



**WESTERN
AUSTRALIAN
GOVERNMENT**
 Gazette

ISSN 1448-949X (print) ISSN 2204-4264 (online)
PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 3 DECEMBER 2019 No. 173

PUBLISHED BY AUTHORITY KEVIN J. McRAE, GOVERNMENT PRINTER AT 12.00 NOON
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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
Locked Bag 3001,
West Perth, 6872
Telephone: 6552 6000

- Inquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
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After lodging any notices, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2019 AND NEW YEAR HOLIDAY PERIOD 2020

Publishing Dates and Times	Closing Dates and Times for copy
Tuesday, 24 December 2019 at 12 noon	Friday, 20 December 2019 at 12 noon
Tuesday, 31 December 2019 at 12 noon	Friday, 27 December 2019 at 12 noon

The Government Gazette will not be published on

Friday 27 December 2019

Friday 3 January 2020

The next edition will be published on Tuesday 7 January 2020 and copy will close 12 noon Friday 3 January 2020



— PART 1 —

PROCLAMATIONS

AA101

Reserves (Marmion Marine Park) Act 2019

Reserves (Marmion Marine Park) Act 2019 Commencement Proclamation 2019

Made under the *Reserves (Marmion Marine Park) Act 2019* section 2(b)
by the Governor in Executive Council.

1. Citation

This proclamation is the *Reserves (Marmion Marine Park) Act 2019 Commencement Proclamation 2019*.

2. Commencement of Act

The *Reserves (Marmion Marine Park) Act 2019*, other than sections 1 and 2, comes into operation on the day after the day on which this proclamation is published in the *Gazette*.

K. BEAZLEY, Governor.

L.S.

S. DAWSON, Minister for Environment.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

City of Joondalup

LOCAL GOVERNMENT AND PUBLIC PROPERTY AMENDMENT LOCAL LAW 2019

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Joondalup resolved on 19 November 2019 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Joondalup Local Government and Public Property Amendment Local Law 2019*.

1.2 Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

1.3 Purpose and effect

(1) The purpose of this local law is to amend certain provisions within the *City of Joondalup Local Government and Public Property Local Law 2014*.

(2) The effect of this local law is to enable the local government to make a determination as to specific local government property throughout the district where drones cannot be launched from.

PART 2—AMENDMENTS**2.1 City of Joondalup Local Government and Public Property Local Law 2014 amended**

This Part of the local law amends the *City of Joondalup Local Government and Public Property Local Law 2014* as published in the *Government Gazette* on 14 January 2015 and amended in the *Government Gazette* on 13 November 2015.

2.2 Clause 1.6 amended

In clause 1.6 insert the following definition in alphabetical order—

‘**drone** means a remotely piloted aircraft system that—

- (a) has three or more propellers; and
- (b) capable of vertical take-off and landing.’

2.3 Clause 2.7 amended

Clause 2.7 (1) is amended as follows—

- (a) In paragraph (i) delete “; or” and insert “;”;
- (b) In paragraph (j) delete “.” and insert “; or”; and
- (c) After paragraph (j) insert—
 - ‘(k) launch or land a drone.’

2.4 Clause 2.8 amended

Clause 2.8 (1) is amended as follows—

- (a) In paragraph (h) delete “and”;
- (b) In paragraph (i) delete “.” and insert “; and”; and
- (c) After paragraph (i) insert—
 - ‘(j) the launching or landing of a drone.’

Dated the 26th day of November 2019.

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

Hon ALBERT JACOB JP, Mayor.
GARRY HUNT, Chief Executive Officer.

LG302

**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007
LOCAL GOVERNMENT ACT 1995**

Shire of Northam

PEST PLANTS LOCAL LAW 2019

Under the powers conferred by the *Biosecurity and Agriculture Management Act 2007*, *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Northam resolved on 20 November 2019 to make the *Shire of Northam Pest Plants Local Law 2019*.

PART 1—PRELIMINARY**1.1 Title**

This local law may be cited as the *Shire of Northam Pest Plants Local Law 2019*.

1.2 Commencement

This local law comes into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

1.3 Repeal

The *Shire of Northam Pest Plants Local Law 2011* published in the *Government Gazette* on 22 July 2011 and all amendments thereto are hereby repealed on the day this local law comes into operation.

1.4 Application

This local law applies throughout the district or part thereof, as prescribed in the First Schedule.

1.5 Interpretation

In this local law, unless the context requires otherwise—

Act means the *Biosecurity and Agriculture Management Act 2007*;

Authorised Person means a person appointed by the local government under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an Authorised Person under this local law;

Council means the Council of the Shire of Northam;

district means the district of the local government;

land means land in the district and includes houses, buildings, works and structures, in or upon the land;

local government means the Shire of Northam;

notice means a notice referred to in clause 3.1;

occupier has the meaning given to it in the *Local Government Act 1995*;

owner has the meaning given to it in the *Local Government Act 1995*;

person means any person, company, public body, association or body of persons corporate or unincorporated and includes an owner, occupier, licensee and permit holder, but does not include the local government;

pest plant means a plant described in the First Schedule of this local law;

Schedule means a schedule to this local law; and

treat means to take action to either—

- (a) destroy the pest plant so that the pest plant is fully and continuously suppressed and destroyed;
- (b) eradicate the pest plant from the land so that the land is kept free of the pest plant; or
- (c) control the growth of the pest plant so the pest plant does not spread.

PART 2—PEST PLANTS**2.1 Pest Plants**

Every plant described in the First Schedule of these local laws is a Pest Plant.

PART 3—NOTICES**3.1 Serving of a notice**

The local government may serve on the owner or occupier of private land within the district a duly completed notice in the form of the Second Schedule to this local law requiring the owner or occupier to treat any pest plant on that land

3.2 Obligation to comply with a notice

A person served with a notice under clause 3.1 shall comply with the notice within the time and manner specified in the notice.

3.3 Failure to comply with a notice

Where an owner or occupier fails to comply with a notice under clause 3.1 of this local law, the local government may—

- (a) without payment of any compensation in respect thereof, take the action that was required by the notice; and
- (b) recover in a court of competent jurisdiction the amount of the expense of the action from that owner or occupier.

First Schedule
PEST PLANTS

[clause 2.1]

Common Name	Scientific Name	District for which described
Watsonia	<i>Watsonia meriana</i> var <i>bulbillifera</i> <i>Watsonia merians</i> var <i>meriana</i>	The whole of the district
African Love Grass	<i>Eragrostis curvula</i> (Schrad.) Nees	The whole of the district
Caltrop	<i>Tribulus terrestris</i>	The whole of the district

Second Schedule
PEST PLANT NOTICE

[clause 3.1]

Biosecurity and Agriculture Management Act 2007

Shire of Northam Pest Plants Local Law 2019

No: _____

To _____
(full names)
of _____
(address)

You are hereby given notice under the above local law that you are required to:
(specify whether required to destroy, eradicate, or otherwise control) the following
pest plant—

on _____
(specify the land)

of which you are the _____
(owner or occupier)

This notice may be complied with by _____

Such measures shall be commenced not later than _____
(date)

and shall be completed by _____
(date)

Upon failure to comply with this notice within the times specified, the local
government may destroy, eradicate or control, as the case may be, any specified pest
plant at your expense, and if necessary recover the expense in a court of competent
jurisdiction.

Date of service of notice _____ / _____ / _____

Signature of Person Authorised by the Shire of Northam

Dated this 26th day of November 2019.

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

CHRISTOPHER ANTONIO, President.
JASON WHITEAKER, Chief Executive Officer.

LG303

WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995

Shire of Narrogin
WASTE LOCAL LAW 2019

Under the powers conferred by the *Waste Avoidance and Resource Recovery Act 2007*
and the *Local Government Act 1995* and under all other powers enabling it, the
Council of the Shire of Narrogin resolved on 27 November 2019 to make the
following local law.

PART 1—PRELIMINARY

1.1 Short title

This is the *Shire of Narrogin Waste Local Law 2019*.

1.2 Commencement

This local law commences 14 days after the day on which it is published in the
Government Gazette.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The following provisions of the *Shire of Narrogin Public Places and Local Government Property Local Law 2016* are deleted—

- (a) clause 4.7(b); and
- (b) Schedule 1 item 12.

1.5 Meanings of terms in this local law

(1) In this local law—

authorised person means a person appointed by the local government under section 9.10 of the LG Act to perform any of the functions of an authorised person under this local law;

collectable waste means local government waste that is not—

- (a) liquid refuse;
- (b) liquid waste; or
- (c) non-collectable waste;

collectable waste receptacle means a receptacle for the deposit and collection of collectable waste that is—

- (a) a recycling waste receptacle;
- (b) a general waste receptacle; or
- (c) an organic waste receptacle;

collection when used in relation to a receptacle, means the collection and removal of collectable waste from the receptacle by the local government or its contractor;

collection day means the day determined by the local government for the collection of collectable waste in the district or a part of the district;

collection time means the time on the collection day determined by the local government for the collection of collectable waste in the district or a part of the district;

costs of the local government include administrative costs;

Council means the council of the local government;

district means the district of the local government;

general waste receptacle means a receptacle for the deposit and collection of collectable waste that is not recycling waste;

LG Act means the *Local Government Act 1995*;

LG Regulations means the *Local Government (Functions and General) Regulations 1996*;

local government means the Shire of Narrogin;

local government waste has the same meaning as in the WARR Act;

non-collectable waste has the meaning set out in Schedule 1;

occupier in relation to premises, means any or all of the following—

- (a) a person by whom or on whose behalf the premises are actually occupied; or
- (b) a person having the management or control of the premises;

organic waste means waste that decomposes readily, such as garden waste or food waste;

organic waste receptacle means a receptacle for the deposit and collection of organic waste;

owner has the same meaning as in the LG Act;

public place includes a place to which the public ordinarily have access, whether or not by payment of a fee;

receptacle means a receptacle—

- (a) that has been supplied for the use of the premises by the local government or its contractor, or which has otherwise been approved by the local government; and
- (b) the waste from which is collected and removed from the premises by the local government or its contractor;

recycling waste receptacle means a receptacle for the deposit and collection of recycling waste;

recycling waste means—

- (a) paper and cardboard;
- (b) plastic containers comprised of polyethylene terephthalate or high density polyethylene;
- (c) glass containers;
- (d) steel containers;

- (e) aluminium containers;
- (f) liquid paper board; and
- (g) any other waste determined by the local government to be recycling waste;

specified means specified by the local government or an authorised person, as the case may be;

street alignment means the boundary between the land comprising a street and the land that abuts the street;

WARR Act means the *Waste Avoidance and Resource Recovery Act 2007*;

waste has the same meaning as in the WARR Act;

waste facility means a waste facility, as defined in the WARR Act, that is operated by the local government; and

waste service has the same meaning as in the WARR Act.

(2) Where, in this local law, a duty or liability is imposed on an owner or occupier, or on an owner and occupier, the duty or liability is taken to be imposed jointly and severally on each of the owners or occupiers.

1.6 Local public notice of determinations

Where, under this local law, the local government has a power to determine a matter—

- (a) local public notice, under section 1.7 of the LG Act, must be given of the matter determined;
- (b) the determination becomes effective only after local public notice has been given;
- (c) the determination remains in force for the period of one year after the date that local public notice has been given under subclause (a);
- (d) after the period referred to in subclause (c), the determination continues in force only if, and for so long as, it is the subject of local public notice, given annually, under section 1.7 of the LG Act; and
- (e) the determination must be recorded in a publicly accessible register of determinations that must be maintained by the local government.

1.7 Rates, fees and charges

The local government's powers to impose rates, fees and charges in relation to waste services are set out in sections 66 to 68 of the WARR Act and section 6.16 and 6.17 of the LG Act.

1.8 Power to provide waste services

The local government's power to provide, or enter into a contract for the provision of, waste services is dealt with in section 50 of the WARR Act.

PART 2—LOCAL GOVERNMENT WASTE

2.1 Supply of receptacles

(1) The local government is to supply, for the use of each premises that are, or are capable of being, occupied or used for residential purposes, one or more receptacles for the collection and removal, from those premises, of collectable waste.

(2) The owner of premises to which subclause (1) applies must—

- (a) ensure that the fee or charge (if any) imposed by the local government in relation to each receptacle is paid to the local government; and
- (b) ensure that each receptacle is used, in respect of those premises, in accordance with this local law.

2.2 Deposit of waste in receptacles

(1) An owner or occupier of premises must not deposit or permit to be deposited in a receptacle any non-collectable waste.

(2) A person must not deposit waste in a receptacle that has been provided for the use of other premises without the consent of the owner or occupier of those premises.

2.3 General waste receptacles

(1) An owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle—

- (a) where the receptacle has a capacity of 240 litres—more than 70 kilograms of collectable waste; or
- (b) where the receptacle has any other capacity—more than the weight determined by the local government.

(2) Where the local government supplies recycling waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any recycling waste.

(3) Where the local government supplies organic waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any organic waste.

2.4 Recycling waste receptacles

An owner or occupier of premises must not deposit or permit to be deposited in a recycling waste receptacle—

- (a) anything other than the particular type of recycling waste for which that receptacle was provided by the local government for those premises;
- (b) where the receptacle has a capacity of 240 litres—more than 70 kilograms of recycling waste; or
- (c) where the receptacle has any other capacity—more than the weight determined by the local government.

2.5 Organic waste receptacles

An owner or occupier of premises must not deposit or permit to be deposited in an organic waste receptacle—

- (a) anything other than the particular type of organic waste for which that receptacle was provided by the local government for those premises;
- (b) where the receptacle has a capacity of 240 litres—more than 70 kilograms of organic waste; or
- (c) where the receptacle has any other capacity—more than the weight determined by the local government.

2.6 Direction to place or remove a receptacle

(1) The local government or an authorised person may give a written direction to an owner or occupier of specified premises—

- (a) to place a receptacle in respect of those premises for collection; or
- (b) to remove a receptacle in respect of those premises after collection.

(2) The direction under subclause (1) may specify when the placement or removal is to occur, or where the receptacle is to be placed, or both.

(3) An owner or occupier of premises must comply with a direction given under this clause.

2.7 Duties of owner or occupier

An owner or occupier of premises must—

- (a) except for a reasonable period before and after collection time, keep each receptacle in a storage space or area that is behind the street alignment;
- (b) take reasonable steps, if placing a receptacle for collection on the verge adjoining the premises, or other area as determined by the local government, ensure that, within a reasonable period before collection time, each receptacle is—
 - (i) within 1 metre of the carriageway;
 - (ii) placed so that it does not unduly obstruct any footpath, cycle way, right-of-way or carriageway; and
 - (iii) facing squarely to the edge of and opening towards the carriageway, or in such other position as is approved in writing by the local government or an authorised person;
- (c) take reasonable steps to ensure that the premises are provided with an adequate number of receptacles; and
- (d) if the receptacle is lost, stolen, damaged or defective, notify the local government, as soon as practicable, after the event.

2.8 Exemption

(1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of clause 2.7(a) or (b).

(2) The local government or an authorised person may grant, with or without conditions, or refuse an application for exemption from compliance under this clause.

(3) An exemption granted under this clause must state—

- (a) the premises to which the exemption applies;
- (b) the period during which the exemption applies; and
- (c) any conditions imposed by the local government or the authorised person.

(4) An exemption granted under this clause ceases to apply—

- (a) if the local government decides, on reasonable grounds, that there has been a failure to comply with a condition of the exemption; and
- (b) from the date that the local government informs the owner or occupier of its decision under clause 2.8(4)(a).

2.9 Damaging or removing receptacles

A person, other than the local government or its contractor, must not—

- (a) damage, destroy or interfere with a receptacle; or
- (b) except as permitted by this local law or as authorised by the local government or an authorised person, remove a receptacle from any premises to which it was delivered by the local government or its contractor.

2.10 Verge collections

(1) Where the local government has advertised a verge waste collection (such as a green waste, or a bulk waste, verge collection) a person, unless with and in accordance with the approval of the local government or an authorised person—

- (a) must deposit waste only during the period of time, and in accordance with other terms and conditions, as advertised by the local government in relation to that verge waste collection; and
- (b) must otherwise comply with those terms and conditions.

(2) Where waste has been deposited on a verge for a verge waste collection, a person must not remove any of that waste for a commercial purpose but may remove it for any other purpose.

(3) Except where waste is lawfully removed from a verge under this clause, a person must not disassemble or tamper with any waste deposited on a verge for a verge waste collection so as to increase the risk of harm to any person.

(4) Clause 2.10(2) does not apply to the local government or a person engaged or contracted by the local government in relation to the verge waste collection.

PART 3—GENERAL DUTIES

3.1 Duties of an owner or occupier

An owner or occupier of premises must—

- (a) take reasonable steps to ensure that an adequate number of receptacles are provided to contain all waste which accumulates or may accumulate in or from the premises;
- (b) ensure that each receptacle is kept in good condition and repair;
- (c) take all reasonable steps to—
 - (i) prevent fly breeding and keep each receptacle free of flies, maggots, cockroaches, rodents and other vectors of disease;
 - (ii) prevent the emission of offensive or noxious odours from each receptacle; and
 - (iii) ensure that each receptacle does not cause a nuisance to an occupier of adjoining premises; and
- (d) whenever directed to do so by the local government or an authorised person, thoroughly clean, disinfect, deodorise and apply a residual insecticide to each receptacle.

3.2 Removal of waste from premises

(1) A person must not remove any waste from premises unless that person is—

- (a) the owner or occupier of the premises;
- (b) authorised to do so by the owner or occupier of the premises; or
- (c) authorised in writing to do so by the local government or an authorised person.

(2) A person must not remove any waste from a receptacle without the approval of—

- (a) the local government or an authorised person; or
- (b) the owner or occupier of the premises at which the receptacle is ordinarily kept.

3.3 Receptacles and containers for public use

A person must not, without the approval of the local government or an authorised person—

- (a) deposit household, commercial or other waste from any premises on or into; or
- (b) remove any waste from,

a receptacle provided for the use of the general public in a public place.

3.4 Waste control on building sites

(1) In this clause—

building waste receptacle means a receptacle—

- (a) that has been supplied for the use of the premises by a person other than the local government or its contractor; and
- (b) the waste from which is collected and removed from the premises by a person other than the local government or its contractor.

building work has the same meaning as in the *Building Act 2011* and includes demolition work;

building work waste means all waste from building work that is capable of being windblown; and

demolition work has the same meaning as in the *Building Act 2011*.

(2) A person must not allow, commence or continue any building work on premises unless, at all times while the building work is being undertaken—

(a) there is located on the premises, as close as practicable to the building work a building waste receptacle with adequate capacity, or as otherwise approved by the local government, suitable for the collection and disposal of building work waste;

(b) building work waste is deposited and kept in the building waste receptacle; and

(c) the lid of the building waste receptacle is kept closed except when waste is being deposited in the building waste receptacle.

(3) The owner or occupier of the premises shall ensure that within 2 days of completion of works on the site—

(a) the site and the thoroughfare verge immediately adjacent to it is cleared of all refuse generated or originating from the building or development site; and

(b) that all building waste receptacles are permanently removed from the site.

PART 4—OPERATION OF WASTE FACILITIES

4.1 Operation of this Part

This Part applies to a person who enters a waste facility.

4.2 Hours of operation

The local government may from time to time determine the hours of operation of a waste facility.

4.3 Signs and directions

(1) The local government or an authorised person may regulate the use of a waste facility—

(a) by means of a sign; or

(b) by giving a direction to a person within a waste facility.

(2) A person within a waste facility must comply with a sign or direction under subclause (1).

(3) The local government or an authorised person may direct a person who commits, or is reasonably suspected by the local government or the authorised person of having committed, an offence under this clause to leave the waste facility immediately.

(4) A person must comply with a direction under subclause (3).

4.4 Fees and charges

(1) Unless subclause (3) applies, a person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.

(2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.

(3) Subclause (1) does not apply—

(a) to a person who disposes of waste in accordance with the terms of—

(i) a credit arrangement with the local government; or

(ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and

(b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.

4.5 Depositing waste

(1) A person must not deposit waste at a waste facility other than—

(a) at a location determined by a sign and in accordance with the sign; and

(b) in accordance with the direction of an authorised person.

(2) The local government may determine the classification of any waste that may be deposited at a waste facility.

4.6 Prohibited activities

(1) Unless authorised by the local government, a person must not—

(a) remove any waste or any other thing from a waste facility;

- (b) deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law;
 - (c) light a fire in a waste facility;
 - (d) remove, damage or otherwise interfere with any flora in a waste facility;
 - (e) remove, injure or otherwise interfere with any fauna in a waste facility; or
 - (f) damage, deface or destroy any building, equipment, plant or property within a waste facility.
- (2) A person must not act in an abusive or threatening manner towards any person using, or engaged in the management or operation of, a waste facility.

PART 5—OBJECTIONS AND APPEALS

5.1 Objection and appeal rights

Division 1 of Part 9 of the *LG Act 1995* applies to a decision under this local law to grant, renew, vary or cancel—

- (a) an approval under clause 2.7(b);
- (b) an exemption under clause 2.8(2);
- (c) an authorisation under clause 2.9(b);
- (d) an approval under clause 2.10(1);
- (e) an authorisation under clause 3.2(1)(c);
- (f) an approval under clause 3.2(2); and
- (g) an approval under clause 3.3.

PART 6—ENFORCEMENT

6.1 Offences and general penalty

(1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law a person is prohibited from doing, commits an offence.

(2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.

6.2 Other costs and expenses

(1) A person who is convicted of an offence under this local law is to be liable, in addition to any penalty imposed under clause 6.1, to pay to the local government the costs and expenses incurred by the local government in taking remedial action such as—

- (a) removing and lawfully disposing of toxic, hazardous or poisonous waste; or
- (b) making good any damage caused to a waste facility.

(2) The costs and expenses incurred by the local government are to be recoverable, as a debt due to the local government, in a court of competent civil jurisdiction.

6.3 Prescribed offences

(1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the *LG Act*.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 2.

6.4 Form of notices

(1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the *LG Act* is that of Form 1 in Schedule 1 of the *LG Regulations*.

(2) The form of the infringement notice given under section 9.16 of the *LG Act* is that of Form 2 in Schedule 1 of the *LG Regulations*.

(3) The form of the infringement withdrawal notice given under section 9.20 of the *LG Act* is that of Form 3 in Schedule 1 of the *LG Regulations*.

Schedule 1

MEANING OF 'NON-COLLECTABLE WASTE'

(Clause 1.5(1))

non-collectable waste means—

- (a) hot or burning material;
- (b) household hazardous waste, including paint, acids, alkalis, fire extinguishers, solvents, pesticides, oils, gas cylinders, batteries, chemicals and heavy metals;

- (c) any other hazardous material, such as radioactive waste;
- (d) any explosive material, such as flares or ammunition;
- (e) electrical and electronic equipment;
- (f) hospital, medical, veterinary, laboratory or pathological substances;
- (g) construction or demolition waste;
- (h) sewage;
- (i) 'controlled waste' for the purposes of the *Environmental Protection (Controlled Waste) Regulations 2004*;
- (j) any object that is greater in length, width, or breadth than the corresponding dimension of the receptacle or that will not allow the lid of the receptacle to be tightly closed;
- (k) waste that is or is likely to become offensive or a nuisance, or give off an offensive or noxious odour, or to attract flies or cause fly breeding unless it is first wrapped in non-absorbent or impervious material or placed in a sealed impervious and leak-proof container; and
- (l) any other waste determined by the local government to be non-collectable waste.

Schedule 2

PRESCRIBED OFFENCES

(Clause 6.3)

Item No.	Clause No.	Description	Modified Penalty (\$)
1	2.1(2)(a)	Failing to pay fee or charge	200
2	2.1(2)(b)	Failing to ensure lawful use of receptacle	200
3	2.2(1)	Depositing non-collectable waste in a receptacle	200
4	2.2(2)	Depositing waste in another receptacle without consent	200
5	2.3(1)	Exceeding weight capacity of a general waste receptacle	200
6	2.3(2) and (3)	Depositing unauthorised waste in a general waste receptacle	200
7	2.4(a)	Depositing unauthorised waste in a recycling waste receptacle	200
8	2.4(b) and (c)	Exceeding weight capacity of a recycling waste receptacle	200
9	2.5(a)	Depositing unauthorised waste in an organic waste receptacle	200
10	2.5(b) and (c)	Exceeding weight capacity of an organic waste receptacle	200
11	2.6(3)	Failing to comply with a direction concerning placement or removal of a receptacle	200
12	2.7(a)	Failing to keep a receptacle in the required location	200
13	2.7(b)	Failing to place a receptacle for collection in a lawful position	200
14	2.7(c)	Failing to provide an adequate number of receptacles	200
15	2.7(d)	Failing to notify of a lost, stolen, damaged or defective receptacle	50
16	2.9(a)	Damaging, destroying or interfering with a receptacle	200
17	2.9(b)	Removing a receptacle from premises without permission or authorisation	100
18	2.10(1)	Failing to comply with a term or condition of verge waste collection	200
19	2.10(2)	Removing waste from a verge waste collection for commercial purposes	200
20	2.10(3)	Disassembling or tampering with waste deposited for collection	200

Item No.	Clause No.	Description	Modified Penalty (\$)
21	3.1(a)	Failing to provide an adequate number of receptacles	200
22	3.1(b)	Failing to keep a receptacle in a good condition and repair	200
23	3.1(c)(i)	Failing to prevent fly breeding and vectors of disease in a receptacle	200
24	3.1(c)(ii)	Failing to prevent the emission of offensive or noxious odours from a receptacle	200
25	3.1(c)(iii)	Allowing a receptacle to cause a nuisance	200
26	3.1(d)	Failing to comply with a direction to clean, disinfect or deodorise receptacle	200
27	3.2(1)	Unauthorised removal of waste from premises	200
28	3.2(2)	Removing waste from a receptacle without approval	200
29	3.3	Depositing household, commercial or other waste into, or removing waste from, a receptacle provided for the use of the general public in a public place without approval	200
30	3.4(2)(a)	Failing to have a suitable receptacle for building work waste	200
31	3.4(2)(b)	Failing to keep building work waste in a building waste receptacle	200
32	3.4(3)(a)	Failure to clear from the building or development site or verge, all refuse generated or originating on the site	200
33	3.4(3)(b)	Failure to remove building or demolition refuse receptacle within 2 days	200
34	4.3(2)	Failing to comply with a sign or direction	200
35	4.3(4)	Failing to comply with a direction to leave	200
36	4.4(1)	Disposing waste without payment of fee or charge	100
37	4.5(1)	Depositing waste contrary to sign or direction	200
38	4.6(1)(a)	Removing waste without authority in a waste facility	200
39	4.6(1)(b)	Depositing toxic, poisonous or hazardous waste at a waste facility	500
40	4.6(1)(c)	Lighting a fire in a waste facility	500
41	4.6(1)(d)	Removing or interfering with any flora in a waste facility	500
42	4.6(1)(e)	Removing or interfering with any fauna without approval in a waste facility	500
43	4.6(1)(f)	Damaging, defacing or destroying any building, equipment, plant or property within a waste facility	500
44	4.6(2)	Acting in an abusive or threatening manner	500

Dated: 27 November 2019.

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

L. N. BALLARD, President.
D. R. STEWART Chief Executive Officer.

Consented to—

MIKE ROWE, Chief Executive Officer,
Department of Water and Environmental Regulation.

Dated: 18 October 2019.

— PART 2 —

CONSERVATION

CO401

CONSERVATION AND LAND MANAGEMENT ACT 1984
JALANGURRU MANYJAWARRA BUNUBA MUWAYI YARRANGU JOINT
MANAGEMENT PLAN 2019

1. Notice is hereby given that the Hon Stephen Dawson MLC, Minister for Environment, has approved the *Jalangurru Manyjarra Bunuba Muwayi Yarrangu Joint Management Plan 2019* (the plan).
2. The plan has been prepared in accordance with Part V of the *Conservation and Land Management Act 1984*. The plan applies to several national parks and conservation parks in the West Kimberley including Windjana Gorge National Park, Tunnel Creek National Park, Geikie Gorge National Park, Devonian Reef Conservation Park, Brooking Gorge Conservation Park, Geikie Gorge Conservation Park, part of the King Leopold Ranges Conservation Park and the proposed Windjana Gorge Conservation Park. These are reserved for the purpose of 'national park' or 'conservation park' respectively and will be jointly held and jointly managed with Bunuba Dawangarri Aboriginal Corporation.
3. No modifications were made to the plan under section 60(2) of the *Conservation and Land Management Act 1984*.
4. The plan can be viewed and downloaded from the Department of Biodiversity, Conservation and Attractions website at <https://www.dbca.wa.gov.au>
5. The plan comes into operation with this *Government Gazette* notice.

Professor CHRIS DOEPEL, Chair,
Conservation and Parks Commission.

MARK WEBB, Director General,
Department of Biodiversity, Conservation and Attractions.

KEVIN OSCAR, Chair,
Bunuba Dawangarri Aboriginal Corporation.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954
TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 28 November 2019 for the local government districts of—

Carnarvon, Shark Bay

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

27 November 2019.

FE402**BUSH FIRES ACT 1954**
TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 29 November 2019 for the local government districts of—

Carnarvon, Shark Bay

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

28 November 2019.

FISHERIES**FI401****FISH RESOURCES MANAGEMENT ACT 1994****APPROVED AUTOMATIC LOCATION COMMUNICATORS 2019**

I, Bruno Mezzatesta, Executive Director Operations and Compliance, Department of Primary Industries and Regional Development, pursuant to regulation 55AA(1) of the *Fish Resources Management Regulations 1995*, approve the automatic location communicators (ALCs) listed in column 1 of the Schedule to this Notice, subject to an ALC being used in conjunction with the software specified directly opposite that ALC in column 2 of the Schedule to this Notice.

The Notice of Approved Automatic Location Communicators 2019 published in the *Gazette* on 8 April 2019 is revoked.

Schedule

Approved ALCs Make and Model of ALC	Software version(s)
CLS Triton Advanced	<ul style="list-style-type: none"> • CLS Triton Advanced Dome—V.1.0.9.53 • CLS Triton Advanced Junction Box—V.1.02.50 • CLS Marlin Pro V.2.5 or above
Cobham Satcom (formerly “Thrane & Thrane”) 6140 (may also be branded as “Sailor”)	<ul style="list-style-type: none"> • Cobham Satcom 3027D Mini-C Non-SOLAS—V1.03, V1.06, V1.07 or V1.08 • Cobham Satcom 6194—V1.03, V1.05 or V1.06 • EasyMail V2.02
Cobham Satcom (formerly “Thrane & Thrane”) 6150 (may also be branded as “Sailor”)	<ul style="list-style-type: none"> • Cobham Satcom 3027D Mini-C Non-SOLAS—V1.03, V1.06, V1.07 or V1.08 • Cobham Satcom 6194—V1.03, V1.05 or V1.06 • EasyMail V2.02
Cobham Satcom (formerly “Thrane & Thrane”) 3026S or 3026D mini-C (may also be branded as “Sailor”)	<ul style="list-style-type: none"> • 2.22 • 2.26 • Easymail V1.13 • Easymail V1.15
Thrane & Thrane Capsat transceiver model TT-3022D (where installed in accordance with approved directions and fully operational on or before 20 January 2007)	<ul style="list-style-type: none"> • 3.11 • 3.22 • 3.28 non-SOLAS Fishery DistFn-1 • Easymail V1.07 or later with firmware version V3.32

BRUNO MEZZATESTA, Executive Director Operations and Compliance.

Dated: 19 November 2019.

GOVERNMENT EMPLOYEES SUPERANNUATION BOARD

GZ401

STATE SUPERANNUATION ACT 2000

ELECTED PERSONS

Government Employees Superannuation Board,
David Malcolm Justice Centre,
28 Barrack Street,
Perth WA 6000.

In accordance with Regulation 238 of the *State Superannuation Act 2000* (Board Elections) notice is hereby given that the following person has been re-elected as a director of the Government Employees Superannuation Board, for a three year term as indicated below—

Name	Term
Anne Gisborne	8 February 2020 to 3 February 2023.

BEN PALMER, Chief Executive Officer.

INDUSTRY REGULATION

IS401

OCCUPATIONAL SAFETY AND HEALTH ACT 1984

OCCUPATIONAL SAFETY AND HEALTH (CODE OF PRACTICE) NOTICE (NO. 3) 2019

Published under section 57(4) of the *Occupational Safety and Health Act 1984*.

1. Citation

This notice may be cited as the *Occupational Safety and Health (Code of Practice) Notice (No. 3) 2019*.

2. Approval of code of practice

Notice is hereby given that I, the undersigned Minister for Industrial Relations, being the Minister charged with administration of the *Occupational Safety and Health Act 1984*, acting in exercise of the power conferred upon me by section 57(1) and 57(3) of the said Act, do hereby—

- i. revoke the approval of the Code of Practice: Fatigue Management for Commercial Vehicle Drivers 2004 (published in the *Government Gazette* No. 170 on 24 September 2004; and
- ii. approve the Code of Practice: Fatigue Management for Commercial Vehicle Drivers, 2019.

3. Commencement

This approval comes into force from the date of publication in the *Western Australian Government Gazette*.

Note: A copy of the code of practice referred to in this notice is available on the Department of Mines, Industry Regulation and Safety website www.dmirs.wa.gov.au. The code of practice can also be made available in alternative formats upon request.

Hon BILL JOHNSTON MLA, Minister for Industrial Relations.

JUSTICE

JU401

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

Pursuant to the provisions of section 51(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has issued the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Permit Expiry Date
Virga	Kate	BRS-170221-2	24/03/2022
Horneman	Simon Ross	BRS-190048	24/03/2022
Imlach	Darren	BRS-190050	24/03/2022
Moore	Rex Alan	BRS-190049	24/03/2022
(no surname)	Sukhdeep Singh	BRS-190051	24/03/2022

Pursuant to the provisions of section 56(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Berger	Saif Al-Din	BRS-170120-1	18/11/2019
Clark	Bradley Scott	BRS-170266-1	18/11/2019
Vance	Jemma Elizabeth	BRS-170437-1	18/11/2019
Cox	Gemma Sofia	BRS-170012-1	11/11/2019
Jaidka	Amandeep Singh	BRS-180100	20/11/2019

Pursuant to the provisions of section 56(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has suspended the following Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Suspended
Swancott	Russell William	BRS-170206-1	20/11/2019
McCarthy	Lyall Doreen	BRS-190014	25/11/2019

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

SUE HOLT, Assistant Director, Prisoner Transport and Custodial Services Contract Management.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Albany

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 10 October 2019 determine that the method of valuation to be used by the City of Albany, 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 165 to 170 inclusive as shown on Deposited Plan 417287

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

LG402

BUSH FIRES ACT 1954

Shire of Bruce Rock

APPOINTMENTS

It is hereby notified for public information that as of 28 November 2019 the following persons are appointed as Shire of Bruce Rock Bush Fire Control Officers under the *Bush Fires Act 1954*, Part IV Division 1 Section 38. They are authorised to impose a ban on harvesting and movement of machinery in paddocks and issue infringements—

Bush Fire Officers—

Ian Dolton—Chief Bush Fire Control Office
Anthony Crooks—Deputy Chief Bush Fire Control Officer
Matthew Sharpe—Shire of Bruce Rock Ranger
Kylie Spark—Shire of Bruce Rock Ranger

Fire Weather Officers—

Darren Mollenoyux—CEO, Shire of Bruce Rock
 Alan O'Toole—Deputy CEO, Shire of Bruce Rock
 Jennifer Bow—Manager of Finance, Shire of Bruce Rock
 Glenn Casley—Manager of Works, Shire of Bruce Rock
 Mike Darby—Senior Finance Officer, Shire of Bruce Rock

All previous appointments are cancelled.

DARREN MOLLENOYUX, Chief Executive Officer.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED DISTRICT PLANNING SCHEME AMENDMENT
City of Wanneroo
 District Planning Scheme No. 2—Amendment No. 165

Ref: TPS/2414

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 Wanneroo District Planning Scheme amendment on 13 November 2019 for the purpose of—

1. Deleting the existing text from Clause 3.5.1 and Clause 3.5.3 and replacing it with the following—
 - 3.5.1 The objectives of the Mixed Use Zone are—
 - (a) To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.
 - (b) To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.
2. Amending Table 1 (Clause 3.2—The Zoning Table) by modifying the permissibility of the following land uses from not permitted ('X') to discretionary ('D') in the Mixed Use Zone—
 - i. Amusement Facility/Parlour
 - ii. Dry-Cleaning Premises
 - iii. Laundromat
 - iv. Shop
 - v. Showroom
 - vi. Telecommunications Infrastructure
 - vii. Take-Away Food Outlet

T. ROBERTS, Mayor.
 D. SIMMS, Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
 DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Sheila Anne Fuller, late of 23 Robann Way, Morley 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 29 October 2017, are required by the personal representative, Linda Crumlin to send particulars of their claims to the personal representative care of MDS Legal of 2nd Floor, 16 Irwin Street, Perth, Western Australia, within one (1) month of the date of publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claims of which she has notice and the personal representative will not be liable to any person of whose claim she has had no notice at the time of distribution.

Dated: 22 November 2019.

MDS LEGAL, for the personal representative.

ZX402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Patricia Heather Quinlivan late of Rosewood Care Leederville, 5 Britannia Road, Leederville, 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 25 June 2019, are required by the Executors of estate, Michael James Quinlivan and Carolyn Mary McCleery care of Bennett + Co, PO Box 5745, St Georges Terrace, Perth, Western Australia 6831 to send particulars of their claims to the Executors within one (1) month from the date of publication of this notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they have notice.

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

Notice to Creditors and Claimants

Yit-May Ho, late of Peter Arney Home, 1 Gentilli Way, Salter Point, Western Australia, Home Duties, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 20 September 2019, are required by Birman & Ride of Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claim to them by the date one month from the date of publication of this notice, after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

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

Notice to Creditors and Claimants

Donna Marie Martin, late of 110 Mississippi Drive, Greenfields, Western Australia, Child Care Worker, died on 15 December 2017.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovenamed deceased are required by Jeremy Thomas London, who has been granted Letters of Administration Ad Colligenda Bona Defuncti over the deceased's estate, to send particulars of their claim to his representatives at Robertson Hayles Lawyers Pty Ltd of PO Box Z5403, Perth WA 6831 within one (1) month of the date of publication hereof, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated: 28 November 2019.

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

Notice to Creditors and Claimants

William Frederick Stickland, late of Brockway Road, Mount Claremont in the State of Western Australia and formerly of Unit 60, 99 Alexander Drive, Dianella in the said State, died on 23 June 2019.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the abovementioned deceased person are required by the Executor to send particulars of their claims to the Executor care of Mayberry, Hammond & Co, 85 Fitzgerald Street, Northam, Western Australia within one (1) calendar month from the date of publication of this Notice, at the expiration of which time the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

Dated: 27 November 2019.

MAYBERRY HAMMOND & CO,
85 Fitzgerald Street, Northam WA 6401,
Solicitor's for the Executor.