately 130 metres northeast of the Point Walter Jetty).

This area is set aside for safety measures during the set up and display of pyrotechnics.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
Department of Transport.

MINERALS AND PETROLEUM

MP401

PETROLEUM PIPELINES ACT 1969

VARIATION STP-PLV-0077 OF PETROLEUM PIPELINE LICENCE PL 4

Petroleum Pipeline Licence PL 40 held by DBNGP (WA) Nominees Pty Ltd has, by instrument of variation STP-PLV-0077, been varied to insert into the Attachment to Application for Variation 7P/08-9 to Pipeline Licence PL 40 dated 6 July 2009, of Variation 7P/08-9 a Basis of Design to allow the installation and operation of the Pluto Interconnect Compressor Facilities.

RONALD MARK GABRIELSON, Acting Executive Director Resource Tenure,
Resource Tenure Division.

PLANNING

PL402

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Melville

Local Planning Scheme No. 6—Amendment No. 2

Ref: TPS/1968

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 Melville Local Planning Scheme amendment on 16 February 2018 for the purpose of—

Changing the R12.5 density code of the area surrounded by Riverview Terrace (south of Gunbower Road), Cowrie Crescent, Springside Avenue, and the lots abutting the eastern side of Bateman Road (between Canning Avenue and Gunbower Road), to R20; and

Changing the R12.5 density code of the area bordered by the Esplanade, Coogee Road, Ullapool Road and Hawkins Street, Mount Pleasant, to R20.

R. AUBREY, Mayor.
S. SILCOX, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Murray

Local Planning Scheme No. 4—Amendment No. 296

Ref: TPS/2056

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Murray Local Planning Scheme amendment on 16 February 2018 for the purpose of—

1. Insert a definition for 'building envelope' in Appendix I in appropriate alphabetical order as follows—

Building envelope means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.

2. Insert a new clause 7.6 as follows—

7.6 Building Envelopes

7.6.1 The objectives of building envelopes are to—

- (a) position and cluster buildings on a lot so as to minimise adverse visual impacts on the landscape character, streetscape and amenity of an area;
- (b) ensure buildings and effluent disposal facilities are adequately separated from water courses, wetlands, ground water, flood prone areas, areas of inundation, sources of transport noise and other environmental or site features;

- (c) minimise the need to clear significant vegetation or areas of revegetation for the construction of buildings and effluent disposal facilities;
- (d) avoid constructing buildings and effluent disposal facilities where ground or soil conditions may be unsuitable; and
- (e) assist in the effective management of bush fire risk.

7.6.2 A building envelope may be prepared for a lot if—

- (a) a provision of this scheme or a structure plan prepared under this scheme requires a building envelope to be prepared;
- (b) the Western Australian Planning Commission has imposed a requirement for the preparation of a building envelope as a condition of approval of a plan of subdivision; or
- (c) the local government or Western Australian Planning Commission has imposed a requirement for the preparation of a building envelope as a condition of development approval.

7.6.3 A building envelope prepared under clause 7.6.2 shall take effect upon approval by the local government. For the purposes of this clause, the local government shall be taken to have approved a building envelope where it has issued approval in writing of—

- (a) a building envelope prepared in satisfaction of a condition of subdivision approval;
- (b) a building envelope prepared in satisfaction of a condition of development approval;
- (c) a building envelope required to be prepared under a structure plan;
- (d) a structure plan in which a building envelope is depicted;
- (e) a building envelope required to be prepared in satisfaction of a provision of this scheme; or
- (f) an application for approval, relocation or modification of a building envelope pursuant to cl. 7.6.4.

Where a building envelope is approved by the local government then that approval shall supersede all previously approved building envelopes for that lot.

7.6.4 Without detracting from clause 7.6.2, a landowner or agent of a landowner may make application to the local government to—

- (a) approve a building envelope; or
- (b) relocate or otherwise modify a building envelope included in the building envelope register.

An application pursuant to this clause must be in the form of an application for development approval.

7.6.5 In considering an application to approve, relocate or modify a building envelope or a building envelope otherwise prepared under clause 7.6.2, the local government—

- (a) must have regard to the objectives and provisions set out in this clause 7.6;
- (b) may, where it considers the proposal could have a significant impact on amenity, consult with neighbouring landowners; and
- (c) where it has consulted under paragraph (b) must have due regard to any submissions received.

7.6.6 Subject to clause 7.6.8(b), only one building envelope may be permitted on a lot.

7.6.7 A building envelope must—

- (a) not exceed 2,000m² in area unless—
 - i. the lot within which the building envelope is situated is zoned Farmlet, in which case the building envelope must not exceed 4,000m² in area; or
 - ii. the lot within which the building envelope is situated is zoned Special Residential, in which case the building envelope must not exceed 1,000m² in area;
- (b) be regular in shape;
- (c) be situated so as to—
 - i. comply with any building setback distance specified by another provision of this scheme, or where a setback distance is not specified by another provision of this scheme then—
 - A. if the lot within which the building envelope is situated is zoned Special Residential and abuts River Glen Drive, Towera Road or Jacaranda Drive, North Yunderup, be situated 10 metres from a primary street boundary, 10 metres from the rear boundary and 5 metres from a side boundary; and
 - B. in any other case be situated no less than 20 metres from a primary street boundary of a lot and 10 metres from all other lot boundaries;
 - ii. minimize the need for clearing of areas with significant native vegetation, revegetation areas, flood prone areas or areas of ground water inundation;
 - iii. provide for adequate separation of buildings and effluent disposal facilities from water courses, wetlands, ground water, fire prone areas, sources of transport noise and other environmental or site features;

- iv. preclude the location of buildings and effluent disposal facilities which would have an adverse impact on the existing or planned landscape character of an area or where ground or soil conditions may be unsuitable; and
- v. align with any requirements arising from the implementation of *State Planning Policy 3.7—Planning in Bushfire Prone Areas*.

7.6.8 Notwithstanding clause 7.6.6, where necessary to protect the environmental features of a lot the local government may approve—

- (a) the location of a building envelope closer to one or more lot boundaries than the setback distances specified in clause 7.6.7; and
- (b) a second building envelope on a lot, provided the aggregate area of the two building envelopes does not exceed the maximum size for the building envelope specified by clause 7.6.7(a).

In exercising its discretion pursuant to this clause 7.6.8, the local government must consider the impact of the proposal on the amenity of the area and may consult with affected neighbouring owners.

7.6.9 The local government must establish and maintain a building envelope register. The building envelope register—

- (a) must contain details of all approved building envelopes;
- (b) must be kept available, with the Scheme documents, for public inspection during business hours at the offices of the local government; and
- (c) may be published on the website of the local government.

7.6.10 Where a building envelope is included in the building envelope register then every building and all effluent disposal facilities developed on the lot which the building envelope relates to must be located within the building envelope, with the exception of small scale, unenclosed animal shelters or other structures as specified by another provision of the Scheme, provided the shelter or other structure is—

- (a) located not closer to a lot boundary than the setback distances specified in clause 7.6.7
- (b) not located within a visually prominent position or in close proximity to a building envelope on an adjoining lot;
- (c) constructed using materials and colours that do not detract from the visual character and amenity of the area; and
- (d) which do not require the clearing of any significant vegetation on the lot or impact on any other significant environmental feature;

7.6.11 Where a building envelope was approved by the local government prior to the gazettal of this clause as an amendment to this Scheme, it shall be entered in the building envelope register and continue to have effect as if it were a building envelope approved under this clause.

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

PL401

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1320/57
Western Power Omnibus 2
Approved Amendment

File: 833-2-1-69 Pt 1 (RLS/0670/1)

The Minister for Planning has approved, as modified, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission amending plans 1.7433, 1.7434, 1.7435/1, 1.7536/1, 1.7537 and 1.7438 is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday 27 February 2018 to Friday 23 March 2018 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Canning
- City of Cockburn
- City of Fremantle
- City of Gosnells
- City of Joondalup
- City of Kalamunda
- City of Melville
- City of Nedlands

- City of Rockingham
- City of Stirling
- City of Swan
- City of Vincent
- City of Wanneroo
- Town of Bassendean
- Town of Cottesloe
- Town of Victoria Park

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Capel
Local Planning Scheme No. 7—Amendment No. 66

Ref: TPS/2104

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 Capel Local Planning Scheme amendment on 9 February 2018 for the purpose of—

1. Adding 'Single Dwelling' to Appendix 4 Special Use Zone Permitted Uses for Pt Sub Lot 49, Capel Drive, Capel.

M. SCOTT, Shire President.
P. SHEEDY, Chief Executive Officer.

PL405

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Stirling
Local Planning Scheme No. 3—Amendment No. 87

Ref: TPS/2029

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 Stirling Local Planning Scheme amendment on 13 December 2017 for the purpose of—

1. Modifying the Scheme Map by rezoning Lot 256, House Number 249, West Coast Drive, North Beach from 'Residential (R20)' to 'Local Centre'.

M. IRWIN, Mayor.
S. JARDINE, Chief Executive Officer.

PL406

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Stirling
Local Planning Scheme No. 3—Amendment No. 93

Ref: TPS/2030

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 Stirling Local Planning Scheme amendment on 13 December 2017 for the purpose of—

1. Modifying 'Table 1—Zoning Table' in the Scheme Text by replacing the symbol 'X' with the symbol 'D²' into the 'Local Centre' Zone for the 'Short Stay Accommodation' Use Class.

M. IRWIN, Mayor.
S. JARDINE, Chief Executive Officer.

PL407

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Stirling

Local Planning Scheme No. 3—Amendment No. 89

Ref: TPS/2049

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 Stirling Local Planning Scheme amendment on 21 December 2017 for the purpose of—

1. Replacing 'ROW Map 1 DCA 5' contained in Schedule 11A Development Contribution Plan of the Scheme Text with the following modified map—



G. ITALIANO JP, Mayor.
S. JARDINE, Chief Executive Officer.

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with Section 12(c) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon R. Saffioti MLA to act temporarily in the office of Minister for Mines and Petroleum; Commerce and Industrial Relations; Electoral Affairs; Asian Engagement in the absence of the Hon W. J. Johnston MLA for the period 25 to 28 March 2018 (both dates inclusive).

D. FOSTER, Director General,
Department of the Premier and Cabinet.

RACING, GAMING AND LIQUOR

RA401

LIQUOR CONTROL ACT 1988 LIQUOR APPLICATIONS

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

Any person wishing to obtain more details about any application, or about the objection process, should contact Racing, Gaming and Liquor, Level 2, Gordon Stephenson House, 140 William Street, Perth, Telephone: (08) 6551 4888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
A000254807	Finlay Brews Pty Ltd	Application for the conditional grant of a producer's licence in respect of premises situated in Kalbarri and known as Finlay's Kalbarri.	05/03/2018
A000256927	Linkar Group Pty Ltd	Application for the conditional grant of a Special Facility—Tourism licence in respect of premises situated in Perth and known as Linkar Wine Pty Ltd.	31/03/2018
A000257434	Spring17 Pty Ltd	Application for the conditional grant of a Tavern Restricted licence in respect of premises situated in Applecross and known as The Quarter Acre Hotel.	19/03/2018
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
A000256876	Filigree Holdings Pty Ltd	Application for the Variation of trading conditions of an Extended Trading Permit—Ongoing Hours for a Hotel licence in respect of premises situated in Kalgoorlie and known as The Exchange Hotel.	09/03/2018
APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
A000252156	Amarettos (WA) Pty Ltd	Application for the grant of a Liquor Without a Meal Permit for a Restaurant licence in respect of premises situated in Ellenbrook and known as Amarettos.	11/03/2018

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

DIRECTOR OF LIQUOR LICENSING.

Dated: 23 February 2018.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

James Joseph Kennedy, late of 253 Albert Street, Balcatta, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on 14 November 2017, are required by the Executors of the deceased, Jane and Malcolm Johns of 24 Bembridge Loop, Hocking WA 6065 to send particulars of their claims to them by 27 March 2018, 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

Estate of Peter Jack Kailis, late of 3739 Caves Road, Wilyabrup, 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 3 September 2017, are required by the administrator of the deceased's estate, being Cary Palassis Kailis, care of Summers Legal, 104 Colin Street, West Perth WA 6005, to send particulars of their claims to him within one month from the date of publication of this notice, after which date the administrator may convey or distribute the assets, having regard only to the claims of which he has notice.

SUMMERS LEGAL.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Any creditors having a claim on the estate of the late Joan Halpern of 1A Avonmore Terrace, Cottesloe, Western Australia, deceased 30 July 2017, are required to send particulars of their claims to Morgan Solomon, Solicitor for the executors, Solomon Hollett Lawyers, Level 3, 33 Richardson Street, West Perth WA 6005 by 27 March 2018, after which date the executors may distribute the assets having regard only to the claims of which they then have notice.

ZX404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Any creditors having a claim on the estate of the late Denise Mews of 1 Valley Close, Canning Vale, Western Australia, deceased 7 June 2017, are required to send particulars of their claims to Morgan Solomon, Solicitor for the executors, Solomon Hollett Lawyers, Level 3, 33 Richardson Street, West Perth WA 6005 by 27 March 2018, after which date the executors may distribute the assets having regard only to the claims of which they then have notice.

ZX405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

George James Keenan, late of 19 Roscorla Avenue, Yokine, 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 7 October 2017, are required by the Executor, Michael Joseph Keenan of 91 Kilda Road, Rivervale, Western Australia, to send particulars of their claims within one month of the date of publication of this notice to him, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me at Ellery Brookman, Locked Bag 400, Kalgoorlie WA 6433, by the date being one month following the publication of this notice, after which date I may convey or distribute the assets, having regard only to claims of which I then have notice.

Ivan Borovina, late of Lot 1425 Circle Valley Road, Salmon Gums, died 5 April 2017.

Helen Mary James, late of Kalkarni Residency, Lot 456 Whittington Street, Brookton, died 12 July 2015.

Beverley Patricia Love, late of 75 North Terrace, Boulder, died 27 August 2017.

Francis Gerard Sloane, late of 64A Amanda Drive, Westfield, died 14 March 2017.

LISA ELLERY, Ellery Brookman, Executor.

ZX407**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 estate of the late Mary Agnes Gilbert, late of 30138 Albany Highway, Kendenup Western Australia, who died on 16 May 2017, are required by the Executor, Terence John Gilbert to send particulars of their claims addressed to the Executor, Estate of the late Mary Agnes Gilbert care of Leach Legal, Level 15, 240 St Georges Terrace, Perth WA 6000 within one month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice.

Dated: 23 February 2018.

LEACH LEGAL,
Level 15, 240 St Georges Terrace,
Perth WA 6000.

ZX408**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 estate of Marie Therese Knight, late of 3/475 Canning Highway, Melville, Western Australia, deceased, who died on 16 September 2017, are required by the Executor to send particulars of their claim to the Executor, Ian Knight, c/- 2802/50 Lorimer Street, Docklands Victoria 3008 within one month of the date of publication hereof, after which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice

ZX409**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Reuben Charles Chapman, late of 16 Roy Street, Harvey in the State of Western Australia, Retired, 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 22 October 2017, are required by the Executor care of Fort Knox Legal, PO Box 390, West Perth WA 6872, to send the particulars of their claims to Fort Knox Legal by 20 April 2018, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX410**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Bansi Bongolo Mwenge Tchwemuloshe, late of 53 Ticehurst Way, Balga, Western Australia, Laboratory Technician, 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 18 April 2017, are required by the Executrix care of Fort Knox Legal, PO Box 390, West Perth WA 6872, to send the particulars of their claims to Fort Knox Legal by 20 April 2018, after which date the Executrix may convey or distribute the assets, having regard only to the claims of which she then has notice.
