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GOVERNMENT GAZETTE

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Monday, 24 December 2018 at 12 noon

Wednesday, 2 January 2019 at 12 noon



— PART 2 —

AGRICULTURE AND FOOD

AG401

SOIL AND LAND CONSERVATION ACT 1945**QUAIRADING LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2018**

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Quairading Land Conservation District (Appointment of Members) Instrument 2018*.

2. Appointment of members

Under Section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Quairading Land Conservation District) Order 1985**, the following members are appointed to the land conservation district committee for the Quairading Land Conservation District—

- (a) on the nomination of the Shire of Quairading: Lyall Brown of Quairading and Trevor Stacey of Quairading.
- (b) to represent the Western Australian Farmers Federation (Inc): Robert James Wilson of Quairading and Noel Raymond Stone of Quairading.
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Donald Geoffrey Woodcock of Dangin
 - (ii) Colin James Stacey of Quairading
 - (iii) Eugene Mends Stone of Quairading
 - (iv) Brian Caporn of Quairading
 - (v) Rowlie Mellor of Quairading
 - (vi) Alan Dominic Gelmi of Quairading
 - (vii) Greg Hughes of Quairading

(*Published in the Gazette of published in the Gazette 4 October 1985 at pp. 3922-3923 and amended in the Government Gazettes of 20 July 1990 at pp. 3454-3455, 17 May 1994 at p. 2067 and Amendment Order in Executive Council on 23 September 1997, and amended in the Government Gazette of 27 October 2009 at p. 4214 {Department of Primary Industries and Regional Development file reference 881746V03P06}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 18 October 2021.

GLEN WHEATON, Deputy Commissioner of Soil and Land Conservation.

Dated this 18th day of October 2018.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994**KIMBERLEY CRAB MANAGED FISHERY MANAGEMENT PLAN 2018**

FD 3717/14 [1218]

Made by the Minister under section 54.

PART 1—PRELIMINARY**1. Citation**

This plan is the *Kimberley Crab Managed Fishery Management Plan 2018*.

2. Commencement

This plan will come into operation on 1 November 2018.

3. Interpretation

In this plan, unless the contrary intention appears—

approved ALC means an approved automatic location communicator as defined in regulation 55A;

approved directions has the same meaning as in regulation 55A;

authorised boat means a primary boat or an auxiliary boat;

auxiliary boat means a licensed fishing boat used to fish in connection with fishing from a primary boat, the name and licensed fishing boat number of which is specified on a licence;

blue swimmer crab means fish of that common name described by the scientific classification opposite that name in Division 3 of Schedule 7 to the regulations;

crab means any fish of the Family Portunidae;

crab trap means a device as described in clause 25(2);

current entitlement means the usual entitlement conferred by a licence as—

(a) increased by any entitlement transferred to the licence; or

(b) decreased by any entitlement transferred from the licence;

Fishery means the Kimberley Crab Managed Fishery identified in clause 5;

fishing return means a return as specified in regulation 64;

fishing session means a period of time during a fishing trip when gear is being used in the waters of the Fishery, including any times when gear is being pulled from the water and any part of that gear remains in the water;

fishing trip means a period between when a boat commences travelling through the waters of the Fishery with gear on board for the purposes of undertaking a fishing session and when that boat ceases travelling through the waters of the Fishery with that gear on board after undertaking, or attempting to undertake, a fishing session;

licence means a managed fishery licence authorising a person to fish in the Fishery;

primary boat means a licensed fishing boat that is used to fish under the authority of a licence, the name and licensed fishing boat number of which are specified on a licence;

pull means, in relation to crab traps, to bring crab traps from the seabed to the surface;

total fee means the product of the fee (per unit) and the number of units of usual entitlement conferred by a licence;

unit value means the value of a unit of entitlement, in terms of crab traps, determined in accordance with Schedule 3;

usual entitlement means the entitlement conferred by a licence without regard to any entitlement transferred to or from the licence.

4. Procedure before this plan may be amended or revoked

All the licence holders are the persons to be consulted before this plan is amended or revoked.

PART 2—THE FISHERY

5. Identification and declaration of the Fishery

(1) The Fishery to which this plan relates is fishing for crab by any means in the waters described in Schedule 1.

(2) The Fishery is a managed fishery, and may be referred to as the Kimberley Crab Managed Fishery.

PART 3—LICENCES AND FEES

6. Criteria for the grant of a licence

(1) The criteria to be satisfied before the CEO may grant a person a licence to fish in the Fishery are that—

(a) on the date of commencement of this plan the person was, or had been, the holder of Exemption Number 2934, 2935 or 2954; and

(b) an application for the grant of a licence is made only once, on or prior to 1 January 2019.

(2) Notwithstanding subclause (1), the CEO may grant a person a licence to fish in the Fishery if the CEO is satisfied that—

(a) immediately upon being granted a licence an application will be made under section 140 of the Act to transfer usual units of entitlement to the licence, if it is granted, from another licence; and

(b) the application referred to in paragraph (a) will be in respect of a total of not less than one unit; and

(c) in the CEO's opinion, there is no arguable ground in respect of the application referred to in paragraph (a) to refuse to transfer the units of usual entitlement to the licence; and

(d) the person is a fit and proper person to hold a licence.

7. Duration of licences

A licence expires on 31 October next following the date of grant or renewal.

8. Items that must be specified on a licence

A licence must specify—

- (a) the name and business address of the holder of the licence; and
- (b) the name and licensed fishing boat number of not more than one licensed fishing boat that may be used as a primary boat under the authority of the licence; and
- (c) the name and licensed fishing boat number of not more than three licensed fishing boats that may be used as auxiliary boats under the authority of the licence; and
- (d) the licence number; and
- (e) the date on which the licence was granted or renewed; and
- (f) the date on which the licence expires; and
- (g) the name of the Fishery; and
- (h) the usual entitlement of the licence; and
- (i) the current entitlement of the licence; and
- (j) the unit value in respect of each unit conferred by the licence; and
- (k) any conditions imposed on the licence by the CEO.

9. Fees

- (1) Where a licence is granted for a period expiring on 31 October 2019, the fee per unit is \$16.98.
- (2) For the purposes of regulation 137(2) the total fee may be paid by instalments as specified in Schedule 2 if—
 - (a) an election to pay by instalments is made by the holder of a licence in accordance with subclause (3); and
 - (b) there is no other fee, charge or levy in respect of the licence which has not been paid at the time the election is received at the head office of the Department.
- (3) An election for the purposes of subclause (2) must be—
 - (a) made in writing;
 - (b) received at an office of the Department on or before 1 November of the year for which the licence is to be renewed; and
 - (c) accompanied by the first instalment plus the surcharge.
- (4) For the purposes of regulation 137(3) the surcharge will be 3.13% of the total fee.

PART 4—CAPACITY OF FISHERY**10. Capacity of the Fishery**

The capacity of the Fishery is 600 crab traps.

PART 5—SCHEME OF ENTITLEMENT**11. Licence entitlements to equal capacity**

The sum of the entitlements to fish for crab in the Fishery that may be conferred by all the licences is to be equal to the capacity of the Fishery.

12. Licence entitlements to be expressed in terms of units

- (1) The entitlement to fish for crab in the Fishery conferred by a licence is to be expressed in terms of units of entitlement.
- (2) The extent of the entitlement to fish for crab in the Fishery that arises from time to time from a unit (the unit value) is determined by the formula specified in Schedule 3.

13. Conferral of entitlement

Where a licence is granted in accordance with clause 6(1), that licence will, at the time it is granted, confer 400 units of entitlement.

14. Authority of licence of no effect where usual or current entitlement is less than 200 units

The authority conferred by a licence is of no effect at any time when the usual or the current entitlement of the licence is less than 200 units.

15. Prohibition on fishing in excess of current entitlement

A person fishing under the authority of a licence must not fish in the Fishery at any time unless the number of crab traps used under the authority of that licence is less than or equal to the current entitlement to take crabs conferred by that licence.

PART 6—TRANSFER OF ENTITLEMENT**16. Grounds for refusal to transfer a licence, an entitlement or part of an entitlement**

The CEO may refuse to transfer a licence, an entitlement or part of an entitlement on the grounds that—

- (a) the application is not in respect of a whole number of units;
- (b) the total fee has not been paid; or
- (c) the CEO is of the opinion that the proposed transferor or transferee, or a person acting for or on behalf of the transferor or transferee, may be liable to prosecution for an offence that is prescribed for the purposes of section 224.

17. Temporary transfer of part of an entitlement

A unit of entitlement may be temporarily transferred from one licence to another licence, for a period ending at the time the licence expires, provided that—

- (a) the transfer is for a whole number of units; and
- (b) the total fee in respect of the transferor's licence has been paid.

18. Reduction of entitlement conferred by a licence

(1) Where—

- (a) a person is convicted for an offence against section 74 of the Act relating to exceeding the current entitlement conferred by a licence; and
- (b) a court has determined the amount by which the entitlement was exceeded,

the CEO is to reduce the number of units of usual entitlement conferred by the relevant licence.

(2) For the purposes of subclause (1), the number of units of usual entitlement conferred by the licence is to be reduced by the number of units that exceeded the current entitlement at the time of the offence.

19. Surrender of licence and reallocation of usual entitlement

(1) The criteria to be satisfied before the CEO will increase the usual entitlement conferred by a licence are that—

- (a) an application to increase the usual entitlement conferred by a licence is made by the holder of a licence;
- (b) another licence has been surrendered under section 144 of the Act;
- (c) the person who was the holder of the surrendered licence has consented to the application referred to in paragraph (a); and
- (d) the CEO is of the opinion that the person who was the holder of the surrendered licence is not liable to prosecution for an offence that is prescribed for the purposes of section 224 of the Act.

(2) The entitlement of a licence must not be increased by more than the usual entitlement in respect of the surrendered licence.

(3) Subclause (1) applies once in connection with the surrender of any licence.

(4) For the purposes of subclause (1)(a) a reference to a licence includes a reference to a licence which has been applied for in accordance with clause 6(2) of this plan.

PART 7—AUTOMATIC LOCATION COMMUNICATORS AND NOMINATIONS**20. Requirement for approved ALC to be installed in a primary boat**

(1) A person must not use an authorised boat in the Fishery unless an approved ALC has been installed in the primary boat, has been tested, and is being used, in accordance with the approved directions and is operating effectively.

(2) A person must not fish in the Fishery using an authorised boat at any time when the sleep mode facility of the approved ALC on board the primary boat is in operation.

21. Nomination of intention to fish

(1) The master of a primary boat must ensure that a nomination of intention to fish is made prior to commencing a fishing trip.

(2) A nomination made under subclause (1) must be made by the master by the use of an approved ALC in accordance with the approved directions.

(3) Where a nomination of intention to fish is made under subclause (1), the master of the primary boat must specify the—

- (a) number of the licence which authorises fishing to occur;
- (b) Fishery in which the fishing will occur;
- (c) name and contact number of the master of the authorised boat;
- (d) place of departure; and
- (e) place of landing.

22. Nomination to land

(1) The master of a primary boat must ensure that a nomination to land is made prior to landing crab.

(2) A nomination made under subclause (1) must be made by the master of a primary boat—

- (a) by the use of an approved ALC in accordance with the approved directions; and
- (b) not less than 3 hours prior to landing crab.

(3) Where a nomination to land is made under subclause (1), the master of a primary boat must specify—

- (a) the Fishery in which the crab will be landed;
- (b) the place of landing; and
- (c) the estimated time at which the crab will be landed.

- (4) The master of an authorised boat must not commence landing crab—
- (a) other than at the place specified; and
 - (b) at a time that is more than 1.5 hours after the time specified,
- in a nomination made under subclause (1).

23. Nomination to take a boat out of the waters of Western Australia

- (1) Where—
- (a) an authorised boat is being used to fish in the Fishery under the authority of a licence; and
 - (b) a nomination in accordance with clause 21 is in effect for that boat,
- the master of the authorised boat must not allow that boat to be taken out of the waters of Western Australia unless a nomination to take that boat out of the waters of Western Australia has been made and is in effect.
- (2) A nomination made under subclause (1) must be made by the master of the primary boat—
- (a) by the use of an approved ALC in accordance with the approved directions; and
 - (b) not less than 3 hours prior to the boat being taken out of the waters of Western Australia.

PART 8—GENERAL REGULATION OF FISHING

24. Use of boats

- (1) The master of a primary boat must ensure that an auxiliary boat is not used to fish unless—
- (a) the auxiliary boat returns to the primary boat at least once a day; and
 - (b) the auxiliary boat unloads any catch to the primary boat during a fishing trip.
- (2) Subclause (1)(b) does not apply where a nomination to land has been made pursuant to clause 22 and an auxiliary boat is being used to land crab in accordance with that nomination.
- (3) A person must not fish in the Fishery other than by the use of no more than—
- (a) one primary boat; and
 - (b) three auxiliary boats,
- specified on a licence.

25. Restrictions on fishing by means of crab trap

- (1) A person fishing in the Fishery under the authority of a licence must not fish by any means other than by crab trap.
- (2) A person must not use a crab trap to fish for crabs in the Fishery unless that crab trap is—
- (a) a rectangular trap that—
 - (i) when measured externally does not exceed 1000 millimetres in length, 600 millimetres in width and 300 millimetres in height; and
 - (ii) is constructed with rigid mesh of not less than 50 millimetres by 75 millimetres in mesh size; and
 - (iii) has no more than 2 openings for crabs to enter the trap; or
 - (b) a round trap that—
 - (i) when measured externally does not exceed 500 millimetres in height and 1200 millimetres in diameter; and
 - (ii) is constructed with flexible nylon mesh of not less than 75 millimetres in mesh size; and
 - (iii) has no more than 4 openings for crabs to enter the trap; or
 - (c) a round trap that—
 - (i) when measured externally does not exceed 500 millimetres in height and 1200 millimetres in diameter; and
 - (ii) is constructed with flexible nylon mesh of not less than 50 millimetres in mesh size; and
 - (iii) has a minimum of 2 escape gaps of not less than 90 millimetres in diameter if of a circular design, or not less than 40 millimetres in height and 120 millimetres in width if of a rectangular design; and
 - (iv) has no more than 4 openings for crabs to enter the trap.
- (3) A person must not use a crab trap to fish for crabs in the Fishery unless that crab trap is attached to—
- (a) a surface float that is branded or stamped in legible characters with the licensed fishing boat number of the authorised boat that is being used to fish in the Fishery; or
 - (b) another crab trap, and a surface float as specified in paragraph (a) is attached at each end of the line of traps.
- (4) A person fishing in the Fishery under the authority of a licence must pull and empty every crab trap at least once in any 48 hour period.
- (5) Subject to subclause (6), the master of an authorised boat must not permit the number of crab traps being carried on that boat to be more than the current entitlement of the licence under which fishing is to be carried out.

(6) Subclause (5) does not apply where the master of an authorised boat has reported lost crab traps via a nomination made in accordance with clause 26.

26. Requirement to report lost crab traps

- (1) The master of an authorised boat must report any lost or irretrievable crab traps—
 - (a) by the use of an approved ALC to the Department, within 24 hours of concluding a fishing trip or prior to the commencement of the next fishing trip; and
 - (b) in the fishing return.
- (2) The master of an authorised boat must ensure that a report in the fishing return specifies—
 - (a) the quantity and type of lost or irretrievable crab traps; and
 - (b) the last known location of the lost or irretrievable crab traps.
- (3) If any crab traps referred to in subclause (1) are subsequently found, the master of an authorised boat must report those crab traps to the Department—
 - (a) by the use of an approved ALC; and
 - (b) in the fishing return.

27. CEO may permit fishing by non-specified crab traps

- (1) The CEO may, by notice published in the *Gazette*, permit persons fishing in the Fishery to fish by means of crab traps that would otherwise be prohibited by this plan, if, in the opinion of the CEO the use of those crab traps will have economic, environmental or social benefits for the Fishery.
- (2) A notice made pursuant to subclause (1)—
 - (a) must specify the crab traps that are permitted to be used in the Fishery;
 - (b) must specify the period of time for which the notice is in effect;
 - (c) may only be made after consultation with all licence holders who are entitled to fish in the Fishery; and
 - (d) must take into account any advice received from the Department's Director Fisheries Science and Resource Assessment.

PART 9—PROHIBITIONS AND OFFENCES

28. Persons prohibited from fishing in the Fishery

- (1) A person must not fish in the Fishery other than—
 - (a) in accordance with this plan; and
 - (b) under the authority of a licence.
- (2) Subclause (1) does not apply to a person fishing—
 - (a) for crab for a non-commercial purpose in accordance with the Act; or
 - (b) under the authority of Exemption Numbers 2856 and 2857; or
 - (c) under the authority of an authorisation that authorises fishing in the—
 - (i) Broome Prawn Managed Fishery;
 - (ii) Kimberley Gillnet and Barramundi Managed Fishery;
 - (iii) Kimberley Prawn Managed Fishery; or
 - (iv) West Coast Deep Sea Crustacean Managed Fishery.

29. Prohibition on fishing for crab in an area of the Fishery

A person must not fish for crab at any time in the waters described in Schedule 4 of this plan.

30. Prohibition on possession of crab

- (1) A person fishing in the Fishery under the authority of a licence must not—
 - (a) be in possession of; or
 - (b) consign,

blue swimmer crab of a length less than 135 millimetres.

(2) A person who catches a blue swimmer crab of a length less than 135 millimetres in length must return that crab to the water immediately.

31. Prohibition on fishing under the authority of more than one licence

- (1) A person must not fish in the Fishery under the authority of more than one licence at any one time.
- (2) The master of an authorised boat must not commence fishing under the authority of a licence until all crab taken under the authority of another licence have been removed from the authorised boat.

32. Prohibition on selling or dealing with, or attempting to sell or deal with, or possessing, crab

- (1) In this clause—

deal with includes handling, storing, transporting, weighing and recording;

otherwise dealt with includes handled, stored, transported, weighed and recorded.

(2) A person must not sell, purchase, or deal with, or attempt to sell, purchase or deal with, or be in possession of, any crab taken from the Fishery, landed or otherwise dealt with in contravention of this plan.

(3) A person must not sell, purchase, or deal with, or attempt to sell, purchase, or deal with, or be in possession of, any crab unless that crab was taken and landed by a person fishing under the authority of a licence.

33. Notice of closure of area of the Fishery

(1) The CEO may, by notice published in the Gazette prohibit fishing by any means in any part of the Fishery for the period specified in the notice if the CEO is of the opinion that—

- (a) the sustainability of fish stocks is at high risk; or
- (b) any threatened, endangered or protected species are at high risk due to fishing activities in the Fishery.

(2) A notice made in accordance with subclause (1)—

- (a) may only be made after consultation with all licence holders;
- (b) must take into account any advice received from the Department's Director Fisheries Science and Resource Assessment;
- (c) may apply at all times or for a specified period; and
- (d) revokes any previous notice made under subclause (1).

(3) A person must not fish in any part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

34. Offences

A person who contravenes clause 15, 20, 21, 22, 23, 24, 25(1), 25(2), 25(3), 25(4), 25(5), 26, 28(1), 29, 30, 31, 32(2), 32(3) or 33(3) commits an offence.

SCHEDULES

Schedule 1—Description of the Fishery

[clause 5]

All Western Australian waters off the northern coast of Western Australia east of 120° 00' east longitude.

Schedule 2—Fees

[clause 9]

The fee payable in respect of the grant or renewal of a licence may be paid in instalments consisting of—

- (a) the first instalment being 25% of the total fee and due for payment on or before 1 November;
- (b) the second instalment being 25% of the total fee and due for payment on or before 1 February following the day on which the first instalment is paid;
- (c) the third instalment being 50% of the total fee and due for payment on or before 1 May following the day on which the first instalment is paid.

Schedule 3—Unit Value

[clause 12]

The extent of the entitlement to fish for crab in the Fishery that arises from time to time from a unit (the unit value) is determined by the formula—

$$\frac{C}{N} = U$$

where

C is the capacity of the Fishery;

N is the total number of units of entitlement conferred by all the licences; and

U is the unit value, rounded to 2 decimal places.

Schedule 4—Closed areas

[clause 29]

(1) All waters of the Fishery seaward of the coastal waters of the State.

(2) All waters of the Fishery between 120° 00' east longitude and 123° 15' east longitude.

(3) All waters of the Fishery south and east of a line commencing at the intersection of the high water mark and the geodesic between a point at 17° 19.65' south latitude and 123° 25.40' east longitude (on the mainland near Fraser River) and a point at 17° 02.14' south latitude and 123° 35.06' east longitude (on the mainland near Point Torment); thence extending north-easterly along the geodesic towards a point at 17° 02.14' south latitude and 123° 35.06' east longitude (on the mainland near Point Torment) until its intersection with the high water mark.

(4) All waters of the Fishery including rivers, tidal creeks, tributaries and pools, south and west of a line commencing at the intersection of the high water mark and the geodesic between a point at 17° 00.70' south latitude and 123° 39.40' east longitude (on the mainland near Point Torment Creek) and a point at 17° 00.69' south latitude and 123° 39.70' east longitude; thence extending easterly along the geodesic to the intersection of 17° 00.69' south latitude and 123° 39.70' east longitude; thence extending south-easterly along the geodesic to the intersection of 17° 01.14' south latitude and

123° 40.47' east longitude; thence extending southerly along the geodesic towards a point at 17° 01.46' south latitude and 123° 40.48' east longitude until its intersection with the high water mark; and west of line commencing at the intersection of the high water mark and the geodesic between a point at 17° 02.40' south latitude and 123° 40.80' east longitude and a point at 17° 02.80' south latitude and 123° 40.70' east longitude; thence extending southerly along the geodesic towards a point at 17° 02.80' south latitude and 123° 40.70' east longitude until its intersection with the high water mark.

(5) All waters of the Fishery including rivers, tidal creeks, tributaries and pools, within a radius of five (5) nautical miles of the intersection of 15° 40.30' south latitude and 124° 22.11' east longitude (on Parin Peninsula at Hall Point) and including all the waters of Deception Bay.

(6) All waters of the Fishery including rivers, tidal creeks, tributaries and pools, south and west of a line commencing at the intersection of the high water mark and the geodesic between a point at 14° 27.45' south latitude and 125° 51.13' east longitude (on the mainland at Crystal Head) and a point at 14° 32.34' south latitude and 125° 55.47' east longitude (on the mainland); thence extending south-easterly along the geodesic towards a point at 14° 32.34' south latitude and 125° 55.47' east longitude (on the mainland) until its intersection with the high water mark.

(7) All waters of the Fishery including rivers, tidal creeks, tributaries and pools, south and east of a line commencing at the intersection of the high water mark and the geodesic between a point at 14° 00.04' south latitude and 126° 41.65' east longitude (on the mainland at Red Bluff) and a point at 14° 08.47' south latitude and 126° 34.10' east longitude (on the mainland at King Harman Point); thence extending south-westerly along the geodesic towards a point at 14° 08.47' south latitude and 126° 34.10' east longitude (on the mainland at King Harman Point) until its intersection with the high water mark.

(8) All waters of the Fishery including rivers, tidal creeks, tributaries and pools, upstream of a line commencing at the intersection of the high water mark and the geodesic between a point at 15° 10.05' south latitude and 128° 05.93' east longitude (on the mainland at Lyne Point) and a point at 15° 09.41' south latitude and 128° 07.64' east longitude (on Adolphus Island at Rees Point); thence extending easterly along the geodesic towards a point at 15° 09.41' south latitude and 128° 07.64' east longitude (on Adolphus Island at Rees Point) until its intersection with the high water mark; thence generally easterly along the high water mark until its intersection with the parallel between a point at 15° 11.65' south latitude and 128° 11.85' east longitude (on Adolphus Island at Scott Point) and a point at 15° 11.65' south latitude and 128° 13.30' east longitude (on the mainland); thence extending due east along the parallel towards a point at 15° 11.65' south latitude and 128° 13.30' east longitude (on the mainland) until its intersection with the high water mark.

Dated the 18th day of October 2018.

D. KELLY, Minister for Fisheries.

LOCAL GOVERNMENT

LG501

BUSH FIRES ACT 1954

Shire of Boddington

FIRE ACCESS TRACK ORDER 2018/19

Note that Fire Access Track shall have the same meaning as Fire Break in the *Bush Fires Act 1954*.

Important Bush Fire Information Dates You Must Remember

Prohibited Burning

15 December 2018 to 14 March 2019 inclusive

Restricted Burning

2 November 2018 to 14 December 2018 inclusive and from 15 March 2019 to 26 April 2019 inclusive

These dates are subject to variation according to seasonal conditions

Alterations will be advertised locally; however owners/occupiers intending to burn shall contact the Council Office or Local Brigade Captain after 26 April to determine whether the restricted burning period has been extended.

Shire of Boddington is in Zone 8

Fire Access Tracks must be installed by 15 November 2018

And maintained up to and including 26 April 2019

An inspection of Fire Access Tracks will be carried out in all areas of the Shire by an Authorised Officer.

The basis for inspections will be—

Audit system where properties are chosen by random ballot. This is to be determined annually in consultation with the Chief Bush Fire Control Officer (CBFCO);

Visit known potentially high risk areas where exemption requests have not been lodged; and

Visit past non-compliant properties.

Failure to comply with this Fire Access Track Order is an offence under Section 33 of the Bush Fires Act. Penalty maximum \$15,000. Additionally Council may carry out the required work at cost to the owner or occupier.

If it is considered for any reason to be impractical to clear Fire Access Tracks or remove flammable materials as required by this notice, or if natural features render Fire Access Tracks unnecessary, you may apply to the Council in writing not later than the **1st October** for permission to provide Fire Access Tracks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council, you shall comply with the requirements of this notice.

DEFINITIONS

In this Fire Access Tracks (FAT) Order unless the context otherwise requires—

Shall have the same meaning as fire breaks in the *Bush Fires Act 1954*. Fire Access Tracks are spaces that can provide vehicle and pedestrian access in the case of fire. They shall be maintained, cleared of all flammable material for the purpose of fire control and in a trafficable condition. These areas shall be 2.5 metres wide as a minimum and have a 4.0 metre vertical clearance.

Flammable material means dead or dry grass and crops, timber, boxes, cartons, paper and any combustible material or rubbish, but does not include green standing trees, growing bushes and plants in gardens or lawns.

Low—Fuel means an area in which flammable material has been reduced to a height of not more than 50mm. This can be achieved through mowing, slashing, parkland clearing, grazing, spraying, ploughing or other methods that achieve the objective. In an area of low fuel, tree canopies should not be touching.

Building Protection Zone (BPZ) is a low fuel area immediately surrounding a building on private land and is designed to minimise the likelihood of flame contact with buildings. These areas have a minimum of 20 metres around all buildings.

Swathers, Balers, Track Chainers and Tree Harvesters—these are subject to the same conditions as HARVESTING, i.e. An engine powered pumping unit and not less than 450 litres of water must be in attendance during operations from 15th November onwards (Excluding canola swathing).

Oxyacetylene, Butane Torch, Arc Welders, Friction Cutting Equipment etc.—these are subject to the same conditions; whilst used in the open. In addition, the work site must be cleared (2.5m wide Fire Access Track and 20 metres clearance) of flammable material before the use of the above described equipment.

RURAL LANDS

- (a) Fire Access Track not less than 2.5 metres wide and have a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road but can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.
- (b) In the interest of protection from soil erosion, Fire Access Tracks may be established on the land contours but only with prior approval of the Council or its duly authorised officer.
- (c) Building Protection Zone of an area at least 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.
- (d) In such positions as is necessary to divide land in excess of 200 hectares into areas not exceeding 200 hectares each completely surrounded by a Fire Access Track.
- (e) A firefighting unit with a minimum capacity of 450 litres is to be kept available during harvesting operations and is to be available in the same paddock or within 50 metres of that paddock.
- (f) This work must be carried out by 15 November and kept maintained throughout the summer months until 26 April.

PINE AND EUCALYPTUS PLANTATIONS

Existing Plantings of Pine or Eucalyptus Plantations

Any pines or eucalyptus planted for commercial purposes constitutes a pine or eucalyptus plantation and you are hereby required to keep clear of all flammable materials Fire Access Tracks not less than 10 metres wide around the perimeter of each plantation, and any plantation exceeding 29 hectares will also require a subdivisional Fire Access Track 6 metres in width for each 30 hectares, and bush surrounding planted areas is to be kept in a low fuel condition.

There shall be no plantings either—

1. 75 metres from existing infrastructure; or
2. 75 metres from the external edge of a Fire Access Track on a property; or
3. 75 metres from any new infrastructure.

A firefighting unit with a minimum capacity of 450 litres is to be kept available during harvesting, thinning and pruning operations and is to be available in the same paddock or within 50 metres of that paddock.

New Plantings of Pine or Eucalyptus for Commercial Purposes

A Fire Access Track of not less than 15 metres wide must be established around the perimeter of each plantation. Any plantation exceeding 29 hectares will also require a subdivisional Fire Access Track 15 metres in width for each 30 hectares, and bush surrounding planted areas is to be kept in a low fuel condition.

There shall be no plantings either—

1. 75 metres from existing infrastructure; or
2. 75 metres from the external edge of a Fire Access Track on a property; or
3. 75 metres from any new infrastructure.

A firefighting unit with a minimum capacity of 450 litres is to be kept available during harvesting, thinning and pruning operations and is to be available in the same paddock or within 50 metres of that paddock.

PRIVATE BUSH HOLDINGS/UNCLEARED LAND GREATER THAN 50 HECTARES

- (a) Fire Access Track not less than 2.5 metres wide and have a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road but can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.
- (b) In such positions as is necessary to divide land in excess of 200 hectares into areas not exceeding 200 hectares each completely surrounded by a Fire Access Track.

SMALL LOT HOLDERS OR HOBBY FARMS 20 HECTARE OR LESS

- (a) On or before 15th November every year a Fire Access Track not less than 2.5 metres wide and have a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared or part-cleared land) and where the boundary is adjacent to or adjoins a used gazetted road but can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.
- (b) All lot/property holders provides for a Fire Access Track around the entire perimeter of their property.
- (c) Building Protection Zone of an area at least 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.
- (d) A 2.5m diameter low fuel area cleared of flammable material around all “green electrical domes” where underground power is provided to a lot.

TOWNSITES OF BODDINGTON AND RANFORD

On or before 15 November every year all town lots under 10,000 square metres in area and all fuel depots within the Shire are required to be kept cleared to a low fuel condition. Lots 10,000 square metres and over are to have a minimum 2.5 metre wide and have a 4 metre vertical clearance Fire Access Track installed immediately inside all external boundaries.

Building Protection Zone of an area at least 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.

SPECIAL NOTE TO LAND OWNERS AND OCCUPIERS

The requirements of this order are considered to be the minimum standard of fire prevention work to protect not only individual properties but the district generally. In addition to the requirements of this order Council may issue separate special orders on owners or occupiers if hazard removal is considered necessary in specific areas.

PROHIBITED AND RESTRICTED BURNING TIMES

Restricted Burning – 2 November 2018 to 14 December 2018

Prohibited Burning – 15 December 2018 to 14 March 2019

Restricted Burning – 15 March 2019 to 26 April 2019

Permits are required during restricted burning periods. No burning is permitted on days that are forecast catastrophic, extreme, severe or very high fire danger days.

Permits to burn on a Sunday can be issued during the restricted season only by the Authorised Bush Fire Control Officer but only for broad acre farm land.

No permits to be issued during the prohibited burning season.

A permit in writing to burn on a public holiday during the restricted period can be sought from the Authorised Bush Fire Control Officer.

WHERE DO I GET A PERMIT FROM?

Permits must be obtained from your local volunteer Bush Fire Control Officer. Contact details for your local officer are featured in the annual Fire Access Track Notice.

CAN I BURN GARDEN RUBBISH DURING THE PROHIBITED BURNING TIME?

No, under no circumstances should any garden rubbish be burnt during the prohibited burning period including the hours between 6pm and 11pm.

IF THERE IS A FIRE WHO DO I RING?

Always ring 000 to report any fire and emergencies. An expert 000 officer has all the latest contact details for all local emergency services.

PERMIT CONDITIONS

The permit conditions include but are not limited to—

- Neighbours must be notified at least 24 hours prior to burning;
- Cut or rake long grass around trees, buildings and fencing before burning;
- Have water on site and a hose long enough to reach rear of the fire.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 PROHIBITED SWIMMING AREA
 Fremantle Fishing Boat Harbour
City of Fremantle

Department of Transport,
 Fremantle WA, 23 October 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to swimming between 7:30 PM and 8:30 PM on Sunday 28 October 2018—

Fremantle Fishing Boat Harbour

Area of Closure: All the waters within a 150 metre radius of the firing point located at approximately 32° 3.962'S 115° 44.592'E. All the waters within a 100 metre radius of the firing point located at approximately 32° 3.894'S 115° 44.570'E.

The above closure is located at the start of the breakwater entrance into Success Boat Harbour.

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

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

MA402

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 PROHIBITED SWIMMING AREA
City of Mandurah

Department of Transport,
 Fremantle WA, 23 October 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to swimming between 7:30 PM and 8:30 PM on Sunday 28 October 2018—

Hall Park, Mandurah

Area of Closure: All the waters within a 100 metre radius of the firing point located at approximately 32° 31.901'S, 115° 42.870'E. (approximately 25 metres northeast of the War Memorial).

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

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

MA403

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 PROHIBITED SWIMMING AREA
 Perth Waters, Swan River

Department of Transport,
 Fremantle WA, 23 October 2018.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to swimming between the hours of 8:45 PM and 9:30 PM on Sunday 28 October 2018—

Swan River—Perth Waters

Area of Closure: All the waters within a 150 metre radius of the firing point located at approximately 31° 57.904'S, 115° 51.902'E (Perth Waters, adjacent to Langley Park).

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

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

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Murray
 Local Planning Scheme No. 4—Amendment No. 304

Ref: TPS/2273

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Murray Local Planning Scheme amendment on 12 October 2018 for the purpose of—

1. Modify the section of the table under 'Appendix II—Additional Uses' relating to Lot 64 (41) Wilson Road, Pinjarra, to the following—

| No. | Description of Land | Additional Use | Conditions |
|-----|-----------------------------------------|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. | Lot 64 (41) Wilson Road, Pinjarra | Brewery Winery Restaurant/café Reception centre Caretaker's dwelling | 1. The primary objective behind permitting the additional uses on the site is to provide for a small scale development in a garden setting for a wine, beer, cider or spirits making operation accompanied by premises for the consumption of food and drinks, receptions and the sale of produce made on site. 2. A Winery is to be dealt with as 'P' (permitted) use in accordance with the provisions of the Scheme. 3. A Brewery, Restaurant/café and Reception centre are to be dealt with as 'AA' (discretionary) uses in accordance with the provisions of this Scheme. 4. A Caretaker's dwelling is to be dealt with as an 'IP' (incidental) use in accordance with the provisions of this Scheme. 5. Development associated with the additional uses is to be confined to the most north western one hectare portion of the land. 6. In considering any application for new development the local government is to have particular regard to and may impose conditions relating to— <ol style="list-style-type: none"> (a) the scale, siting and design of any development; (b) the impact of the development on the landscape character of the area; |

| No. | Description of Land | Additional Use | Conditions |
|-----|---------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | (c) the number of people capable of being accommodated on the site at any one time; (d) the hours of operation; (e) the nature of any entertainment that may be provided on the premises; (f) the impact of the development on the amenity of the area; (g) the retention and provision of trees and landscape areas to complement the landscape character of the development; (h) details of the proposed servicing of the premises including water supply, waste management and effluent disposal. (i) Bushfire protection and development standards as required by State Planning Policy 3.7—Planning in Bushfire Prone Areas. 7. No vehicular access to the site is permitted from Pinjarra Road. |

2. Insert a definition for 'Brewery' in alphabetical order into 'Appendix I—Interpretations' as follows—

Brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*.

3. Replace the existing definition for 'restaurant/café' in 'Appendix I—Interpretations' to read—

Restaurant/café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

4. Modify the Scheme Map to replace the existing 'A2' notation over the site with 'A3' to accord with the updated Additional Use Table numbering.

D. BOLT, President.

D. UNSWORTH, Chief Executive Officer.

PL402

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

Local Planning Scheme No. 2—Amendment No. 11

Ref: TPS/2118

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

- Rezoning Part Lot 501 Plan 73997 South Coast Highway Jerramungup from a 'Rural' zone to 'Special Use Zone No. 10' and amending the Scheme Maps accordingly.
- Modifying Schedule 4 Special Use Zones to include provisions for Special Use Zone No. 10.

| No. | Description of Land | Special Use | Conditions |
|-----|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 | Part Lot 501 Plan 73997 South Coast Highway, Jerramungup | (1) The area is to provide for land uses which, by reason of their scale, character, operational or land requirements, are not generally appropriate to be accommodated within the 'Town Centre' zone or the existing industrial area. (2) The following land uses and level of permissibility— <ul style="list-style-type: none"> • Industry—Light (P); • Industry—Rural (P); | 1. All use and development requires Planning Approval. 2. In dealing with an application for planning approval, the local government, in consultation with Main Roads WA, shall have regard to a 30m road widening requirement along South Coast Highway, which may— <ol style="list-style-type: none"> (a) limit development on the land affected by the road widening; and (b) require the landowner to cede, free of cost and without |

| No. | Description of Land | Special Use | Conditions |
|-----|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <ul style="list-style-type: none"> • Industry—Service (P); • Motor Vehicle, Boat and Caravan Sales (P) • Motor Vehicle Repair (D) • Showroom (P); • Storage (D) • Transport Depot (D) • Warehouse (P) <p>(3) Other incidental uses considered by the local government to be complementary to the special uses.</p> <p>(4) All other uses are not permissible (X)</p> | <p>compensation, the affected land; and/or</p> <p>(c) require an increased setback to protect development.</p> <p>3. All industrial uses within the zone shall comply with the definition of a 'Dry Industry' as follows—</p> <p>Dry Industry means an industrial land use which can demonstrate to the satisfaction of the Local Government that the quality/quantity and volume of wastes produced from its operations can be successfully disposed of on-site without creating any adverse environmental or health effects.</p> <p>4. Prior to any use commencing on the site a local development plan shall be submitted and approved by the Local Government. This plan shall show—</p> <ul style="list-style-type: none"> • The key attributes and constraints of the area covered by the plan including the natural environment, site and soil evaluation, landform and the topography; • The standards to be applied for the buildings, other structures and works that form part of the development to which it applies; • Plumbed rainwater tanks provided to all development; • Measures to recycle stormwater from hardstand areas wherever practical; • Details of the arrangements to be made for vehicles to access the area covered by the plan, which shall require approval by Main Roads WA. • Proposed water supply including for fire protection (structural and bushfire). • On site stormwater disposal and bio retention measures; • A Bushfire Management Plan; • Details of proposed fencing and signage; and • Measures to ensure the protection and retention of existing native vegetation. <p>5. Development shall occur in accordance with the approved local development plan.</p> <p>6. A Wastewater Management Plan shall be submitted to the Local Government with the proposed local development plan. The management plan shall be prepared to the satisfaction of the Local Government and shall demonstrate the proposed development and land use will comply with the definition of 'Dry Industry'.</p> <p>7. The design of any buildings and/or development is to include specific measures to ensure development addresses the highway to a high standard.</p> |

| No. | Description of Land | Special Use | Conditions |
|-----|---------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>8. Onsite effluent disposal shall require the use of Aerobic Treatment Units and be in accordance with the Government Sewerage Policy.</p> <p>9. Future Development proposals are to address dust issues for all uses on the site.</p> |

R. LESTER, President.
B. BAILEY, Chief Executive Officer.

POLICE

PO401

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000

AUTHORISED PERSONS

Declaration

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

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

Dated: 17 October 2018.

CHRIS DAWSON, Commissioner of Police.

| Surname | First Name | State | Pilot Licence Number | Training Provider |
|---------|------------|-------|----------------------|-------------------|
| Carbone | Bradley | WA | 01228 | Illuminate Group |

SALARIES AND ALLOWANCES TRIBUNAL

SA401

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination with respect to the Air Charter Transport Allowance as specified in Part 5 of the *Members of Parliament Tribunal Determination No. 1 of 2017*, issued on 30 November 2017.

The Tribunal’s decision to amend the Air Charter Transport Allowance will allow Members to apply to the Tribunal to use their own private plane and be reimbursed actual expenses from this Allowance.

DETERMINATION

Members of Parliament Tribunal Determination No. 1 of 2017, made on 30 November 2017 under sections 6(1)(a), (ab) and (b) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

This variation is effective on and from 8 October 2018.

Remove Part 5.2 Air Charter Transport and replace with the following—

5.2 Air Charter Transport

- (1) Members representing Regions or Districts specified in the Table shall be entitled to use air charter transport to facilitate the undertaking of official business.

- (2) Expenses in relation to air charter transport shall not exceed the amounts in the following table—

| Electoral Region / District | Allowance per Annum |
|-----------------------------------------------------------------|----------------------------|
| Kalgoorlie, Kimberley, North West Central and Pilbara Districts | \$45,000 |
| Mining and Pastoral Region | \$35,000 |
| Agricultural Region | \$30,000 |
| Central Wheatbelt, and Roe Districts | \$25,000 |
| Moore District | \$20,000 |
| South West Region | \$20,000 |
| Albany, Geraldton and Warren-Blackwood Districts | \$8,000 |

- (3) This Allowance does not apply to travel booked or undertaken in another financial year.
- (4) With respect to over-benchmark costs incurred in relation to a Member's existing vehicle lease—
- in the event the Member entered lease arrangements before 1 July 2015, the amounts specified in the table shall be reduced by the amount of those costs, unless they were met through the Member's Electorate Allowances.
 - for lease arrangements commencing on or after 1 July 2015, such costs shall be drawn from the Member's Electorate Allowance or Additional Electorate Allowance.
- (5) Claims against this Allowance must be submitted to the administering agency within 90 days from the date that the travel is undertaken.
- (6) The administering agency may extend the time to submit a claim in exceptional circumstances, which are the following—
- receipt of invoices delayed for reasons outside the Member's control;
 - ill health; and
 - bereavement.

Administrative oversight or negligence are not exceptional circumstances.

- (7) Applications for extension of time must be in writing and provide sufficient details of exceptional circumstances.
- (8) Charges shall only be levied against this Allowance in the event the Member has actually undertaken the travel claimed.
- (9) When travel outside Western Australia cannot be avoided, Members seeking to claim this Allowance must obtain the Tribunal's approval before the travel is undertaken.
- (10) This Allowance may be used for Members who charter aircraft under commercial arrangements and also for Members who choose their own private aircraft to travel.
- (11) This Allowance does not apply when an airline provides a direct service to and from the relevant destination that operates at times reasonably convenient to the Member's business.
- (12) Where a Member uses air charter services or a privately owned aircraft to travel between two or more locations that cannot be accessed directly by commercial air services (regular public transport), the amount deducted from the Member's Charter Transport Allowance shall be the difference between the cost of using air charter transport or a privately owned aircraft for the direct route between the locations and the cost of a business class fare (or where a business class fare is not available, the full economy fare) for the shortest commercial air service for travel to the same locations. The balance of the cost of using air charter transport or a private aircraft shall be paid from the Consolidated Account.

Private Aircraft

- (13) Subsections (14) to (20) refer to use of this Allowance for costs incurred through travel undertaken in a private aircraft.
- (14) A Member may apply to the Tribunal for approval to access the Allowance for costs related to use of a private aircraft.
- (15) An application to the Tribunal must include—
- verification of ownership of the aircraft;
 - make and model of the aircraft;
 - a nominated hourly rate for reimbursement; and
 - certification that—
 - the Member will not obtain personal profit through arrangements set by the Tribunal; and
 - claims will be made only in relation to travel for official business.
- (16) The Tribunal will set the conditions under which expenses for use of a private aircraft may be claimed under the Air Charter Transport Allowance, including an hourly rate for reimbursement.
- (17) Reimbursement will be provided only to the individual Member who has received the Tribunal's approval to use a private aircraft.

- (18) A Member claiming costs arising from use of a private aircraft must provide the administering authority with flight records and AVdata to certify the details of the relevant flight.
- (19) Before proceeding with reimbursement, the administering authority must be satisfied that use of a private aircraft is less expensive than commercial charter transport for the same journey.
- (20) In the event that the actual cost of using a private aircraft is more expensive than commercial charter transport for the same journey, then reimbursement will be limited to the cost of commercial charter transport for the same journey.

Signed on 8 October 2018.

M. SEARES AO
Chair.

B. A. SARGEANT PSM
Member.

C. P. MURPHY PSM
Member.

Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Dr John Francis Murphy, late of Mercy Place Mont Clare, 9 Dean Street, Claremont in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of John Francis Murphy, deceased, who died on the 28th day of June 2018 at Mont Clare, Claremont in the said State, are required by the personal representative, David George Murphy of 25 Solway Loop, Cable Beach, Western Australia to send particulars of their claims to PO Box 7072, Broome WA 6725 by the date one month following the publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he has then had notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Barbara June Hill, late of 43 Mary Crescent, Eden Hill, Western Australia, who died on 5 March 2016.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above mentioned deceased are required by the Executor of the estate, Mathew Hill, c/- 10 Werang Entrance, South Guildford WA 6055, to send particulars of their claims to him within one month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Susan Margaret Harvey, late of Aegis Balmoral, 29 Gardner Street, Como, Western Australia, died 15 December 2017.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being Peter Angus Tibbits, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming, Western Australia, to send particulars of their claims to him by 23 November 2018, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX404**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Pauline Evelyn Brown, late of Unit 38/2 Theakston Green, Leeming, Western Australia, died 6 June 2018.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being Peter Angus Tibbits care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming, Western Australia, to send particulars of their claims to him by 23 November 2018, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Peter Matulich, late of St John of God Murdoch Community Hospice, 100 Murdoch Drive, Murdoch in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 26 April 2018, are required by the Executor to send particulars of their claims to them care of GV Lawyers, Level 5, 16 Irwin Street, Perth by 24 November 2018, after which date the Executor may convey or distribute the assets having regard to the claims of which they then have notice.

GV LAWYERS as Solicitors for the Executor.

PUBLIC NOTICES

ZZ401**DISPOSAL OF UNCOLLECTED GOODS ACT 1970**
DISPOSAL OF UNCOLLECTED GOODS

Notice under Part VI of intention to apply to Court for order to sell or otherwise dispose of goods valued in excess of \$3 500

Notice was given by Venetian Nominees Pty Ltd of 517 Great Eastern Highway, Redcliffe, Western Australia (Bailee) to Retaining Solutions WA Pty of 173 Mulgul Road, Malaga, Western Australia (Bailor) on 9 March 2018 that the following goods—

Mitsubishi Fuso Vehicle
Registration: 1EHK 938
Year of manufacture: 2008
VIN: JLFFK617L0KK00641
Body: Tray, tabletop and cab-chassis
Colour: White

situated at 517 Great Eastern Highway, Redcliffe, Western Australia were ready for redelivery. The goods remain uncollected. The Bailee intends to make an application to the court for an order to sell or otherwise dispose of the goods in accordance with the Act. Telephone (08) 9277 7077.
