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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER AND ANZAC DAY 2018

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

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

The *Gazette* will not be published on Tuesday 3rd April 2018.

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

— PART 1 —

HEALTH

HE301

Health Services Act 2016

Health Services (Fees and Charges) Amendment Order (No. 2) 2018

Made by the Minister under section 56(3) of the Act.

1. Citation

This order is the *Health Services (Fees and Charges) Amendment Order (No. 2) 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. Order amended

This order amends the *Health Services (Fees and Charges)* Order 2016.

4. Clause 7 amended

Delete clause 7(1) and insert:

(1) In this clause —

provider hospital means a hospital that has magnetic resonance imaging equipment in respect of which a Medicare benefit is payable for magnetic resonance imaging services in accordance with regulations made under the *Health Insurance Act 1973* (Commonwealth) section 4AA(1).

5. Clause 9 amended

Delete clause 9(2) and(3) and insert:

- (2) The fees and charges set out in Schedule 1 Division 5 Subdivision 1 apply in respect of the supply to a chargeable patient who is an adult of a specialised orthosis described in the Table.
- (3) The fees and charges set out in Schedule 1 Division 5 Subdivision 2 apply in respect of the supply to a chargeable patient who is a child of a specialised orthosis described in the Table.

6. Clause 12 amended

After clause 12(3)(a) insert:

(ab) the Motor Vehicle (Catastrophic Injuries) Act 2016;

7. Clause 13 amended

After clause 13(3)(a) insert:

(ab) the *Motor Vehicle (Catastrophic Injuries) Act 2016*;

8. Clause 14 amended

After clause 14(5)(a) insert:

(ab) the Motor Vehicle (Catastrophic Injuries) Act 2016;

9. Clause 15 amended

After clause 15(5)(a) insert:

(ab) the *Motor Vehicle (Catastrophic Injuries) Act 2016*;

10. Schedule 1 Division 5 Subdivision 1 heading replaced

Delete the heading to Schedule 1 Division 5 Subdivision 1 and insert:

Subdivision 1 — Adult chargeable patients

11. Schedule 1 Division 5 Subdivision 2 heading replaced

Delete the heading to Schedule 1 Division 5 Subdivision 2 and insert:

Subdivision 2 — Child chargeable patients

R. COOK, Minister for Health.

INDUSTRY REGULATION

IS301

Building Act 2011

Building Amendment Regulations 2018

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Building Amendment Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations on the day after that day.

3. Regulations amended

These regulations amend the *Building Regulations 2012*.

4. Regulation 31A amended

(1) In regulation 31A(2)(b) delete "set out" and insert:

subject to subregulation (3), set out

- (2) After regulation 31A(2) insert:
 - (3) Subregulation (2)(b) does not apply if the application for the building permit is made during the period beginning on 12 March 2018 and ending on 11 March 2019 (being the 12 month period beginning on publication of the edition of the Building Code Volume 1 named the National Construction Code 2016 Volume 1 Amendment 1).

5. Regulation 31BA amended

(1) In regulation 31BA(2)(b) delete "2018." and insert:

2019.

(2) In regulation 31BA(4)(b) delete "2018." and insert:

2019.

6. Regulation 31D amended

(1) In regulation 31D(3)(b) delete "that was" and insert:

subject to subregulation (3A), that was

- (2) After regulation 31D(3) insert:
 - (3A) Subregulation (3)(b) does not apply if the application for the most recent building permit is made during the period beginning on 12 March 2018 and ending on 11 March 2019 (being the 12 month period beginning on publication of the edition of the Building Code Volume 1 named the National Construction Code 2016 Volume 1 Amendment 1).

R. NEILSON, Clerk of the Executive Council.

JUSTICE

JU301

Cross-border Justice Act 2008

Cross-border Justice Amendment Regulations 2018

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Cross-border Justice Amendment Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations on the day after that day.

3. Regulations amended

These regulations amend the *Cross-border Justice Regulations 2009*.

4. Regulation 10 amended

- (1) In regulation 10(2) in the insertion delete paragraph (ba) and insert:
 - (ba) that the accused be examined by a medical practitioner or authorised health professional under the *Mental Health Act 2009* (South Australia) for the purpose of deciding whether to make an order under section 10(1) or 21(1) of that Act and that Act applies accordingly;
- (2) In regulation 10(5) in the insertion delete the definition of *medical practitioner* and insert:

medical practitioner ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the medical profession;

(3) In regulation 10(5) in the insertion clause (7) in the definition of *authorised hospital* paragraph (b) delete "*Mental Health Act 1993* (South Australia) section 3; or" and insert:

Mental Health Act 2009 (South Australia) section 3(1); or

- (4) In regulation 10(5) in the insertion clause (7) in the definition of *psychiatrist* delete paragraph (b) and insert:
 - (b) a psychiatrist as defined in the *Mental Health Act* 2009 (South Australia) section 3(1); or

5. Regulation 24 amended

(1) In regulation 24(2) in the insertion delete the definitions of:

dentist

doctor

nurse

(2) In regulation 24(2) in the insertion insert in alphabetical order:

dentist ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law; doctor ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the medical profession;

nurse ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the nursing and midwifery profession whose name is entered on the Register of Nurses kept under that Law;

6. Regulation 33 amended

(1) In regulation 33 in the insertion in section 52 delete the definitions of:

dentist

doctor

nurse

(2) In regulation 33 in the insertion insert in alphabetical order:

dentist ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law;

doctor ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the medical profession;

nurse ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the nursing and midwifery profession whose name is entered on the Register of Nurses kept under that Law;

7. Regulation 35 amended

(1) In regulation 35(2) in the insertion in the definition of *authorised hospital* paragraph (a) delete "*Mental Health Act 1993* (South Australia) section 3; and" and insert:

Mental Health Act 2009 (South Australia) section 3(1); and

- (2) In regulation 35(2) in the insertion in the definition of *involuntary patient* delete paragraph (b) and insert:
 - (b) includes a person who is the subject of an inpatient treatment order made under the *Mental Health Act 2009* (South Australia) Part 5; and
- (3) In regulation 35(2) in the insertion in the definition of *mental health laws* paragraph (b) delete "*Mental Health Act 1993* (South Australia); or" and insert:

Mental Health Act 2009 (South Australia); or

- (4) In regulation 35(2) in the insertion in the definition of *psychiatrist* delete paragraph (b)(i) and insert:
 - (i) a psychiatrist as defined in the *Mental Health Act 2009* (South Australia) section 3(1); and

8. Regulation 37 amended

In regulation 37 in the insertion subsection (4)(b) delete "*Mental Health Act 1993* (South Australia) section 12(1)" and insert:

Mental Health Act 2009 (South Australia) section 21(1)

9. Regulation 39 amended

In regulation 39(2) in the insertion in the definition of *authorised hospital* paragraph (b) delete "*Mental Health Act 1993* (South Australia) section 3; or" and insert:

Mental Health Act 2009 (South Australia) section 3(1); or

10. Regulation 40 amended

- (1) In regulation 40(2) in the insertion delete subsection (2A)(a) and insert:
 - (a) if that other jurisdiction is South Australia the Chief Psychiatrist as defined in the *Mental Health Act 2009* (South Australia) section 3(1); or
- (2) In regulation 40(3) in the insertion delete subsection (3A)(a) and insert:
 - (a) if that other jurisdiction is South Australia the Chief Psychiatrist as defined in the *Mental Health Act 2009* (South Australia) section 3(1); or

11. Regulation 41 amended

In regulation 41(2) in the insertion delete subsection (2)(a) and insert:

(a) if that other jurisdiction is South Australia — the Chief Psychiatrist as defined in the *Mental Health Act 2009* (South Australia) section 3(1); or

12. Regulation 42 amended

In regulation 42(2) in the insertion delete subsection (5)(a) and insert:

(a) if that other jurisdiction is South Australia — the Chief Psychiatrist as defined in the *Mental Health Act 2009* (South Australia) section 3(1); or

13. Regulation 43 amended

In regulation 43 in the insertion in the definition of *prisons laws* delete paragraph (c) and insert:

(c) if the jurisdiction is the Northern Territory—the *Correctional Services Act* (Northern Territory).

14. Regulation 44 amended

In regulation 44(2) in the insertion delete subsection (5A)(a) and insert:

(a) if that other jurisdiction is South Australia — the Chief Psychiatrist as defined in the *Mental Health Act 2009* (South Australia) section 3(1); or

15. Regulation 58 amended

In regulation 58 in the insertion in clause 10(2) after "participating jurisdiction" insert:

(or, in the case of the Northern Territory, a judge of the Local Court)

16. Regulation 78 amended

In regulation 78 in the insertion in section 72AA(2)(b) delete "the Clerk" and insert:

the Principal Registrar

17. Regulation 88 replaced

Delete regulation 88 and insert:

88. Section 65 altered

(1) In section 65 delete the definitions of:

dentist
medical practitioner
nurse practitioner
registered nurse

(2) In section 65 insert in alphabetical order:

dentist ^{1M} —

- (a) means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law; and
- (b) except in sections 63(7)(a)(i) and (ii) and 64AB(8)(a)(i) and (ii), includes a person registered under the *Health Practitioner Regulation National Law (South Australia)* or the *Health Practitioner Regulation National Law (NT)* in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law;

medical practitioner 1M —

- (a) means a person registered under the *Health*Practitioner Regulation National Law (Western

 Australia) in the medical profession; and
- (b) except in sections 63(7)(a)(i) and (ii) and 64AB(8)(a)(i) and (ii), includes a person registered under the *Health Practitioner Regulation National Law (South Australia)* or the *Health Practitioner Regulation National Law (NT)* in the medical profession;

nurse practitioner ^{1M} —

- (a) means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* whose name is entered on the Register of Nurses kept under that Law as being qualified to practise as a nurse practitioner; and
- (b) except in sections 63(7)(a)(i) and (ii) and 64AB(8)(a)(i) and (ii), includes a person registered under the *Health Practitioner Regulation National Law (South Australia)* or the *Health Practitioner Regulation National Law (NT)* whose name is entered on the Register of Nurses kept under that Law as being qualified to practise as a nurse practitioner;

registered nurse ^{1M} means a person registered under the Health Practitioner Regulation National Law (Western Australia), the Health Practitioner Regulation National Law (South Australia) or the Health Practitioner Regulation National Law (NT) in the nursing and midwifery profession whose name is entered on the Register of Nurses kept under that Law;

18. Regulation 107 amended

In regulation 107 in the insertion in section 98AA(1) in the definition of *community corrections officer* delete paragraph (b) and insert:

(b) if the jurisdiction is the Northern Territory — a probation and parole officer as defined in the *Correctional Services Act* (Northern Territory).

19. Regulation 133 amended

In regulation 133 in the insertion in subsection (1A) in the definition of *prison laws* delete paragraph (c) and insert:

(c) if the jurisdiction is the Northern Territory — the *Correctional Services Act* (Northern Territory).

R. NEILSON, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

Town of Cambridge

PARKING AMENDMENT LOCAL LAW 2018

Under the powers conferred on it by the *Local Government Act 1995* and under all other enabling powers, the Council of the Town of Cambridge resolved on 27 February 2018 to make the following local law.

1.1 Title

This local law may be cited as the Town of Cambridge Parking Amendment Local Law 2018.

1.2 Commencement

This local law commences 14 days after the day on which it is published in the Government Gazette.

1.3 Principal local law

This local law amends the *Town of Cambridge Parking Local Law 2016* published in the *Government Gazette* on 20 July 2016.

1.4 Clause 3.2 amended

The principal local law is amended as follows-

- (a) In clause 3.2(2)(d) delete 'or' where it appears at the end of the subclause;
- (b) In clause 3.2(2)(e) insert 'or' at the end of the subclause; and
- (c) insert a new subclause 3.2(2)(f) 'so that the vehicle is not faced against the normal flow of traffic on that side of the carriageway;'

1.5 Clause 5.11 amended

The principal local law is amended as follows—

(a) Delete Clause 5.11 and insert the following new clause—

'5.11 Driving over a footpath or verge

'Unless, otherwise approved or permitted by the local government, a person must not drive a vehicle over or across a footpath or verge adjacent to a length of carriageway to access a private driveway, private property, an adjacent verge or local government property, unless using an approved crossover.';

1.6 Schedule 2 amended

The principal local law is amended as follows-

Amend SCHEDULE 2—PRESCRIBED OFFENCES as follows—

- (a) In item 2, under the column of 'Nature of Offence', delete 'Parking against the flow of traffic' and insert 'Parking against the flow of traffic whilst in a parking bay';
- (b) Insert a new Item 23A. as follows—

23A.	3.2(2)(f)	Parking a	vehicle	against	the	normal	flow	of	80
		traffic whilst on a carriageway							

and

(c) In item 83, under the column of 'Nature of Offence', delete 'Driving over a residential verge' and insert 'Unless, otherwise approved or permitted by the local government, a person must not drive a vehicle over or across a footpath or verge adjacent to a length of carriageway to access a private driveway, private property, an adjacent verge or local government property, unless using an approved crossover.'

Dated this 1st day of March 2018.

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

KERI SHANNON, Mayor. JASON BUCKLEY, Chief Executive Officer.

LG302

LOCAL GOVERNMENT ACT 1995

City of Vincent

FENCING AMENDMENT LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Vincent resolved on 7 February 2018 to make the following local law.

1. Citation

This local law may be cited as the City of Vincent Fencing Amendment Local Law 2017.

2. Commencement

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

3. Principal local law

In this local law the *City of Vincent Fencing Local Law 2008* published in the *Government Gazette* on 15 April 2008 is referred to as the principal local law. The principal local law is amended.

4. Table of Contents

Delete the PART 2 of the table of contents and insert—

PART 2—FENCES

Division 1—Sufficient Fences

2.1 Sufficient fence

Division 2—General

- 2.2 Relationship with other laws
- 2.3 Gates in fences
- 2.4 Depositing fencing material on public place
- 2.5 Alteration of ground levels
- 2.6 Maintenance of fences
- 2.8 Fences across right of way, public accessways or thoroughfares
- 2.9 General discretion of the local government

Division 3—Fencing Materials

- 2.10 Pre-used fencing materials
- 2.11 Barbed wire fences and spiked or jagged materials
- 2.12 Electrified and razor wire fences
- 2.13 Prohibited fencing materials

Division 4—Tennis Court Fencing

2.14 Tennis court fencing

5. Clause 1.2 amended

Delete clause 1.2(1) and insert—

"(1) The objective of this local law is to establish the minimum requirements for fences within the district."

6. Clause 1.6 amended

In clause 1.6—

- (a) delete the definition of "Commercial lot" and insert—
 - ""Commercial lot" means a lot where a commercial use is or may be permitted under the local planning scheme, and is or will be the predominant use of the lot, and no residential use is a use of the lot;"
- (b) within the definition of "front boundary" delete "on more that one" and insert "on more than one";
- (c) delete the definition of "Industrial lot" and insert—
 - ""Industrial lot" means a lot where an industrial use is or may be permitted under the local planning scheme and is or will be the predominant use of the lot, and no residential use is a use of the lot;"
- (d) insert in alphabetical order—
 - " "local planning scheme" means a local planning scheme of the local government made under the Planning and Development Act 2005;"
- (e) within the definition of "Residential lot" delete "the predominant" and insert "a";
- (f) after the definition of "thoroughfare" delete "; and" and insert "."
- (g) delete the definition of "Town planning scheme".

7. Clause 2.1 amended

- (1) Delete clause 2.1(1) and insert—
 - "(1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless—
 - (a) in respect of a dividing fence—
 - (i) All the owners of land that the dividing fence separates agree in writing to the type of dividing fence that is to be erected and that fence does not exceed 2400 millimetres in height and is designed by a suitably qualified structural engineer and constructed in accordance with that design; or
 - (ii) The dividing fence is determined to be a sufficient fence, for the purposes of the *Dividing Fences Act 1961*, by a magistrates court, under the *Dividing Fences Act 1961*; or
 - (iii) The approval of the local government has been obtained for such a fence."
 - (2) Delete clauses 2.1(5) and 2.1(6).

8. Clause 2.2 amended

Delete clause 2.2 and insert—

"2.2 Relationship with other laws

- (1) Nothing in this local law affects the need for compliance, in respect of a fence, with— $\,$
 - (a) any relevant provisions of a local planning scheme; and
 - (b) any relevant provisions that apply if a building permit is required for that fence under the *Building Act 2011* or *Building Regulations 2012*.
- (2) Where there is inconsistency between the standards and requirements of this local law and those specified in a local planning scheme, the standards and requirements of a local planning scheme shall prevail."

9. Clause 2.3 amended

In clause 2.3 delete "fence" and insert "boundary fence".

10. Clause 2.7 deleted

Delete clause 2.7.

11. Clause 2.10 amended

In clause 2.10 delete "fence" and insert "boundary fence".

12. Clause 6.1 amended

- (1) In clause 6.1(1) delete "\$250" and insert "\$500";
- (2) In clause 6.1(2) delete "\$250" and insert "\$500".

13. Schedule 1 amended

Delete Schedule 1—Prescribed Offences and insert Schedule 1—Prescribed Offences—as follows—

SCHEDULE 1 PRESCRIBED OFFENCES

(clause 6.2)

Item	Clause No.	Nature of Offence	Modified Penalty \$
1	2.1(1)	Erect a fence which is not a sufficient fence	500
2	2.3(a)	Erect or maintain a gate in a boundary fence not opening into the lot	500
3	2.3(b)	Erect or maintain a gate in a boundary fence not sliding parallel and inside of fence	500
4	2.6(1)	Failure to maintain a fence in good condition/prevent fence becoming dangerous, dilapidated, unsightly	500
5	2.8	Erect or maintain a fence/obstruction temporary or permanent across a right-of- way, public access way or thoroughfare without approval	500
6	2.10(1)	Construct a boundary fence on a Residential, Commercial or Industrial lot from pre-used materials without written approval	500

Item	Clause No.	Nature of Offence	Modified Penalty \$
7	2.11(1)	Erect a fence using barbed wire or material with spiked or jagged projections in fence construction without approval	500
8	2.12(1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	500
9	2.13	Affix, or use, any broken glass in a fence	500
10	2.14(1)(a)	Erect a tennis court fence higher than 3600 millimetres without approval	500
11	2.14(1)(b)	Erect tennis court fence less than 900 millimetres from boundary	500
12	2.14(1)(c)	Erect a link mesh fence higher than 3600 millimetres or not in accordance with manufacturer's specification without approval	500
13	3.3	Failure to comply with terms or conditions of approval	500
14	5.1(3)	Failure to comply with notice of breach	500

,,

14. Schedule 2 amended

Delete Schedule 2—Specifications for a Sufficient Fence on a Residential Lot and insert Schedule 2—Specifications for a Sufficient Fence on a Residential—as follows—

SCHEDULE 2

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

Each of the following is a "sufficient fence" on a Residential lot—

- A. A fully enclosed timber boundary fence or dividing fence built in accordance with established construction techniques, and—
 - (i) the height of the dividing fence to be 1800 millimetres except with respect to the front setback area;
 - (ii) the height of the boundary fence to not exceed 1800 millimetres.
- B. A dividing fence constructed of corrugated fibre reinforced pressed cement or metal sheeting erected in accordance with the manufacturer's specifications and which satisfies the following specifications—
 - (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600 millimetres:
 - (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
 - (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturer's instructions or established construction techniques; and
 - (d) the height of the dividing fence to be 1800 millimetres, except with respect to the front setback.
- C. A boundary fence or dividing fence constructed of brick, masonry, stone or concrete, which satisfies the following specifications—
 - (a) concrete footings with minimum dimensions of 225 millimetres x 150 millimetres for single leaf walls or 300mm x 300mm for double leaf walls:
 - (b) fences to be offset a minimum of 200 millimetres at maximum 3000 millimetres centres or 225 millimetres x 100 millimetres engaged piers to be provided at maximum 3,000 millimetres centres;
 - (c) expansion joints in accordance with the manufacturer's written instructions; and
 - (d) the height of the dividing fence to be 1,800 millimetres except with respect to the front setback area.
 - (e) The height of the boundary fence to not exceed 1800 millimetres.
- D. A composite dividing fence having an overall height of 1,800 millimetres, except with respect to the front setback area, which satisfies the following specifications for the brick component of the construction—
 - (1) (a) brick piers of minimum 345 millimetres x 345 millimetres at 1,800 millimetres centres bonded to a minimum height base wall of 516 millimetres (6 courses);

- (b) each pier shall be reinforced with one 10 millimetre diameter galvanised reinforced starting rod 1,500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level;
- (c) the minimum ultimate strength of brickwork shall be 20 Megapascals. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
- (d) the ground under the footings is to be compacted to 6 blows per 300 millimetres and checked with a standard falling weight penetrometer; and
- (e) control joints in brickwork shall be provided with double piers at a maximum of 6000 millimetre centres; or
- (2) (a) brick piers of a minimum 345 millimetres x 345 millimetres x 2,700 millimetres centres bonded to the base; and
 - (b) each pier shall be reinforced with two 10 millimetre diameter galvanised reinforced starting rods 1500 millimetres high with a 250 millimetres horizontal leg bedded into a 500 millimetres x 200 millimetres concrete footing and set 65 millimetres above the base of the footing. The top of the footing shall be 1 course (85 millimetres) below ground level."

15. Schedule 3 amended

- (1) In Schedule 3 clause A—
 - (a) delete "A fence" and insert "A dividing fence";
 - (b) delete "no greater than 2400" and insert "1800";
- (2) In Schedule 3 clause B, delete "A fence" and insert "A dividing fence";
- (3) In Schedule 3 clause C-
 - (a) delete "A fence" and insert "A dividing fence";
 - (b) delete "aluminium" and insert "metal";
 - (c) delete "but no greater than 2400 millimetres";

Dated: 26 February 2018.

The Common Seal of the City of Vincent was affixed in the presence of-

EMMA COLE, Mayor. LEN KOSOVA, Chief Executive Officer.

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

BIOSECURITY AND AGRICULTURE MANAGEMENT (PERMITTED ORGANISMS) DECLARATION (No. 1) 2018

Made under section 11 of the Act by a Director of the Department of Primary Industries and Regional Development as delegate of the Minister.

1. Citation

This declaration is the Biosecurity and Agriculture Management (Permitted Organisms) Declaration (No. 1) 2018.

2. Permitted organisms

- (1) An organism listed below is declared under section 11 of the Act to be a permitted organism.
- (2) All previous declarations under the Act relating to the organisms below are revoked.
- Conophytum longibracteatum L.Bolus
- Conophytum pium S. A. Hammer
- Conophytum pubescens (Tischer) G.D.Rowley
- Conophytum smaleorum Rodgerson & Young
- Conophytum stevens-jonesianum L.Bolus
- Conophytum subterraneum Smale & T.Jacobs
- Conophytum swanepoelianum Rawe
- Conophytum tomasii Halda
- Conophytum verrucosum (Lav.) G.D.Rowley
- Conophytum youngii Rodgerson
- Hydrocotyle tripartita R.Br. ex A.Rich.
- Rhaphidophora tetrasperma Hook. F.

VICTORIA AITKEN, A/Director, Invasive Species, Department of Primary Industries and Regional Development.

Date: 6 March 2018

CONSERVATION

CO401

CONSERVATION AND LAND MANAGEMENT ACT 1984

CONSERVATION AND LAND MANAGEMENT (EXCISION FROM STATE FOREST) ORDER (No. 2) 2018

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. 2) 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. Portions of State Forest No. 14 excised

The area described in Schedule 1 is ordered to be excised from State Forest No. 14.

Schedule 1—Land no longer part of State Forest No. 14

All that portion of land situated about 2 kilometres south of Dwellingup and comprising of Lot 350 on Deposited Plan 68256.

Area: 0.8749 hectares

On Landgate plan: Dwellingup (2132-IV-SW).

4. Purpose of excision

The area described in Schedule 1 is to facilitate dedication of a portion of River Road.

Hon STEPHEN DAWSON MLC, Minister for Environment.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

SHARK BAY SCALLOP MANAGED FISHERY MANAGEMENT PLAN 1994

Clause 9 closures of areas within the Fishery

I, Heather Brayford, Deputy Director General of the Department of Primary Industries and Regional Development, Sustainability and Biosecurity, Western Australia, in accordance with the Shark Bay Scallop Managed Fishery Management Plan 1994, hereby give notice that I have cancelled Determination of Areas Closed to Fishing for Scallops in the Shark Bay Scallop Managed Fishery: Determination No.1 of 2017 which set out the dates, times and areas that fishing is prohibited in the Shark Bay Scallop Managed Fishery.

I hereby give notice that a new determination (Determination of Areas Closed to Fishing for Scallops in the Shark Bay Scallop Managed Fishery: Determination No. 1 of 2018) has been made in accordance with clause 9 of the Shark Bay Scallop Managed Fishery Management Plan 1994, which sets out the dates, times and areas that fishing is prohibited in the Shark Bay Scallop Managed Fishery during the period commencing from the date of gazettal of this notice and ending on 1 June 2019.

A copy of this determination which is signed by me may be obtained from, or inspected at the the offices of the Department of Primary Industries and Regional Development, Sustainability and Biosecurity, located at 59 Olivia Terrace, Carnarvon and Knight Terrace, Denham or can be viewed online at www.fish.wa.gov.au.

HEATHER BRAYFORD, Deputy Director General as delegate for Chief Executive Officer.

Dated this 22nd day of February 2018.

JUSTICE

JU401

JUSTICES OF THE PEACE ACT 2004

RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Miss Kendra Anne Grace of Pelican Point

Mr Geoffrey Alexander Hart of Karrinyup

Mrs Barbara Rendell of Mount Nasura

from the Office of Justice of the Peace for the State of Western Australia.

JOANNE STAMPALIA, Executive Director, Court and Tribunal Services.

LOCAL GOVERNMENT

LG402

 $\begin{array}{c} \textbf{DOG ACT 1976} \\ \textbf{CAT ACT 2011} \end{array}$

City of Nedlands
APPOINTMENTS

Notice is hereby given for public information that the following persons have been appointed as Registration Officers under the provision of the *Dog Act 1976* and the *Cat Act 2011* for the City of Nedlands, effective 1 March 2018—

Shayla Brooks

Tarene Fernando

Dated: 1 March 2018.

LG401

TOWN OF BASSENDEAN APPOINTMENTS

It is hereby notified for public information that Sean Watson has been appointed as a Ranger, effective from Monday, 5 March 2018 and he is an Authorised Officer that is required to enforce the below listed Acts, Local Laws and Regulations.

It is also hereby notified for public information that Sharna Merritt, Mark Bettridge, Carol Grazier, Damian Stephen, Chris Pritchard and Michael Glendinning are Authorised Officers under the following Acts, Local Laws and Regulations and are required to enforce the—

- i. Dog Act 1976 and Regulations
- ii. Litter Act 1979 and Regulations
- iii. Local Government Act 1995
- iv. Local Government (Miscellaneous Provisions) Act 1960
- v. Council Local Laws
- vi. Control of Vehicles (Off-road Areas) Act 1978 and Regulations
- vii. Bush Fires Act 1954 and Regulations
- viii. Cat Act 2011 and Regulations
- ix. Caravan Parks and Camping Grounds Act 1995
- x. Graffiti Vandalism Act 2016

It is also hereby notified for public information that the following people are Authorised under the *Dog Act 1976* and the *Cat Act 2011*, including Regulations—

Authorised Persons—

Simon Stewert-Dawkins

Registration Officers-

Abigail Evans

Jenni Parkin

Tamsin Mane

Melissa Bowers

Deborah Lacy

Previous appointments of persons as Authorised Officers under the abovementioned Acts and Local Laws are hereby cancelled.

Dated: 6 March 2018.

R. C. JARVIS, Chief Executive Officer.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982

SWIMMING PROHIBITED AREA
Dawesville Channel
City of Mandurah

Department of Transport, Fremantle WA, 9 March 2018.

Acting pursuant to the powers conferred by Section 10A of the *Navigable Waters Regulations 1958*, I hereby cancel part three (3) Prohibited Swimming Area, of notice number TR401 as published in the *Government Gazette* on 6 September 1996 and hereby prohibit swimming within the following area—

Dawesville Channel: All those waters of the Dawesville Channel bounded in the west by a line from 32° 35.975′S, 115° 37.682′E (corresponding to the Dawesville Channel Outer Starboard marker) to 32° 35.981′S, 115° 37.857′E (corresponding to the Dawesville Channel Outer Port marker) and in the east by a line from 32° 36.629′S, 115° 39.003′E (corresponding to the Dawesville Channel Inner Port marker) to 32° 36.827′S, 115° 38.785′E (corresponding to the Dawesville Channel Inner Starboard marker), excluding the waters of the Northport Canals, the Eastport Canals, and the Southport Canal. All coordinates based on GDA 94.

Providing however this does not apply to any Aquatic Events approved under Regulation 51C of the *Navigable Waters Regulations 1958* pertaining to swimming within the channel.

CHRISTOPHER J. MATHER, Director Waterways Safety Management, Department of Transport. **MA402**

WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS 1958

WATER SKI AREA Mandurah Estuary City of Mandurah

Department of Transport, Fremantle WA, 9 March 2018.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, I hereby set aside the following area of water for the purpose of water skiing—

Mandurah Estuary: All those waters of Mandurah Estuary bounded (i) in the north by a line from 32°31.897′S, 115°42.865′E (on the Halls Head foreshore approximately 440 metres north-north-west of the Mandurah Bridge) to 32°31.770′S, 115°43.024′E (approximately 340 metres north-easterly on Stingray Point); and (ii) in the east by a line from 32°31.770′S, 115°43.024′E to 32°31.968′S, 115°43.112′E (on the eastern foreshore reserve in line with Tuckey Street); and (iii) in the south by a line through 32°32.145′S, 115°43.168′E (on the eastern foreshore approximately 135 metres south of the bridge) and 32°32.189′S, 115°43.007′E (on the western foreshore approximately 265 metres west-south-westerly); but (iv) excluding the Closed Waters (Motorised Vessels) Area north-west of the bridge.

Providing however this area only applies to water skiing activities associated with Aquatic Events approved under Regulation 51C of the *Navigable Waters Regulations 1958*. All water skiing activities shall take place in a water depth of 1.5m or greater.

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

MA403

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREA
5 Knots
Mandurah Estuary
City of Mandurah

Department of Transport, Fremantle WA, 9 March 2018.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, I hereby cancel notice number MA403 as published in the Government Gazette on 3 December 2013 and limit the speed of all motorised vessels to five (5) Knots within the following area—

Mandurah Estuary Channel: All the waters of the Mandurah Estuary upstream of the seaward end of the breakwaters at the Indian Ocean entrance and downstream of a line between 32°32.1352S, 115°43.0102E and 32°32.0902S, 115°43.1342E and including all the waters of Mandjar Bay. All coordinates based on GDA 94.

Providing however this does not apply to bonafide vessels associated with Aquatic Events approved under Regulation $51\mathrm{C}$ of the *Navigable Waters Regulations 1958* and associated aquatic event approval conditions.

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

MINERALS AND PETROLEUM

MP401

PETROLEUM PIPELINES ACT 1969

VARIATION STP-PLV-0074 OF PETROLEUM PIPELINE LICENCE PL 64

Petroleum Pipeline Licence PL 64 held by AWE Perth Pty Ltd and Lattice Energy (Resources) Perth Basin) Pty Limited has, by instrument of variation STP-PLV-0074, been varied by replacing The Schedule, 2. Description of the Pipeline, section 2.1—Particulars of the Pipeline with the new The Schedule, 2. Description of the Pipeline, section 2.1—Particulars of the Pipeline to show the Increased Pipeline Design Capacity from 10 TJ/d to 11.5 TJ/d to allow production at higher gas rates, with effect on 2 March 2018.

MP402

MINING ACT 1978

INTENTION TO FORFEIT

Department of Mines, Industry Regulation and Safety, Perth WA 6000.

In accordance with Regulation 50 of the *Mining Regulations 1981*, notice is hereby given that unless the outstanding royalty payment due on the under mentioned leases is paid on or before 6 April 2018 or a written submission is made by that date to the Minister responsible for the *Mining Act 1978* for the Minister to consider, it is the intention of the Minister under the provisions of section 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant by the holder of the under mentioned leases for failure to comply with the royalty provisions in accordance with Regulation 86A.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
	MINING LEASE	
M 04/0357	Meteor Nominees Pty Ltd	West Kimberley
M 08/0475	Stirling Bay Holdings Pty Ltd Swan Bay Holdings Pty Ltd	Ashburton
M 09/0109	Kapitany, Tamas Pas, Johan Pieter	Gascoyne
M 15/1805	Brown, Ronald William Norvale Pty Ltd	Coolgardie
M 16/0268	Carnegie Gold Pty Ltd	Kunanalling
M 45/1249	Stirling Bay Holdings Pty Ltd Swan Bay Holdings Pty Ltd	Marble Bar
M 47/0325	Stirling Bay Holdings Pty Ltd Swan Bay Holdings Pty Ltd	West Pilbara
M 47/0796	Corps, Darryl John Corps, Vaughan William	West Pilbara
M 70/0013	Limestone Building Blocks Co. Pty Ltd	South West
M 70/0339	Limestone Building Blocks Co. Pty Ltd	South West
M 70/0733	PMR Quarries Pty Ltd	South West
M 80/0477	JAB Management Pty Ltd	Kimberley
M 80/0505	Guerinoni, Michael Angelo	Kimberley
M 80/0530	JAB Management Pty Ltd	Kimberley

MP403

MINING ACT 1978

INSTRUMENT OF EXEMPTION OF LAND

I, Ronald Mark Gabrielson, Acting Executive Director Resource Tenure, by instrument of Delegation dated 21 December 2017, as Acting Executive Director of Resource Tenure, the power pursuant to Section 19(1)(a) of the *Mining Act 1978* hereby declare the land described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Locality

Murchison region

Description of Land

Land designated S19/372 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Mines, Industry Regulation and Safety electronic file number A1882/201501 document ID 5555110.

Area of Land

52.93 hectares

Dated at Perth this 28th day of February 2018.

MP404

MINING ACT 1978

RESTORATION OF MINING LEASE

Department of Mines, Industry Regulation and Safety, East Perth WA 6004.

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

Hon BILL JOHNSTON MLA, Minister for Mines and Petroleum.

Mining LeaseTenement HolderMineral FieldM58/124Madsen; BjornMurchison

PLANNING

PL101

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

Town of Bassendean

Local Planning Scheme No. 10—Amendment No. 8

Ref: TPS/1979

It is hereby notified for public information that the notice under the above Amendment No. 8 published at page 518 of the *Government Gazette* No. 24 dated 23 February 2018, contained an error which is now corrected as follows—

Reads

3. (b)

Shall not be subject to any maximum plot ration

Should be

3. (b)

Shall not be subject to any maximum plot ratio

B. JARVIS, Chief Executive Officer.

PL102

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

 $Town\ of\ Bassendean$

Local Planning Scheme No. 10—Amendment No. 9

Ref: TPS/2137

It is hereby notified for public information that the notice under the above Amendment No. 9 published at page 517 of the *Government Gazette* No. 24 dated 23 February 2018, contained an error which is now corrected as follows—

Date

30 January 2017

Should be

30 January 2018

PL401

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO THE DECLARATION OF PLANNING CONTROL AREA 122

Armadale Road Deviation (Cockburn Central)

City of Cockburn

File: 835-2-23-11

General description

The Minister for Planning has granted approval to amend Planning Control Area 122. The planning control area has previously been declared to protect the future primary regional road reservation for the Armadale Road bridge/North Lake Road re-alignment. The planning control area is now amended to include all lots severed to the south by the deviation route, as well as adjustments to account for the final alignment of the Armadale Road deviation and new North Lake Bridge / Freeway interchange, as shown on Western Australian Planning Commission plan number 1.7415/2.

Purpose

The purpose of the planning control area is to protect the future primary regional road reservation for the Armadale Road bridge/North Lake Road re-alignment. The WAPC considers that the planning control area is required over the whole of the land to ensure that no development occurs on this land which might prejudice this purpose until it may be reserved for future primary regional road reservation in the Metropolitan Region Scheme.

Duration and effects

The amended Planning Control Area has effect from the date of publication of this notice in the *Government Gazette* to 8 March 2021, or until revoked by the WAPC with the approval of the Minister.

A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the WAPC in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Display locations

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Cockburn, 9 Coleville Crescent, Spearwood

KERRINE BLENKINSOP, Secretary, Western Australian Planning Commission.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Joseph Damien Hogan, late of 34 Nightingall Drive, Cable Beach, Broome, Western Australia, Teacher, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of Joseph Damien Hogan, who was found dead on 9 January 2018, are required by the trustees, Mary Therese Pitt and Margaret Anne Reeves to send particulars of their claim to his lawyers, Paynes Lawyers of PO Box 828, West Perth, Western Australia 6872 by 20 April 2018, after which date the trustees may convey and distribute the assets, having regard only to the claims of which they then have notice.

PAYNES LAWYERS, Tel: 08 92211771, Fax: 08 9221 3858. Email: legal@paynes.com.au ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Herbert George Morby, late of 99/219 Midland Road, Hazelmere, Western Australia, Engineer, ("the deceased").

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the deceased, who was found deceased on 29 August 2016, are required by the Executor, Patricia Ann Culnane care of Your Legal HQ of PO Box 1587, Osborne Park WA 6916 to send particulars of their claims to them by no later than 10 April 2018, after which date the Executor may distribute the assets having regard only to the claims on hand.

ZX403

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 Sharon Lee Bentley, late of 50 Inquirer Lane, Stratton WA deceased, who died on 30 May 2017, are required by the executor of the estate namely Chantal Pia Lyneham to send particulars of their claims to them, c/- PO Box 375, Melville WA 6956, within one (1) month of the date of publication hereof, after which date the executor may convey or distribute the assets having regard 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 Joyce Gallop of Brightwater Care Group, 6 Jolstra Crescent, Joondalup, deceased 12 December 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 9 April 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

Gunawati Gunawati, late of 8A Clarke Road, Morley, 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 above deceased, who died on 15 May 2017, are required by the Administrator c/- M 6:8 Legal, PO Box 936, Canning Bridge WA 6153 to send particulars of their claims within one (1) month of the date of publication of this notice, after which date the Administrator may distribute the assets, having regard only to claims of which he then has notice.

ZX406

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Betty Irene Harris, late of 32/12 Hardy Street, Denmark, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on the 19th day of December 2017, are required by the Executor of the late Betty Irene Harris c/- Haynes Robinson Lawyers of PO Box 485, Albany, Western

Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 2nd day of March 2018.

HAYNES ROBINSON.

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 Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 9 April 2018, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Armstrong, Mary Rose (also known as Mary Armstrong) late of 56/19 Mayfair Street, West Perth who died 28.12.17 (DE19651713 EM35).
- Boardman, Ronald Ralph Wallace, late of Morrison Lodge, 1A North Street, Midland (formerly of 49 Ashburton Rise, Gidgegannup) who died 27.01.18 (DE19850741 EM26).
- Curtis, Roland Edward Stephen, late of McDougall Park Nursing Home, 18 Ley Street, Como (formerly of 90 Kilkenny Circle, Waterford) who died 25.11.17 (DE19954112 EM23).
- Devereaux, Allan John, late of Alice Ross-King Care Centre, Air Force Memorial Estate, Bull Creek Drive, Bull Creek (formerly of 13b Townson Place, Leeming) who died 05.02.18 (DE19590858 EM313).
- Green, Beryl Maude, late of 18 Marjorie Parade, Rockingham, who died 31.10.17 (DE19620648 EM36).
- Lodge, Gerd (also known as Trudy Lodge) late of 6 Drummond Street, Redcliffe who died 07.01.18 (DE33062290 EM37).

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