



**WESTERN
AUSTRALIAN
GOVERNMENT**
Gazette

ISSN 1448-949X (print)

ISSN 2204-4264 (online)

PRINT POST APPROVED PP665002/00041

1489



PERTH, FRIDAY, 24 MAY 2019 No. 68

PUBLISHED BY AUTHORITY KEVIN J. McRAE, GOVERNMENT PRINTER AT 12.00 NOON

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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*—

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publication Officer, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

slp@dpc.wa.gov.au

Postal address:

State Law Publisher
Lower Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000

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— PART 1 —

LOCAL GOVERNMENT

LG301

Local Government Act 1995

Local Government (Melville - Change of Ward Boundaries) Order 2019

Made by the Governor in Executive Council.

1. Citation

This order is the *Local Government (Melville - Change of Ward Boundaries) Order 2019*.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

3. Terms used

In this order —

Authority has the meaning given in section 9.69(1) of the Act; **commencement day** means the day on which clause 4 comes into operation;

Deposited Plan, followed by a number, means the deposited plan of that number —

- (a) lodged with the Authority; and
- (b) certified by an authorised land officer, as defined in section 9.69(1) of the Act; and
- (c) available —
 - (i) in paper form at the Authority's head office; and
 - (ii) in electronic form on the Authority's official website;

next election means the first ordinary election for the City of Melville held after commencement day;

next election day means the day fixed for the holding of the poll for the next election.

4. Ward boundaries changed

- (1) On next election day, the boundaries of the Applecross-Mount Pleasant Ward in the district of Melville are changed so that the ward consists of the land delineated in red and coloured orange on Deposited Plan 416963 version 1.
- (2) On next election day, the boundaries of the Bicton-Attadale-Alfred Cove Ward in the district of Melville are changed so that the ward consists of the land delineated in red and coloured green on Deposited Plan 416963 version 1.
- (3) On next election day, the boundaries of the Bull Creek-Leeming Ward in the district of Melville are changed so that the ward consists of the land delineated in red and coloured pink on Deposited Plan 416963 version 1.
- (4) On next election day, the boundaries of the Central Ward in the district of Melville are changed so that the ward consists of the land delineated in red and coloured blue on Deposited Plan 416963 version 1.
- (5) On next election day, the boundaries of the Palmyra-Melville-Willagee Ward in the district of Melville are changed so that the ward consists of the land delineated in red and coloured salmon on Deposited Plan 416963 version 1.
- (6) On next election day, the boundaries of the Bateman-Kardinya-Murdoch Ward in the district of Melville are changed so that the ward consists of the land delineated in red and coloured yellow on Deposited Plan 416963 version 1.

5. Consequential directions

In order to give effect to clause 4 —

- (a) Part 4 of the Act applies to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day; and
- (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

C. BARRON, Clerk of the Executive Council.

MINERALS AND PETROLEUM

MP301

Mining Act 1978

Mining Amendment Regulations (No. 3) 2019

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations (No. 3) 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 *Mining Regulations 1981*.

4. Regulation 64 amended

- (1) In regulation 64(1C) delete “8” and insert:

8A

- (2) After regulation 64(6) insert:

- (7) In relation to an application for a mining lease, regulation 109(3A) is to be disregarded for the purposes of subregulation (1C).
- (8) If, on an application for a mining lease, a mining lease is granted with a restriction of the kind referred to in regulation 109(3A), the applicant is entitled to a refund of rent for the first year of the initial term of the mining lease based on the difference between —
 - (a) the annual rent that accompanied the application under subregulation (1C); and
 - (b) the annual rent set out in Schedule 2 item 8B paragraph (a) as at the time the initial term commences.

- (9) Subregulation (8) applies to a mining lease that is granted on an application made before the coming into operation of the *Mining Amendment Regulations (No. 3) 2019* regulation 3 if the initial term of the mining lease commences on or after the coming into operation of that regulation.

5. Regulation 109 amended

- (1) In regulation 109(3) delete “8.” and insert:

8A, subject to subregulation (3A).

- (2) After regulation 109(3) insert:

- (3A) If a mining lease is restricted under section 110 to minerals dissolved in brine, Schedule 2 item 8B applies instead of item 8A.

6. Schedule 2 amended

- (1) In Schedule 2 delete item 5.
 (2) In Schedule 2 after item 8 insert:

8A.	Annual rent of mining lease per hectare or part of 1 hectare	18.70
8B.	Annual rent of mining lease per hectare or part of 1 hectare where the lease is restricted under section 110 to minerals dissolved in brine —	
(a)	for years 1 to 5 of the initial term of the lease	2.32
(b)	for year 6, and each subsequent year, of the initial term of the lease	4.64
(c)	if the lease is renewed or further renewed, for each year of the further term of the lease	4.64

C. BARRON, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

QUARANTINE AREA REVOCATION NOTICE

The Quarantine Area Revocation Notice—Kununurra and Wyndham—Citrus canker (*Xanthomonas citri* subsp. *citri*) published in the *Government Gazette* WA on 12 June 2018, and on the Department of Primary Industries and Regional Development (DPIRD) website, is revoked and replaced by the following notice—

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

Quarantine Area Notice—Kununurra and Wyndham—Citrus canker (*Xanthomonas citri* subsp. *citri*)

1. Under regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (the Regulations) the areas described below are declared to constitute quarantine areas until 31 October 2020—
 - a. the area within a 50 km radius of the Kununurra Post Office; and
 - b. the area within a 50 km radius of the Wyndham Post Office.
2. Within these quarantine areas—
 - a. all the land located in an area shaded in grey on a map in Schedule 1 constitutes a Restricted Area; and
 - b. all the land outside a Restricted Area but within a quarantine area constitutes a Control Area.
3. The quarantine areas are declared because the bacterium *Xanthomonas citri* subsp. *citri* (syn. *Xanthomonas axonopodis* pv. *citri*) (the causal agent of citrus canker) is present within the areas.
4. Citrus canker host plants listed below must not be cultivated, propagated or planted in a Restricted Area unless authorised in writing by an inspector.
5. Movement Directions—
 - a. Persons other than an inspector must not move, or cause or allow to be moved, any citrus canker host plants, listed below, or any parts of those plants, including the fruit, or any machinery, equipment or growing media used in association with those plants, into, within, or out of a Restricted Area, except in accordance with—
 - i. this notice; or
 - ii. an approval under regulation 67 of the Regulations; or
 - iii. a general exemption under regulation 71 of the Regulations.
 - b. Persons other than an inspector must not move, or cause or allow to be moved, any citrus canker host plants, listed below, or any parts of those plants, including the fruit, or any machinery, equipment or growing media used in association with those plants out of a Control Area, except in accordance with—
 - i. this notice; or
 - ii. an approval under regulation 67 of the Regulations; or
 - iii. a general exemption granted under regulation 71 of the Regulations.
6. A thing referred to in clause 5a or clause 5b is moved in accordance with this notice if it is—
 - a. moved in a manner approved by the Chief Plant Biosecurity Officer published on the DPIRD website;
 - b. fresh fruit or juice imported from outside a Control Area for human consumption; or
 - c. moved as authorised or directed by an inspector.
7. Each person who is the owner or occupier of land in a quarantine area is taken to have been given a quarantine notice that applies to land in the terms of this quarantine area notice.
8. Failure to comply with this quarantine area notice could result in a fine, the Director General taking remedial action under regulation 133 of the Regulations, or both.

Host Plants of citrus canker

Scientific Name	Common Name
<i>Acronychia acidula</i>	lemon aspen
<i>Acronychia wilcoxiana</i>	N/A

Scientific Name	Common Name
<i>Atalantia citroides</i>	Cochin China atalantia
<i>Atalantia racemosa</i> (syn: <i>Atalantia disticha</i>)	Kuranga (Indian)
<i>Atalantia</i> spp.	N/A
<i>Casimiroa sapota</i> (<i>Casimiroa edulis</i>)	White Sapote
<i>Citrange</i> x <i>P. trifoliata</i>	Cicitrangle/ cicitrange
<i>Citrofortunella</i> sp.	N/A
<i>Citroncirus</i> spp.	N/A
<i>Citropsis daweana</i> (syn: <i>Hesperethusa villosa</i>)	None
<i>Citropsis schweinfurthii</i> (syn: <i>Limonia schweinfurthii Engl.</i>)	African Cherry Orange
<i>Citrus</i> spp. and <i>Citrus</i> hybrids	Many including orange, lemon, lime, mandarin, citron, grapefruit, kumquat, tangelo
<i>Clausena harmandiana</i>	None
<i>Clausena lansium</i>	Wampee (Wampi)
<i>Feroniella crassifolia</i>	None
<i>Fortunella crassifolia</i>	Meiwa sweet kumquat
<i>Fortunella japonica</i> x <i>C. aurantiifolia</i>	Limequat
<i>Fortunella margarita</i>	Oval Kumquat
<i>Fortunella margarita</i> x <i>C. sinensis</i>	Orangequat
<i>Fortunella margarita</i> x <i>Citrange</i>	Citranglequat
<i>Lansium domesticum</i>	langsats
<i>Lunasia amara</i>	None
<i>Melicope denhamii</i> (<i>Euodia ridleyi</i>)	Evodia
<i>Melicope latifolia</i> (<i>Euodia latifolia</i>)	None
<i>Melicope triphylla</i>	False foot of the turtle
<i>Microcitronella</i> spp.	None
<i>Micromelum minutum</i>	Lime berry
<i>Murraya ovatifoliolata</i> (<i>Murraya paniculata</i> var. <i>ovatifoliolata</i>)	Native mock orange
<i>Paramignya longipedunculata</i>	None
<i>Paramignya monophylla</i>	None
<i>Poncirus trifoliata</i>	Trifoliolate Orange
<i>Swinglea glutinosa</i> (<i>Chaetospermum glutinosa</i> , <i>Aegle glutinosa</i>)	None
<i>Toddalia asiatica</i>	None
<i>Zanthoxylum ailanthoides</i>	Alianthus-like prickly ash
<i>Zanthoxylum clava-herculis</i> (<i>Xanthoxylum clava-herculis</i>)	Tooth-ache tree
<i>Zanthoxylum fagara</i> (<i>Xanthoxylum fagara</i>)	Wild lime

KATHERINE CLIFT, Executive Director Biosecurity,
Department of Primary Industries and Regional
Development as delegate of the Director General.

16 May 2019.

CONSUMER PROTECTION

CP401

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (PERTH METROPOLITAN AREA) PUBLIC HOLIDAY VARIATION ORDER (No. 2) 2019

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (Perth Metropolitan Area) Public Holiday Variation Order (No. 2) 2019*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the order—on the day after that day.

3. Variation of retail trading hours

(1) General retail shops, other than motor vehicle shops, in the Perth metropolitan area, are authorised to be open, at times when those shops would otherwise be required to be closed—

- (a) on each day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table	
Day	Hours
Monday 3 June 2019	from 8.00 am until 6.00 pm
Monday 30 September 2019	from 8.00 am until 6.00 pm

4. Relationship with *Retail Trading Hours (Public Holidays) Order 2012*

This order has effect despite the *Retail Trading Hours (Public Holidays) Order 2012*.

J. QUIGLEY, Minister for Commerce.

ENERGY

EN401**ELECTRICITY INDUSTRY ACT 2004****GRANT OF ELECTRICITY GENERATION LICENCE**

Notice is given that the following Electricity Generation Licence has been granted—

Licensee:	BEI WWF Pty Ltd as Trustee for the WWF Trust ACN 627 686 408
Licensee's business address:	Level 4, Forrest Centre 219 St Georges Terrace Perth WA 6000
Classification:	Electricity Generation Licence (EGL29, Version 1)
Commencement Date:	22 May 2019
Term of licence:	Up to and including 21 May 2049
Licence Area:	The licence area is the area as set out in plan ERA-EL-151 in the State of Western Australia.
Inspection of Licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 http://www.erawa.com.au

Ms NICOLA CUSWORTH, Chair,
Economic Regulation Authority.

HEALTH

HE401**MENTAL HEALTH ACT 2014****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
REVOCATION ORDER (NO. 6) 2019**

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*.

1. Citation

This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No. 6) 2019*.

2. Commencement

This Order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) clause 3—on the day after that day.

3. Revocation of designation

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

SCHEDULE 1

Name	Profession
Bonatowski, Calla Moana	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

20 May 2019.

HE402**MENTAL HEALTH ACT 2014**

**MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
ORDER (NO. 5) 2019**

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*.

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 5) 2019*.

2. Commencement

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) clause 3—on the day after that day.

3. Authorised Mental Health Practitioner

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

SCHEDULE 1

Name	Profession
Bronatowski, Calla Moana	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

20 May 2019.

HE403**HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911**

**ANAESTHETIC MORTALITY COMMITTEE
(APPOINTMENT OF MEMBERS AND DEPUTY MEMBERS) INSTRUMENT 2019**

Made by the Minister under sections 340BB(3)(a), 340BB(3)(d), 340BB(3)(g), 340BB(3)(j) and 340BC of the *Health (Miscellaneous Provisions) Act 1911*.

1. Citation

This instrument may be cited as the *Anaesthetic Mortality Committee (Appointment of Members and Deputy Members) Instrument 2019*.

2. Appointment of the Chairperson

The following appointments are approved for a term of four years commencing on 1 April 2019—

- (a) The appointment of Dr Jennifer Bruce as the Chairperson on the Anaesthetic Mortality Committee under section 340BB(3)(a).
- (b) The appointment of Dr Moira Westmore as a deputy member to the Chairperson on the Anaesthetic Mortality Committee under section 340BC.

3. Appointment of Members

The following appointments are approved for a term of three years commencing on 1 April 2019—

- (a) The appointment of Dr Kenneth Allen Williams as a member on the Anaesthetic Mortality Committee under section 340BB(3)(d).

- (b) The appointment of Dr Liezel Bredenkamp as a deputy member to Dr Williams on the Anaesthetic Mortality Committee under section 340BC.
- (c) The appointment of Clinical Professor Mark Alexander John Newman as a member on the Anaesthetic Mortality Committee under section 340BB(3)(g).
- (d) The appointment of Clinical Associate Professor Dieter Gebauer as a member on the Anaesthetic Mortality Committee under section 340BB(3)(j).
- (e) The appointment of Dr Tran-Lee Kaing as a deputy member to Clinical Associate Professor Gebauer on the Anaesthetic Mortality Committee under section 340BC.

ROGER COOK MLA, Deputy Premier,
Minister for Health; Mental Health.

Dated: 15 May 2019.

JUSTICE

JU401

PRISONS ACT 1981

PERMIT DETAILS

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permit—

Surname	Other Name(s)	Permit No.
Birch	Bart Gene	AP0768

TONY HASSALL, Commissioner.

15 May 2019.

JU402

JUSTICES OF THE PEACE ACT 2004

RESIGNATIONS

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

Mr Robert Arthur Winton of Fremantle
from the Office of Justice of the Peace for the State of Western Australia.

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

JU403

JUSTICES OF THE PEACE ACT 2004

TERMINATIONS

It is hereby notified for public information that the appointment of the following persons from the Office of Justice of the Peace for the State of Western Australia has been terminated pursuant to section 14 of the *Justices of the Peace Act 2004 (WA)*—

Rodney Michael Peake of Virginia, NT
Janet Douglas of Quambatook, Victoria

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

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT ACT 1995***City of Wanneroo*

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 26 April 2019, determined that the method of valuation to be used by the City of Wanneroo 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 149 to 157 inclusive, Lots 163 to 174 inclusive and Lots 180 to 192 inclusive as shown on Deposited Plan 416072.

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

LG402**LOCAL GOVERNMENT ACT 1995***City of Wanneroo*

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 23 April 2019 determine that the method of valuation to be used by the City of Wanneroo, 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 712 to 716 inclusive, Lots 744 to 747 inclusive, Lots 1336 to 1363 inclusive and Lots 1366 to 1372 inclusive as shown on Deposited Plan 413764; Lots 47 to 70 inclusive and Lot 80 as shown on Deposited Plan 414271; Lots 35 to 68 inclusive, Lots 70 to 73 inclusive and Lots 156 to 176 inclusive as shown on Deposited Plan 414951; Lots 795 to 802 inclusive as shown on Deposited Plan 414976.

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

LG403**BUSH FIRES ACT 1954***Shire of Cranbrook*

APPOINTMENTS

In accordance with the *Bush Fires Act 1954* the Shire of Cranbrook has appointed the following officers to the respective positions for 2019/2020 Fire Season—

Chief Bush Fire Control Officer	D. Packard
1st Deputy Chief Bush Fire Control Officer	P. Ettridge
2nd Deputy Chief Bush Fire Control Officer	G. Marshall
Base Radio Operator	D. Preston
Volunteer Bushfire Training Officer	M. Walsh
Fire Control Officer's—	
East Cranbrook	H. Smith F. Fiegert P. Horrocks
Central	K. Wilson S. Lehmann J. Climie

Cranbrook Town	J. Duina
Tenterden	D. Packard M. Jefferies J. Watterson K. Gibson
Tunney	G. Marshall J. Treeby S. Morgan I. Lawrence
Woolonga	J. Smith N. Preston C. Ford A. Warham
Nunijup	M. Bunker B. Parsons S. Squire L. Watterson
Kybellup	S. Hilder R. Hilder K. Haynes
Gordon	A. Alvarez De Toledo J. Egerton—Warburton G. Egerton—Warburton
Frankland River	P. Ettridge D. Clode
Frankland River Town	A. Murray
Bokerup/Unicup	T. Ettridge G. Banks

LG404**LOCAL GOVERNMENT ACT 1995***Shire of Wagin*

BASIS OF RATES

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from the date of publication in the *Government Gazette*, determined that the method of valuation to be used by the Shire of Wagin as the basis for a rate in respect of the land referred to in the Schedule is to be the unimproved value of the land—

Schedule

	Designated Land
GRV to UV	All those portions of land being Lots 92 to 98 inclusive as shown on Deposited Plan 146390; Lots 100 to 103 inclusive as shown on Deposited Plan 147240; Lot 109 and Lot 110 as shown on Deposited Plan 146964.

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

LG405**LOCAL GOVERNMENT ACT 1995***City of Wanneroo*

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 17 May 2019 determine that the method of valuation to be used by the City of Wanneroo, 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 91 as shown on Diagram 84788.

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

MINERALS AND PETROLEUM

MP401**MINING ACT 1978****INSTRUMENT OF 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 extend the exemption originally declared on 26 May 2013 and published in the *Government Gazette* dated 7 June 2013 for that area described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a period of two years expiring on 25 May 2021.

Locality

Gnangara State Forest

Description of Land

Land designated S19/348 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 M70/0772, document ID 6523922.

Area of Land

817 hectares approximately

Dated at Perth this 21st day of May 2019.

RICHARD JOHN ROGERSON, Executive Director,
Resource Tenure.

MP402**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.

ADAM HILLS-WRIGHT, Warden.

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

EAST MURCHISON MINERAL FIELD**Prospecting Licences**

P 36/1866 Hancock, Shaun William

MT MARGARET MINERAL FIELD**Prospecting Licences**

P 38/4050 Thomas, Vanessa Erica

P 38/4171 Bonney, Alwyn Nathan

P 39/5650 Gallop, Leeanne Caroline

P 39/5651 Broughton, Ian Mathew Katatia

NORTH COOLGARDIE MINERAL FIELD**Prospecting Licences**

P 40/1399 Kolatowicz, Nathan James

MP403

MINING ACT 1978
INTENTION TO FORFEIT

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

In accordance with Regulation 50 of the *Mining Regulations 1981*, notice is hereby given that unless the outstanding royalty payment due on the under mentioned leases is paid on or before 19 June 2019 or a written submission is made by that date to the Minister responsible for the *Mining Act 1978* for the Minister to consider, it is the intention of the Minister under the provisions of Section 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant by the holder of the under mentioned leases for failure to comply with the royalty provisions in accordance with Regulation 86A.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
MINING LEASE		
M08/62	McDonald, Lawrence George	Ashburton
M08/477	Pilbara Stone Pty Ltd	Ashburton
M09/90	Vandeleur Superannuation Pty Ltd	Gascoyne
M15/30	Lukah Mining Pty Ltd	Coolgardie
M15/879	Davenne Holdings Pty Ltd	Coolgardie
M15/1227	Milne, Peter Ronald George Davenne Holdings Pty Ltd	Coolgardie
M38/845	Ryles, Rex Michael	Mt Margaret
M80/333	Argyle Concrete and Quarry Supplies Pty Ltd	Kimberley
M80/572	Cooke, Russell Andrew	Kimberley

MP404

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Karratha WA 6741.

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.

E. DE VRIES, Warden.

To be heard by the Warden at Karratha on 11 July 2019.

WEST PILBARA MINERAL FIELD
Prospecting Licences

P 47/1625-S Sibraa, Carl Jarrod

MP405

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Karratha WA 6741.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

E. DE VRIES, Warden.

To be heard by the Warden at Karratha on 11 July 2019.

WEST PILBARA MINERAL FIELD
Prospecting Licences

P 47/1828-S Ryder, William Bernard
Ryder, Andrew Paul James

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Albany

Local Planning Scheme No. 1—Amendment No. 29

Ref: TPS/2217

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 Albany Local Planning Scheme amendment on 17 April 2019 for the purpose of—

1. Amend text under heading 'Preamble' by deleting paragraph 2.
2. Amend text under heading 'Preamble', paragraph 3 by deleting 'planning approval, enforcement of the Scheme provisions and'.
3. Amend text in the 'Table of Contents' by—
 1. Deleting the following text "PREPARED BY THE....1"
 2. Between old clauses 1.1 and 1.2, inserting the following: "1.2 COMMENCEMENT"
 3. After new clause 1.2, inserting the following: "1.3 SCHEME REVOKED"
 4. After new clause 1.3, inserting the following: "1.4 NOTES DO NOT FORM PART OF SCHEME"
 5. Renumbering old clauses "1.2", "1.3", "1.4", "1.5", "1.6", "1.7", "1.8" and "1.9" to "1.5", "1.6", "1.7", "1.8", "1.9", "1.10", "1.11" and "1.12".
 6. Deleting all the text contained in 'Part 2', including the heading.
 7. Renumbering "Part 3" to "Part 2".
 8. Inserting the new heading after old clause 3.3 as follows: "2.4 Additional uses for local reserves".
 9. Renumbering "3.1", "3.2", "3.3", "3.4" and "3.5" to "2.1", "2.2", "2.3", "2.5" and "2.6" respectively.
 10. Renumbering "Part 4" to "Part 3".
 11. Renumbering "4.1", "4.2", "4.3", "4.4", "4.5", "4.6", "4.7", "4.8", "4.9" and "4.10" to "3.1", "3.2", "3.3", "3.4", "3.5", "3.6", "3.7", "3.8", "3.9" and "3.10".
 12. In old clause 4.9, deleting the text "EXTENSIONS AND" and "A".
 13. In old clause 4.10, deleting the text "DISCONTINUANCE" and replacing with "REGISTER".
 14. Deleting old clauses 4.11-4.12.
 15. Renumbering "Part 5" to "Part 4".
 16. Renumbering "5.1", "5.2", "5.3", "5.4", "5.5", "5.6", "5.7" and "5.8" to "4.1", "4.2", "4.3", "4.4", "4.5", "4.6", "4.7" and "4.8".
 17. Deleting old clause 5.9.
 18. Renumbering "Part 6" to "Part 5".
 19. Renumbering "6.1", "6.2", "6.3", "6.4", "6.5", "6.6" and "6.7" to "5.1", "5.2", "5.3", "5.4", "5.5", "5.6" and "5.7".
 20. Deleting all the text contained in 'Part 7', 'Part 8', 'Part 9', 'Part 10' and 'Part 11'.
 21. Inserting the new heading before 'SCHEDULE 1' as follows: "SCHEDULE A—SUPPLEMENTARY PROVISIONS"
 22. Replacing the text "PLANNING APPROVAL", located under the heading 'SCHEDULE 9', with "DEVELOPMENT APPROVAL".
 23. Under the heading 'TABLES', insert the following text: "TABLE 1—RESERVE OBJECTIVES"
 24. Renumbering the old table numbers from "Table 1", "Table 2", "Table 3", "Table 4", "Table 5", "Table 6", "Table 7", "Table 8" to "Table 2", "Table 3", "Table 4", "Table 5", "Table 6", "Table 7", "Table 8" and "Table 9".
4. Amend text at clause 1.1.1 by replacing existing clause 1.1.1 with "This local planning scheme is the City of Albany Local Planning Scheme No. 1"
5. Amend text at clause 1.1 by inserting the following text after old clause 1.1.1, as follows—
'1.2 COMMENCEMENT
Under section 87(4) of the Act, this local planning scheme comes into operation on the day on which it is published in the *Gazette*.'
6. Amend text at clause 1.1 by inserting the following text after new clause 1.2, as follows—
'1.3 SCHEME REVOKED'
7. Renumber old clause '1.2.1' to '1.3.1'.

8. Amend text at clause 1.1 by inserting the new heading and text after new clause 1.3 as follows—

‘1.4 NOTES DO NOT FORM PART OF SCHEME
Notes, and instructions printed in italics, do not form part of this Scheme.’
9. Renumber old clause ‘1.2’ to 1.5’.
10. Amend text at old clause 1.2 by deleting and replacing the text with ‘The City of Albany is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme’.
11. Renumber old clause ‘1.3’ to ‘1.6’.
12. Renumber old clause ‘1.4’ to ‘1.7’.
13. Amend text at old clause 1.4.1 by deleting and replacing with the text ‘1.7.1 In addition to the provisions set out in this document (the scheme text), this Scheme includes the following—
 - (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);
 - (b) Supplemental Provisions contained in Schedule A;
 - (c) Schedule 1-15; and
 - (d) the Scheme Map.’
14. Renumber old clause ‘1.4.2’ to ‘1.7.2’.
15. Renumber old clause ‘1.5’ to ‘1.8’.
16. Amend text at old clause 1.5 by deleting text and replacing with—

‘The purposes of the Scheme are to—
 - (a) set out the local government’s planning aims and intentions for the Scheme area; and
 - (b) set aside land as local reserves for public purposes; and
 - (c) zone land within the Scheme area for the purposes defined in this Scheme; and
 - (d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and
 - (e) set out procedures for the assessment and determination of development applications; and
 - (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
 - (g) make provision for the administration and enforcement of this Scheme; and
 - (h) address other matters referred to in Schedule 7 of the Act.’
17. Renumber old clause ‘1.6’ to ‘1.9’.
18. Renumber old clause ‘1.7’ to ‘1.10’.
19. Renumber old clause ‘1.7.1’ to ‘1.10.1’.
20. Amend text in old clause 1.7.1 (b) (i) by inserting the following text after the word and number ‘Schedule 1’; ‘and Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
21. Amend text in old clauses 1.7, 5.2, 5.6, old Table 7, old Table 8, old clause 6.7, Schedule 1, Schedule 2 (AU10, AU11, AU27) and Schedule 4 (SR21) by deleting ‘Residential Design Codes’ and replacing with ‘R-Codes’.
22. Renumber old clause ‘1.7.2’ to ‘1.10.2’.
23. Amend text at old clause 1.7.2 by inserting the following text after the word and number ‘Schedule 1’; ‘; Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
24. Amend text at old clause 1.7.2 (b) by deleting the text ‘the Dictionary’ and replacing with ‘Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
25. Amend text at old clause 1.7.3 by deleting ‘Notes and instructions printed in italics are not part of the scheme.’
26. Renumber old clause ‘1.8’ to ‘1.11’.
27. Amend text at old clause 1.8 by insertion of ‘to the extent of the inconsistency’ at the end of the existing text.
28. Renumber old clause ‘1.9’ to ‘1.12’.
29. Deletion of Part 2 of the scheme.
30. Renumber subsequent clauses of the scheme to reflect the deletion of Part 2.

i.e.

 - ‘Part 3—Reserves’ with ‘Part 2 Reserves’.
 - ‘3.1 Reserves’ with ‘2.1 Reserves’.
 - ‘4.1’ with ‘3.1’ and replacement of ‘4.1.1’ with ‘3.1.1’.

31. Amend text at old clause 3.3 by deleting existing text and replacing with—

2.3.1 In this clause—

Department of Main Roads means the department principally assisting in the administration of the *Main Roads Act 1930*;

Western Australian Road Hierarchy means the document of that name available on the website maintained by the Department of Main Roads.

2.3.2 Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.

2.3.3 The objectives of each local reserve are as follows—

Table 1—Reserve Objectives

Reserve Name	Objectives
Environmental conservation	<ul style="list-style-type: none"> To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
Local Road	<ul style="list-style-type: none"> To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Priority Road	<ul style="list-style-type: none"> To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
Major Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
Rail	<ul style="list-style-type: none"> To set aside land required for passenger rail and rail freight services.
Parks and recreation	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of public recreational facilities.
Public use	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.

32. Amend text at old Part 3 by inserting the following after old clause 3.3 or after new clause 2.3.3—

‘2.4 Additional uses for local reserves

There are no additional uses for land in local reserves that apply to this scheme.’

33. Renumber old clause ‘3.4’, ‘3.4.1’, ‘3.4.2’, ‘3.4.3’ and ‘3.5’ to ‘2.5’, ‘2.5.1’, ‘2.5.2’, ‘2.5.3’ and ‘2.6’ respectively.
34. Amend text at old clauses 3.4, 3.5, 5.2, 5.3, 5.5, 5.6, 5.7, 5.8, 6.2, 6.3, 6.4, 6.5, 6.6, Schedule 1, Schedule 2 (AU14, AU16, AU18, AU19, AU20, AU30), Schedule 4 (SU3, SU6, SU7, SU8, SU9, SU10, SU11, SU12, SU14, SU18, SU19, SU20, SU21, SU22, SU23, SU24, SU25), Schedule 11 (IA2, IA4), Schedule 12 (CZ1, RR36) by deleting “planning approval” and replacing with “development approval”.
35. Amend text at old clause 3.4.1 (b) by deleting ‘under Part 9 of the Scheme’ and replacing with ‘in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
36. Amend text at old clause 3.4.2 (a) by deleting ‘clause 10.2’ and replacing with ‘Schedule 2 Part 9 cl. 67 *Planning and Development (Local Planning Schemes) Regulations 2015*’.
37. Amend text at old clause 4.2.23 deletion of “, spacious” from Clause 4.2.23 to improve the wording of the clause.
38. Amend text at old clause 4.3 by deleting clauses 4.3.1-4.3.3 and the notes 1-4 in the table and replacing with “The zoning table for this scheme is as follows—” and then moving the old ‘Table 1’ and inserting after old clause 4.3.
39. Amend text at old clause 4.4 by deleting clauses 4.4.1-4.4.2 and replacing with—
- 3.4.1 The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left-hand side of the zoning table and the list of zones at the top of the zoning table.
- 3.4.2 The symbols used in the zoning table have the following meanings—
- P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;
- I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;
- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;

X means that the use is not permitted by this Scheme.

(A symbol must appear in the cross-reference of a use class against all the zones in the zoning table.)

Note: 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.

2. In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions.

3.4.3 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

3.4.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table—

- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

3.4.5 If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.

3.4.6 If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in that zone unless—

- (a) the development approval application relates to land that is being used for a non-conforming use; and
- (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.

3.4.7 If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land—

- (a) a structure plan;
- (b) an activity centre plan;
- (c) a local development plan.

40. Amend the heading of old Table 1 by deleting 'Table 1' and replacing with 'Table 2'.
41. Amend text at old Table 1: Zoning Table, old clauses 5.5.3.1, 5.5.14.2.5(a), 5.5.17.1(b), 5.8.5.1, 5.6.4, old Table 5, Schedule 2, Schedule 11 (IA2), Schedule 12 (CZ2, CZ3), Schedule 14 (RR1C, RR3B, RR4A, RR5, RR6, RR8, RR9, RR10, RR11, RR12, RR13, RR14, RR17, RR21, RR22, RR25, RR27, RR28, RR29, RR30, RR31, RR32, RR33, RR34, RR35, RR36, RR37, RR39, RR40, RR42, RR44, SR1, SR2, SR3, SR4, SR5, SR6, SR7, SR8, SR9, SR10, SR11, SR12, SR13, SR14, SR18, SR20, SR21 by deleting "Ancillary Accommodation" and replacing with "Ancillary Dwelling".
42. Amend text in the old Table 1 by deleting "clause 5.5.3", "clause 5.5.13", "clause 5.5.14" and "clause 5.5.18" and replacing with "clause 4.5.3", "clause 4.5.13", "clause 4.5.14" and "clause 4.5.18".
43. Amend text in Table 1 by deleting 'D' at cross reference 'Ancillary Accommodation' (now Ancillary Dwelling) and 'Zones' and replacing with 'P'.
44. Amend text in Table 1 by deleting 'X' at cross reference 'Civic Use' and 'Zones' and replace with 'A'.
45. Amend text in Table 1 by deleting 'X' at cross reference 'Educational Establishment' and 'Light Industry' and replace with 'A'.
46. Amend text in Table 1 by deleting 'X' at cross reference 'Holiday Accommodation' and 'Regional Centre Mixed Use' zone and replace with 'A'.
47. Amend text in Table 1 by deleting 'A' at cross reference 'Home Occupation' and 'Regional Centre Mixed Business' zone and replace with 'X'.
48. Amend text in Table 1 by deleting 'D' at cross reference 'Home Office' and 'Regional Centre Mixed Business' zone and replace with 'X'.
49. Amend text in Table 1 by deleting 'A' at cross 'Home Store' and 'Regional Centre Mixed Business' zone and replace with 'X'.

50. Amend text in Table 1 by deleting—
- “D” at cross “Service Station” and “Regional Centre” zone and replace with ‘A’;
 - “P” at cross “Service Station” and “Highway Commercial” zone and replace with ‘A’;
 - “D” at cross “Service Station” and “Neighbourhood Centre” zone and replace with ‘A’;
 - “D” at cross “Service Station” and “Local Centre” zone and replace with ‘A’;
 - “D” at cross “Service Station” and “General Industry” zone and replace with ‘A’;
 - “P” at cross “Service Station” and “Light Industry” zone and replace with ‘A’;
51. Amend the ‘Table Notes’ located under the old Table 1 by deleting ‘clause 5.5.16.1’ and ‘clause 5.5.7.1’ and replacing with ‘clause 4.5.16.1’ and ‘clause 4.5.7.1’.
52. Amend text at old clause 4.7.1 by deleting the clause 4.7.1 and replacing with—
- ‘3.7.1 Schedule 4 sets out—
- (a) special use zones for specified land that are in addition to zones in the zoning table; and
 - (b) the classes of special use that are permissible in that zone; and
 - (c) the conditions that apply in respect of the special uses’.
53. Amend text at clauses 4.8-4.12 (Non-conforming Uses) by deleting clauses 4.8-4.12 and replacing with the following;
- ‘3.8 Non-conforming uses
- 3.8.1 Unless specifically provided, this Scheme does not prevent—
- (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
 - (b) the carrying out of development on land if—
 - (i) before the commencement of this Scheme, the development was lawfully approved; and
 - (ii) the approval has not expired or been cancelled.
- 3.8.2 Subclause (1) does not apply if—
- (a) the non-conforming use of the land is discontinued; and
 - (b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.
- 3.8.3 Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government—
- (a) purchases the land; or
 - (b) pays compensation to the owner of the land in relation to the non-conforming use.
- 3.9 Changes to non-conforming use
- 3.9.1 A person must not, without development approval—
- (a) alter or extend a non-conforming use of land; or
 - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- 3.9.2 An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- 3.9.3 A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use—
- (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - (b) is closer to the intended purpose of the zone in which the land is situated.
- 3.10 Register of non-conforming uses
- 3.10.1 The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- 3.10.2 A register prepared by the local government must set out the following—
- (a) a description of each area of land that is being used for a non-conforming use;
 - (b) a description of any building on the land;
 - (c) a description of the non-conforming use;
 - (d) the date on which any discontinuance of the non-conforming use is noted.
- 3.10.3 If the local government prepares a register under subclause (1) the local government—
- (a) must ensure that the register is kept up-to-date; and
 - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
 - (c) may publish a copy of the register on the website of the local government.

- 3.10.4 An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.”
54. Amend text at old clause 5.2.2(a) by deleting the text ‘clause 9.4’ and replacing with ‘the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
 55. Amend text at old clause 5.2.3(a) by deleting the text ‘clause 10.2’ and replacing with ‘the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
 56. Amend text at old clause 5.3.2 by deleting the text and replacing with ‘Refer to State Planning Policy 2.6—State Coastal Planning.’
 57. Amend text in old clause 5.3.6.2 by deleting the text ‘clause 5.3.6.1’ and replacing with ‘clause 4.3.6.1’.
 58. Amend text in old clause 5.3.7.4 by deleting the text ‘clause 5.3.7.2’ and replacing with ‘clause 4.3.7.2’.
 59. Amend text at old clause 5.4 by deleting the text and replacing with ‘Refer to Part 10A—Bushfire risk management of the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
 60. Amend text at old clause 5.5.3.1 by deleting the text ‘under clause 5.9 of the scheme’ and replacing with ‘in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
 61. Amend text in old clause 5.5.3.2 by deleting the text ‘clause 5.5.3.1’ and replacing with ‘clause 4.5.3.1’.
 62. Amend text in old clause 5.5.4.1 by deleting the text ‘Part 2 of the Scheme’ and replacing with ‘the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
 63. Amend text in old clause 5.5.6.1 by deleting the text ‘clause 5.5.6.5’ and replacing with ‘clause 4.5.6.5’.
 64. Amend text in old clause 5.5.6.4 by deleting the text ‘Table 7’ and replacing with ‘Table 8’.
 65. Amend text in clause 5.5.6.5 by deleting the text ‘Part 2 of the Scheme’ and replacing with ‘the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
 66. Amend text in clause 5.5.10.1 by deleting the text ‘Table 2’ and replacing with ‘Table 3’.
 67. Amend text in old table 2 (clause 5.5.10.1) by deleting the text ‘Table 2’ and replacing with ‘Table 3’.
 68. Amend text in clause 5.5.11.1 by deleting the text ‘Table 3’ and replacing with ‘Table 4’.
 69. Amend text at old Table 3 by deleting the ‘Table 3’ and replacing with ‘Table 4’.
 70. Amend text at old clause 5.5.13.2.1(a) by deleting the text ‘and/or outbuilding’.
 71. Amend text at old clause 5.5.13.2.2 by deleting the text and replacing with “Refer to Part 10A—Bushfire risk management of the *Planning and Development (Local Planning Schemes) Amendment Regulations 2015*.”
 72. Amend text at old clause 5.5.13.2.9 by deleting the text ‘clause 5.8.2’ and replacing with ‘clause 4.8.2’.
 73. Amend text at old clause 5.5.13.2.10(b) by deleting the text ‘clause 5.6.9’ and replacing with ‘clause 4.6.9’.
 74. Amend text at old clause 5.5.14.2.3(a) by deleting the text ‘and/or outbuilding’.
 75. Amend text at old clause 5.5.14.2.7(b) by deleting the text ‘clause 5.5.14.2.2(b)(i)’ and replacing with ‘clause 4.5.14.2.2(b)(i)’.
 76. Amend text at old clause 5.5.14.2.8(d) by deleting the text ‘clause 5.5.14.2.8(a)-(c)’ and replacing with ‘clause 4.5.14.2.8(a)-(c)’.
 77. Amend text at old clause 5.5.15.2.2(a) by deleting the text ‘and/or outbuilding’.
 78. Amend text at old clause 5.5.15.2.3 by deleting the text and replacing with “Refer to Part 10A—Bushfire risk management of the *Planning and Development (Local Planning Schemes) Amendment Regulations 2015*.”
 79. Amend text at old clause 5.5.15.2.7 by deleting the text “clause 5.8.2” and replacing with “clause 4.8.2”.
 80. Amend text at old clause 5.5.15.2.8 by deleting the text “clause 5.6.9” and replacing with “clause 4.6.9”.
 81. Amend text at old clause 5.5.15.2.9 by deleting the text “an overall Plan of Subdivision be prepared for adoption by the Local Government in accordance with Part 2 of the Scheme and endorsement of” and replacing with “the preparation of a structure plan, endorsed by”.
 82. Amend text at old clause 5.5.17.1 by deleting the text “clause 5.9 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
 83. Amend text at old clause 5.5.17.1 by deleting the text “clause 4.3.2” and replacing with “clause 3.4.2”.
 84. Amend text at old clause 5.5.17.3 by deleting the text “clause 5.9 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
 85. Amend text at old clause 5.5.18.2.1(a) by deleting the text ‘and/or outbuilding’.

86. Amend text at old clause 5.5.18.2.2 by deleting the text and replacing with “Refer to Part 10A—Bushfire risk management of the *Planning and Development (Local Planning Schemes) Amendment Regulations 2015*.”
87. Amend text at old clause 5.5.18.2.9 by deleting the text “clause 5.8.2” and replacing with “clause 4.8.2”.
88. Amend text at clause 5.6.1 by deleting and replacing with the following text—
 - 4.6.1.1 The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
 - 4.6.1.2 The local government—
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
 - 4.6.1.3 The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
 - 4.6.1.4 The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (4.6.1.3).”
89. Amend text at old clause 5.6.2(a) by deleting the text “Table 4” and replacing with “Table 5”.
90. Amend text in the table, which is located at old clause 5.6.2 by deleting the text “Table 4 and replacing with “Table 5”.
91. Amend text at old clause 5.6.3.1 by deleting the text ‘clause 5.6.3.2’ and replacing with ‘clause 4.6.3.2’.
92. Amend text at old clause 5.6.3.2 by deleting the text “clause 5.6.3.1’ and replacing with ‘clause 4.6.3.1’.
93. Amend text at old clause 5.6.3.2 by deleting the text (X2) ‘clause 5.6.3.1’ and replacing with “clause 4.6.3.1”.
94. Amend text at old clause 5.6.3.2 by deleting the text “clause 9.4” and replacing with ‘the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
95. Amend text at old clause 5.6.4 by inserting two additional clauses after the clause 5.6.4.3 as follows—
 - 4.6.4.4 Ancillary dwellings shall be located either alongside or to the rear of the existing single house.”
 - 4.6.4.5 The materials, colours and finishes used in the construction of ancillary dwellings shall be consistent with those of the existing single house.”
96. Amend text at old clause 5.7.3.2(g) by deleting the text “clause 10.1” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
97. Amend text at old clause 5.7.5 by deleting the text ‘shall’ and replacing with ‘may’.
98. Amend text at old clause 5.8.1.8(b) by deleting the text “Part 5.9.2 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
99. Amend text at old clause 5.8.1.9 by deleting the text “clause 5.8.1.8” and replacing with “clause 4.8.1.8”.
100. Amend text at old clause 5.8.1.10 by deleting the text “clause 5.8.1.8(a)” and replacing with “clause 4.8.1.8(a)”.
101. Amend text at old clause 5.8.2.2 by deleting the text “clause 5.3.6” and replacing with “clause 4.3.6”.
102. Amend text at old clause 5.8.3.3 by deleting the text “clause 5.8.3.2” and replacing with “clause 4.8.3.2”.
103. Amend text in old clause 5.8.5 (including in the table) by deleting the text “Table 5” and replacing with “Table 6”.
104. Amend text in old clause 5.8.5.2 by deleting the text “Table 5” and replacing with “Table 6”.
105. Amend text at old clause 5.8.5.17 by deleting the text “clause 5.8.5.16” and replacing with “clause 4.8.5.16”.
106. Amend text in clause 5.8.5.18(a) (including the table) by deleting the text “Table 6” and replacing with “Table 7”.
107. Amend text at old clause 5.8.5.20(e) by deleting the text “clause 5.8.5.20(d)” and replacing with “clause 4.8.5.20(d)”.
108. Amend text at old clause 5.8.5.21 by deleting the text “clause 5.8.5.20” and replacing with “clause 4.8.5.20”.
109. Amend text at old clause 5.8.6.2 by deleting the text “clause 5.8.6.1” and replacing with “clause 4.8.6.1”.
110. Amend text at old clause 5.8.7 (including in the table) by deleting the text “Table 7” and replacing with “Table 8”.
111. Amend text at old clause 5.8.9 (including in the table) by deleting the text “Table 8” and replacing with “Table 9”.
112. Amend text at old clause 5.8.9.2 by deleting the text “Table 8” and replacing with “Table 9”.

113. Amend text at old clause 5.8.9.5(b) by deleting the text “clause 5.8.9.5(a)” and replacing with “clause 4.8.9.5(a)”.
114. Amend text at old clause 5.8.9.6 by deleting the text “sub-clause 5.8.9.5(a)” and replacing with “clause 4.8.9.5(a)”.
115. Amend text at old clause 5.9 by deleting.
116. Renumbering clauses in scheme to reflect the deletion of clause 5.9.
117. Amend text at old clause 6.2.3 by deleting the text ‘clause 6.2.2’ and replacing with ‘clause 5.2.2’.
118. Replacement of ‘clause 5.9 of the Scheme’ in section 6.7.3 with ‘the *Planning and Development (Local Planning Schemes) Regulations 2015*’.
119. Amend text at old clause 6.7.7 by deleting the text ‘clause 5.5.10’ and replacing with ‘clause 4.5.10’.
120. Amend text at old clauses 6.7.9, 6.7.10, 6.7.13, 6.7.14, 6.7.17, 6.7.18, 6.7.21, 6.7.22 by deleting the text ‘Table 1’ and replacing with ‘Table 2’.
121. Amend text at clause 6.7.22 by deleting the text ‘Inner-Frame’ and replacing with ‘Outer-Frame’.
122. Amend text at old Part 7 by deleting the text.
123. Amend text at Part 8 by deleting the text.
124. Amend text at Part 9 by deleting the text.
125. Amend text at Part 10 by deleting the text.
126. Amend text at Part 11 by deleting the text.
127. Amend text at the schedules part of the scheme by inserting a new schedule prior to the current Schedule 1 with text as follows—

“Schedule A—Supplementary Provisions

These provisions are to be read in conjunction with the deemed provisions contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Clause 61(1)(k) The erection of a boundary fence in a zone where the R-Codes do not apply.

Clause 61(1)(l) The carrying out of works urgently necessary to ensure public safety, for the safety or security of plant or equipment or for the maintenance of essential services.

Clause 61(1)(m) Any rural works/activity for example but not limited to ploughing, fencing, seeding, spraying, constructing a dam and harvesting undertaken as part of permitted agricultural/rural use.

”
128. Amend text at Schedule 1 by inserting the following text after the Schedule 1 heading, which reads ‘Schedule 1—Dictionary of defined Words and Expressions’.

“. Schedule comprises two sets of definitions, 1. General Definitions and 2. Land Use Definitions”

129. Amend text at Schedule 1 by deleting the following definitions—

advertisement; amenity; CEO; cultural heritage significance; local government; Local Planning Strategy; owner; place; premises; Residential Design Codes; substantially commenced; zone.
130. Amend text at Schedule 1 by replacing definitions as follows—

Replace the definition of “building envelope” with—

‘**building envelope** means the area of land within which all buildings and effluent disposal facilities on a lot must be contained.’

Replace the definition of “commercial vehicle” with—

‘**commercial vehicle** means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including—

 - (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
 - (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).’

Replace the definition of “floor area” with—

‘**floor area** has meaning given in the Building Code.’

Replace the definition of “frontage” with—

‘**frontage** in relation to a building—

 - (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
 - (b) if the building is used for purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces.’

Replace the definition of “incidental use” with—

‘**incidental use** means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use.’

Replace the definition of “minerals” with—

‘**minerals** has the meaning given in the *Mining Act 1978* section 8(1).’

Replace the definition of “net lettable area (nla)” with—

‘**net lettable area or nla** means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas—

- (a) stairs, toilets, cleaner’s cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.’

Replace the definition of “non-conforming use” with—

‘**non conforming** has the meaning given in the *Planning and Development Act 2005* section 172.’

Replace the definition of “plot ratio” with—

‘**plot ratio** means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located.’

Replace the definition of “predominant use” with—

‘**predominant use** means the primary use of premises to which all other uses carried out on the premises are incidental.’

Replace the definition of “retail” with—

‘**retail** means the sale or hire of goods or services to the public.’

Replace the definition of “wholesale” with—

‘**wholesale means** the sale of goods or materials to be sold by others.’

Replace the definition of “agriculture-extensive” with—

‘**agriculture—extensive** means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture—intensive or animal husbandry—intensive.’

Replace the definition of “agriculture-intensive” with—

‘**agriculture—intensive** means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture.’

Replace the definition of “amusement parlour” with—

‘**amusement parlour** means premises—

- (a) that are open to the public; and
- (b) that are used predominantly for amusement by means of amusement machines including computers; and
- (c) where there are 2 or more amusement machines.’

Replace the definition of “animal husbandry—intensive” with—

‘**animal husbandry—intensive** means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.’

Replace the definition of “bed and breakfast/farmstay” with—

‘**bed and breakfast** means a dwelling—

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms.’

Replace the definition of “betting agency” with—

‘**betting agency** means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*.’

Replace the definition of “caravan park” with—

‘**caravan park** means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5 (1).’

Replace the definition of “caretaker’s dwelling” with—

‘**caretaker’s dwelling** means a dwelling on the same site as a building, operation or plant and occupied by a supervisor of that building, operation or plant.’

Replace the definition of “car park” with—

‘**car park** means premises used primarily for parking vehicles whether open to the public or not but does not include—

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) any premises in which cars are displayed for sale.’

Replace the definition of “cinema/theatre” with—

‘**cinema/theatre** means premises where the public may view a motion picture or theatrical production.’

Replace the definition of “civic use” with—

‘**civic use** means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.’

Replace the definition of “club premises” with—

‘**club premises** means premises used by a legally constituted club or association or other body of persons united by a common interest.’

Replace the definition of “community purpose” with—

‘**community purpose** means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.’

Replace the definition of “consulting rooms” with—

‘**consulting rooms** means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.’

Replace the definition of “corrective institution” with—

‘**corrective institution** means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.’

Replace the definition of “educational establishment” with—

‘**educational establishment** means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.’

Replace the definition of “exhibition centre” with—

‘**exhibition centre** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.’

Replace the definition of “family day care” with—

‘**family day care** means premises where a family day care service as defined in the Education and Care Services National Law (Western Australia) is provided.’

Replace the definition of “fuel depot” with—

‘**fuel depot** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used—

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle.’

Replace the definition of “funeral parlour” with—

‘**funeral parlour** means premises used—

- (a) to prepare and store bodies for burial or cremation;
- (b) to conduct funeral services.’

Replace the definition of “garden centre” with—

‘**garden centre** means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.’

Replace the definition of “holiday accommodation” with—

‘**holiday accommodation** means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.’

Replace the definition of “holiday house” with—

‘**holiday house** means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.’

Replace the definition of “home business” with—

‘**home business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession—

- (a) does not involve employing more than 2 people who are not members of the occupier’s household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.'

Replace the definition of "home occupation" with—

'home occupation means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that—

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not—
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.'

Replace the definition of "home office" with—

'home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation—

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling.'

Replace the definition of "home store" with—

'home store means a shop attached to a dwelling that—

- (a) has a net lettable area not exceeding 100 m²; and
- (b) is operated by a person residing in the dwelling.'

Replace the definition of "hospital" with—

'hospital means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1).'

Replace the definition of "hotel" with—

'hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises.'

Replace the definition of "industry-extractive" with—

'industry—extractive means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes—

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.'

Replace the definition of "marina" with—

'marina means—

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment;
and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services.'

Replace the definition of “marine filling station” with—

‘**marina filling station** means premises used for the storage and supply of liquid fuels and lubricants for marine craft.’

Replace the definition of “medical centre” with—

‘**medical centre** means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.’

Replace the definition of “motel” with—

‘**motel** means premises, which may be licensed under the *Liquor Control Act 1988*—

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles.’

Replace the definition of “motor vehicle, boat or caravan sales” with—

‘**motor vehicle, boat or caravan sales** means premises used to sell or hire motor vehicles, boats or caravans.’

Replace the definition of “motor vehicle wash” with—

‘**motor vehicle wash** means premises primarily used to wash motor vehicles.’

Replace the definition of “night club” with—

‘**nightclub** means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*.’

Replace the definition of “office” with—

‘**office** means premises used for administration, clerical, technical, professional or similar business activities.’

Replace the definition of “park home park” with—

‘**park home park** means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8.’

Replace the definition of “place of worship” with—

‘**place of worship** means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.’

Replace the definition of “reception centre” with—

‘**reception centre** means premises used for hosted functions on formal or ceremonial occasions.’

Replace the definition of “recreation-private” with—

‘**recreation—private** means premises that are—

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge.’

Replace the definition of “restaurant” with—

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

Replace the definition of “restricted premises” with—

‘**restricted premises** means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of—

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); and
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) smoking-related implements.’

Replace the definition of “rural pursuit” with—

‘**rural pursuit/hobby farm** means any premises, other than premises used for agriculture—extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier’s household—

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises.’

Replace the definition of “service station” with—

‘**service station** means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for—

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.’

Replace the definition of “shop” with—

‘**shop** means premises other than a bulky goods showroom, a liquor store—large or a liquor store—small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.’

Replace the definition of “tavern” with—

‘**tavern** means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*.’

Replace the definition of “telecommunications infrastructure” with—

‘**telecommunications infrastructure** means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.’

Replace the definition of “trade display” with—

‘**trade display** means premises used for the display of trade goods and equipment for the purpose of advertisement.’

Replace the definition of “transport depot” with—

‘**transport depot** means premises used primarily for the parking or garaging of 3 or more commercial vehicles including—

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another.’

Replace the definition of “veterinary centre” with—

‘**veterinary centre** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.’

Replace the definition of “wind farm” with—

‘**wind farm** means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use.’

Replace the definition of “winery” with—

‘**winery** means premises used for the production of viticultural produce and associated sale of the produce.’

131. Amend text at Schedule 1 by deleting the text ‘height’ and replacing with ‘building height’.

132. Amend text at Schedule 1 (General Definitions—industry) by—

- removing the word ‘or’ from (c);
- in (d) after the word employees add ‘; or’, and
- place (e) in front of the word ‘incidental’ in the last line, and remove the semi-colon at the end of (e) and replace with a full stop.

133. Amend text at Schedule 1 (General Definitions—lot) by removing the words ‘but does not include a strata or survey strata lot’.

134. Amend text at Schedule 1 (Land Use Definitions—chalet/cottage unit) by replacing ‘chalet/cottage unit’ with—

‘**chalet**’ means a dwelling forming part of a tourist development or caravan park that is—

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to provide short-term accommodation for guests.

135. Amend text at Schedule 1 (Land Use Definitions—child care premises) by deleting the definition “child care premises” and replacing with model definition as follows—

‘**Child care premises** means premises where—

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* Section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.’

136. Amend text at Schedule 1 (Land Use Definitions—industry—mining) by deleting the definition ‘industry—mining’ and replacing with—

‘**Mining operations**’ means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1), is carried out.

137. Amend text at Schedule 1 (Land Use Definitions—industry—rural) by deleting the definition ‘industry—rural’ and replacing with—

‘**industry—primary production**’ means premises used—

- (a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997 (Commonwealth)* section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses.

138. Amend text at Schedule 1 (Land Use Definitions—ancillary accommodation) by deleting the words ‘ancillary accommodation’ and replacing with ‘ancillary dwellings’.
139. Amend text at Schedule 1 by deleting the following definition—
“health consultant(s) means a qualified person that provides professional health services including chiropracist, chiropractor, dentist, dietician, osteopath, psychologist, physiotherapist, podiatrist, optometrist, naturopath, masseur, herbalist or practitioner of a like nature;”
140. Amend text in Schedule 2 (AU2—7) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
141. Amend text in Schedule 2 (AU3—11) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
142. Amend text in Schedule 2 (AU5—2) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
143. Amend text in Schedule 2 (AU6—8) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
144. Amend text in Schedule 2 (AU7—9) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
145. Amend text in Schedule 2 (AU9—14) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
146. Amend text in Schedule 2 (AU11—4) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
147. Amend text in Schedule 2 (AU23—1) by deleting the text “clause 5.8.5.1 and replacing with ‘clause 4.8.5.1’.
148. Amend text in Schedule 4 (SU2—21) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
149. Amend text in Schedule 4 (SU3—3(b)) by deleting the text “Govenment” and replacing with “Government”.
150. Amend text in Schedule 4 (SU3—14(b)) by deleting the text “clause 9.4 of the Scheme” and replacing with “the *Planning and Development (Local Planning Schemes) Regulations 2015*”.
151. Amend text in Schedule 4—Special Use Zones, No. SU15 by deleting the text contained in clause 3(b)(ii) and replacing with the following text—
- Hotel and/or Motel buildings are to be at a maximum height of 5 storeys; and
 - Holiday Accommodation buildings are to be at a maximum height of 6 storeys.”
152. Amend text in in Schedule 4 (SU17—1) by deleting “clause 4.3” and replacing with “clause 3.4”.
153. Amend Schedule 6 by deleting and replacing with the following—
 “Schedule 6—The form of an application for development approval is contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.”
154. Amend Schedule 7 by deleting and replacing with the following—
 “Schedule 7—The form for providing additional information for development approval for advertisements is contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.”
155. Amend Schedule 8 by deleting and replacing with the following—
 “Schedule 8—The form of a notice of public advertisement of a planning proposal is contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.”
156. Amend Schedule 9 by deleting and replacing with the following—
 “Schedule 9—The form of a notice of determination on an application for development approval is contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.”
157. Amend text at Schedule 10 by deleting and replacing with the following—
- (1) The conditions set out in the Table are environmental conditions that apply to this Scheme as a result of an assessment carried out under the *Environmental Protection Act 1986* Part IV Division 3.
 - (2) The environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
 - (3) The local government—
 - (a) must make available for public inspection during business hours at the offices of the local government all statements relating to this Scheme published under the *Environmental Protection Act 1986* Part IV Division 3; and
 - (b) may publish those statements on the website of the local government.

SCHEME OR AMENDMENT NO.	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS
There are no environmental conditions imposed under the <i>Environmental Protection Act 1986</i> that apply to this Scheme.”		

158. Amend text at Schedule 11, Industrial Area 4 (IA4), clause 2.2 by deleting the text ‘including a Single House’.
159. Amend the heading of Schedule 12 by deleting the text ‘Provisions’.
160. Amend the text at Schedule 12, clause 3.1, by deleting the text ‘(g) Single House’ and inserting a new (second) dot point with the following text—
- Single House.
161. Amend the text at Schedule 12, clause 3.2, dot point 2 by deleting the text ‘or non defined’.
162. Amend the text at Schedule 12, by deleting clause 3.3 and replacing with the following text—
“3.3 All other land uses, other than those listed in cl.3.1 and 3.2 above, are ‘X’ not permitted within CZ1”
163. Amend text at Schedule 14 (RR1C) by deleting the text “clause 5.5.13 and 4.2.14” and replacing with “clause 4.5.3 and 3.2.14”
164. Amend text at Schedule 14 (RR29) 2(a) by deleting the text ‘1(a)’ and replacing with ‘1(b)’ and amend text at Schedule 14 (RR29) 2 (b) by deleting text ‘1(b)’ and replacing with ‘1(c)’.
165. Amend text at Schedule 14 (RR29—7) by deleting the text “Clause 5.5.13.2.8 (i)” and replacing with “clause 4.5.13.2.8 (i)”.
166. Amend text at Schedule 14 (RR29—10) by deleting the text “Clause 5.8.2” and replacing with “clause 4.8.2”.
167. Amend text at Schedule 14 (RR30—4) by deleting the text “Clause 5.5.12.2.8” and replacing with “clause 4.5.12.2.8”.
168. Amend text at Schedule 14 (RR39—9) by deleting the text “Clause 5.5.13.2.8” and replacing with “clause 4.5.13.2.8”.
169. Amend text at Schedule 15 SR1 6 by deleting the text and replacing with—
- (a) 15 metres from the front boundary;
 - (b) 5 metres from the side boundary; and
 - (c) 5 metres from rear boundaries, with the exception of Lots 600-602, where development shall be restricted to below the 18 metre contour.
170. Rezoning Lot 5 Chester Pass Road, Warrenup from the General Agriculture zone to the Light Industry zone on Map 20 to correct a mapping error.
171. Rezoning Lot 21 Albany Highway, Centennial Park from the ‘Hotel/Motel’ zone to the ‘Highway Commercial’ zone on Map 21 to correct a mapping error.
172. Rezoning Lot 304 Pioneer Road, Centennial Park from the ‘Hotel/Motel’ zone to the ‘Residential zone on Map 21 to correct a mapping error.
173. Modifying the Water Corporation Wastewater Treatment Plant Odour Buffer Special Control Area boundary around the Timewell Road Wastewater Treatment Plant on Map 21.
174. Modifying the Industrial Area IA3 boundary around the Milpara Light Industrial Estate, John Street and Morris Road, Milpara on Map 21 to correct a mapping error and to correspond with the Scheme text.
175. Rezone Lot 26 Shelly Bay Road, Lower King to ‘Residential’ zone with a density code of ‘R1’.
176. Rezone Lot 6906 Nind Street, Spencer Park from the Parks and Recreation local scheme reserve with the R80C residential density code to the Public Use: Community purpose local scheme reserve with the R80C residential density code on Map 23 to correct a mapping error.
177. Rezone Lot 350 Shelley Beach Road, Kronkup to ‘Rural Residential—RR31’ with an ‘Additional Use’ for Educational Establishment and Caretaker’s Dwelling.
178. Amend the word ‘Council’ with ‘local government’ throughout the Scheme text.
179. Amend the word ‘Development plan’ with ‘Structure Plan’ throughout the Scheme text.
180. Amend the text at Schedule 12, clause 3.2, by adding the following land uses before dot point ‘Home Occupation’—
- Bed and Breakfast;
 - Home Office;
 - Industry-Cottage.
181. Rezoning Lot 36 Catalina Rd Lange from ‘Residential R30’ to ‘Future Urban’ to correct a mapping error.
182. Amend the text at Schedule 2 (AU31 Lot 104 Rocky Crossing Road) by replacing ‘AU31’ with ‘AU32’.
183. Designating Lot 350 Shelley Beach Road, Kronkup as ‘Additional Use’ site No. 34 and including it in Schedule 2 of the Scheme Text in the following manner—

Schedule 2—Additional Uses (Cl. 4.5)

No.	Description of land	Additional Use	Conditions
AU 34	Lot 350 Shelley Beach Road, Kronkup	Educational Establishment (‘A’) Caretakers Dwelling (‘A’)	1. The approval of educational establishment and/or caretakers dwelling within AU34 shall be subject to the following conditions— (a) Where proposed development interfaces with existing or proposed

No.	Description of land	Additional Use	Conditions
			<p>residential development, special design consideration shall be required for the screening, separation or noise attenuation of adjacent premises.</p> <p>(b) All buildings, structures and water storage systems shall achieve the following minimum setbacks—</p> <ul style="list-style-type: none"> • 20 metres from Coombes Road; and • 10 metres from all other lot boundaries. <p>(c) All buildings shall be designed and constructed of material which allows them to blend into the landscape of the site.</p> <p>(d) In order to enhance the rural amenity of the area and minimise the visual impact from developments, the Local Government may require as a condition of any planning approval the planting and ongoing maintenance of trees and/or groups of trees and species as specified by the Local Government.</p> <p>(e) Where it is demonstrated that a reticulated water supply from a licensed water service provider cannot be provided, a potable water supply may be required to the satisfaction of the Local Government.</p> <p>(f) Any surface water discharge must be controlled through appropriate drainage systems to avoid erosion and pollution while still maintaining the natural flow of discharge at pre-development levels.</p> <p>(g) Any building or development that is required to dispose of liquid effluent shall provide an on-site effluent disposal system designed and located to minimise nutrient export from the site and be approved by the Local Government and the relevant State Government authority for that purpose.</p>

D. WELLINGTON, Mayor.
A. SHARPE, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005

GREATER BUNBURY REGION SCHEME
RESOLUTION—CLAUSE 13

Lot 4422 Weld Road, Capel

Amendment 0055/13

File No.: RLS/0803

Notice is hereby given that in accordance with Clause 13 of the Greater Bunbury Region Scheme, the Western Australian Planning Commission resolved on 1 May 2019 to transfer land from the Urban Deferred zone to the Urban zone at Lot 4422 Weld Road, Capel as shown on plan number 4.1655.

Ms SAM FAGAN, Secretary,
Western Australian Planning Commission.

TRANSPORT

TN401

RAIL FREIGHT SYSTEM ACT 2000**RAIL FREIGHT SYSTEM (S.34 CORRIDOR LAND) ORDER NO. 2/2019**

Made under Section 34 by the Minister for Transport.

1. CitationThis order may be cited as the *Rail Freight System (S.34 Corridor Land) Order No. 2/2019*.**2. Inclusion of Railway Land in the Rail Corridor**

The land identified in the last column of the Schedule is to be included in the Rail Corridor.

Schedule—Railway Land to be included

Designation Identification	Railway Line Identification	Railway Identification Plan Number	Land Description
Between the 20.9 and 21.35 kilometre marks	Geraldton to Mullewa (Line 91)	Plan 91	Identified as Lot 53 on Deposited Plan 408731 and having a total area of 1.0885ha

Hon RITA SAFFIOTI MLA, Minister for Transport.

Dated this 13th day of May 2019.

TN402

RAIL FREIGHT SYSTEM ACT 2000**RAIL FREIGHT SYSTEM (S.34 CORRIDOR LAND) ORDER NO. 3/2019**

Made under Section 34 by the Minister for Transport.

1. CitationThis order may be cited as the *Rail Freight System (S.34 Corridor Land) Order No. 3/2019*.**2. Inclusion of Railway Land in the Rail Corridor**

The land identified in the Schedule is to be included in the Rail Corridor.

Schedule—Railway Land to be included

Designation Identification	Railway Line Identification	Railway Identification Plan Number	Land Description
Between the 114.8 and 115.35 kilometre marks	East Perth Terminal to Kalgoorlie (Line 1)	Plan 01-3	Identified as 'B' on Deposited Plan 413011 and having a total area of 7105m ²
Between the 115.51 and 115.98 kilometre marks	East Perth Terminal to Kalgoorlie (Line 1)	Plan 01-3	Identified as 'D' on Deposited Plan 413011 and having a total area of 5229m ²

Hon RITA SAFFIOTI MLA, Minister for Transport

Dated this 13th day of May 2019.

TN403

RAIL FREIGHT SYSTEM ACT 2000**RAIL FREIGHT SYSTEM (S.37 CORRIDOR LAND) ORDER NO. 4/2019**

Made under Section 37 by the Minister for Transport.

1. CitationThis order may be cited as the *Rail Freight System (S.37 Corridor Land) Order No. 4/2019*.

2. Cancellation of Corridor Land

The Corridor Land identified in the Schedule is cancelled.

Schedule—Railway Land to be cancelled

Designation Identification	Railway Line Identification	Railway Identification Plan Number	Land Description
Between the 115.35 and 115.6 kilometre marks	East Perth Terminal to Kalgoorlie (Line 1)	Plan 01-3	Identified as 'C' on Deposited Plan 413011 and having a total area of 8293m ²
The 116.33 kilometre mark	East Perth Terminal to Kalgoorlie (Line 1)	Plan 01-3	Identified as 'E' on Deposited Plan 413011 and having a total area of 907m ²

Hon RITA SAFFIOTI MLA, Minister for Transport.

Dated this 13th day of May 2019.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of May Brown, late of 32 Rome Road, Alfred Cove, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 13th day of May 2018, are required by the Executors, Denis Stephen Brown and Garry Evan Same, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth, in the State of Western Australia, by the 24th day of June 2019 after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

GARRY E. SAME, Taylor Smart.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Lee Allen, late of 47B Keane Street, Wembley, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 12th day of March 2019, are required by the Executors Matteo Becocci and Shelia Francis Walsh to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 21st day of June 2019, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 17th day of May 2019.

GLEN B. GILES, Taylor Smart.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Norma June Platell, late of Mercy Place Lathlain, 63 Archer Street, Lathlain, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 7th day of January 2019, are required by the Executors, Amanda Jane Platell and Cameron Francis Edward Platell to send the particulars of their

claim to Messrs Taylor Smart of 1 Regal Place, East Perth, in the State of Western Australia, by the 24th day of June 2019, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

GARRY E. SAME, Taylor Smart.

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

Notice to Creditors and Claimants

In the matter of the Estate of Francis Ernest Platell, late of 70 Kirwan Street, Floreat, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 7th day of January 2019, are required by the Executors, Amanda Jane Platell and Cameron Francis Edward Platell to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth, in the State of Western Australia, by the 24th day of June 2019, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

GARRY E. SAME, Taylor Smart.

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

Notice to Creditors and Claimants

Christopher Addison Jones, late of Unit 2, 135 Olivia Terrace, Carnarvon, 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 said deceased who died on 22 April 2018 are required by the Personal Representative, Leonie Barbara Heydon C/- Carlo Primerano & Associates Barristers and Solicitors, Suite 12, 443 Albany Highway, Victoria Park 6100 to send particulars of their claims to her by 24 June 2019 after which date the Personal Representative may convey or distribute the assets having regard only to the claims of which she then has notice.

Dated this 24th day of May 2019.

CARMELO PRIMERANO,
c/o Carlo Primerano & Associates, Barristers and Solicitors,
Suite 12, 443 Albany Highway, Victoria Park WA 6100.

ZX406**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 24 June 2019, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Coll, Joy Mary, late of 27a Melbourne Way, Morley, who died on 16 February 2019 (DE19881039 EM32).

Coulson, John Frederick Charles, late of U9, 41-43 Sixth Road, Armadale, who died on 23 September 2018 (DE33135265 EM37).

Jones, Margaret Anne, late of 11 Ripplewood Avenue, Thornlie, who died on 28 March 2019 (DE19894807 EM35).

Kaciuba, Kazimierz, late of Bassendean Nursing Home, 25-27 Hamilton Street, Bassendean, who died on 23 April 2019 (DE20011912 EM17).

Lobato, Fernando Ernest also known as Lobato, Fred Ernest, late of Nazareth House, Crowtheron Street, Bluff Point, who died on 2 September 2018 (PM33102738 EM27).

Otadoy, Lucrecio, late of Mertome Village, 30 Winifred Road, Bayswater, who died on 29 September 2017 (PM33125172 EM27).

- Peardon, John, late of 150 Cobb Street, Doubleview, who died on 4 March 2019 (DE19950081 EM23).
- Pickering, Winniebald, also known as D'Mello, Winniebald, late of U2, 55-59 Point Walter Road, Bicton, who died on 10 September 2018 (DE33158765 EM16).
- Richards, Barry, formerly of 53 Denny Way, Alfred Cove, late of Opal Applecross, Riverway, Applecross, who died on 9 March 2019 (DE19660855 EM16).
- Shanahan, Michael Patrick, also known as Patrick, Michael, formerly of 50/22 Windelya Road, Murdoch, late of Opal Aged Care Murdoch, Discovery Way, Murdoch, who died on 7 May 2019 (DE33047100 EM110).
- Swinnerton, Arnold Roy, late of 47 Sacramento Avenue, Beechboro, who died on 12 February 2019 (DE19910613 EM32).
- Weisssofner, Karl Gottfried, late of James Brown Care Centre, 171 Albert Street, Osborne Park, who died on 11 April 2019 (DE19793619 EM37).
- West, Jean Ross, late of Aegis Stirling, 32 Spencer Avenue, Yokine, who died on 29 January 2019 (DE19811798 EM36).
- Woo, Kok Siong, also known as Woo, Kenneth, late of Valencia Nursing Home, 24 Valencia Road, Carmel, who died on 20 December 2018 (PM33132114 EM214).

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

ZX407

PUBLIC TRUSTEE ACT 1941
ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estate of the undermentioned deceased person.

Dated at Perth the 24th day of May 2019.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Ballantine, Raymond DE19961959	Formerly of 20 Lynton Street, Doubleview, late of Regis Nedlands, 118-120 Monash Avenue, Nedlands	16 February 2019	15 May 2019
