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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2018 AND NEW YEAR HOLIDAY PERIOD 2019

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Friday, 28 December 2018 at 12 noon	Monday, 24 December 2018 at 12 noon
Friday, 4 January 2019 at 12 noon	Wednesday, 2 January 2019 at 12 noon



# — PART 1 —

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## PROCLAMATIONS

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AA101

Liquor Control Amendment Act 2018

### **Liquor Control Amendment Act 2018 Commencement Proclamation (No. 2) 2018**

Made under the *Liquor Control Amendment Act 2018* section 2(b) by the Governor in Executive Council.

**1. Citation**

This proclamation is the *Liquor Control Amendment Act 2018 Commencement Proclamation (No. 2) 2018*.

**2. Commencement**

The provisions of the *Liquor Control Amendment Act 2018* listed in the Table come into operation on the day after the day on which this proclamation is published in the *Gazette*.

**Table**

s. 5	s. 8
s. 10	s. 12
s. 20 to 22	s. 25 and 26
s. 32	s. 35
s. 38 and 39	s. 46
s. 56	s. 60
s. 62(2)	s. 63

K. BEAZLEY, Governor.

L.S.

P. PAPALIA, Minister for Racing and Gaming.

Note: The *Liquor Control Amendment Regulations (No. 3) 2018*, other than regulations 1, 2 and 15(2) and (4), come into operation when the *Liquor Control Amendment Act 2018* section 5 comes into operation.

AA102

Mines Safety and Inspection Amendment Act 2018

## **Mines Safety and Inspection Amendment Act 2018 Commencement Proclamation 2018**

Made under the *Mines Safety and Inspection Amendment Act 2018*  
section 2(b) by the Governor in Executive Council.

### **1. Citation**

This proclamation is the *Mines Safety and Inspection  
Amendment Act 2018 Commencement Proclamation 2018*.

### **2. Commencement of Act**

The *Mines Safety and Inspection Amendment Act 2018*, other  
than sections 1 and 2, comes into operation on the day after the  
day on which this proclamation is published in the *Gazette*.

K. BEAZLEY, Governor.

L.S.

W. JOHNSTON, Minister for Mines and Petroleum.

AA103

Occupational Safety and Health Amendment Act 2018

## **Occupational Safety and Health Amendment Act 2018 Commencement Proclamation 2018**

Made under the *Occupational Safety and Health Amendment Act 2018*  
section 2(b) by the Governor in Executive Council.

### **1. Citation**

This proclamation is the *Occupational Safety and Health  
Amendment Act 2018 Commencement Proclamation 2018*.

### **2. Commencement of Act**

The *Occupational Safety and Health Amendment Act 2018*, other  
than sections 1 and 2, comes into operation on the day after the  
day on which this proclamation is published in the *Gazette*.

K. BEAZLEY, Governor.

L.S.

W. JOHNSTON, Minister for Commerce and Industrial Relations.

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**CONSUMER PROTECTION**

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CP301

Retail Trading Hours Act 1987

**Retail Trading Hours (Metropolitan Area)  
Christmas 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 (Metropolitan Area) Christmas 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 metropolitan area trading hours during December 2018**

- (1) In this clause —

***Christmas 2018*** means the period that begins on 15 December 2018 and ends on 24 December 2018 (both dates inclusive).

- (2) General retail shops, other than motor vehicle shops, in the metropolitan area are authorised to be open, at times when those shops would otherwise be required to be closed, on the days and during the periods referred to in the Table.

**Table**

8 and 9 December 2018	From 8 am until 6 pm
Christmas 2018	Mondays, Tuesdays, Wednesdays, Thursdays and Fridays — from 7 am until 9 pm Saturdays and Sundays — from 8 am until 6 pm
26, 29 and 30 December 2018	From 8 am until 6 pm

**4. Variation of metropolitan area trading hours on New Year's Day and Australia Day public holiday 2019**

General retail shops, other than motor vehicle shops, in the metropolitan area are authorised to be open, at times when those shops would otherwise be required to be closed, on 1 and 28 January 2019, from 8 am until 6 pm.

**5. 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.

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## ENERGY

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EN301

Gas Standards Act 1972

### **Gas Standards (Gas Supply and System Safety) Amendment Regulations 2018**

Made by the Governor in Executive Council.

**1. Citation**

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

**4. Regulation 27 amended****(1) In regulation 27(2):**

- (a) in paragraph (a) delete “AS/NZS 4645.1:2008” and insert:

AS/NZS 4645.1:2018

- (b) in paragraph (b) delete “AS 2885.1-2007” and insert:

AS 2885.1-2012

- (c) in paragraph (c) delete “AS 2885.3-2001” and insert:

AS 2885.3-2012

**(2) Delete regulation 27(3).**

M. INGLIS, Clerk of the Executive Council.

EN302

Gas Standards Act 1972

## **Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 2018**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Gas Standards (Gasfitting and Consumer Gas Installations) Amendment Regulations (No. 2) 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 *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999*.

**4. Regulation 15 amended**

Delete regulation 15(2) and insert:

- (2) The permit authorises the holder to supervise the gasfitting work specified in the permit if it is being done by a person who —
- (a) has a permit to do the work; or
  - (b) is a supervised gas fitter.

**5. Schedule 6 Division 2 deleted**

Delete Schedule 6 Division 2.

M. INGLIS, Clerk of the Executive Council.

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EN303

Electricity Act 1945

## **Electricity Amendment Regulations 2018**

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Electricity Amendment Regulations 2018*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 January 2019.

### **Part 2 — *Electricity Regulations 1947* amended**

**3. Regulations amended**

This Part amends the *Electricity Regulations 1947*.

#### 4. Regulation 2 replaced

Delete regulation 2 and insert:

#### 2. Terms used

In these regulations, unless the contrary intention appears —

***active conductor*** means —

- (a) in a system that includes a neutral conductor — a conductor in the system maintained at a difference of potential from the neutral conductor; and
- (b) in a system that does not include a neutral conductor — any conductor in the system;

***appliance*** means a consuming device, other than a lamp, in which electricity is —

- (a) converted into heat, motion or other form of energy; or
- (b) substantially changed in its electrical character;

***conductor*** means a wire or other form of conducting material suitable for carrying current except where the wire or material is directly employed in converting electrical energy into another form;

***electrical equipment*** means any of the following when used for the generation, conversion, storage, transmission, distribution or utilisation of electrical energy —

- (a) wiring systems;
- (b) switchgear;
- (c) controlgear;
- (d) accessories;
- (e) appliances;
- (f) luminaires;
- (g) fittings;

***neutral conductor*** means —

- (a) the conductor of a 3-phase system that is maintained at an intermediate and approximately uniform potential in respect of the active conductors; or
- (b) the conductor of a single-phase system that is connected to earth at its origin.

**5. Regulation 12 amended**

- (1) In regulation 12 delete the definitions of:

***commencement day***

***installed***

- (2) In regulation 12 insert in alphabetical order:

***building permit*** has the meaning given in the *Building Act 2011* section 3;

***premises*** does not include a transportable structure or vehicle;

***properly installed***, in relation to residential premises or common property relating to residential premises, means —

- (a) installed in accordance with regulation 12A in relation to those premises or that property; and
- (b) not installed in relation to any other premises or property;

***residual current device*** means a device designed to isolate supply to protected circuits, socket outlets or electrical equipment in the event of a current flow to earth that exceeds a particular value;

- (3) In regulation 12 in the definition of ***common property*** delete paragraph (b) and insert:

- (b) if those premises and other residential premises are situated on the same lot as defined in the *Planning and Development Act 2005* section 4(1), or on 2 or more contiguous lots — means all the areas of the lot or lots that do not comprise or form part of any residential premises;

- (4) In regulation 12 in the definition of ***residential premises*** after “of residence” insert:

or accommodation, whether short or long-term,

**6. Regulation 12A inserted**

After regulation 12 insert:

**12A. Installation of residual current devices**

(1) In this regulation —

***final subcircuit*** means a final subcircuit to which a socket outlet, lighting point or directly-connected hand-held appliance is connected.

(2) Residual current devices are installed in accordance with this regulation in relation to residential premises, or common property relating to residential premises, if all of the following apply —

- (a) the number of residual current devices installed on the premises is at least —
  - (i) 1, if the premises have 1 final subcircuit; and
  - (ii) 2, if the premises have more than 1 final subcircuit;
- (b) if 2 or more residual current devices are installed on the premises, lighting points connected to final subcircuits are distributed between the devices;
- (c) each residual current device complies with AS/NZS 3190:2016 Approval and test specification — Residual current devices (current-operated earth-leakage devices);
- (d) each residual current device has a maximum rated residual current of 30 mA;
- (e) each residual current device protects not more than 3 final subcircuits;
- (f) each residual current device is installed at the switchboard at which each final subcircuit protected by it originates.

**7. Regulation 13 amended**

In regulation 13 delete “at least 2 residual current devices are” and insert:

residual current devices are properly

**8. Regulation 14 amended**

- (1) In regulation 14 delete “at least 2 residual current devices are” and insert:

residual current devices are properly

- (2) In regulation 14(b) delete “the commencement day; or” and insert:

9 August 2009; or

- (3) Delete regulation 14(c) and (d) and insert:

- (c) before the completion of any building works on the premises, if those works require the grant of a building permit.

**9. Regulation 15A amended**

In regulation 15A(2) delete “at least 2 residual current devices are” and insert:

residual current devices are properly

**10. Regulation 15 replaced**

Delete regulation 15 and insert:

**15. Common property relating to residential premises**

Subject to any exemption under regulation 18, an owner of common property relating to residential premises must ensure that residual current devices are properly installed in relation to the common property.

Penalty:

- (a) in the case of an individual — a fine of \$15 000;
- (b) in the case of a body corporate — a fine of \$100 000.

**11. Regulation 16 amended**

- (1) In regulation 16(1) after “new owner” insert:

of the transferred residential premises

(2) Delete regulation 16(2) and insert:

- (2) It is a defence to a charge of an offence under regulation 15 for the person charged to prove that the person had, before the charge was laid, arranged for the demolition of the premises.

**12. Regulation 17 inserted**

After regulation 16 insert:

**17. Transportable structures or vehicles used for accommodation**

Subject to any exemption under regulation 18, an owner of a transportable structure or vehicle that constitutes or is intended to constitute a place of residence or accommodation, whether short or long-term, must ensure that at least 1 residual current device is installed in relation to the structure or vehicle in accordance with AS/NZS 3001:2008 Electrical installations — Transportable structures and vehicles including their site supplies.

Penalty:

- (a) in the case of an individual — a fine of \$15 000;
- (b) in the case of a body corporate — a fine of \$100 000.

**13. Regulation 18 amended**

(1) In regulation 18(1):

- (a) after “premises” insert:

or a transportable structure or vehicle

- (b) delete “14 or 15,” and insert:

14, 15 or 17,

(2) In regulation 18(2)(a) delete “14 or 15,” and insert:

14, 15 or 17,

**14. Regulation 241 amended**

In regulation 241(1) insert in alphabetical order:

***fuse*** means a device to protect a circuit against damage from an excessive current by opening the circuit when the current melts an element in the device;

**15. Regulation 243 amended**

In regulation 243(1), (2), (3) and (4)(a) after “neutral” insert:

conductor

Note: The heading to amended regulation 243 is to read:

**Voltage on neutral conductor**

**16. Regulation 257 replaced**

Delete regulation 257 and insert:

**257. Supply to premises requiring transformers**

- (1) If a network operator considers it necessary to install transformers in relation to premises, the owner of the premises must —
  - (a) at the site where the transformers are installed, provide the following —
    - (i) an accessible space, to the satisfaction of the network operator, for electrical equipment;
    - (ii) an enclosure, to the satisfaction of the network operator, for the protection of electrical equipment against external influences and contact with live parts;
  - and
  - (b) ensure that circuit breakers and fuses on the premises have a fault rating to the satisfaction of the network operator.

Penalty for this subregulation:

- (a) in the case of an individual — a fine of \$50 000;
  - (b) in the case of a body corporate — a fine of \$250 000.
- (2) The network operator may use electrical equipment referred to in subregulation (1) for the supply of electricity to consumers other than the occupier of the premises.

**17. Regulation 316A amended**

(1) Before regulation 316A(1) insert:

(1A) In this regulation —

**conductor** includes any of the following —

- (a) an active conductor;
- (b) a neutral conductor;
- (c) a catenary supported conductor;
- (d) a neutral screened conductor;
- (e) a stranded conductor (whether bundled or not) that is supported by insulators or purpose-designed fittings so that it remains above the ground and is directly exposed to the weather;

**overhead power lines** means overhead lines for the transmission of electrical energy.

(1B) In this regulation —

- (a) a reference to performing work includes a reference to assisting to perform work; and
- (b) performing work in the course of employment is to be regarded as being for reward; and
- (c) vegetation control work is performed within a danger zone if any part of the following comes within the danger zone at any time while the work is being performed —
  - (i) the vegetation;
  - (ii) the body of, or any tool, vehicle, or other equipment used by, a person performing the work.

(2) Delete regulation 316A(5).

**18. Regulation 321 amended**

In regulation 321 delete the definition of **published specification** and insert:

**published specification** means the relevant Approval and Test Specification published by Standards Australia and which is that relating to prescribed appliances which are prescribed in a notification published in the *Gazette* by direction of the Director by reference to the following —

- (a) the classification letters, numbers, month (if any) and year of publication or title of

Approval and Test Specifications published by Standards Australia;

- (b) any amendment of the Approval and Test Specifications published by Standards Australia;
- (c) any part of the Approval and Test Specifications or any amendment thereof published by Standards Australia.

## 19. Schedule 1 amended

### (1) In Schedule 1 Table 2:

- (a) in the items relating to r. 13, r. 14 and r. 15A delete “at least 2 residual current devices are” and insert:

residual current devices are properly

- (b) in the item relating to r. 15 delete “at least one residual current device is installed before 9 August 2011” and insert:

residual current devices are properly installed in relation to the common property

### (2) In Schedule 1 Table 3:

- (a) in the item relating to r. 28(1) & 65 delete “address” and insert:

contact details

- (b) after the item relating to r. 35 insert:

r. 37(1)	Carrying out any in-house electrical installing work without a qualified employee or a licence	\$1 250	\$5 000
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- (c) after the item relating to r. 45(2) & 65 insert:

r. 47C	Failing to notify nominees of cancellation or suspension of licence	\$1 250	\$5 000
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## Part 3 — *Electricity (Licensing) Regulations 1991* amended

## 20. Regulations amended

This Part amends the *Electricity (Licensing) Regulations 1991*.

**21. Regulation 3 amended**

- (1) In regulation 3(1) delete the definition of *Australian/New Zealand Wiring Rules*.
- (2) In regulation 3(1) insert in alphabetical order:

*AS*, followed by a designation, means the Australian Standard having that designation published by Standards Australia, as amended from time to time;

*AS/NZS*, followed by a designation, means the Australian/New Zealand Standard having that designation jointly published by Standards Australia and the Standards Council of New Zealand, as amended from time to time;

*Australian/New Zealand Wiring Rules* means AS/NZS 3000:2018 Electrical installations (known as the Australian/New Zealand Wiring Rules);

- (3) In regulation 3(1) in the definition of *main switchboard* delete “clause 1.4.92;” and insert:

clause 1.4.122;

**22. Regulation 19 amended**

In regulation 19(1A) in the definition of *flexible cord* delete “clause 1.4.36;” and insert:

clause 1.4.40;

**23. Regulation 51 amended**

In regulation 51(3) in the definition of *consumers mains* delete “clause 1.4.33;” and insert:

clause 1.4.37;

**Part 4 — *Electricity (Network Safety) Regulations 2015*  
amended****24. Regulations amended**

This Part amends the *Electricity (Network Safety) Regulations 2015*.

**25. Regulation 28 amended**

In regulation 28 delete the definition of *AS/NZS 3000* and insert:

*AS/NZS 3000* means AS/NZS 3000:2018 Electrical installations (known as the Australian/New Zealand Wiring Rules);

**26. Schedule 1 amended**

In Schedule 1 Division 1 delete “AS/NZS 3000:2007 Electrical installations (known as the Australia/New Zealand Wiring Rules).” and insert:

AS/NZS 3000:2018 Electrical installations (known as the Australian/New Zealand Wiring Rules).

M. INGLIS, Clerk of the Executive Council.

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**INDUSTRY REGULATION**

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IS301

Debt Collectors Licensing Act 1964  
Employment Agents Act 1976  
Street Collections (Regulation) Act 1940

**Commerce and Industrial Relations Regulations  
Amendment (Administration) Regulations 2018**

Made by the Governor in Executive Council.

**Part 1 — Preliminary****1. Citation**

These regulations are the *Commerce and Industrial Relations Regulations Amendment (Administration) Regulations 2018*.

**2. Commencement**

These regulations come into operation as follows —

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

## **Part 2 — *Debt Collectors Licensing Regulations 1964* amended**

### **3. *Debt Collectors Licensing Regulations 1964* amended**

This Part amends the *Debt Collectors Licensing Regulations 1964*.

### **4. *Schedule 1* amended**

- (1) In Schedule 1 Form 7 delete:

Department of Consumer and Employment Protection  
Locked Bag 14 Cloisters Square  
Perth WA 6850

**In person:** Pay the cashier at:

Department of Consumer and Employment Protection  
219 St George's Terrace, Perth WA

and insert:

Department of Mines, Industry Regulation and Safety  
Locked Bag 14 Cloisters Square  
Perth WA 6850

**In person:** Pay the cashier at:

Department of Mines, Industry Regulation and Safety  
[street address to be inserted]

- (2) In Schedule 1 Form 8 delete “Department of Consumer and Employment Protection” and insert:

Department of Mines, Industry Regulation and Safety

## **Part 3 — *Employment Agents Regulations 1976* amended**

### **5. *Employment Agents Regulations 1976* amended**

This Part amends the *Employment Agents Regulations 1976*.

### **6. *Schedule 1* amended**

- (1) In Schedule 1 Form 13 delete “Department of Consumer and Employment Protection” (each occurrence) and insert:

Department of Mines, Industry Regulation and Safety

- (2) In Schedule 1 Form 14 delete “Department of Consumer and Employment Protection” and insert:

Department of Mines, Industry Regulation and Safety

## Part 4 — *Street Collections Regulations 1999* amended

### 7. *Street Collections Regulations 1999* amended

This Part amends the *Street Collections Regulations 1999*.

### 8. Regulation 2 amended

- (1) In regulation 2 delete the definition of *Commissioner*.
- (2) In regulation 2 insert in alphabetical order:

*Commissioner* has the meaning given in the *Fair Trading Act 2010*;

### 9. Regulation 12 amended

In regulation 12(1) delete “*Consumer Affairs Act 1971*” and insert:

*Fair Trading Act 2010*

### 10. Schedule 3 amended

- (1) In Schedule 3 Form 1 delete:

Department of Consumer and Employment Protection  
Locked Bag 14 Cloisters Square  
Perth WA 6850

**In person:** Pay the cashier at:

Department of Consumer and Employment Protection  
219 St George’s Terrace, Perth WA

and insert:

Department of Mines, Industry Regulation and Safety  
Locked Bag 14 Cloisters Square  
Perth WA 6850

**In person:** Pay the cashier at:

Department of Mines, Industry Regulation and Safety  
[street address to be inserted]

- (2) In Schedule 3 Form 2 delete “Department of Consumer and Employment Protection” and insert:

Department of Mines, Industry Regulation and Safety

M. INGLIS, Clerk of the Executive Council.

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**JUSTICE**

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JU301

Dangerous Sexual Offenders Act 2006

**Dangerous Sexual Offenders Regulations 2018**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Dangerous Sexual Offenders 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. Qualified psychologists (Act s. 3(1))**

For the purposes of the definition of *qualified psychologist* in section 3(1) of the Act, the qualification of a master's degree or higher in psychology is prescribed.

M. INGLIS, Clerk of the Executive Council.

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**LOCAL GOVERNMENT**

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LG301

**LOCAL GOVERNMENT ACT 1995***Shire of Collie***STANDING ORDERS 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 Collie resolved on 21 August 2018 to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Collie Standing Orders 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**

This local law amends the *Shire of Collie Standing Orders Local Law 2017* as published in the *Government Gazette* on 20 December 2017.

**4. Clause 15.2(1) amended**

In clause 15.2(1)(a) delete “clause 16.3” and insert “clause 15.3”.

Dated: 26 September 2018.

The common seal of the Shire of Collie was affixed by authority of a resolution of the Council in the presence of—

Cr SARAH STANLEY, Shire President.  
Mr DAVID BLURTON, Chief Executive Officer.

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**RACING, GAMING AND LIQUOR**

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RA301

Liquor Control Act 1988

## **Liquor Control Amendment Regulations (No. 3) 2018**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Liquor Control Amendment Regulations (No. 3) 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) regulation 15(2) and (4) — immediately after the *Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2018* regulation 13 comes into operation;
- (c) the rest of the regulations — when the *Liquor Control Amendment Act 2018* section 5 comes into operation.

**3. Regulations amended**

These regulations amend the *Liquor Control Regulations 1989*.

**4. Regulation 3A amended**

- (1) In regulation 3A(1) delete the definitions of:  
*anticipated number of patrons*  
*maximum number of patrons*

(2) In regulation 3A(1) insert in alphabetical order:

***anticipated number of patrons*** means, in relation to an application for a permit or licence, or an application to vary a condition of a permit or licence, the sum of the maximum number of patrons for each day of the period to which the application relates;

***maximum number of patrons*** means —

- (a) in relation to a day of the period to which an application for a permit or licence relates, the maximum number of patrons that the person making the application reasonably expects to be in the place or on the premises in respect of which the application is made at any one time on that day;
- (b) in relation to a day of the period to which an application to add or vary a condition of a permit or licence relates, the maximum number of patrons that the person making the application reasonably expects to be in the place or on the premises in respect of which the application is made at any one time on that day;
- (c) in relation to a day of the period for which an occasional licence is granted, the maximum number of patrons that the licensee reasonably expected (at the time that they applied for the licence) to be on the licensed premises at any one time on that day;

**5. Regulation 5C inserted**

After regulation 5B insert:

**5C. Types of special facility licence prescribed (Act s. 4(6))**

For the purposes of section 4(6) a special facility licence is of a prescribed type if —

- (a) it is granted for a purpose described in 1 of the following regulations —
  - (i) regulation 9A(7) — tourism;
  - (ii) regulation 9A(22) — auction;
  - (iii) regulation 9A(24) — online wine sales;or
- (b) it remains in force by operation of Schedule 1 clause 20 of the Act.

**6. Regulation 9D amended**

In regulation 9D(1) and (2) delete “anticipated number of patrons” and insert:

maximum number of patrons on any day of the period to which the application relates

**7. Regulation 9EA inserted**

After regulation 9E insert:

**9EA. Kinds of licence prescribed (Act s. 38(1)(a))**

For the purposes of section 38(1)(a), the following kinds of licence are prescribed —

- (a) a hotel licence;
- (b) a nightclub licence;
- (c) a casino liquor licence;
- (d) a liquor store licence.

**8. Regulation 9F replaced**

Delete regulation 9F and insert:

**9F. Kinds of permit prescribed (Act s. 38(1)(b))**

For the purposes of section 38(1)(b), an extended trading permit to be issued for the purpose referred to in section 60(4)(g) and for a specified period exceeding 3 weeks is prescribed.

**9. Regulation 9G deleted**

Delete regulation 9G.

**10. Regulation 10B inserted**

After regulation 10A insert:

**10B. Days for making application prescribed (Act s. 64(1BA))**

For the purposes of section 64(1BA), the prescribed number of days is —

- (a) if the condition as varied is proposed to have effect for a period not exceeding 21 days —
  - (i) if the anticipated number of patrons is not greater than 500 — 14 days; or

- (ii) if the anticipated number of patrons is greater than 500 but not greater than 5 000 — 30 days; or
  - (iii) if the anticipated number of patrons is greater than 5 000 — 60 days;
- or
- (b) if the condition as varied is proposed to have effect for a period exceeding 21 days, or if the condition is proposed to be varied permanently — 30 days.

**11. Regulation 14AC amended**

In regulation 14AC(1) delete the definitions of:

*anticipated number of patrons*

*maximum number of patrons*

*permit area*

**12. Regulation 14AD amended**

In regulation 14AD(4) and (4B) delete “anticipated number of patrons” and insert:

maximum number of patrons on any day of the period for which the licence is granted

**13. Regulation 27 amended**

- (1) Delete regulation 27(1).
- (2) In regulation 27(2) in the Table insert in numerical order:

s. 115(4B)

Note: The heading to amended regulation 27 is to read:

**Prescribed offences for infringement notices (Act s. 167(2))**

**14. Schedule 1 amended**

In Schedule 1 delete Forms 21 and 22.

**15. Schedule 3 amended**

- (1) In Schedule 3 in the Table item 2 after “removal of a” insert:

small bar licence,

- (2) In Schedule 3 in the Table item 2 before “club licence,” insert:

small bar licence,

- (3) In Schedule 3 in the Table items 8 and 18 delete “anticipated number of patrons” and insert:

maximum number of patrons on any day of the period to which the application relates

- (4) In Schedule 3 in the Table items 8 and 18 delete “anticipated number of patrons is —” and insert:

maximum number of patrons on any day of the period to which the application relates is —

M. INGLIS, Clerk of the Executive Council.

#### RA302

#### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

##### RWWA RULES OF THOROUGHBRED RACING 2004

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 27 September 2018 resolved that the *RWWA Rules of Thoroughbred Racing 2004* be amended as follows—

#### **Amendment to Australian Racing Rules (National Rules) effective 12 October 2018**

Amend AR.47(3)(b) and AR.178E(1)

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park WA 6017 or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

RICHARD BURT, Chief Executive Officer.

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## TRANSPORT

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#### TN301

#### Owner-Drivers (Contracts and Disputes) Act 2007

## **Owner-Drivers (Contracts and Disputes) (Code of Conduct) Amendment Regulations 2018**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Owner-Drivers (Contracts and Disputes) (Code of Conduct) 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 *Owner-Drivers (Contracts and Disputes) (Code of Conduct) Regulations 2010*.

## 4. Schedule 1 amended

- (1) In Schedule 1 Division 2 clause 7(4) delete “a paper or” and insert:

an

- (2) In Schedule 1 Appendix 1:

- (a) delete “***Information Pamphlet***” and insert:

### ***Information Form***

- (b) after “when dealing with disputes.” insert:

The contact details for the Tribunal are available on the WA IRC’s website.

- (c) delete:

To contact the Tribunal: 111 St Georges Terrace, Perth 6000

Tel: (08) 9420 4444

Freecall: 1800 624 263

Website: [www.wairc.wa.gov.au](http://www.wairc.wa.gov.au)

- (d) delete “Department of Commerce” and insert:

Department of Mines, Industry Regulation and Safety

- (e) after “or of an owner-driver contract.” insert:

The contact details for the Department are available on the Department’s website.

(f) delete:

To contact the Department: 2 Havelock Street, West Perth 6005

Tel: 1300 655 266 (Wageline)

Website:  
[www.commerce.wa.gov.au/LabourRelations](http://www.commerce.wa.gov.au/LabourRelations)

(g) after “set out in the Code” insert:

of Conduct

(h) delete the passage that begins with “**Disclaimer:**” and ends with “Department of Transport.” and insert:

**Disclaimer:** This information has been prepared as a guide only. None of the information in this form is intended to constitute advice, whether legal, financial or professional. Before you act on the information in this form, you should first get specific independent advice about your particular circumstances. You should not act solely on the basis of the information in this form.

This form provides a brief overview of some of the changes affecting rights and obligations. For further details and a range of other information for owner-drivers go to the Department of Transport’s website.

(i) delete:

To contact the Department: 441 Murray Street, Perth WA 6000

Tel: (08) 9216 8000

Email:  
[ownerdriver@transport.wa.gov.au](mailto:ownerdriver@transport.wa.gov.au)

Website:  
[www.transport.wa.gov.au/freight](http://www.transport.wa.gov.au/freight)

M. INGLIS, Clerk of the Executive Council.

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## — PART 2 —

### ENVIRONMENT

EV401

#### ENVIRONMENTAL PROTECTION ACT 1986

*City of Kwinana*

##### APPELLABLE DECISION

It is hereby notified for public information that the Chief Executive Officer of City of Kwinana, acting under delegation from the CEO under the *Environmental Protection Act 1986*, has made the following appellable decisions pursuant to Division 7 of the *Environmental Protection (Noise) Regulations 1997*, in relation to an application for approval of a sporting, cultural or entertainment venue, namely the “Notice of Venue Approval—Calista Oval” dated 25 September 2018—

- (a) approval of the venue;
- (b) the imposition of conditions on the approval of the venue; and
- (c) the specification of the period of three (3) years as the period for which the approval has effect.

Copies of the approval notice, including the conditions of the approval, are available from City of Kwinana offices at Cnr Gilmore Avenue and Sulphur Road, Kwinana Town Centre WA 6167.

Any person who is aggrieved by any of the above decisions may lodge an appeal.

An appeal must be lodged within 21 days from the date of publication of this notice in the *Government Gazette*. The grounds for the appeal must be clearly stated.

Appeals are to be addressed to the Minister for the Environment and lodged with—

Appeals Convenor for the Environmental Protection Act  
Level 22, Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000

Appeals can also be lodged by hand delivery, by email to [admin@appealsconvenor.wa.gov.au](mailto:admin@appealsconvenor.wa.gov.au) or by fax to (08) 6467 5199.

The appeal must be accompanied by a \$50 fee. For further information about appeals, see ‘Types of appeal, Noise Regulations’ on the Appeals Convenor’s website [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au) or phone (08) 6467 5190.

Dated the 25th day of September 2018.

JOANNE ABBISS, Chief Executive Officer,  
City of Kwinana.

### LOCAL GOVERNMENT

LG402

#### LOCAL GOVERNMENT ACT 1995

*City of Kwinana*

##### BASIS OF RATES

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from the 19 September 2018 determine that the method of valuation to be used by the City of Kwinana, as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

##### Schedule

	Designated land
UV to GRV	All those portions of land being Lot 801, Lot 802, Lots 833 to 836 inclusive, Lot 867 and Lot 868 as shown on Deposited Plan 414027.

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

## LG401

**LOCAL GOVERNMENT ACT 1995**  
**PROPOSED BUSH FIRES BRIGADES AMENDMENT LOCAL LAW 2018**

*City of Mandurah*

Invitation for Public Comment

Notice is hereby given that in accordance with section 3.12 of the *Local Government Act 1995*, Mandurah City Council proposes to adopt the following local law—

**Proposed Bush Fires Brigades Amendment Local Law 2018**

**Purpose:** to amend provisions within the *City of Mandurah Bush Fires Brigades Local Law 2010*.

**Effect:** to ensure that the *City of Mandurah Bush Fires Brigades Local Law 2010* is as clear, concise and effective as possible.

Copies of the Proposed Bush Fires Brigades Amendment Local Law 2018 may be examined at the City's Administration Centre, 3 Peel Street, Mandurah, between 8.15am and 4.30pm Monday to Friday. Copies will also be available for viewing at the Mandurah Library, Lakelands Library and Community Centre and the Falcon eLibrary and Community Centre during normal operating hours and also from the City of Mandurah website [www.mandurah.wa.gov.au](http://www.mandurah.wa.gov.au)

Submissions on the proposed local law may be sent to the Chief Executive Officer, City of Mandurah, PO Box 210, Mandurah WA 6210 or emailed to [council@mandurah.wa.gov.au](mailto:council@mandurah.wa.gov.au). The closing date for all submissions is Friday 23 November 2018.

For further information, please contact Governance Services on 9550 3278.

MARK R. NEWMAN, Chief Executive Officer.

## LG403

**BUSH FIRES ACT 1954**

*Shire of Ravensthorpe*

APPOINTMENTS

The following have been appointed as Bush Fire Control Officers for the Shire of Ravensthorpe in accordance with Section 38 of the *Bush Fires Act 1954*. These positions come into effect at 1 July 2018.

<b>Chief Bush Fire Control Officer</b>	Rodney Daw
<b>Deputy Chief Bush Fire Control Officers</b>	Gavin Gibson Bernard Fetherston-Haugh
<b>Chief Fire Weather Officer</b>	Rodney Daw
<b>Fire Weather Officers</b>	
Gavin Gibson	Bernard Fetherston-Haugh
Andrew Chambers	Peter Kuiper
<b>Fire Control Officers</b>	
Andrew Daw	Richard Norrish
Devon Burton	Gavin Gibson
Rodney Daw	Bernard Fetherston-Haugh
Luke Webster	Andrew Bott
Gary Webster	Andrew Chambers
Keith Rowe	Malcolm Tilbrook
Stott Redman	Timothy Bridger
Michael Hughes	Kye Chambers
Paul Bell	Chad Tuckett
Douglas Bray	Peter Kuiper
Simon Williams	Brett Kershaw
James Mollet	Dick Kuiper
Bradley Clarke	Rian Duncan
Peter Belli	Ashley Peczka

All previous appointments are hereby cancelled.

IAN FITZGERALD, Chief Executive Officer.

LG501

**BUSH FIRES ACT 1954***Shire of Ravensthorpe***FIRE BREAK NOTICE 2018/19**

First and Final notice has been served to all landowner/occupiers within the Shire of Ravensthorpe, who have the legal responsibilities to prepare their properties to reduce the risk of outbreak and spread of fires.

This notice sets out the actions that you must take to prepare your property for the fire season. As a measure for preventing the spread or extension of a bush fire which may occur, all owners and occupiers of the land within the Shire's district are required before the 15th day of October 2018 to clear firebreaks or to take measures in accordance with this Notice and maintain those firebreaks and measures in accordance with this Notice up to and including the 14th day of April 2019

It is the responsibility of ALL landowners/occupiers within the Shire of Ravensthorpe to fully understand his/her requirements mentioned within this Notice.

This Notice constitutes the Shire of Ravensthorpe Fire Break Notice and is issued under Section 33(1) of the *Bush Fires Act 1954*.

**1. Restricted and Prohibited Burning Times**

The Shire of Ravensthorpe has gazetted the following datelines for its Restricted Burning Times (RBT) and Prohibited Burning Times (PBT).

All Area's—Shire of Ravensthorpe	
1 July-31 October 2018	Restricted Burning Time, Permits Required
1 November 2018-31 January 2019	Prohibited Burning
1 February-30 June 2019	Restricted Burning Time, Permits Required

Pending on seasonal factors, above datelines can be changed or extended as permitted under the *Bush Fires Act 1954*. Any changes will be published in local newsletter, public notice board, Shire's SMS service and website.

- Burning is Prohibited during all Public Holiday Periods.
- Burning is Prohibited on Sunday's, except between 1 March-19 September.

**2. Other Important Dates**

1 September 2018	Applications for individual Bushfire Management Plan—Last Day!
1 October 2018	Applications for Variation to the Fire Break Notice—Last Day!
15-17 October 2018	Fire Break Inspection Date for when properties are to be inspected for compliance to this Fire Break Notice
15 October 2018-14 April 2019	Fire Break Compliance Period Properties must be maintained to the requirements of this Fire Break Notice.

**3. Burning Requirements**

Pursuant to Section 18, *Bush Fires Act 1954* all landowner/occupiers, before setting fire to bush or burning off within the Shire during the Restricted Burning period MUST obey the following conditions—

- Obtain a Fire Permit from a endorsed Fire Control Officer for the Shire of Ravensthorpe (see contacts on back of pamphlet).
- Fire Permits are automatically deemed **invalid** on days where the Fire Danger Rating issued by the Bureau of Meteorology is forecast "Very High" or above.
- It is the Permit Holder responsibility to read ALL conditions outlined on the front and rear of the permit.
- A Fire Control Officer has the authority under the Bush Fires Act to halt any activity or operation that they deem as hazardous or likely to start a fire.
- Failure to comply with requirements of any permit to burn may incur penalties as defined in the Bush Fires Act and/or Regulations 1954.

From 31 May-31 August every year Fire Permits for burning under 0.1Ha is not required, but landowner/occupier MUST obey the following conditions—

- Burn area must have a 3m wide bare earth firebreak\* surrounding it.
- Someone to be in attendance at all times.
- Inform your neighbours, prior to lighting.
- Piles for burning cannot be greater than 2 metre<sup>2</sup> in diameter and 1 metre in height.
- For rural small holdings and rural residential lots a fire unit carrying a minimum of 400lt is present at all times.
- For town site blocks a hose connected to running water that can reach the whole burn area.

#### 4. Camping and Cooking Fires

Pursuant to Section 25(1a) *Bush Fires Act 1954*, the lighting of fires in the open air in the Shire of Ravensthorpe for the purpose of camping and cooking is prohibited during the Prohibited Burning Time, except in the Starvation and Masons Bay Camping areas.

Lighting of fires in the open air in the Shire of Ravensthorpe, for the purpose of camping and cooking, is permitted during the period 30 April to 19 September, without a permit to burn.

All open fires are to be contained within a cement ring or designated fire areas, ie barbecue.

All fires must be extinguished when left unattended—Penalties apply.

#### 5. Town Site: Residential, Commercial and Industrial Areas

*(please refer to the definition section of this notice for words marked with “\*)*

Applies to all land zoned within the town sites of Fitzgerald, Hopetoun, Jerdacuttup, Munglinup and Ravensthorpe, you must—

- a. Where the area of land is 3,000m<sup>2</sup> or less—
  - i. Reduce **fire fuel\*** from the whole of land such that fuel loads are maintained to a maximum of **2 tonnes per hectare\***. Isolated trees and managed shrubs may generally be retained.
- b. Where the area of land exceeds 3,000m<sup>2</sup>—
  - i. Establish and maintain an **Asset Protection Zone\*** around all habitable buildings;
  - ii. Grassed areas (dry or reticulated) to be maintained to a maximum height of 100mm;
  - iii. A 3 metre wide **bare earth firebreak\*** shall be constructed and maintained inside ALL external boundaries where practicable. Located around fuel storage tanks, sheds, gas cylinders and within 6 metres of haystacks (see diagram 4.1). Haystacks cannot be situated on the external boundary.
- c. Where a **Bushfire Management Plan\*** which relates to the property has been adopted by Council, clear firebreaks and take measures in accordance with that **Bushfire Management Plan\*** as an alternative to the standard requirements listed in this Notice.

**NOTE:** Where any conditions listed in Requirements 5a and 5b are physically impractical on a property, the Shire may approve a Variation\* in place of the standard requirement (refer to section 13 of this Notice).

#### 6. Rural Areas

*(please refer to the definition section of this notice for words marked with “\*)*

Applies to all land zoned as Rural, you must—

- a. Any rural land abutting or adjacent to land zoned as Rural Residential, Urban, industrial or Commercial must have a 3 metre wide **bare earth firebreak\*** constructed and maintained inside ALL external boundaries. Breaks should also have a 5 metre vertical clearance so that the firebreak provides unrestricted vehicular access (refer to diagram 5.1); or,
- b. Any Rural Land, Rural Conservation, Rural Small Holdings less than 100Ha—
  - i. Areas of unmanaged pasture or grassland must have a 3 metre wide **bare earth firebreak\*** constructed and maintained inside ALL external boundaries. (refer to diagram 4.1);
  - ii. Breaks to provide a 5 metre vertical clearance so that the firebreak provides unrestricted vehicular access. (refer to diagram 5.1);
  - iii. Driveways must be cleared to a minimum of 4 metres wide and 5 metres in height, that can provide unrestricted access to emergency service vehicles (refer to Section 9: Driveways).
- c. A 3 metre wide **bare earth firebreak\*** shall be located around fuel storage tanks, sheds, gas cylinders and within 6 metres of haystacks. Haystacks cannot be situated on the external boundary.

#### 7. Rural Residential

*(please refer to the definition section of this notice for words marked with “\*)*

Applies to all land zoned Rural Residential includes area's known as Blue-Vista, Dunns Swamp, Krystal Park, Lakes Entrance, Seaview Estate, Steeredale Estate and Whale Bay Estate, you must—

- a. Clear either a 3 metre wide **bare earth firebreak\*** or a 3 metre wide mulched/slashed fire break immediately inside on ALL external boundaries. Breaks should also have a 5 metre vertical clearance so that the firebreak provides unrestricted vehicular access. (refer to diagram 5.1 and diagram 6.1);
- b. Parkland clearing must be carried out in all open paddocks and along the boundary of the property. Clearing means that all dead vegetation and **flammable material\*** (excluding approved crops, pasture areas and living tress/shrubs) are removed;
- c. Unmanaged pasture and grasslands must be maintained to height no greater than 100 millimetres (refer to diagram 6.2);
- d. A 3 metre wide **bare earth firebreak\*** shall be located around fuel storage tanks, sheds, gas cylinders and within 6 metres of haystacks. Haystacks cannot be situated on the external boundary; and,

- e. Establish and maintain a Low Fuel Zone (parkland cleared) 1 metre wide, around Power Infrastructure e.g. Metre Box, Poles and Underground Power Domes; and,
- f. Driveways must be cleared to a minimum of 4 metres wide and 5 metres in height, that can provide unrestricted access to emergency service vehicles; (refer to Section 9: Driveways for more details); and,
- g. Properties to establish and maintain an **Asset Protection Zone\*** around all habitable buildings (refer to Section 10: Asset Protection Zone);
- h. Where a **Bushfire Management Plan\*** which relates to the property has been adopted by Council, clear firebreaks and take measures in accordance with that Bushfire Management Plan as an alternative to the standard requirement listed in this Notice.

*NOTE:* Where any conditions listed in Requirement 7a, 7b and 7f are impractical for site-specific, topographical or environmental reasons on a property, the Shire may approve a Bushfire Management Plan\* or Variation\* in place of the standard requirement (refer to section 13 of this Notice).

## 8. Plantations

*(please refer to the definition section of this notice for words marked with “\*)*

All Plantations **MUST**—

- a. Maintain a 15 metre wide **bare earth firebreak\*** inside all external boundaries with a 5 metre vertical clearance so that the firebreak provides unrestricted vehicular access; and,
- b. Have an approved **Bushfire Management Plan\*** with the Shire of Ravensthorpe; or
- c. Plantations are to abide by the Guidelines for Plantation Fire Protection developed by the Department of Fire and Emergency Services.

## 9. Driveways

Driveways must be cleared to a minimum of 4 metres wide and 5 metres in height, that can provide unrestricted access to emergency service vehicles gaining entrance and trans-versing your property during an emergency.

## 10. Asset Protection Zone (APZ)

Asset Protection Zone (formally Building Protection Zone) is a low fuel area immediately surrounding a building. These requirements are designed to reduce the fire’s intensity and minimise the likelihood of flame contact with buildings. APZ gives more protection to families should a fire threaten suddenly and they cannot leave—

- a. The width of an APZ is to be a minimum of 20m, increasing by 10m per 10 degree in slope and located within the boundaries of the lot on which the building is situated;
- b. Fine fuels are to be reduced to and maintained at **two tonnes per hectare\***;
- c. All grasses within the APZ are to maintained to a height no greater than 100mm;
- d. Trees (>5m in height) at maturity should be a minimum of 6 metres from the building, branches should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground, canopies should be at least 5 metres apart and coverage should be less than 15%;
- e. Shrubs (0.5m to 5m in height) should not be located under trees or within 3m of buildings or planted in clumps of >5 metres square in area.
- f. Ground covers (<0.5m in height) can be planted under trees but must be maintained to remove dead materiel and any part within 2 metres of a building.
- g. Firewood piles to stored in a safe distance away from buildings and no greater than 1m in height; and
- h. Fences and sheds within the APZ are constructed using non-combustible materials (e.g. iron, brick, limestone)

## 11. Contractors

The Shire of Ravensthorpe accepts no responsibility either implied or inferred for any works carried out by the above contractors. The engagement of an contractor is between the landowner/occupier and the contractor; therefore the Landowner/occupiers is the legal identity responsible in making sure contractors carry out the required works in accordance to this notice.

## 12. Non-Compliance

Pursuant to Section 33(3)(4)(5) of the *Bush Fires Act 1954*, failure to comply to the requirements mentioned within this notice, by the required compliance dates will result in the following—

- a. A Category 1 Notice (Warning Notice): providing additional 14 calender days for your property to comply to this notice. Failure to comply to this notice will result in,
- b. A Category 2 Notice (Infringement Notice): a \$250.00 infringement issued to the landowner, with an additional 7 calender days for you property to comply to this notice. Failure to comply to this notice will result in,
- c. A Category 3 Notice (Works Order): Shire will engage an available contractor on your behalf and authorise the contractor to enter your property to carry out the required works in accordance to the Fire Break Notice.

*NOTE:* A Category 2 Notice can be issued instead of a Category 1 if the authorised inspecting officer of the Shire of Ravensthorpe deems it appropriate.

Landowner/occupiers issued with a Category 2 Notice (Infringement Notice) have 28 days to arrange payment with the Shire, otherwise infringement notices will be referred to Department of Justice Fines Enforcement Registry for follow up payment, which can lead to the suspension of your Driver's Licence.

A Category 3 Notice (Works Order) can be issued at any time throughout the compliance period, for properties not maintained to the requirements within the Fire Break Notice. As such the Shire of Ravensthorpe will recover ALL cost incurred against the landowner as permissible under the *Bush Fires Act 1954*.

### 13. Variations

(please refer to the definition section of this notice for words marked with \*)

#### (a) Variations

If it is impracticable for any reason to clear firebreaks or to take measures in accordance with this Notice, you may apply to the Shire in writing before **1 October** each year for permission to provide firebreaks in alternative locations or take alternative measures to prevent the outbreak or spread of a bush fire. If permission is not granted in writing by the Shire, you shall comply with the requirements of this Notice.

The requirement for an **Asset Protection Zone\*** may be varied by Council on application. Where it is not practical for an existing dwelling to provide a 20 metre **Asset Protection Zone\*** a landowner may apply for a variation to the Firebreak Notice. In considering any such request regard will be given to—

- (i) The topography of the site or privacy issues;
- (ii) Potential environmental impacts;
- (iii) Provision of alternative low or managed fuel zones.

The Shire may approve variations to the Asset Protection Zone for a period not more than 5 years.

#### (b) Bushfire Management Plan

As an alternative to lodging a request for a variation, a landowner may have a site-specific **Bushfire Management Plan\*** prepared by a **Bushfire Planning Practitioner\*** that fully complies with the requirements of State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and associated Guidelines. This **Bushfire Management Plan\*** is to be approved by the Shire of Ravensthorpe.

Proposals for a **Bushfire Management Plan\*** (BMP) must be provided to the Shire no later than **1 September** for permission to provide alternative fire mitigation measures on the land—

- (i) If a BMP has been approved by the Shire, it will thereafter replace and totally extinguish the landowner's obligations to otherwise implement the standard regulations as described in the Fire Regulation Notice, appropriate to the zoning of the property.
- (ii) If a BMP has not been approved then the standard Regulations must be implemented by the due dates.

*NOTE: A number of properties developed since 2015 will have an adopted BMP as part of their existing planning approval.*

### 14. Definitions

- (a) **Asset Protection Zone**; refer to Section 10
- (b) **Bare Earth Fire Breaks**; A strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or flammable vegetation material leaving clear bare mineral earth—Achievable by ploughing, grading or early spraying.
- (c) **Bushfire Management Plan (BMP)**; is a document that sets out short, medium and long-term risk management strategies for the life of the development. It is to be prepared by an accredited Bushfire Planning Practitioner in accordance with the requirements of State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) and associated Guidelines.
- (d) **Bushfire Planning Practitioner**; A person who holds, Level Two or Level Three accreditation under the Western Australia Bushfire Accreditation Framework.
- (e) **Flammable Material**; Any material that is easily ignited, capable of burning and of carrying a fire.
- (f) **Tonnes per Hectare**—
  - 2 tonnes per hectare = 200 grams (2 handfuls) **fire fuel** per square metre
  - 8 tonnes per hectare = 800 grams (8 handfuls) **fire fuel** per square metre
- (g) **Fire Fuel**; any combustible material, dead or alive, in isolation or clusters or aggregation with other combustible materials that, in the opinion of an authorised officer of the Shire of Ravensthorpe, is likely to fuel a bushfire. Including but not limited to—
  - Heavy leaf litter on the ground, dead leaves in gutters, fallen branches and any combustible vegetation in clusters. Of particular concern are combustible materials suspended off the ground;
  - All dry grasses exceeding a height of 100mm;

- Any tree within the APZ or branch of a tree that may fall onto a building which in the opinion of an authorised officer of the Shire of Ravensthorpe constitutes an unacceptable fire risk.

It does not include—

- Vegetable gardens, tended lawns, landscaped gardens (including deciduous or ornamental planted trees), isolated planted shrubs, established natural or planted trees that, in the opinion of an authorised officer of the Shire of Ravensthorpe, do not constitute an unacceptable fire risk;
- Well compacted dead vegetative material e.g. mulch, that in the opinion of an authorised officer of the Shire of Ravensthorpe does not constitute an unacceptable fire risk.

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LG502

## BUSH FIRES ACT 1954

*City of Kwinana*

### FIRE NOTICE

Pursuant to the powers contained in section 33 of the *Bush Fires Act 1954* (as amended), all property owners and/or occupiers of land within the City of Kwinana are hereby served first and final notice and are required to comply with the requirements set out in this notice in its entirety.

All land and buildings shall be maintained for such duration and in such positions/dimensions and specifications as required by this notice or as approved in writing by the City of Kwinana or its Bush Fire Control Officers. The works outlined in this notice must be completed before the dates listed in this notice and must be maintained throughout as required by this notice.

### Definitions

**“Asset protection zone”** means an area with a radius of twenty (20) metres measured from the external perimeter of the building/s or as stated in your approved Bushfire Attack Level (BAL) assessment, within the boundaries of the lot on which the building/s is situated. Fuel loads in this zone shall be reduced and maintained to two (2) tonnes per hectare or less.

**“Bush Fire Control Officer”** means an Officer appointed by the City of Kwinana to exercise the powers and duties of a Bush Fire Control Officer appointed under s38(1) of the *Bush Fires Act 1954*.

**“Bush Fire”** means a fire or potential fire, however caused, and includes a fire in a building.

**“Dead End”** means a track, firebreak, road or access way that terminates without any means of escape or ability to turn around safely.

**“Emergency access ways”** are for Emergency Services vehicles only and are not to be considered as an escape route unless declared as such by the Incident Controller during an emergency.

**“Firebreak”** means a strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or vegetation material leaving clear bare mineral earth. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the firebreak area.

**“Flammable”** means any bush, plant, tree, grass, vegetation, object, thing or material that may or is likely to catch fire and burn.

**“Trafficable”** means to be able to travel from one point to another in a fire vehicle on a firm and stable surface, unhindered without any obstruction that may endanger resources. The firebreak must not terminate without provision for egress to a safe place or a cleared turn around area of not less than a twenty one (21) metre radius (prior written approval may be required from the local government if trees are to be removed).

**“Vertical axis”** means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak.

### Land area—3,001m<sup>2</sup> or greater

The works outlined in this section must be completed before 1 December 2018 and continually maintained until 30 April 2019.

Owners and/or occupiers of land that is 3,001m<sup>2</sup> or greater are required to—

- Construct clear bare mineral earth firebreaks three (3) metres wide inside and along all boundaries of land in a continuous form, or within ten (10) metres of boundaries adjacent to roads, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- Around all sides of the buildings on the property on the land construct clear bare mineral earth firebreaks three (3) metres wide around all buildings in a continuous form, or within twenty (20) metres of buildings, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum width of four (4) metres and a vertical axis height of four (4) metres;

- On all driveways and access ways to houses, sheds and buildings, maintain clear bare mineral earth surface to a trafficable standard three (3) metres wide in a continuous form, with all overhanging branches, trees, limbs etc. to be trimmed back from over all driveways and access ways to houses, sheds and buildings to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- On any land surrounding any place where, wood or timber piles, hay stacks, tyres, vehicles, flammable liquids, chemicals and gas products are kept on the land, construct clear bare mineral earth firebreaks three (3) metres wide in a continuous form, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- Construct these firebreaks in a manner so that there are no “Dead Ends,” with all corners or change in directions wide enough for a heavy-duty fire or emergency services vehicle, to be able to turn the corner without the vehicle being obstructed in any way; and
- Maintain an asset protect zone around all buildings, infrastructure and fixed assets on the property.

#### **Land area—3,000m<sup>2</sup> or less**

The works outlined in this section must be maintained all year round and owners and/or occupiers are required to—

- Have all matter such as long grass, weeds, etc. slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property.
- All overhanging branches, trees, limbs etc. to be trimmed back from over any building area to a minimum width of two (2) metres from the walls and to a vertical axis height of four (4) metres surrounding any building.
- Maintain an asset protect zone around all buildings, infrastructure and fixed assets on the property.

#### **Firebreak Variations**

If the owner or occupier considers it **impractical to install a firebreak or comply with this notice for any reason**, you are required to apply to the City of Kwinana in writing by **30 October 2018 to obtain approval to install firebreaks in an alternative position**. If the variation is not approved, the owner or occupier must comply with this Notice in its entirety.

Previously approved firebreak variations do not need to be reapplied for unless circumstances have changed, or you have been advised in writing by the Local Government of any changes.

#### **Additional Works**

Regardless of land size and location, the City of Kwinana or its Bush Fire Control Officers may require owners and/or occupiers to undertake additional work on your property to improve access, and/or undertake further works to reduce a hazard that may be conducive to preventing the outbreak and/or the spread or extension of a fire.

#### **Burning of Garden Refuse**

##### **Prohibited Burning Periods only**

During the declared Prohibited Burning Period, owners and/or occupiers must not undertake any bush or garden refuse burning activities

##### **Restricted Burning periods only**

During the declared Restricted Burning Period only, owners and/or occupiers may—

- Apply for a permit to burn the bush for bush fire risk mitigation purposes, by following the conditions imposed on a permit to burn as issued by a Bush Fire Control Officer.
- In areas zoned rural by the Metropolitan Region Scheme you may undertake burning of leaves, tree branches, and other dry vegetation in piles no larger than 1.0m<sup>3</sup> in size, without a permit to burn, subject to the following conditions—
  - o No Flammable Matter (other than that being burned) is to be within five (5) metres of the fire at any time while the fire is burning;
  - o The fire is lit between 6pm and 11pm and is completely extinguished before midnight on the same day;
  - o At least one person is present at the site of the fire at all times until it is completely extinguished.
  - o When the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.

##### **Unrestricted Burn Periods only**

During the Unrestricted Burning Time, owners and/or occupiers in areas zoned rural under the Metropolitan Region Scheme may burn garden refuse and set fire to bush on their land without a permit. Burning of the bush must be undertaken in accordance with all relevant State legislation and Local Government Local Laws.

##### **No Burning in area defined as urban areas**

Pursuant to section, 24G (2) of the *Bush Fires Act 1954*, no garden refuse burning is to be undertaken in areas defined as “Urban” under the Metropolitan Region Scheme without written approval of Local Government.

For information regarding dates for the Unrestricted, Restricted and Prohibited periods please contact the City of Kwinana City Assist office on 9439 0400 or view the City's website, [www.kwinana.wa.gov.au](http://www.kwinana.wa.gov.au).

### Penalties

**Failing to comply with this Fire Break Notice may result in a penalty of up to \$5,000.**

A person in default of the requirements of this Notice is also liable, whether prosecuted or not, to pay the costs of performing the work directed by the City of Kwinana or its Bush Fire Control Officer.

Any owner and/or occupier who engages a contractor to undertake works on their behalf is responsible to ensure that the works completed meet the requirements of this Notice.

MARIA COOKE, Acting Chief Executive Officer.

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## PLANNING

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### PL401

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Gnowangerup*  
Local Planning Scheme No. 2—Amendment No. 12

Ref: TPS/2216

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 Gnowangerup Local Planning Scheme amendment on 7 September 2018 for the purpose of—

1. Removing Lots 517/518 Carpenter/Vaux Streets, Ongerup from the Public Purposes Local Reserve.
2. Deleting the notation 'P' on the Scheme Maps for Lots 517/518 Carpenter/Vaux Streets, Ongerup.
3. Including Lots 517/518 Carpenter/Vaux Streets, Ongerup within the Residential Zone.
4. Applying a residential density code of 'R15' to Lots 517/518 Carpenter/Vaux Streets, Ongerup.
5. Amending the face of the Scheme Map accordingly.

K. HOUSE, Mayor.  
S. PIKE, Chief Executive Officer.

### PL402

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Mundaring*  
Local Planning Scheme No. 4—Amendment No. 12

Ref: TPS/2230

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Mundaring Local Planning Scheme amendment on 7 August 2018 for the purpose of—

1. Rezoning Lots 29, 30 and 32 Johnston Street, Lots 28, 1, 2, 3, 35, 36, 37 and 38 Bernard Street, Lots 11, 12, 13, 39 and 42 Lion Street, and Lots 40 and 41 Hummerston Street, Mount Helena from Rural Residential 2 to Development;
2. Rezoning Lots 100 and 101 Dean Street, Mount Helena from Rural Residential 1 to Development; and
3. Amending the Scheme Map accordingly.

J. DAW, President.  
J. THROSSELL, Chief Executive Officer.

PL403

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

Local Planning Scheme No. 2—Amendment No. 39

Ref: TPS/2281

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 Perth Local Planning Scheme amendment on 14th September 2018 for the purpose of—

1. Inserting after clause 39(1)—
  - (z) 553 and 565–579A Hay Street, 38A St Georges Terrace and 28 Barrack Street Special Control Area.
2. Inserting the following in Schedule 8 Special Control Areas—

**26. 553 and 565–579A Hay Street, 38A St Georges Terrace and 28 Barrack Street Special Control Area.**

**26.1 Special Control Area**

The following provisions apply to the land marked as Figure 26 being the 553 and 565–579A Hay Street, 38A St Georges Terrace and 28 Barrack Street Special Control Area.

**26.2 Objectives**

To facilitate the sharing of existing car parking bays within the Special Control Area amongst the tenants and their guests.

**26.3 Car Parking**

  - (a) For the purpose of determining the car parking allowance for the Special Control Area under the provisions of the Perth Parking Policy, the Special Control Area shall be treated as one lot.
  - (b) The tenant car parking facilities located on one site/lot within the Special Control Area may be leased or used by the tenants of another site/lot within the Special Control Area.
3. Amending the City Centre (CC) Precinct Plan Map (P1 to 8) accordingly.
4. Inserting Figure 26—553 and 565–579A Hay Street, 38A St Georges Terrace and 28 Barrack Street Special Control Area into Schedule 8—Special Control Areas of the Scheme.



E. LUMSDEN, Chair Commissioner.  
R. MIANICH, A/Chief Executive Officer.

# TRANSPORT

TN401

## OWNER-DRIVERS (CONTRACTS AND DISPUTES) ACT 2007

### GUIDELINE RATES—TABLE A: NEW VEHICLES

The rates published on 23 March 2012 in the *Government Gazette* are revoked and replaced with the following guideline rates—

Heavy Vehicle Type	Metropolitan Based on diesel fuel cost of \$1.57 per litre		Regional Based on diesel fuel cost of \$1.58 per litre			
	One Driver		One Driver		Two Drivers	
	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)
5 tonne GVM (rigid truck, 2 axles)	57.36	2.65	80.61	1.22		
8 tonne GVM (rigid truck, 2 axles)	59.48	2.75	81.57	1.23		
15 tonne GVM (rigid truck, 2 axles)	67.38	3.11	91.51	1.38		
22.5 tonne GVM (rigid truck, 3 axles)	74.33	3.43	103.15	1.56		
Prime mover (haulier) 2 axles, 31.5 tonne GCM	78.77	3.64	112.44	1.70		
Prime mover (haulier) 3 axles, 1 trailer, 42.5 tonne GCM	87.02	3.52	119.60	1.80	107.76	1.69
Prime mover (haulier) 3 axles, 2 trailers 79 tonne GCM	102.12	4.13	144.59	2.18	130.17	2.04
Prime mover (haulier) 3 axles, 3 trailers 122.5 tonne GCM			157.99	2.38	141.41	2.22
Prime mover + 1 trailer 42.5 tonne GCM	92.84	3.75	126.42	1.91	112.78	1.77
Prime mover + 2 trailers 79 tonne GCM	116.37	4.70	163.64	2.47	145.86	2.29
Prime mover + 3 trailers 122.5 tonne GCM			188.94	2.85	168.50	2.64
B-Double 62.5 tonne GCM	114.30	4.62	159.83	2.41	142.42	2.23
Pocket road train (haulier) 79 tonne GCM	102.33	4.13	144.59	2.18	130.17	2.04

### GUIDELINE RATES—TABLE B: VEHICLES 5 YEARS OLD

Heavy Vehicle Type	Metropolitan Based on diesel fuel cost of \$1.57 per litre		Regional Based on diesel fuel cost of \$1.58 per litre			
	One Driver		One Driver		Two Drivers	
	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)
5 tonne GVM (rigid truck, 2 axles)	57.23	2.64	80.52	1.21		
8 tonne GVM (rigid truck, 2 axles)	59.27	2.74	81.42	1.23		
15 tonne GVM (rigid truck, 2 axles)	67.09	3.10	91.29	1.38		
22.5 tonne GVM (rigid truck, 3 axles)	73.89	3.41	102.82	1.55		
Prime mover (haulier) 2 axles, 31.5 tonne GCM	78.38	3.62	112.15	1.69		
Prime mover (haulier) 3 axles, 1 trailer, 42.5 tonne GCM	86.54	3.50	119.24	1.80	107.50	1.69
Prime mover (haulier) 3 axles, 2 trailers 79 tonne GCM	101.52	4.10	144.14	2.17	129.84	2.04

Heavy Vehicle Type	Metropolitan Based on diesel fuel cost of \$1.57 per litre		Regional Based on diesel fuel cost of \$1.58 per litre			
	One Driver Hourly Rate (exc GST)	Rate per km (exc GST)	One Driver Hourly Rate (exc GST)	Rate per km (exc GST)	Two Drivers Hourly Rate (exc GST)	Rate per km (exc GST)
Prime mover (haulier) 3 axles, 3 trailers 122.5 tonne GCM			157.51	2.38	141.13	2.21
Prime mover + 1 trailer 42.5 tonne GCM			125.93	1.90	112.43	1.76
Prime mover + 2 trailers 79 tonne GCM	115.38	4.66	162.89	2.46	145.31	2.28
Prime mover + 3 trailers 122.5 tonne GCM			187.99	2.84	167.81	2.63
B-Double 62.5 tonne GCM			158.98	2.40	141.81	2.44
Pocket road train (haulier) 79 tonne GCM	101.73	4.11	144.14	2.17	129.84	2.04

The Guideline Rates—

- Are based on standard, tray-top vehicles.
- Are based on fuel consumption data released by Australian Trucking Association.
- Do not set a minimum or maximum rate.
- Provide general guidance.
- Metropolitan rates might also be applicable for some operations in regional areas.
- Table A rates are based on new vehicles; Table B rates are based on vehicles 5 years old.
- Owner-drivers and hirers need to consider their individual circumstances in deciding a rate that is appropriate for a particular freight task. The *Owner-Drivers Cost Calculator*, available on the Department of Transport website at <https://www.transport.wa.gov.au/Freight-Ports/freight.asp>, can assist with cost and rate calculations.
- “Prime mover + 1, 2 or 3 trailers” refers to trailers owned or leased by the owner-driver.
- 2 axles => single steer, single drive; 3 axles => single steer, bogie drive.

The above rates have been approved by the Road Freight Transport Industry Council.

CATHERINE WALLACE, Chair of the Road Freight  
Transport Industry Council.

Dated: 28 September 2018.

## DECEASED ESTATES

ZX401

### 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 Valentina Wilson (also known as Valentina Mitrofanova Wilson) late of Bethanie Gwelup, 72 Huntriss Road, Gwelup, Western Australia, who died on 13 July 2018, are required by the Executors, Alla Medvedeva and Alexander Simon Wilson, to send particulars of their claims addressed to the Executors, Estate of the late Valentina Wilson (also known as Valentina Mitrofanova Wilson) 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 Executors may convey or distribute the assets having regard only to the claims of which the Executors then have notice.

Dated: 2 October 2018.

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

**ZX402****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Joseph Charles Valli, late of 18 Willoughby Street, Bunbury, Turbine Driver, 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 27 May 2018 at Bunbury, are required by the Trustees Jo-Anne May Haddrill and Karen Louise Phillips, of c/- Max Owens & Co of 2 Zoe Street, Bunbury to send particulars of their claims to them by one month from the date of publication of this advertisement, after which date the Trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Gregory John Fitzsimmons, late of u2, 324 Hardey Road, Cloverdale, Western Australia, died on 5 July 2018.

On 5 September 2018 the Supreme Court of WA granted Letters of Administration PRO/4744/2018 to Tracy Maree Foley as Administrator of c/- Mendelawitz Morton, Lawyers PO Box 501 West Perth WA 6872 (Ref: L28945). Creditors and other persons having claims in respect of the estate of the deceased (including to which s63 of the *Trustees Act 1962*, relates), are required by the Administrator to send particulars of their claims to her by no later than one month from the date of publication of this advertisement, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

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