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— PART 1 —

JUSTICE

JU301

Dangerous Sexual Offenders Act 2006

Dangerous Sexual Offenders Amendment Regulations 2019

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Sexual Offenders 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 *Dangerous Sexual Offenders Regulations 2018*.

4. Part 1 heading inserted

Before regulation 1 insert:

Part 1 — Preliminary

5. Part 2 heading inserted

After regulation 2 insert:

Part 2 — Matters prescribed for terms used in Act

6. Part 2 Division 1 heading inserted

At the beginning of Part 2 insert:

Division 1 — Qualified psychologists

7. Part 2 Division 2 inserted

After regulation 3 insert:

Division 2 — Serious sexual offences

Subdivision 1 — Serious sexual offences

4. Serious sexual offences (Act s. 3(1))

This Division has effect for the purposes of paragraph (c) of the definition of *serious sexual offence* in section 3(1) of the Act.

Subdivision 2 — Australian Capital Territory

5. Australian Capital Territory

(1) In this regulation —

relevant ACT provision means a provision of the *Crimes Act 1900* (Australian Capital Territory) specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the *Crimes Act 1900* (Australian Capital Territory) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Crimes Act 1900</i> (ACT)	Column 2 <i>The Criminal Code</i>
1.	s. 54(1)	s. 325(1)
2.	s. 54(2)	s. 326(1)
3.	s. 55(1)	s. 320(2)
4.	s. 55(2)	s. 320(2) s. 321(2)

Item	Column 1 <i>Crimes Act 1900 (ACT)</i>	Column 2 <i>The Criminal Code</i>
5.	s. 55A(1)	s. 322(2)
6.	s. 56(2)	s. 321A(4)
7.	s. 61(1)	s. 320(4)
8.	s. 61(2)	s. 320(4) s. 321(4)
9.	s. 62(1)	s. 329(2)
10.	s. 62(2)	s. 329(2)
11.	s. 63A	s. 181
12.	s. 79(1)	s. 331B
13.	s. 79(2)	s. 331C(2)
14.	s. 80	s. 331D(1) s. 331D(2)

- (3) An offence against a provision of the *Criminal Code 2002* (Australian Capital Territory) specified in column 1 of an item in the Table, committed in respect of a relevant ACT provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 <i>Criminal Code 2002 (ACT)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 44(1)	s. 552(1)
2.	s. 47(1)	s. 553(1)
3.	s. 48(1)	s. 558(1)

Subdivision 3 — Commonwealth

6. Commonwealth

- (1) In this regulation —
Commonwealth Criminal Code means the Criminal Code set out in the Schedule to the *Criminal Code Act 1995* (Commonwealth);

relevant Commonwealth provision means a provision of the Commonwealth Criminal Code specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

- (2) An offence against a provision of the Commonwealth Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 71.8(1)	s. 325(1)
2.	s. 272.8(1)	s. 320(2) s. 321(2)
3.	s. 272.8(2)	s. 320(3) s. 321(3)
4.	s. 272.9(1)	s. 320(4) s. 321(4)
5.	s. 272.9(2)	s. 320(4) s. 320(5) s. 321(4) s. 321(5)
6.	s. 272.10(1)	s. 320(2) s. 320(3) s. 320(4) s. 320(5) s. 321(2) s. 321(3) s. 321(4) s. 321(5)
7.	s. 272.11(1)	s. 321A(4)
8.	s. 272.12(1)	s. 322(2)

Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
9.	s. 272.12(2)	s. 322(3)
10.	s. 268.14(1)	s. 325(1)
11.	s. 268.14(2)	s. 325(1) s. 327(1)
12.	s. 268.15(1)	s. 331B
13.	s. 268.59(1)	s. 325(1)
14.	s. 268.59(2)	s. 325(1) s. 327(1)
15.	s. 268.60(1)	s. 331B
16.	s. 268.82(1)	s. 325(1)
17.	s. 268.82(2)	s. 325(1) s. 327(1)
18.	s. 268.83(1)	s. 331B

(3) An offence against the Commonwealth Criminal Code section 71.8(1), that is an aggravated offence under section 71.13 of that Code, is prescribed to correspond to an offence against *The Criminal Code* section 326(1).

(4) An offence against a provision of the Commonwealth Criminal Code specified in column 1 of an item in the Table, committed in respect of a relevant Commonwealth provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 Commonwealth Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 11.1(1)	s. 552(1)
2.	s. 11.4(1)	s. 553(1)
3.	s. 11.5(1)	s. 558(1)

Subdivision 4 — New South Wales**7. New South Wales**

- (1) An offence against a provision of the *Crimes Act 1900* (New South Wales) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Crimes Act 1900</i> (NSW)	Column 2 <i>The Criminal Code</i>
1.	s. 61I	s. 325(1)
2.	s. 61J(1)	s. 325(1) s. 326(1)
3.	s. 61JA(1)	s. 326(1)
4.	s. 61M(1)	s. 324(1)
5.	s. 61M(2)	s. 320(4) s. 321(4) s. 324(1)
6.	s. 61O(2)	s. 320(4) s. 320(5)
7.	s. 61O(2A)	s. 320(4) s. 321(4)
8.	s. 66A(1)	s. 320(2)
9.	s. 66C(1)	s. 320(2) s. 321(2)
10.	s. 66C(2)	s. 320(2) s. 321(2)
11.	s. 66C(3)	s. 321(2)
12.	s. 66C(4)	s. 321(2)
13.	s. 66EA(1)	s. 321A(4)
14.	s. 66F(2)	s. 330(2)
15.	s. 66F(3)	s. 330(2)

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>The Criminal Code</i>
16.	s. 73(1)	s. 322(2)
17.	s. 79	s. 181
18.	s. 80A(2)	s. 327(1)
19.	s. 80A(2A)	s. 327(1)
20.	s. 80D(1)	s. 331B
21.	s. 80E(1)	s. 331C(2)

- (2) An offence against the *Crimes Act 1900* (New South Wales) section 78A(1), committed in circumstances where the victim was under 18 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 329(2).
- (3) An offence against a provision of the *Crimes Act 1900* (New South Wales) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a provision of that Code specified in column 3 of the item.

Table

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>The Criminal Code</i>	Column 3 <i>The Criminal Code</i>
1.	s. 66B	s. 552(1)	s. 320(2)
2.	s. 66D	s. 552(1)	s. 320(2) s. 321(2)
3.	s. 66F(4)	s. 552(1)	s. 330(2)

- (4) An offence against a provision of the *Crimes Act 1900* (New South Wales) specified in column 1 of an item in the Table, committed in respect of a provision of that Act specified in column 2 of the item, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 3 of the item committed in respect of a provision of that Code specified in column 4 of the item.

Table

Item	Column 1 <i>Crimes Act 1900 (NSW)</i>	Column 2 <i>Crimes Act 1900 (NSW)</i>	Column 3 <i>The Criminal Code</i>	Column 4 <i>The Criminal Code</i>
1.	s. 61P	A provision specified in column 1 of items 1 to 7 of the Table to subregulation (1)	s. 552(1)	A provision specified in column 2 of items 1 to 7 of the Table to subregulation (1)
2.	s. 73(4)	s. 73(1)	s. 552(1)	s. 322(2)
3.	s. 80G(1)	A provision specified in column 1 of the Table to subregulation (1)	s. 553(1)	A provision specified in column 2 of the Table to subregulation (1)
4.	s. 344A(1)	A provision specified in column 1 of the Table to subregulation (1)	s. 552(1)	A provision specified in column 2 of the Table to subregulation (1)

Subdivision 5 — Northern Territory**8. Northern Territory**

(1) In this regulation —

NT Criminal Code means the Criminal Code set out in Schedule 1 to the *Criminal Code Act* (Northern Territory);

relevant NT provision means a provision of the NT Criminal Code specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the NT Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 NT Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 127(1)(a)	s. 320(2) s. 321(2)

Item	Column 1 NT Criminal Code	Column 2 <i>The Criminal Code</i>
2.	s. 127(1)(b)	s. 320(4) s. 321(4)
3.	s. 130(2)(a)	s. 330(2)
4.	s. 130(2)(b)	s. 330(4)
5.	s. 130(3A)(a)	s. 320(2) s. 321(2)
6.	s. 130(3A)(b)	s. 320(4) s. 321(4)
7.	s. 131A(2)	s. 321A(4)
8.	s. 132(2)(a)	s. 320(4) s. 321(4)
9.	s. 132(2)(b)	s. 320(4) s. 321(4)
10.	s. 132(2)(c)	s. 320(4) s. 321(4)
11.	s. 132(2)(d)	s. 320(5) s. 321(5)
12.	s. 132(2)(f)	s. 320(6) s. 321(6)
13.	s. 134(1)	s. 329(2)
14.	s. 192(3)	s. 325(1)
15.	s. 192(4)	s. 324(1)
16.	s. 192B(2)	s. 327(1)
17.	s. 202B(1)	s. 331B
18.	s. 202B(2)	s. 331B
19.	s. 202B(3)	s. 331B
20.	s. 202C(1)	s. 331C(2)

Item	Column 1 NT Criminal Code	Column 2 <i>The Criminal Code</i>
21.	s. 202C(2)	s. 331C(2)
22.	s. 202C(3)	s. 331C(2)
23.	s. 202D(1)	s. 331D(1) s. 331D(2)

- (3) An offence against the NT Criminal Code section 128(1)(a), committed in circumstances where the offender is liable to the penalty mentioned in section 128(2) of that Code, is prescribed to correspond to an offence against *The Criminal Code* section 322(2).
- (4) An offence against a provision of the NT Criminal Code specified in column 1 of an item in the Table, committed in respect of a provision of that Code specified in column 2 of the item, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 3 of the item committed in respect of a provision of that Code specified in column 4 of the item.

Table

Item	Column 1 NT Criminal Code	Column 2 NT Criminal Code	Column 3 <i>The Criminal Code</i>	Column 4 <i>The Criminal Code</i>
1.	s. 43BF(1)	s. 192(3)	s. 552(1)	s. 325(1)
2.	s. 43BF(1)	s. 192(4)	s. 552(1)	s. 324(1)
3.	s. 277(1)	A provision specified in column 1 of the Table to subregulation (2) other than items 14 and 15	s. 552(1)	A provision specified in column 2 of the Table to subregulation (2) other than items 14 and 15
4.	s. 43BI(1)	s. 192(3)	s. 553(1)	s. 325(1)
5.	s. 43BI(1)	s. 192(4)	s. 553(1)	s. 324(1)
6.	s. 43BJ(1)	s. 192(3)	s. 558(1)	s. 325(1)
7.	s. 43BJ(1)	s. 192(4)	s. 558(1)	s. 324(1)

Item	Column 1 NT Criminal Code	Column 2 NT Criminal Code	Column 3 <i>The Criminal Code</i>	Column 4 <i>The Criminal Code</i>
8.	s. 282	A provision specified in column 1 of the Table to subregulation (2) other than items 14 and 15	s. 558(1)	A provision specified in column 2 of the Table to subregulation (2) other than items 14 and 15

Subdivision 6 — Queensland

9. Queensland

(1) In this regulation —

Queensland Criminal Code means the Criminal Code set out in Schedule 1 to the *Criminal Code Act 1899* (Queensland);

relevant Queensland provision means a provision of the Queensland Criminal Code specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the Queensland Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 210(1)(a)	s. 320(4) s. 321(4)
2.	s. 210(1)(b)	s. 320(5) s. 321(5)
3.	s. 210(1)(c)	s. 320(4) s. 321(4)
4.	s. 210(1)(d)	s. 320(4) s. 321(4)

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>
5.	s. 210(1)(f)	s. 320(6) s. 321(6)
6.	s. 211	s. 181
7.	s. 213(1)	s. 186(1)(b)
8.	s. 216(2)(a)	s. 330(4)
9.	s. 216(2)(b)	s. 330(5)
10.	s. 216(2)(c)	s. 330(4)
11.	s. 216(2)(d)	s. 330(4)
12.	s. 216(2)(f)	s. 330(6)
13.	s. 217(1)	s. 320(3) s. 321(3) s. 322(3) s. 330(3)
14.	s. 218(1)(a)	s. 327(1)
15.	s. 218(1)(b)	s. 327(1)
16.	s. 222(1)	s. 329(2)
17.	s. 229B(1)	s. 321A(2)
18.	s. 349(1)	s. 325(1)
19.	s. 352	s. 324(1)

- (3) An offence against the Queensland Criminal Code section 215(1) —
- (a) committed in circumstances where the offender had unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 320(2) and 321(2); and
 - (b) committed in circumstances where the offender attempted to have unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of *The Criminal Code* section 320(2) and 321(2).

- (4) An offence against the Queensland Criminal Code section 216(1) —
- (a) committed in circumstances where the offender had unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 330(2); and
 - (b) committed in circumstances where the offender attempted to have unlawful carnal knowledge with or of the victim, is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of *The Criminal Code* section 330(2).
- (5) An offence against a provision of the Queensland Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a provision of that Code specified in column 3 of the item.

Table

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>	Column 3 <i>The Criminal Code</i>
1.	s. 219(1)	s. 552(1)	s. 320(2) s. 320(4) s. 320(5) s. 320(6) s. 321(2) s. 321(4) s. 321(5) s. 321(6)
2.	s. 221	s. 558(1)	s. 325(1)
3.	s. 222(2)	s. 552(1)	s. 329(2)
4.	s. 350(1)	s. 552(1)	s. 325(1)

- (6) An offence against a provision of the Queensland Criminal Code specified in column 1 of an item in the Table, committed in respect of a relevant Queensland provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 Queensland Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 535(1)	s. 552(1)
2.	s. 541(1)	s. 558(1)

Subdivision 7 — South Australia**10. South Australia**

(1) In this regulation —

relevant SA provision means a provision of the *Criminal Law Consolidation Act 1935* (South Australia) specified in column 1 of the Table to subregulation (2);

relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).

(2) An offence against a provision of the *Criminal Law Consolidation Act 1935* (South Australia) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Criminal Law Consolidation Act 1935 (SA)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 48(1)	s. 325(1)
2.	s. 48(2)(a)	s. 327(1)
3.	s. 48(2)(b)	s. 327(1)
4.	s. 48(2)(c)	s. 327(1)
5.	s. 48A(1)	s. 327(1)
6.	s. 49(1)	s. 320(2) s. 321(2)
7.	s. 49(3)	s. 321(2)
8.	s. 49(5)	s. 322(2)
9.	s. 49(6)	s. 330(2)

Item	Column 1 <i>Criminal Law Consolidation Act 1935 (SA)</i>	Column 2 <i>The Criminal Code</i>
10.	s. 50(1)	s. 321A(4)
11.	s. 51(1)	s. 330(2) s. 330(3) s. 330(4) s. 330(5)
12.	s. 60(a)	s. 327(1)
13.	s. 61	s. 186(1)(b)
14.	s. 63B(1)(a)	s. 320(5) s. 321(5)
15.	s. 66(1)	s. 331B
16.	s. 69	s. 181
17.	s. 72(1)	s. 329(2)

- (3) An offence against the *Criminal Law Consolidation Act 1935* (South Australia) section 270A(1), committed in respect of a relevant SA provision, is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of a relevant WA provision.

Subdivision 8 — Tasmania

11. Tasmania

- (1) In this regulation —
Tasmanian Criminal Code means the Code set out in Schedule 1 to the *Criminal Code Act 1924* (Tasmania);
relevant Tasmanian provision means a provision of the Tasmanian Criminal Code specified in column 1 of the Table to subregulation (2);
relevant WA provision means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).
- (2) An offence against a provision of the Tasmanian Criminal Code specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 Tasmanian Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 122	s. 181
2.	s. 124(1)	s. 320(2) s. 321(2) s. 322(2)
3.	s. 125	s. 186(1)
4.	s. 125A(2)	s. 321A(4)
5.	s. 125B(1)	s. 320(4) s. 321(4)
6.	s. 126(1)	s. 330(2)
7.	s. 129(a)	s. 327(1)
8.	s. 129(b)	s. 327(1)
9.	s. 133(1)	s. 329(2)
10.	s. 185(1)	s. 325(1)

- (3) An offence against a provision of the Tasmanian Criminal Code specified in column 1 of an item in the Table, committed in respect of a relevant Tasmanian provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision.

Table

Item	Column 1 Tasmanian Criminal Code	Column 2 <i>The Criminal Code</i>
1.	s. 297(1)	s. 558(1)
2.	s. 298	s. 553(1)
3.	s. 299	s. 552(1)

Subdivision 9 — Victoria

12. Victoria

- (1) In this regulation —
- relevant Victorian provision*** means a provision of the *Crimes Act 1958* (Victoria) specified in column 1 of the Table to subregulation (2);
- relevant WA provision*** means a provision of *The Criminal Code* specified in column 2 of the Table to subregulation (2).
- (2) An offence against a provision of the *Crimes Act 1958* (Victoria) specified in column 1 of an item in the Table is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item.

Table

Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 38(1)	s. 325(1)
2.	s. 39(1)	s. 327(1)
3.	s. 41(1)	s. 324(1) s. 327(1)
4.	s. 44(1)	s. 327(1)
5.	s. 49A(1)	s. 320(2)
6.	s. 49B(1)	s. 321(2)
7.	s. 49C(1)	s. 322(3)
8.	s. 49D(1)	s. 321(4)
9.	s. 49F(1)	s. 320(4) s. 321(4)
10.	s. 49H(1)	s. 320(4) s. 321(4)
11.	s. 49J(1)	s. 321A(4)
12.	s. 49K(1)	s. 320(5) s. 321(5)

Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
13.	s. 49M(1)	s. 320(3) s. 320(5) s. 321(3) s. 321(5)
14.	s. 49S(1)	s. 325(1) s. 324(1) s. 327(1)
15.	s. 52B(1)	s. 330(2) s. 330(3)
16.	s. 53B(1)	s. 331B
17.	s. 53D(1)	s. 331C(2)
18.	s. 53E(1)	s. 331B s. 331C(2)
19.	s. 53G(1)	s. 331D(2)

- (3) An offence against the *Crimes Act 1958* (Victoria) section 40(1), committed in circumstances where, if it had been committed within this State, it would constitute an offence against *The Criminal Code* section 324(1), is prescribed to correspond to an offence against *The Criminal Code* section 324(1).
- (4) An offence against the *Crimes Act 1958* (Victoria) section 49P(1) is prescribed to correspond to an offence against *The Criminal Code* section 552(1) committed in respect of a provision of *The Criminal Code* specified in column 2 of items 1 to 4 of the Table to subregulation (2).
- (5) An offence against the *Crimes Act 1958* (Victoria) section 49Q(1) or 49R(1), committed in circumstances where the victim was under 16 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 320(5) and 321(5).
- (6) An offence against the *Crimes Act 1958* (Victoria) section 50C(1) or 50D(1), committed in circumstances where the victim was under 18 years of age, is prescribed to correspond to an offence against *The Criminal Code* section 329(2).

- (7) An offence against the *Sex Work Act 1994* (Victoria) section 8(1) is prescribed to correspond to an offence against *The Criminal Code* section 331B.
- (8) An offence against a provision of the *Crimes Act 1958* (Victoria) specified in column 1 of an item in the Table —
- (a) committed in respect of a relevant Victorian provision, is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of a relevant WA provision; and
 - (b) committed in respect of the *Sex Work Act 1994* (Victoria) section 8(1), is prescribed to correspond to an offence against a provision of *The Criminal Code* specified in column 2 of the item committed in respect of *The Criminal Code* section 331B.

Table

Item	Column 1 <i>Crimes Act 1958 (VIC)</i>	Column 2 <i>The Criminal Code</i>
1.	s. 321(1)	s. 558(1)
2.	s. 321G(1)	s. 553(1)
3.	s. 321M	s. 552(1)

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**BIOSECURITY AND AGRICULTURE MANAGEMENT
(PERMITTED ORGANISMS) DECLARATION (NO. 2) 2019**

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

1. Citation

This declaration is the *Biosecurity and Agriculture Management (Permitted Organisms) Declaration (No. 2) 2019*.

2. Permitted organisms

- (1) An organism listed below is declared under section 11 of the Act to be a permitted organism.
- (2) All previous declarations under the Act relating to the organisms below are revoked.

- *Capsicum annuum* L. x *Capsicum chinense* Jacq.
- *Capsicum frutescens* L.
- *Hoya amoena* Bakh.f.
- *Hoya andalensis* Kloppenb.
- *Hoya benitotanii* Kloppenb.
- *Hoya estrellaensis* T.Green & Kloppenb.
- *Hoya fischeriana* Warb.
- *Hoya fitchii* Kloppenb.
- *Hoya inflata* (P.I. Forst., Liddle & I.M.Liddle) L. Wanntorp & P.I. Forst.
- *Hoya nervosa* Tsiang & P.T.Li
- *Hoya pubicorolla* Kloppenburg, Mendoza & Ferreras
- *Hoya stoneana* Kloppenb. & Siar
- *Hoya surigaoensis* Kloppenb., S.Siar & Nyhuus
- *Hoya tannaensis* T.Green & Kloppenb.
- *Hoya wibergiae* Kloppenb.

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

Date: 5 February 2019.

CONSUMER PROTECTION

CP401

ASSOCIATIONS INCORPORATION ACT 2015**ORDER TO CANCEL INCORPORATION**

Waikiki Community and Family Centre Inc.—A1002904U

On 5 November 2018 the Commissioner for Consumer Protection (Commissioner) served a notice on Waikiki Community and Family Centre Inc.—A1002904U (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 the incorporation of the Association would be cancelled.

The Association did not show cause within the Allowed Period.

On 10 January 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: 13 February 2019.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for Sunday 10th February 2019 for the local government districts of—

Greater Geraldton, Chapman Valley, Mingenew, Morawa, Northampton, Carnamah, Coorow, Dandaragan, Moora, Perenjori, Three Springs, Victoria Plains, Toodyay, Waroona, Murray, Armadale, Gosnells, Swan, Chittering, Gingin, Kalamunda, Mundaring, Serpentine-Jarrahdale, Koorda, Dalwallinu, Wongan-Ballidu, Beverley, Cunderdin, Dowerin, Goomalling, Northam, Quairading, Tammin, Wyalkatchem and York.

CRAIG WATERS Assistant Commissioner of the Department of
Fire and Emergency Services, as a sub-delegate of the Minister
under section 16 of the *Fire and Emergency Services Act 1998*.

9 February 2019.

FE402

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for Monday 11th February 2019 for the local government districts of—

Sandstone, Wiluna, Kalgoorlie-Boulder, Coolgardie, Dundas, Laverton, Leonora, Menzies, Ngaanyatjarraku.

CRAIG WATERS Assistant Commissioner of the Department of
Fire and Emergency Services, as a sub-delegate of the Minister
under section 16 of the *Fire and Emergency Services Act 1998*.

10 February 2019.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994 SHARK BAY PRAWN MANAGED FISHERY MANAGEMENT PLAN 1993 AREAS CLOSED TO FISHING FOR PRAWNS IN THE SHARK BAY PRAWN MANAGED FISHERY

Notice No. 1 of 2019

I, Heather Brayford, Deputy Director General of the Department of Primary Industries and Regional Development, Sustainability and Biosecurity, Western Australia, in accordance with clause 10 of the

Shark Bay Prawn Managed Fishery Management Plan 1993, consider it in the better interest of the Shark Bay Prawn Managed Fishery (Fishery) to hereby—

1. Cancel *Notice of Areas Closed to Fishing for Prawns in the Shark Bay Prawn Managed Fishery: Notice No. 2 of 2018* dated 10 August 2018.
2. Permit the trialling of gear between 0800 and 1600 hours each day during the pre-season gear trial period extending from 28 February 2019 to 13 March 2019 and during the fishing season extending between 14 March 2019 and 10 October 2019, in that part of the Fishery bounded by a line commencing at the intersection of 24° 50' south latitude and 113° 21.50' east longitude; thence extending due south along the meridian to the intersection of 24° 52.75' south latitude and 113° 21.50' east longitude; thence extending due east along the parallel to the intersection of 24° 52.75' south latitude and 113° 23.50' east longitude; thence extending due north along the meridian to the intersection of 24° 50' south latitude and 113° 23.50' east longitude; thence extending due west along the parallel to the commencement point—commonly known as the ‘gear trial area’.
3. Prohibit fishing for prawns in those parts of the Fishery, between the times and dates provided for in items (a) to (h) below—
 - (a) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 0800 hours on 10 October 2019—
 - i. in that part of the Fishery bounded by a line commencing at the intersection of 25° 36' south latitude and 113° 01.63' east longitude (on Dirk Hartog Island); thence extending due east along the parallel to the intersection of 25° 36' south latitude and 113° 03.75' east longitude; thence extending due south along the meridian to the intersection of 25° 38' south latitude and 113° 03.75' east longitude; thence extending due west along the parallel to the intersection of 25° 38' south latitude and 113° 02.29' east longitude (on Dirk Hartog Island); thence generally northerly along the high water mark to the commencement point—commonly known as the ‘Withnell Point closure’;
 - ii. in that part of the Fishery bounded by a line commencing at the intersection of 25° 26' south latitude and 113° 55.55' east longitude (on the mainland); thence extending due west along the parallel to the intersection of 25° 26' south latitude and 113° 40' east longitude; thence extending north-westerly along the geodesic to the intersection of 25° 20.40' south latitude and 113° 30.60' east longitude; thence extending due north along the meridian to the intersection of 25° 15.20' south latitude and 113° 30.60' east longitude; thence extending due east along the parallel to the intersection of 25° 15.20' south latitude and 113° 50.83' east longitude (on the mainland); thence generally southerly along the high water mark to the commencement point—commonly known as the ‘South Carnarvon Peron Line closure’.
 - iii. in that part of the Fishery south of a line commencing at the intersection of 25° 40.59' south latitude and 113° 02.87' east longitude (on Dirk Hartog Island); thence extending due east along the parallel to the intersection of 25° 40.59' south latitude and 113° 04.80' east longitude; thence extending south-easterly along the geodesic to the intersection of 25° 41' south latitude and 113° 05.63' east longitude; thence extending due east along the parallel to the intersection of 25° 41' south latitude and 113° 08' east longitude; thence extending south-easterly along the geodesic to the intersection of 25° 46' south latitude and 113° 13' east longitude; thence extending due east along the parallel to the intersection of 25° 46' south latitude and 113° 19' east longitude; thence extending due north along the meridian to the intersection of 25° 38' south latitude and 113° 19' east longitude; thence extending north-easterly along the geodesic to the intersection of 25° 32' south latitude and 113° 25' east longitude; thence extending due east along the parallel to the intersection of 25° 32' south latitude and 113° 29.74' east longitude (on Peron Peninsula); and in that part of the Fishery east of a line commencing at the intersection of 26° 07.30' south latitude and 113° 10.90' east longitude (on Dirk Hartog Island at Surf Point); thence extending south-westerly along the geodesic to the intersection of 26° 08.62' south latitude and 113° 09.60' east longitude (on the mainland at Steep Point)—commonly known as the ‘Snapper/Trawl Closure’.
 - (b) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 1700 hours on 14 March 2019 and from 0800 hours on 21 March 2019 to 1700 hours 4 April 2019 in that part of the Fishery south of 24° 45.30' south latitude—commonly known as the ‘area north of Koks Island’.
 - (c) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 1700 hours on 4 April 2019 in that part of the Fishery south of 24° 45.30' south latitude—commonly known as the ‘area south of Koks Island’.
 - (d) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 1700 hours on 30 April 2019 and from 0800 hours on 15 June 2019 to 0800 hours on 10 October 2019 in that part of the Fishery bounded by a line commencing at the intersection of 24° 52.75' south latitude and 113° 37.60' east longitude (on Babbage Island); thence extending due west along the parallel to the intersection of 24° 52.75' south latitude and 113° 21' east longitude; thence extending due south along the meridian to the intersection of 24° 58.10' south latitude and 113° 21' east longitude;

thence extending south-easterly along the geodesic to the intersection of 25° 03' south latitude and 113° 22.46' east longitude; thence extending due east along the parallel to the intersection of 25° 03' south latitude and 113° 40.70' east longitude (on the mainland); thence generally northerly along the high water mark to the commencement point—commonly known as the 'North Carnarvon Peron Line closure'.

- (e) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 1700 hours on 25 May 2019 in that part of the Fishery bounded by a line commencing at the intersection of 25° 03' south latitude and 113° 40.70' east longitude (on the mainland); thence extending due west along the parallel to the intersection of 25° 03' south latitude and 113° 22.46' east longitude; thence extending south-easterly along the geodesic to the intersection of 25° 30.261' south latitude and 113° 30.60' east longitude (on Peron Peninsula at Cape Peron North); thence extending due north along the meridian to the intersection of 25° 15.20' south latitude and 113° 30.60' east longitude; thence extending due east along the parallel to the intersection of 25° 15.20' south latitude and 113° 50.83' east longitude (on the mainland); thence generally northerly along the high water mark to commencement point—commonly known as the 'Central Carnarvon Peron Line closure'.
- (f) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 1700 hours on 30 April 2019 in that part of the Fishery bounded by a line commencing at the intersection of 25° 32' south latitude and 113° 29.74' east longitude (on Peron Peninsula); thence extending due west along the parallel to the intersection of 25° 32' south latitude and 113° 25' east longitude; thence extending northerly along the geodesic to the intersection of 25° 03' south latitude and 113° 22.46' east longitude; thence extending south-easterly along the geodesic to the intersection of 25° 30.261' south latitude and 113° 30.60' east longitude (on Peron Peninsula at Cape Peron North); thence generally south-westerly along the high water mark to the commencement point—commonly known as the 'West Carnarvon Peron Line closure'.
- (g) fishing for prawns is prohibited from the date of the gazettal of *Notice No. 1 of 2019* to 1700 hours on 31 July 2019 in that part of the Fishery south of a line commencing at the intersection of 25° 32' south latitude and 113° 29.74' east longitude (on Peron Peninsula); thence extending due west along the parallel to the intersection of 25° 32' south latitude and 113° 25' east longitude; thence extending westerly along the geodesic to the intersection of 25° 31.25' south latitude and 113° 09.75' east longitude; thence extending westerly along the geodesic to the intersection of 25° 30' south latitude and 113° 01.40' east longitude (on Dirk Hartog Island at Cape Levillian); and in that part of the Fishery east of a line commencing at the intersection of 26° 07.30' south latitude and 113° 10.90' east longitude (on Dirk Hartog Island at Surf Point); thence extending south-westerly along the geodesic to the intersection of 26° 08.62' south latitude and 113° 09.60' east longitude (on the mainland at Steep Point)—commonly known as the 'Denham Sound closure'.
- (h) in parts of the Fishery north of 24° 45.30' south latitude where fishing for prawns is not otherwise prohibited, fishing for prawns is prohibited between 1000 hours and 1700 hours each day between the date of the gazettal of *Notice No. 1 of 2019* and 10 October 2019—commonly known as the 'area north of Koks Island'.
- (i) in parts of the Fishery south of 24° 45.30' south latitude where fishing for prawns is not otherwise prohibited, fishing for prawns is prohibited between 0800 hours and 1700 hours each day between the date of the gazettal of *Notice No. 1 of 2019* and 10 October 2019—commonly known as the 'area south of Koks Island'.
- (j) fishing for prawns is prohibited in all parts of the Fishery from 0800 hours on 10 October 2019 to 0800 hours on 1 June 2020.

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

Dated: 11 February 2019.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Rockingham

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 6 February 2019 determine that the method of valuation to be

used by the City of Rockingham, 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 Lots 193 to 204 inclusive, Lots 222 to 244 inclusive and Lots 261 to 269 inclusive as shown on Deposited Plan 414965.

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

LG402

LOCAL GOVERNMENT ACT 1995

Shire of Dardanup

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 6 February 2019, determined that the method of valuation to be used by the Shire of Dardanup 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 Lots 1 to 7 inclusive as shown on Deposited Plan 409122.

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

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

**INSTRUMENT OF VARIATION AND EXTENSION OF TERM
OF EXEMPTION OF LAND**

I, Richard John Rogerson, Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby vary and extend the exemption of land originally declared on 23 March 2011 and published in the *Government Gazette* dated 1 April 2011 by varying the description to that as described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, and extending for a further period of two years, expiring on 22 March 2021.

Locality

Port Hedland

Description of Land

Land designated S19/323 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Mines, Industry Regulation and Safety electronic file number A1781/201801, document ID 6266925

Area of Land

13,437 hectares

Dated at Perth this 8th day of February 2019.

RICHARD JOHN ROGERSON, Executive Director,
Resource Tenure.

MP402**MINING ACT 1978**

FORFEITURE

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

I hereby declare in accordance with the provisions of section 96A of the *Mining Act 1978* that the undermentioned mining tenement is forfeited for failure to comply with statutory requirements being failure to lodge the annual Form 5 Operations Report.

RICHARD JOHN ROGERSON, Executive Director,
Resource Tenure.

Tenement	Holder	Mineral Field
	EXPLORATION LICENCE	
28/2571	Wavenet International Ltd	North East Coolgardie

MP403**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

A. HILLS-WRIGHT, Warden.

To be heard by the Warden at Leonora on 16 April 2019.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/8467	Tucker, Fabian
P 37/8573	Stead, Alexander John
P 37/8937	Frewen, Deane Robert

PLANNING**PL101***CORRECTION***PLANNING AND DEVELOPMENT ACT 2005***Town of Victoria Park*

Town Planning Scheme No. 1—Amendment No. 79

Ref: TPS/2205

It is hereby notified for public information that the notice under the above Amendment No. 79 published at page 207 of the *Government Gazette* No. 12 dated 25 February 2019, contained an error which is now corrected as follows—

For the words—

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 Town of Victoria Park Town Planning Scheme amendment on 10 January 2019 for the purpose of—

To read—

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 Town of Victoria Park Town Planning Scheme amendment on 10 January 2019 by amending the Burswood Precinct Plan P2 (Sheet B) as follows—

A. VULETA, Chief Executive Officer.

PL102

CORRECTION
PLANNING AND DEVELOPMENT ACT 2005
City of Busselton

Local Planning Scheme No. 21—Amendment No. 35

Ref: TPS/2213

It is hereby notified for public information that the notice under the above Amendment No. 35 published at page 329 of the *Government Gazette* No. 15 dated 2 February 2018, contained an error which is now corrected as follows—

For the words—

v. ‘Extractive Industry’ to read—

- (a) the processing of raw materials including crushing, screening, washing, blending or grading.

To read—

v. ‘Extractive Industry’ to read—

- (a) the processing of raw materials including crushing, screening, washing, blending or grading,

M. ARCHER, Chief Executive Officer.

PL401

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Cocos (Keeling) Islands

Local Planning Scheme No. 1—Amendment No. 3

Ref: TPS/2346

It is hereby notified for public information, in accordance with section 75 of the *Planning and Development Act 2005 (WA)(CK)* that the Assistant Minister for Regional Development and Territories approved the Shire of Cocos (Keeling) Islands Local Planning Scheme amendment on 17 December 2018 for the purpose of—

- (1) Rezoning Lot 163 Beacon Heights, West Island, from ‘Residential R15’ zone to ‘Commercial’ zone.

I. SERIWATI, President.
 J. SODERLUND, A/Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning

Town Planning Scheme No. 40—Amendment No. 233

Ref: TPS/2235

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 Canning Town Planning Scheme amendment on 2 February 2019 for the purpose of—

1. Amending Table 3—Zone Table to change the land use permissibility of “Motor Vehicle Wash” in the “Shopping” zone from “X” to “D”.
2. Amending the numbering of subclauses 4.8(a), 4.8(b) and 4.8(c) to subclauses 4.8.1, 4.8.2 and 4.8.3 respectively.
3. Amending the heading of clause 4.11 to read “CAR PARKING” and the heading of subclause 4.11.1 to read “General Requirements”.
4. Amending paragraph 4.11.1(a) by deleting the words “motor vehicles” and replacing with the words “cars”.
5. Inserting a new paragraph 4.11.1(b) which reads as follows: “The number of car parking spaces required in Table 4 shall be rounded to the nearest whole number.” and renumbering existing paragraphs 4.11.1(b) and 4.11.1(c) to paragraphs 4.11.1(c) and 4.11.1(d) respectively.
6. Amending paragraph 4.11.1(c) (previously 4.11.1(b)) to delete the words “a motor vehicle parking requirement that is less than the number of parking spaces on the site” and replace with the words “more car parking spaces on the site than the maximum prescribed in Table 4”.

7. Deleting paragraph 4.11.1(d) (previously 4.11.1(c)) and replacing with a new paragraph 4.11.1(d) which reads as follows: “If the number of car parking spaces for a land use is not specified in Table 4, the local government shall determine the appropriate number of parking spaces.”
8. Inserting new paragraphs 4.11.1(e), 4.11.1(f) and 4.11.1(g) to read as follows—
 - “(e) All car parking spaces shall be provided on the same lot as the development unless otherwise approved by the local government.
 - (f) Land set aside for car parking shall be used only for the parking of cars used by employees or visitors to the lot, unless otherwise approved by the local government.
 - (g) No building or land the subject of a development approval shall be occupied until all required car parking spaces have been provided to the satisfaction of the local government.”
9. Deleting subclauses 4.11.2, 4.11.3, 4.11.5 and 4.11.6.
10. Inserting a new subclause 4.11.2 which reads as follows—

“4.11.2 Unit of Measurement

When the unit of measurement is based on the number of employees, the shift or employment period during which the greatest number of employees are present on the lot shall be used in the calculation.”
11. Renumbering subclauses 4.11.4, 4.11.7 and 4.11.8 to subclauses 4.11.3, 4.11.4 and 4.11.5 respectively.
12. Amending the heading of subclause 4.11.5 (previously 4.11.8) by deleting the word “Payment” and replacing with the word “Transfer”.
13. Amending paragraph 4.11.5(a) (previously 4.11.8(a)) by deleting the words “designed in accordance with AS 2890 and”.
14. Inserting a new clause 4.12 which reads as follows—

“4.12 SERVICE ACCESS

4.12.1 Provision shall be made for service access for the purposes of loading and unloading to the rear or side of any non-residential development, unless otherwise approved by the local government.

4.12.2 Service access provided pursuant to subclause 4.12.1 is to comply with the following requirements—

 - (a) The access way and loading areas shall be designed to allow service vehicles to manoeuvre and return to a street or right of way in forward gear;
 - (b) Vehicles loading or unloading are to do so within the lot/s boundary and are not to do so from a public street or right of way;
 - (c) Access ways shall be designed to segregate service vehicles from parking areas and access ways provided for customer parking to the satisfaction of the local government; and
 - (d) Development in the industrial zones on lots with a frontage of 28 metres or more is to be designed to be serviced by a minimum 12.5 metre long medium rigid vehicle.”

and renumbering subsequent clauses, subclauses and paragraphs.
 15. Amending the heading of subclause 4.13.1 (previously subclause 4.12.1) by deleting the words “General Requirements” and replacing with “Bicycle Parking”.
 16. Deleting subclause 4.13.2 Design (previously 4.12.2).
 17. Renumbering paragraphs 4.13.1(c), (d) and (e) to paragraphs 4.13.1(d), (e) and (f) respectively and inserting a new paragraph 4.13.1(c) which reads as follows—

“(c) Bicycle parking spaces required under the provisions of paragraph 4.13.1(a) shall be sheltered by a water impermeable roof structure.”
 18. Inserting a new subclause 4.13.2 with a heading of “End of Trip Facilities” between paragraphs 4.13.1(d) and 4.13.1(e) and renumbering paragraphs 4.13.1(e) and (f) to 4.13.2(a) and (b).
 19. Inserting a new subclause 4.13.3 which reads as follows—

“4.13.3 Unit of Measurement

When the unit of measurement is based on the number of employees, the shift or employment period during which the greatest number of employees are present on the lot shall be used in the calculation.”
 20. Inserting a new clause 4.14 as follows—

“4.14 PARKING AND SERVICE ACCESS DESIGN REQUIREMENTS

All car parking, bicycle parking, access ways and unloading and loading facilities shall be designed in accordance with the relevant part of AS 2890.”

and renumbering subsequent clauses, subclauses and paragraphs.
 21. Amending the Bicycle Parking column of the land use “Child Care Premises” in Table 4—Land Use Parking Requirements by deleting the word “staff” and replacing with the word “employees”.

22. Amending the Bicycle Parking column of the land use “Educational Establishment” in Table 4—Land Use Parking Requirements by deleting the words “staff member” and “staff” and replacing with the word “employee”.
23. Amending the Car Parking Requirements—Other Zones column in Table 4—Land Use Parking Requirements of the following land uses to “1 space per 100m² NLA.”
- Fuel Depot;
 - Industry;
 - Industry—Extractive;
 - Industry—Hazardous;
 - Industry—Light;
 - Industry—Noxious;
 - Industry—Service;
 - Motor Vehicle Repair; and
 - Motor Vehicle Workshop.
24. Amending the Car Parking Requirements—Centre Zone column in Table 4—Land Use Parking Requirements of the land uses “Motor Vehicle, Boat or Caravan Sales” and “Motor Vehicle Repair” to the following—
- Minimum: 1 space per 200m² NLA.*
- Maximum: 1 space per 100m² NLA.*
25. Amending the Car Parking Requirements—Other Zones column of Table 4—Land Use Parking Requirements of the land use “Office” to read “1 space per 30m² NLA.”
26. Amending the Car Parking Requirements—Other Zones column of Table 4—Land Use Parking Requirements of the land use “Reception Centre” to read “1 space per 4m² NLA.”
27. Amending the parking requirements for the land use “Warehouse/Storage” in Table 4—Land Use Parking Requirements to read as follows—

Land Use	Car Parking Requirements		Bicycle Parking (Minimum)
	Centre Zone	Other Zones (Minimum)	
Warehouse/Storage	Warehouse/storage up to 5,000m ² NLA. Minimum: 1 space per 200m ² NLA. Maximum: 1 space per 100m ² NLA. Warehouse/storage above 5,000m ² NLA. Minimum: 1 space per 400m ² NLA. Maximum: 1 space per 200m ² NLA.	1 space per 100m ² NLA for developments with warehouse/storage area up to 5,000m ² NLA. 1 space per 200m ² NLA for developments with warehouse/storage area above 5,000m ² NLA.	0.2 spaces per 100m ² NLA.

28. Inserting a new clause 4.15 which reads as follows—
- “4.15 HOME BASED BUSINESSES**
- 4.15.1 For the purposes of this clause, a home based business includes—
- Home Occupation;
 - Home Business;
 - Family Day Care; and
 - Industry—Cottage.
- 4.15.2 The approval of a home based business shall be personal to the applicant and shall not be transferred or assigned to another person.
- 4.15.3 The approval shall not run with the land in respect of which it was granted.
- 4.15.4 The person to whom approval is granted by the local government to carry on a home based business shall not carry on that home based business on any other land.
- 4.15.5 If a home based business has been carried out with the approval of the local government and if in the opinion of the local government the home based business is causing nuisance or annoyance to surrounding landowners or occupants, the local government may rescind the approval.”
- and renumbering subsequent clauses, subclauses and paragraphs.
29. Amending the heading of clause 4.16 (previously clause 4.13) by inserting the word “ZONE” between the words “RESIDENTIAL” and “DEVELOPMENT”.
30. Amending subclause 4.16.1 (previously 4.13.1) by deleting the letter “a” between the words “in” and “Residential” and replacing with the word “the”.

31. Amending the heading of subclause 4.16.2 by inserting the word “the” between the words “in” and “Residential”.
32. Deleting subclause 4.16.3 (previously 4.13.3) and renumbering subsequent subclauses and paragraphs.
33. Amending the heading of subclause 4.16.4 by inserting the word “the” between the words “in” and “Residential”.
34. Amending the heading of clause 4.17 (previously clause 4.14) by inserting the word “ZONES” between the words “INDUSTRIAL” and “DEVELOPMENT”.
35. Amending the heading of paragraph 4.17.1(a) (previously 4.14.1(a)) by deleting the words “*Two Street Frontages*” and replacing with the words “*Reduced Setbacks*”.
36. Amending paragraph 4.17.1(a) (previously 4.14.1(a)) by deleting the text before point “(i)” and replacing with the following—
“The local government may permit a reduction in the setback requirements of Table 5 where it is satisfied that:”
37. Inserting a new paragraph 4.17.1(a)(iii) and renumbering subsequent paragraphs accordingly. The new paragraph reads as follows—
“(iii) The development will be generally compatible with the character of the locality and surrounding developments with regard to height, bulk, scale and orientation;”
38. Amending paragraph 4.17.1(a)(iv) (previously 4.14.1(a)(iii)) by deleting the words “*7.5m setback*” and replacing with the words “*required setback*”.
39. Amending paragraph 4.17.1(a)(v) (previously 4.14.1(a)(iv)) by inserting the word “and” at the end of the sentence.
40. Amending paragraph 4.17.1(b)(viii) (previously 4.14.1(b)(viii)) by inserting the word “and” at the end of the sentence.
41. Amending paragraph 4.17.2(a) (previously 4.14.2(a)) by removing the number “(a)” in front of the first sentence and renumbering the sub points from roman numerals to alpha numeric numbers (i.e. (i) changes to (a)).
42. Amending subclause 4.17.2 (previously 4.14.2(a)) by deleting the text before point (a) and inserting the following—
“Landscaping for any development in the industrial zones shall be provided and maintained in accordance with the following provisions:”
43. Amending paragraph 4.17.2(a) (previously 4.14.2(a)(i)) by deleting the text in its entirety and replacing with the following—
“(a) a minimum 2 metre wide landscaping strip shall be provided along the boundary of any street to which the lot abuts;”
44. Amending paragraph 4.17.2(b) (previously 4.14.2(a)(ii)) by deleting the text in its entirety and replacing with the following—
“(b) shade trees shall be provided in accordance with the provisions of an adopted local planning policy;”
45. Deleting subclause 4.17.4 (previously subclause 4.14.4) and renumbering subclause 4.17.5 (previously 4.14.5) to subclause 4.17.4.
46. Deleting Table 5—Industrial Development Site Requirements and replacing with a new Table 5—Industrial Zones Requirements as follows—

Zone	Minimum Frontage in metres	Minimum Setback from Boundaries in metres			Other Requirements
		Primary Street	Other Streets	Other side or rear	
General Industry	20	15	7.5	Nil	Provision of a parking reserve on site estimated at 8 parking spaces per 1,000m ² of land area. Refer Clause 4.17 for requirements relating to— – Setbacks – Landscaping – Facades – Storage of Goods and Materials
Light Industry		15	7.5	Nil	
Mixed Business		15	7.5	Nil	

47. Amending the heading of clause 4.18 (previously clause 4.15) by inserting the word “ZONES” between the words “COMMERCIAL” and “DEVELOPMENT”.
48. Deleting paragraph 4.18.1(a) (previously 4.15.1(a)) and replacing with a new paragraph 4.18.1(a) which reads as follows—
“(a) Reduced Setbacks
The local government may permit a reduction in the setback requirements of Table 6 where it is satisfied that—
(i) No adverse impact will occur with respect to the adjoining properties or the street appearance;

- (ii) The development will constitute a general improvement to the aesthetic appearance of the area;
- (iii) The development will be generally compatible with the character of the locality and surrounding developments with regard to height, bulk, scale and orientation;
- (iv) The design and scale of the portion of the building encroaching forward of the required setback—
- forms an integral part of the building and the overall layout of the site with respect to vehicle access, parking and landscaping;
 - does not have an adverse impact on the interface of the property with the street.
- (v) Vehicle parking is easily accessible and visible from the street; and
- (vi) There will be no significant reduction in amenities beyond the immediate vicinity of the site or of any highways or major through traffic routes.”
49. Deleting subclause 4.18.2 (previously 4.15.2) and replacing with a new subclause 4.18.2 which reads as follows—
- “4.18.2 Landscaping Requirements
- Landscaping for any development in the commercial zones shall be provided and maintained in accordance with the following provisions—
- (a) the required landscaping shall cover a minimum of 10% of the total lot area;
 - (b) a minimum 2 metre landscaping strip shall be provided along the boundary of any street to which the lot abuts. The area of the landscaping strip shall be included within the 10% landscaping area required on the lot pursuant to paragraph 4.18.2(a);
 - (c) shade trees shall be provided in accordance with the provisions of an adopted local planning policy;
 - (d) any landscaped areas shall be separated from an adjacent vehicular area by a wall or kerb at least 150mm higher than the adjacent vehicular area, or in some other manner so as to be protected from vehicular damage; and
 - (e) landscaped areas provided under this subclause shall be planted in accordance with an approved plan, and within 90 days of the commencement of development or occupation of the site as determined by the local government or at such later time as may be agreed in writing by the local government.”
50. Deleting subclause 4.18.4 (previously subclause 4.15.4) and renumbering subclause 4.18.5 to subclause 4.18.4.
51. Deleting Table 6—Commercial Zone Requirements and replacing with a new Table 6—Commercial Zones Requirements as follows—

Zone	Minimum Lot Size in m ²	Minimum Setback from Boundaries in metres			Other Requirements
		Primary Street	Other Streets	Other side or rear	
Shopping		12	3	Nil	Refer Clause 4.18 for requirements relating to— – Setbacks – Landscaping – Facades – Mixed Use Development
Commercial		12	3	Nil	
Service Commercial		12	3	Nil	
Industrial Service		12	3	Nil	
Service Station	2,500	12	3	Nil	

52. Amending the heading of clause 4.19 (previously clause 4.16) by inserting the word “ZONES” between the words “RURAL” and “DEVELOPMENT”.
53. Amending the heading of Table 7—Rural Zone Requirements to Table 7—Rural Zones Requirements.
54. Amending the heading of clause 4.20 (previously clause 4.17) by inserting the word “ZONE” between the words “PURPOSES” and “DEVELOPMENT”.
55. Amending paragraph 4.20.3(b) (previously paragraph 4.17.3(b)) by deleting the text before point (i) and replacing with the following—
- “Landscaping for any development in the Private Community Purposes zone shall be provided and maintained in accordance with the following provisions:”
56. Amending paragraph 4.20.3(b)(i) (previously paragraph 4.17.3(b)(i)) by deleting the words “should” and “has frontage” and replacing with the words “shall” and “abuts” respectively.
57. Amending paragraph 4.20.3(b)(ii) by deleting the wording in its entirety and replacing with the following—
- “(ii) shade trees shall be provided in accordance with the provisions of an adopted local planning policy;”

58. Amending paragraph 4.20.3(b)(iv) by deleting the word “Landscaped” and replacing with the word “landscaped”.
59. Amending clause 5.1—Special Control Areas by deleting the text in its entirety with the exception of the clause 5.1 heading and replacing with the following text and new Table 8—Special Control Areas—
- “5.1.1 Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- 5.1.2 The purpose, objectives and additional provisions that apply to each special control area is set out in Table 8.”

Table 8—Special Control Areas

Name of area	Purpose	Objectives	Additional provisions
SCA 1—Perth Airport Buffer Special Control Area	To support the implementation of State Planning Policy No. 5.1—Land Use Planning in the Vicinity of Perth Airport.	To promote the long term viability of the Perth Airport so as to enable its on-going development and operation; To prevent unreasonable encroachment of incompatible (noise sensitive) land uses and those activities affected or potentially impacted upon by aircraft noise; To provide for appropriately designed and constructed development of low to medium density residential uses within suitable locations within the Special Control Area; and To minimise the impact of aircraft noise on existing and future communities within the Special Control Area.	The development of a single house between the 20 and 25 ANEF between the 20 and 25 ANEF Contours of the Perth Airport Buffer Special Control Area requires development approval if no notification relating to aircraft noise is on the land title. The development of a single house above the 25 ANEF Contour of the Perth Airport Buffer Special Control Area requires development approval. Development applications for residential development above the 25 ANEF contour must be accompanied by a statement or report which demonstrates that the development achieves all of the relevant policy measures under the State Planning Policy No. 5.1—Land Use Planning in the Vicinity of Perth Airport. Applications for development approval in the Perth Airport Buffer Special Control Area may be referred to the Perth Airport Pty. Ltd. for comment and advice in accordance with State Planning Policy No. 5.1—Land Use Planning in the Vicinity of Perth Airport.
SCA 2—Jandakot Airport Buffer Special Control Area	To support the implementation of State Planning Policy No. 5.3—Land Use Planning in the Vicinity of Jandakot Airport.	To promote the long term viability of the Jandakot Airport so as to enable its on-going development and operation; To prevent unreasonable encroachment of incompatible (noise sensitive) land uses and those activities affected or potentially impacted upon by aircraft noise; To provide for appropriately designed and constructed development of low to medium density residential uses within suitable	The development of a single house between the 20 and 25 ANEF between the 20 and 25 ANEF Contours of the Jandakot Airport Buffer Special Control Area requires development approval if no notification relating to aircraft noise is on the land title. The development of a single house above the 25 ANEF Contour of the Jandakot Airport Buffer Special Control Area requires development approval. Development applications for residential development above the 25 ANEF contour must be accompanied by a statement or report which demonstrates that the development achieves all of the relevant policy measures under the State Planning

Name of area	Purpose	Objectives	Additional provisions
		locations within the Special Control Area; and To minimise the impact of aircraft noise on existing and future communities within the Special Control Area.	Policy No. 5.3—Land Use Planning in the Vicinity of Jandakot Airport. Applications for development approval in the Jandakot Airport Buffer Special Control Area may be referred to the operators of Jandakot Airport for comment and advice in accordance with State Planning Policy No. 5.3—Land Use Planning in the Vicinity of Jandakot Airport.
Development areas	To provide the planning framework in the Scheme to allow structure plans to take effect.	To identify areas to which a structure plan prepared under Part 4 of the Deemed Provisions applies; To identify areas requiring comprehensive planning; and To coordinate subdivision and development in areas requiring comprehensive planning.	Schedule C describes the Development Areas in more detail and sets out the purpose and particular requirements that may apply to the Development Area. Notwithstanding any provision in the Scheme to the contrary, the local government may approve development required to achieve environmental or geotechnical remediation of the land within a Development Area, without requiring a structure plan to first be prepared or approved, provided that the local government is satisfied that such development would not prejudice the orderly and proper development of the land.

60. Updating cross-references and numbering to reflect the above changes.

P. NG, Mayor.
A. KYRON, Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors, claimants and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of Shane Christopher Flanders, late of 7 Cunnold Close, Pickering Brook, Western Australia, who died on or about 28 January 2016, are required by the Administrators, Stephen Robert Flanders and Michelle Debra Flanders, to send to Solicitors for the Administrators, Templar Legal Pty Ltd, PO Box 8243, Subiaco 6008, particulars of such claims within 30 days of this notice. After such date, the Administrators may convey or distribute the assets of the Estate having regard only to the claims of which the Administrators then has notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Harold Desmond McNamara, late of 56 Blackwood Drive, Mt Nasura, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above named deceased, who died on 30 September 2018, are required by the administrator Gayle Suzanne Malcolm, 56 Blackwood Drive, Mt Nasura, to send particulars of their claims to the address stated here within one (1) month from the date of publication of this notice, after which date the administrator may convey or distribute the assets having regard only to the claims of which it then has notice.

ZX403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Mavis Lillian Gilleland, late of Aegis Balmoral, 29 Gardner Street, Como, 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 10 December 2018, are required by the trustee, Beth Lorraine Paterson of 47 Cornfield Place, Hillarys in the State of Western Australia to send particulars of their claims to her by 18 March 2019, after which date the trustee may convey or distribute the assets, having regard only to the claims which she then has notice.

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

Notice to Creditors and Claimants

In the Estate of Terrence Arthur Marshall of 1/119 Eighth Avenue, Maylands, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above named deceased, who died on 2 November 2018, are required by the personal representative Joy Marshall, PO Box 184, Dianella WA 6059 to send particulars of their claims to the address stated within one (1) month from the date of publication of this notice, after which date the representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX405**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Any creditors having a claim on the estate of the late Mary Jane Clutterbuck, also known as Jane Clutterbuck, of Mercycare, 21 Aldwych Way, Joondalup, deceased 13 January 2019, are required to send particulars of their claims to Sarah Clutterbuck, Solicitor for the executors, Solomon Hollett Lawyers, Level 3, 33 Richardson Street, West Perth WA 6005 by 15 March 2019, after which date the executors may distribute the assets having regard only to the claims of which they then have notice.

ZX406**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

George Michael Quinlan, late of 72 Bayview Street, Mount Tarcoola, Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 15 October 2018, are required by the executors, Sandra Mary Kelliher, Michael John Quinlan and Josephine Patricia Quinlan (Executors) care of Mid West Lawyers, Suite 1, Wiebbe Hayes House, 7 Wiebbe Hayes Lane, Geraldton, Western Australia, to send particulars of their claims to them within one (1) month from 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.

MID WEST LAWYERS.

ZX407**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of John Kirkland, late of Carinya of Bicton, 220 Preston Point Road, Bicton, 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 24 December 2018, are requested by the Executors, Suzanne Minutillo, 12 Zlinya Circle, Spearwood, Western Australia and Francesco Saverio Minutillo, 12 Zlinya Circle, Spearwood, Western Australia to send particulars of their claims to the address stated herein within 30 days of this notice, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX408**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of Raymond Geoffrey Tegart, late of 27 Hastings Avenue, Blackburn South in the State of Victoria, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above-named deceased, who died on 11 June 2018, are required to send particulars of their claims to the Executor, care of Zafra Legal (see address below) within one (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

Attention: James Marzec
Zafra Legal
PO Box Z5250
Perth WA 6831
Telephone: (08) 6212 3777

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

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 15 March 2019, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Blair, Anne, late of 147 Nicholson Road, Shenton Park, who died on 11 August 2018 (DE33155768 EM213)

Cannon, Lisa Ann, late of 52 Pendleton Crescent, Butler, who died on 28 February 2017 (DE 33142151 EM38)

Dearden, Margaret Rose, late of Tandara Care Centre, Bentley, 73 Jarrah Road, Bentley, who died on 25 January 2019 (DE 19851643 EM17)

Howard, Euphemia Clunie, late of Air Force Memorial Estate, Unit 40, 2 Bull Creek Drive, Bull Creek, who died on 23 December 2018 (DE19800007 EM26)

Johnson, Beryl, late of Regents Garden, 495 Marmion Street, Booragoon, who died on 9 December 2018 (DE 20011384 EM113)

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