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Gazette

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— PART 1 —

JUSTICE

JU301

Criminal Procedure Act 2004
Fines, Penalties and Infringement Notices Enforcement Act 1994

Justice Regulations Amendment (Road Passenger Services) Regulations 2019

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Justice Regulations Amendment (Road Passenger Services) Regulations 2019*.

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 — *Criminal Procedure Regulations 2005* amended

3. Regulations amended

This Part amends the *Criminal Procedure Regulations 2005*.

4. Schedule 1A amended

In Schedule 1A insert in alphabetical order:

Transport (Road Passenger Services) Act 2018

Part 3 — *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* amended

5. Regulations amended

This Part amends the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

6. Schedule 1 amended

In Schedule 1 insert in alphabetical order:

Transport (Road Passenger Services) Act 2018

R. NEILSON, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301

CAT ACT 2011

LOCAL GOVERNMENT ACT 1995

Shire of Bridgetown-Greenbushes

CATS LOCAL LAW 2019

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Bridgetown-Greenbushes resolved on 31 January 2019 to make the following local law.

PART 1—PRELIMINARY

1.1 Title

This is the *Shire of Bridgetown-Greenbushes Cats Local Law 2019*.

1.2 Commencement

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

1.3 Repeal

The *Shire of Bridgetown-Greenbushes Keeping and Welfare of Cats Local Law 2010* as published in the *Government Gazette* on 11 November 2010 and as amended in the *Government Gazette* on 5 August 2011 is repealed.

1.4 Terms used

(1) In this local law, unless the context otherwise requires—

Act means the *Cat Act 2011*;

applicant means a person who applies for an approval;

application means an application for an approval;

approval means approval under regulation 9 of the *Cat (Uniform Local Provisions) Regulations 2013* and Part 2 of this local law;

approved person means the person to whom an approval is granted;

authorised person means a person appointed by the local government to perform the functions conferred on an authorised person under this local law;

cat has the meaning given to it in the Act;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

local government means the Shire of Bridgetown-Greenbushes;

local planning scheme means a local planning scheme made by the local government under the *Planning and Development Act 2005*;

nuisance means where the behaviour of a cat—

- (a) results in an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) causes an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) causes interference which results in material damage to land or other property on the land affected by the interference.

owner has the meaning given to it in the Act;

premises has the meaning given to it in the Act; and

veterinarian has the meaning given to it in the Act.

(2) A term that is used in this local law and is not defined in subclause (1) has the same meaning given to it in the Act or, if not defined in the Act, the same meaning given to it in the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or the *Local Government Act 1995*.

1.5 Application

This local law applies throughout the district.

PART 2—NUMBER OF CATS THAT MAY BE KEPT

2.1 Interpretation

For the purposes of applying this Part, a cat does not include a cat less than 6 months old.

2.2 Prescribed premises

For the purposes of the definition of **prescribed premises** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except—

- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*;
- (b) a cat management facility operated by the local government;
- (c) a veterinary clinic or veterinary hospital as defined under section 2 of the *Veterinary Surgeons Act 1960*, but only in relation to cats kept on those premises for treatment; or
- (d) a commercial cat boarding facility which is subject of a valid planning approval granted under a local planning scheme.

2.3 Standard number of cats

For the purposes of the definition of **standard number of cats** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, no more than 3 cats may be kept on premises at which a member of a cat organisation is not ordinarily resident.

2.4 Application for approval

(1) An application for approval to keep an additional number of cats at prescribed premises is dealt with in regulation 8 of the *Cat (Uniform Local Provisions) Regulations 2013*.

(2) An application for approval must be accompanied by the application fee determined by the local government in accordance with section 6.16 to 6.19 of the Act.

2.5 Determining an application

(1) For the purpose of determining whether to grant approval for an application to keep an additional number of cats (more than the standard number of cats) at prescribed premises, the local government may have regard to—

- (a) the zoning of the land under the local planning scheme;
- (b) the physical suitability of the premises for the proposed use;
- (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
- (d) the structural suitability of any enclosure in which any cat is to be kept;
- (e) the likelihood of a cat causing a nuisance, inconvenience or annoyance to an occupier of adjoining land;
- (f) the likely effect on the amenity of the surrounding area of the proposed use;
- (g) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the proposed use; and
- (h) any other factors which the local government considers to be relevant in the circumstances of the application.

(2) An approval is to be in the form determined by the CEO and is to be issued to the approved person.

2.6 Conditions

(1) For the purpose of ensuring that the premises to which an application relates are suitable for the additional number of cats, the local government may impose any condition that it considers to be reasonably necessary for that purpose, including—

- (a) that the premises must be adequately fenced (and premises will be taken not to be adequately fenced if there is more than one escape of a cat from the premises);
- (b) that there must be adequate space for the exercise of the cats;
- (c) that, in the case of multiple dwellings where there is no suitable dividing fence, each current occupier of the adjoining multiple dwellings must give their written consent to the approval; and
- (d) that, without the consent of the local government, the approved person must not substitute or replace any cat that dies or is permanently removed from the premises.

(2) An approved person who does not comply with a condition of the approval, commits an offence.

Penalty: a fine of \$5,000.

2.7 Renewal of an application

(1) An application is to be renewed if—

- (a) the approved person has not breached the conditions of the approval;
- (b) the approval would have been granted if a fresh application for approval had been made; and
- (c) the renewal fee, imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*, is paid to the local government before the expiry of the approval.

(2) On the renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect.

2.8 Transfer of an approval

(1) An approval relates only to the premises specified in the approval, and only to the approved person specified in the approval, and is transferrable only in accordance with this clause.

(2) An application for the transfer of an approval from the approved person to another person must be—

- (a) made in the form determined by the CEO;
- (b) made by the proposed transferee;
- (c) made with the consent of the approved person; and
- (d) lodged with the local government together with the fee for the application for the transfer of an approval that is imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.

(3) The local government is not to determine an application for the transfer of an approval until the proposed transferee has complied with subclause (2).

(4) The local government may grant, or refuse to grant an application for the transfer of an approval, and any approval will be subject to such conditions as the local government may impose under Regulation 9(3) of the *Cat (Uniform Local Provisions) Regulations 2013*.

(5) Where the local government grants an application for the transfer of an approval—

- (a) it is to issue to the transferee an approval in the form determined by the CEO; and
- (b) on the date of approval, unless otherwise specified in the approval, the transferee becomes the approved person for the purposes of this local law.

2.9 Variation or cancellation of an approval

(1) The local government may, at any time, vary the conditions of an approval by giving written notice to the permit holder and specifying the date on which the changes will become effective.

(2) The local government may cancel an approval—

- (a) on the request of the approved person;
- (b) if the approved person breaches the Act, the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or this local law; or
- (c) if the approved person is not a fit and proper person to provide for the health and welfare of the cats.

(3) If an approval is cancelled, the fee paid for the approval is not refundable for the term of the approval that has not yet expired.

2.10 Objection and review rights

A decision of the local government made under clauses 2.7, 2.8 or 2.9 is a decision to which Division 1, Part 9 of the *Local Government Act 1995* applies.

PART 3—ENFORCEMENT**3.1 Infringement notices**

(1) An offence against clause 2.6(2) is a prescribed offence for the purposes of section 62(1) of the Act and the modified penalty for the offence is a fine of \$200.

(2) The form of an infringement notice is Form 6 in the *Cat Regulations 2012*, Schedule 1.

(3) The form of withdrawal of the infringement notice is Form 7 in the *Cat Regulations 2012*, Schedule 1.

3.2 Objection: prescribed form

The form of an objection under clause 2.10 is Form 8 in the *Cat Regulations 2012*, Schedule 1.

Dated: 31 January 2019.

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

Cr ANTONINO PRATICO, Shire President.
TIM CLYNCH, Chief Executive Officer.

LG302

**BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995**

City of Mandurah

BUSH FIRES BRIGADES AMENDMENT LOCAL LAW 2018

Under the powers conferred by the *Bush Fires Act 1954*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Mandurah resolved on 29 January 2019 to make the following local law.

1. Citation

This local law may be cited as the *City of Mandurah Bush Fires Brigades Amendment Local Law 2018*.

2. Commencement

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

3. Principal local law amended

This local law amends the *City of Mandurah Bush Fires Brigades Local Law 2010* as published in *Government Gazette* No. 43 of 22 March 2011.

4. Clause 1.2 amended

In clause 1.2—

- (a) Delete the definition for “**Authority**”;
- (b) Insert the following definition in alphabetical order—
“**Department** means the Department of Fire and Emergency Services of Western Australia;” and
- (c) In the definition for “**Bush Fire Operating Procedures**” delete “**Authority**” and replace with “**Department**”.

5. Clause 3.10 amended

In clause 3.10 (2)—

- (a) Delete subclause 3.10 (2) (c); and
- (b) Following subclause 3.10 (2) (b) insert—
“following their receipt under subclause (1)”
on a new line so that it applies to (a) and (b).

6. Clause 4.4 amended

In subclause 4.4(f) delete “**Authority’s**” and replace with “**Department’s**”.

7. Clause 4.5 amended

In clause 4.5 delete subclause (2).

8. Clause 6.3 amended

In subclause 6.3—

- (a) Delete “first week in December” and replace with “31 March”; and
- (b) Delete “Authority” and replace with “Department”.

9. Schedule 1, Part 2 amended

In Schedule 1, Part 2—

- (a) Delete clause 2.4;
- (b) After clause 2.3 insert—

2.4 Applications for membership

An application for membership is to be in writing and is to be submitted to the Secretary in the form approved by the Brigade.;

- (c) In subclause 2.6 delete each reference to “Authority” and replace with “Department”;
- (d) In subclause 2.11 (c) delete “has the right of objection to the local government which may dispose of the objection by—
 - (i) dismissing the objection;
 - (ii) varying the decision objected to; or
 - (iii) revoking the decision objected to, with or without—
 - (A) substituting for it another decision; or
 - (B) referring the matter, with or without directions, for another decision by the Committee.”; and
- (e) Following subclause 2.11 (c) insert—

“has the right of objection to the local government which may dispose of the objection by—

 - (i) dismissing the objection;
 - (ii) varying the decision objected to; or
 - (iii) revoking the decision objected to, with or without—
 - (A) substituting for it another decision; or
 - (B) referring the matter, with or without directions, for another decision by the Committee.”

on a new line so that it applies to (a), (b) and (c).

10. Schedule 1, Part 3 amended

In Schedule 1, Part 3—

- (a) In clause 3.3 delete subclauses 3.3 (l) and (m);
- (b) In clause 3.3 insert—
- (c) (l) ensure that an incident report is compiled and submitted, in the format agreed by the Department and local government, within 14 days following attendance at an incident by the Bush Fire Brigade.; In subclause 3.3 (k) following “equipment;” insert “and”;
- (d) Delete clauses 3.5, 3.6, 3.7, 3.8, 3.9, 3.10 and 3.11;
- (e) After clause 3.4 insert the following clause—

“3.5 Equipment Officer

The Equipment Officer is responsible for the custody and maintenance of protective clothing, equipment and appliances of the bush fire brigade.”

11. Schedule 1, Part 4 amended

In Schedule 1, Part 4—

- (a) In subclause 4.1 (2) insert the following paragraph—
 - (f) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade functions; ; and
- (b) Renumber the remaining subclauses accordingly.

12. Schedule 1, Part 5 amended

In Schedule 1, Part 5—

- (a) In clause 5.3 (2) insert the following paragraph—

“(d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6.”;
- (b) Renumber the remaining paragraphs accordingly; and

(c) After clause 5.5 insert the following subclause—

“5.6 Auditor

(1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.

(2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.”.

13. Schedule 1, Part 6 amended

In Schedule 1, Part 6, clause 6.2 delete the words “50 percent of Committee members” and replace with “3 Brigade Officers”.

14. Schedule 1, Part 7 amended

In Schedule 1, Part 7 delete subclause 7.1.

15. Schedule 1, APPENDIX II amended

In Schedule 1 delete APPENDIX II.

16. Schedule 1, APPENDIX III amended

In Schedule 1 delete APPENDIX III.

17. Schedule 1, APPENDIX IV amended

In Schedule 1 delete APPENDIX IV.

Dated: 7 February 2019.

The Common Seal of the City of Mandurah was affixed by authority of a resolution of the Council in the presence of—

RHYS JOHN WILLIAMS, Mayor.
MARK ROBERT NEWMAN, Chief Executive Officer.

TREASURY AND FINANCE

TR301

Taxation Administration Act 2003

Taxation Administration Amendment Regulations 2019

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Taxation Administration Amendment Regulations 2019*.

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 *Taxation Administration Regulations 2003*.

4. Regulation 13I inserted

After regulation 13H insert:

13I. Disclosure of information to administrative authorities for the *Rates and Charges (Rebates and Deferments) Act 1992* (s. 114(3)(g))

- (1) In this regulation —
administrative authority has the meaning given in the *Rates and Charges (Rebates and Deferments) Act 1992* section 3(1).
- (2) For the purposes of section 114(3)(g) of the Act, the Commissioner may, for a purpose related to the administration of the *Rates and Charges (Rebates and Deferments) Act 1992*, disclose to an administrative authority information or material about the affairs of a person that was disclosed to or obtained by the Commissioner under the *Land Tax Assessment Act 2002*.

R. NEILSON, Clerk of the Executive Council.

— PART 2 —

CONSUMER PROTECTION

CP401

ASSOCIATIONS INCORPORATION ACT 2015

ORDER TO CANCEL INCORPORATION

Shark Bay Sport and Recreation Association Incorporated—A1014297U

On 27 August 2018 the Commissioner for Consumer Protection (Commissioner) served a notice on Shark Bay Sport and Recreation Association Incorporated—A1014297U (Association) pursuant to section 145(1) of the *Associations Incorporation Act 2015* (Act) informing it that if it did not show cause on or before 60 days after the day on which the notice was given (Allowed Period) the incorporation of the Association would be cancelled.

The Association did not show cause within the Allowed Period.

On 27 November 2018 the Commissioner gave notice in writing to the Association pursuant to section 147(2) of the Act stating that the Commissioner proposed to make an order cancelling the incorporation of the Association after the expiration of 28 days from the day on which the notice was given and advising the Association that it could apply to the State Administrative Tribunal (SAT) for a review of the Commissioner's proposal within this period.

The Association did not apply to SAT for a review within the period specified.

Therefore, pursuant to section 147(1) of the Act, the Commissioner orders that the incorporation of the Association be cancelled with effect on and from the date of this order.

LAILY YASSIN, Acting Manager Associations and Charities
for Commissioner for Consumer Protection.

Dated: 1 February 2019.

JUSTICE

JU401

PROFESSIONAL STANDARDS ACT 1997

AUSTRALIAN COMPUTER SOCIETY PROFESSIONAL STANDARDS SCHEME

I, John Quigley MLA, Attorney General; Minister for Commerce, pursuant to section 26 of the *Professional Standards Act 1997* WA (the Act), authorise the publication of the Australian Computer Society Professional Standards Scheme (the Scheme) submitted to me by the Professional Standards Council of New South Wales pursuant to the mutual recognition provisions of the New South Wales and Western Australian professional standards legislation. The Scheme is published with this authorisation and commences on 1 January 2019. The Scheme remains in force for a period of 5 years from its commencement unless the Scheme is revoked, extended, or its operation ceases as specified in the Act.

Hon JOHN QUIGLEY MLA; Attorney General;
Minister for Commerce.

Dated: 21 January 2019.

THE AUSTRALIAN COMPUTER SOCIETY PROFESSIONAL STANDARDS SCHEME

Professional Standards Act 1994 (NSW)

PREAMBLE

- A. The Australian Computer Society Inc (ACS) is an occupational association.
- B. The ACS has made an application to the Professional Standards Council, appointed under the *Professional Standards Act 1994* (NSW) (the Act), for the approval of a scheme under the Act as set out in this document.
- C. The scheme is prepared by the ACS for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.

- D. The scheme propounded by the ACS is to apply to all Certified Professional Members of the ACS.
- E. The ACS has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. The scheme is intended to commence in New South Wales on 1 January 2019 and remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to the applicable legislation of the relevant jurisdiction.
- G. Unless otherwise defined in this scheme, terms used in the scheme have the meaning given in the Act.
- H. The scheme is intended to apply in all states and territories of Australia.

THE AUSTRALIAN COMPUTER SOCIETY PROFESSIONAL STANDARDS SCHEME

1 Occupational association

1.1 The Australian Computer Society Professional Standards Scheme (the scheme) is a scheme under the Act prepared by the Australian Computer Society Inc (ACS) whose national office address is Tower One, International Towers, 100 Barangaroo Ave, Sydney, NSW, 2000.

2 Persons to Whom the Scheme Applies

2.1 The scheme will apply to ACS members who are Certified Professional Members. A Certified Professional Member is defined as a member of ACS with a current 'Certified Professional' certification from ACS. A list of Members participating in the ACS Professional Standards Scheme will be published on the ACS web site.

2.2 A person referred to in clause 2.1 may, on application, be exempted from participation in the scheme by the ACS with effect from the date specified by the ACS.

3 Jurisdiction

3.1 The scheme applies in New South Wales in accordance with the Act.

3.2 In addition to New South Wales, the scheme is intended to operate in the Australian Capital Territory, the Northern Territory, Queensland, South Australia, Tasmania, Victoria, and Western Australia, in accordance with the professional standards legislation of those states and territories.

4 Limitation of liability

4.1 This scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding \$2,000,000.

4.2 This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.

4.3 If a person, who was at the time of the act or omission giving rise to occupational liability, a person to whom the scheme applied and against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person has the benefit of an insurance policy—

- (a) of a kind which complies with the standards determined by the ACS;
- (b) insuring such person against that occupational liability; and
- (c) under which the amount payable in respect of that occupational liability is not

less than the monetary ceiling specified in this scheme,

that person is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.

4.4 The monetary ceiling is \$2.0 million.

4.5 Clause 4.3 only affects liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding the amount of damages specified in clause 4.1.

4.6 Notwithstanding anything to the contrary contained in this scheme if, in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme is capped both by this scheme and also by any other scheme under professional standards legislation (whether of this jurisdiction or under the corresponding law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

5 Discretionary authority

5.1 This scheme confers on the ACS a discretionary authority to specify, on application by a person to whom the scheme applies, in relation to that person, a higher maximum amount of liability not exceeding \$10 million, in relation to that person either in all cases or in any specified case or class of case.

6 Duration

6.1 This scheme will commence in New South Wales, the Northern Territory, Tasmania, Western Australia, Victoria and Queensland on 1 January 2019.

6.2 In the Australian Capital Territory and in South Australia, the scheme will commence—

- (a) on the date provided for in the Minister's notice in relation to the scheme, if a date is provided; or
- (b) on the first day two months after the day on which notice was given, in any other case.

6.3 This scheme will be in force in New South Wales for five years from the date of commencement in that jurisdiction.

6.4 For any other jurisdiction, the scheme will be in force for—

- (a) 5 years from the date of commencement in that jurisdiction; or
- (b) 5 years from the date of commencement in New South Wales;

whichever period ends first.

6.5 Clauses 6.3 and 6.4 are subject to the provisions of each jurisdiction applicable to the revocation, extension or cessation of schemes.

JU402

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

It is hereby notified for public information that the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Kelly Ann Finlay of Darch
Zoran Coseski of Marangaroo

MICHAEL JOHNSON, A/Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Swan

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 29 January 2019, determined that the method of valuation to be used by the City of Swan 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 134 as shown on Plan 3551.

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

LG402

LOCAL GOVERNMENT ACT 1995

Shire of Denmark

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 31 January 2019 determine that the method of valuation to be used by the Shire of Denmark, 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 Strata Lot 5 as shown on Strata Plan 61423.

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

MINERALS AND PETROLEUM

MP401

PETROLEUM PIPELINES ACT 1969
PETROLEUM PIPELINE LICENCE PL 96

Notice is hereby given that, pursuant to section 53A(1) of the *Petroleum Pipelines Act 1969*, I, Jared Andrew Barnett, Team Leader, Resource Tenure of the Department of Mines, Industry Regulation and Safety, under delegation from the Minister for Mines and Petroleum, intend to correct an obvious defect in the spatial representation of the operation phase licence area of licence PL 96 by—

- Replacing the existing Annexure 'B' Figures 1, 2 and 3 with the new Annexure 'B' Figures 1 and 2;
- Replacing the existing Annexure 'B' Table 1 with the new Annexure 'B' Table 1;
- Insert Annexure 'B' (2) Land Tenure Deposit Plan 43810 for Registered Easement M072995;

The Minister will receive matters in writing in connection with this correction for a period of 45 days from publication of this notice. A map showing details of the proposed correction to the spatial representation of the licence area may be examined during public office hours at the Department of Mines, Industry Regulation and Safety, 1st floor Mineral House, 100 Plain Street, East Perth, Western Australia and on the Department's website—

<http://www.dmp.wa.gov.au/Petroleum/Notice-of-application-for-1613.aspx>.

Dated at Perth this 3rd day of December 2018.

Made under the *Petroleum Pipelines Act 1969* of the State of Western Australia.

JARED ANDREW BARNETT, Team Leader,
Resource Tenure Division.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Swan
Local Planning Scheme No. 17—Amendment No. 153

Ref: TPS/2298

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Swan Local Planning Scheme amendment on 9 January 2019 for the purpose of—

- (a) Rezoning a portion of Lot 1 Clayton Street, Bellevue from 'General Rural' to 'Residential' zone, with a density coding of 'R20'.
- (b) Modify the Scheme Maps accordingly.

D. LUCAS, Mayor.
M. FOLEY, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Fremantle
Local Planning Scheme No. 4—Amendment No. 63

Ref: TPS/2135

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 Fremantle Local Planning Scheme amendment on 2 February 2019 for the purpose of—

- a. Insert the following in 5.1 Operation of special control areas after 5.1.1 (f) and amend formatting of list—
 - (g) Special Control Area provisions for small infill development as designated on the scheme map as 'SCA 5.7'.

- b. Insert the following after 5.6 O'Conner Industrial Interface clause 5.6.5—
- 5.7 Special control area provisions for small infill development.
- 5.7.1 Notwithstanding the minimum and average site area and plot ratio requirements of clause 5.1.1, 6.1.1, table 1 and table 4 of the Residential Design Codes, Council may, at its discretion, grant development approval for the development of a Grouped Dwelling(s) and/or Multiple Dwelling(s) on a lot with a density coding of R35 or lower in the areas defined on the map as 'SCA 5.7' where the lot is over 600m² in size and the development complies with all the following criteria—
- (a) Any new dwelling shall have up to a maximum floor area of 120m².
 - (b) A maximum of three dwellings, including any existing dwelling(s), on lots over 750m², one additional dwelling for every 150m² in excess of 750m² may be approved.
 - (c) A maximum of one vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays shall be provided for any existing dwelling on the development site.
 - (d) Notwithstanding sub-clause 5.7.1 (c), a nil vehicle parking requirement may be permitted where one small dwelling within a development achieves a floor area of 60m² or less.
 - (e) Visitor parking shall not be provided for development less than 5 dwellings.
 - (f) A minimum of 70% open space, as defined by the R-Codes, shall be provided over the entire development site unless otherwise provided for in a local planning policy.
 - (g) A minimum 25% of the development site area shall be provided as a deep planting zone unless otherwise provided for in a local planning policy. The deep planting zone can be included as part of the open space for the development and 50% of the deep planting zone must be provided on the rear portion of the site unless otherwise provided for in a local planning policy.
 - (h) A minimum of one tree, to Council specification, is required to be retained or planted in the deep planting zone on the site.
- 5.7.2 The requirements detailed in clause 5.7.1 are not capable of variation under clause 4.8.2.1.
- 5.7.3 For the purposes of sub-clause 5.7.1(g), deep planting zone: means an area of the lot for the exclusive use of supporting plant life. The deep planting zone shall—
- Be landscaped, water permeable, unpaved and uncovered.
 - Be a minimum length and width dimension of 3.0 metres.
 - Not be used for vehicle parking or access.
 - Contain no buildings, patios, pergolas, swimming pools or external fixtures.
- 5.7.4 In dealing with the subdivision of land designated on the scheme map as 'SCA 5.7', and where approval has been previously granted under Clause 5.7.1, the City may support subdivision provided development has been constructed to plate height in accordance with a development approval granted by the relevant authority.
- 5.7.5 Notwithstanding the permitted development requirements under Clause 4.3.5 and Schedule A Supplemental Provisions to the Deemed Provisions Clause 61 (m), a Small Secondary Dwelling will not be permitted or granted planning approval on the same lot as a development approved under 5.7.1.
- 5.7.6 Notwithstanding the requirements of Regulation 61 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Schedule A—Supplemental Provisions to the Deemed Provisions, development approval is required for buildings, outbuildings, pergolas, verandas, patios, carports and garages for land designated on the scheme map as 'SCA 5.7' where approval has been previously granted under Clause 5.7.1.
- 5.7.7 Clause 5.7 and associated sub-clauses shall cease to have effect on the date of the fifth anniversary after publication in the Gazette of the amendment introducing those provisions into the scheme.
- c. Insert the following words into 6.12 Schedule A—Supplementary provisions to the deemed provisions clause 78B Advisory Committees (6) b in between 'zones' and 'without'—
- 'or a development application proposed under clause 5.7 Special control area provisions for small infill development'.
- d. Amend the scheme map to—
- Apply Special Control Area "SCA 5.7" to residential zoned land as shown on the proposed Scheme Map with an inwards triangled red border;
 - Include a Special Control Area designation on the Scheme Legend with an inwards triangled red border; and
 - Note on the scheme map legend 'SCA 5.7—Small Infill Development Areas, refer to Clause 5.7 for development requirements.'
- e. Update the Contents Page and renumber pages as required.

B. PETTITT, Mayor.
P. ST JOHN, Chief Executive Officer.

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the temporary appointment by the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, of the Hon S. F. McGurk MLA as Minister for Water; Fisheries; Forestry; Innovation and ICT; Science during the period 23 to 28 February 2019 (both dates inclusive), has been cancelled.

This notice supersedes acting arrangements relating to the above office that were published in *Government Gazette* No. 3 of 11 January 2019.

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

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Dorothy May Hawkins, late of 9 Thor Street, Innaloo, 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 28 December 2016, are required by the Executors Thomas Harry Byrne and Ronald Olding Hawkins, c/- Furstenberg Solicitors & Notaries, PO Box 3060, Joondalup WA 6027 to send particulars of their claims to them by 18 March 2019, after which date the Executor may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice.

ZX402

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Veronica Maria Archer, late of 24 Chester Street, South Fremantle, 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 8 September 2018, are required by the Executor, Mario Antonio Silipo, care of Owen & Plaistowe, PO Box 127, Northbridge WA 6865 to send particulars of their claim by 15 March 2019, 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

Rodney Noel Grey, late of 28 Stephenson Gardens, Winthrop, 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 20 November 2018, are required by the executors, Brett Charles Owen and Dawn Lee Mitchell to send particulars of their claims to Tolson & Co Solicitors, PO Box 3050, East Perth WA 6892 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 they then have notice.

ZX404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the Estate of Edward John Williamson late of Bethanie Waters, 18 Olivenza Crescent Port Kennedy, Western Australia and formerly of 13 Mariner Place, Cooloongup in the said State, Civil Engineer, 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 Edward John Williamson, who died on 10 April 2018, are required by the Personal Representative, Alison Frances Gibson of 20 Ernest Street, Safety Bay, Western Australia to send particulars of their claims to her by the date being one month from 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 she then has notice.
