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— PART 1 —

JUSTICE

JU301

Criminal Procedure Act 2004

Criminal Procedure Amendment Rules 2020

SL 2020/53

Made by the judges of the Supreme Court.

1. Citation

These rules are the Criminal Procedure Amendment Rules 2020.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules on the day after that day.

3. Rules amended

These rules amend the Criminal Procedure Rules 2005.

4. Part 7A inserted

After rule 30 insert:

Part 7A — Application and notice for *Bail*Act 1982 s. 54

30A. Forms for purposes of Bail Act 1982 s. 54

- (1) An application for a summons or warrant under the *Bail Act 1982* section 54(2)(b) must be made by lodging a Form 6A.
- (2) If a police officer arrests an accused without warrant under the *Bail Act 1982* section 54(2)(a) for the purposes of causing the accused to appear before an appropriate judicial officer under section 54(1) of that Act, the police officer must lodge a notice in the form of Form 6B.

- (3) An application referred to in subrule (1) or notice referred to in subrule (2) must be supported by an affidavit unless the court orders otherwise.
- (4) Despite rule 23(2), an application referred to in subrule (1) is not required to be served.

5. Schedule 1 Forms 6A and 6B inserted

After Schedule 1 Form 6 insert:

6A. Application under *Bail Act 1982* s. 54(2)(b) (r. 30A(1))

Criminal Pro Criminal Pro				for summons or warrant ail Act 1982 s. 54(2)(b)
Supreme Co	urt/District C	Court		
At:	Number:			
Case		[Names of al	l parties]	
Applicant	Name			
	Address			
	Telephone No.			
Application details				mentioned above to appear ficer as provided in s. 54(1) (b) for a warrant for the mentioned above to appear
	accused requirer breach of underta not	nent of bail u	ppear in coundertaking (<i>I</i>) the of the following the following the second seco	rt in compliance with Bail Act 1982 s. 54(1)(a)(i)) owing condition(s) of bail 1)(a)(ii)): report to a Community Corrections Officer
	□ not spe spe per app □ not wit	to go within ecified distance cified place or son (not to broach or enter to make control a particular	a	obey direction of a Community Corrections Officer comply with curfew
	□ atte	eson and drug and ohol testing		report to Police
	□ atte	end drug and ohol counsell	ing	reside at a particular address
	□ uno	dertake a men alth assessmer	tal 🗖	surrender passport

			undertake a physical health examination		not to consume specified/ illicit/prohibited substance(s)
			attend/reside at a		other:
			specialist treatment		
		_	centre		
			attend other		
			counselling/		
			programmes as specified		
	П	bı	reach of home detention of	conditi	ion (Bail Act 1982
			54(1)(a)(iii))	Jonan	1011 (2000 1101 1902
			rety no longer suitable of	r dead	(Bail Act 1982
			54(1)(b)(i))		
		ot	ther (specify):		
Description					
of grounds					
a: a					Tp .
Signature of					Date
applicant or					
lawyer					
		App	olicant / Applicant's lawy	er	

6B. Notice that accused arrested without warrant under *Bail Act 1982* s. 54(2)(a) (r. 30A(2))

Criminal Procedure Act 2004 Criminal Procedure Rules 2005		s 2005 ws.		ccused arrested without er the <i>Bail Act 1982</i>
_	ourt/District C	Court		
At:	Number:			
Case		[Names of all	parties]	
Police	Name			
officer	Address			
lodging notice	Telephone No.			
			e purposes of te judicial of	
	accuse requires. 54() breach undert	ement of bail u l)(a)(i))	uppear in coundertaking (ch of the foliot 1982 s. 546	art in compliance with (Bail Act 1982) lowing condition(s) of bail

		specified distance of a specified place or person (not to approach or enter)		obey direction of a Community Corrections Officer
	_	with a particular person	J	comply with curiew
				report to Police
		_		reside at a particular address
				surrender passport
		undertake a physical health		not to consume specified / illicit / prohibited
		examination attend / reside at a specialist treatment		substance(s) other:
		centre		
		counselling / programmes as specified		
		reach of home detention	condi	tion (Bail Act 1982
	□ su	54(1)(a)(iii)) arety no longer suitable of	r dead	d (<i>Bail Act 198</i> 2
		54(1)(b)(i)) ther (specify):		
D : :				
Description of grounds				
Signature of				Date
police officer or lawyer		Police officer/ Lawyer		

Dated 30 April, 2020.

The Hon. Chief Justice PETER QUINLAN, Chief Justice of Western Australia, Supreme Court of Western Australia.

LOCAL GOVERNMENT

LG301

Local Government Act 1995

Local Government (Functions and General) Amendment Regulations 2020

SL 2020/55

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Functions and General) Amendment Regulations 2020.*

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 *Local Government (Functions and General) Regulations 1996*.

4. Regulation 11A amended

In regulation 11A(1) delete "\$150 000" (each occurrence) and insert:

\$250 000

5. Regulation 11 amended

Delete regulation 11(2)(h)(i)(II) and insert:

(II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;

R. NEILSON, Clerk of the Executive Council.

— PART 2 —

HEALTH

HE401

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994

HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE) ORDER (No. 3) 2020

Made by the Director General, Department of Health, Western Australia (as the delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the Health Services (Quality Improvement) (Approved Committee) Order (No. 3) 2020.

Commencement

2. This order comes into operation on the day on which it is published in the Government Gazette.

Committee

3. The Clinical Quality and Safety Committee established by Bethesda Board of Directors is declared to be an approved quality improvement committee for the purposes of the *Health Services* (Quality Improvement) Act 1994.

Expiry of order

4. This order expires three years after its commencement. Dated this 30th day of April, 2020.

Dr D. J. RUSSELL-WEISZ, Director General, Department of Health, Western Australia.

JUSTICE

JU401

CHARITABLE TRUSTS ACT 1962

SCHEME FOR VARIATION OF TRUST

The Indenture, dated 4 June 1909, in respect of the Bruce Trust Land, is varied by adding, immediately after clause 8, a new clause 9 as follows—

- '9. Notwithstanding anything in this Indenture, the Road Board may do whatever is necessary or appropriate to enable—
 - (a) part of the said Lot 792 (but not exceeding twenty feet in width) to be used as a road, aligned as nearly as practicable to the existing road known as The Esplanade;
 - (b) the application of the City of Nedlands Parking and Parking Facilities Local Law 2013 (as amended or replaced from time to time) to the road known as The Esplanade, including any part of the road that is on the said Lot 792,

subject to the following conditions—

- (i) the charging of fees to allow for parking on any part of the road that is on the said Lot 792 is not permitted; and
- (ii) the Road Board may maintain, but not increase, the bituminised surface and associated road infrastructure constructed on the said Lot 792, as existing at 31st May 2019.'

Hon. JOHN QUIGLEY, MLA, Attorney General.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Kalamunda

Appointment

It is hereby notified for public information that the following person is appointed as an Authorised Person for the City of Kalamunda, to administer the provisions of the following Acts, Regulations and Local Laws—

Local Government Act 1995 and Regulations;

Local Government (Miscellaneous Provisions) Act 1960;

Bush Fires Act 1954 and Regulations;

City of Kalamunda Local Laws and Regulations;

Emergency Management Act 2005.

• Grant Howatson

Such appointments are to remain valid until revoked, or until the person appointed is no longer employed by the City of Kalamunda.

R. HARDY, Chief Executive Officer.

LG402

BUSH FIRES ACT 1954

 $Shire\ of\ Cranbrook$

APPOINTMENT

In accordance with the Bush Fires Act 1954 the Shire of Cranbrook has appointed the following officers to the respective positions for 2020/2021 Fire Season.

Chief Bush Fire Control Officer

1st Deputy Chief Bush Fire Control Officer

2nd Deputy Chief Bush Fire Control Officer

Base Radio Operator

Volunteer Bushfire Training Officer

D Packard
P Ettridge
G Marshall
D Preston
M Walsh

Fire Control Officer's-

Nunijup

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

G Marshall J Treeby S Morgan I Lawrence

Woolonga J Smith

N Preston C Ford A Warham 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

Shire of Cranbrook P Northover

 ${\bf K}$ Bransby

MINERALS AND PETROLEUM

MP402

MINING ACT 1978

INSTRUMENT OF EXEMPTION OF LAND

I, Richard John Rogerson, Executive Director, Resource Tenure, pursuant to Section 19 of the *Mining Act 1978*, hereby declare the land described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Locality

Blue Hills-Mungada

Description of Land

Land designated S19/396 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 A0785/201801, document ID 7351852.

Area of Land

35.9864 hectares

Dated at Perth this 4th day of May, 2020.

RICHARD JOHN ROGERSON, Executive Director, Resource Tenure.

MP401

DANGEROUS GOODS SAFETY ACT 2004

EXEMPTION NOTICE NO. 72

Background to this exemption

- o The COVID-19 pandemic has the potential to significantly impact the ability of the Vocational Education and Training system to provide the required competency training as a result of the restrictions imposed by the special emergency orders imposed under the *Public Health Act 2016* in relation to social distancing.
- o This exemption is intended to provide temporary relief from the requirement to provide documented competency evidence from training providers while the COVID-19 pandemic is being managed.

Exemption made by the Chief Dangerous Goods Officer

For those persons currently in possession of a dangerous goods driver's licence and which that licence is due to expire on or before 30 September 2020, pursuant to section 22 of the *Dangerous Goods Safety Act 2004*, I hereby grant an exemption to such licence holders from the requirement to provide the competency evidence stipulated in Regulation 223 (2)(b) of the *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007* for renewal of the licence.

- Note 1: Holders of a dangerous goods driver licence will not be able to avail themselves of this exemption after 30 September 2020.
- Note 2: Holders of a dangerous goods driver licence are free not to make use of this exemption and to renew their licence in the usual way by submitting their training certificate. In such cases, the conditions forming part of this exemption do not apply.
- Note 3: The term "competency evidence" is defined by Regulation 220 and includes a valid training certificate or similar document.
- Note 4: Holders of a dangerous goods driver licence can only renew their licence within three months of expiry.

The exemption is subject to the following conditions

Any dangerous goods driver licence that is renewed using this exemption will require the submission of competency evidence that meets Regulation 220 within 12 months from the date of renewal.

Note: Drivers who renew their licence under this exemption on or before 30 September 2020 will have a full 12 months from the date of renewal to submit their training certificate.

Period of exemption

This exemption is in force from the date of publication in the *Government Gazette* until 1 October 2021, unless amended or cancelled pursuant to Section 22(4) of the Act.

STEVE EMERY, Acting Director Dangerous Goods and Petroleum Safety and Chief Dangerous Goods Officer.

Dated 1 May 2020.

MP403

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Meekatharra WA 6642.

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.

R. HUSTON, Warden.

To be heard by the Warden at Meekatharra on 17 June 2020.

MURCHISON MINERAL FIELD

Prospecting Licences

P 51/3010 Curley, Graeme Curley, Tom

MP404

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Coolgardie WA 6429.

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.

B. AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 June 2020.

COOLGARDIE MINERAL FIELD

Prospecting Licences

P 15/5718	Scorpion Mining Pty Ltd
P 16/2954	Wright, William Richard
P 16/2971	Lennard, Nadine Ann
P 16/2972	Lennard, Nadine Ann

MP405

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Coolgardie WA 6429.

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.

B. AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 June 2020.

COOLGARDIE MINERAL FIELD

Prospecting Licences

P 16/2971 Lennard, Nadine Ann P 16/2972 Lennard, Nadine Ann

MP406

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Kalgoorlie WA 6430.

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.

B. AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 June 2020.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/5112 Campbell, Roger David P 24/5228 Western Mining Pty Ltd

EAST COOLGARDIE MINERAL FIELD

Prospecting Licences

P 26/4346 Borromei, Rino

MP408

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum Norseman WA 6443.

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.

B. AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 June 2020.

DUNDAS MINERAL FIELD

Prospecting Licences

P 63/1999	Carthew, Glen Holman Carthew, Michael John
P 63/2000	Daybreak Resources Pty Ltd
P 63/2020	McEwan, Edward Alexander

MP407

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Kalgoorlie WA 6430.

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.

B. AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 June 2020.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/5201 Morrison, Simon Mark

MP409

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Norseman WA 6443.

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.

B. AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 June 2020.

DUNDAS MINERAL FIELD

Prospecting Licences

P 63/2038 Y. Z. Holdings Pty Ltd P 63/2039 Y. Z. Holdings Pty Ltd

MP410

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety Marble Bar WA 6760.

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.

M. RIDLEY, Warden.

To be heard by the Warden at Marble Bar on 14 August 2020.

PILBARA MINERAL FIELD

Prospecting Licences

P 45/3033	Taylor, David John
P 45/3071	Lightbody, Christopher Anderson, Therese
P 45/3072	Lightbody, Christopher Anderson, Therese
P 46/1618	Kayes, Barry Neil

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT Shire of Augusta-Margaret River Local Planning Scheme No. 1—Amendment No. 49

Ref: TPS/1974

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the Shire of Augusta-Margaret River Local Planning Scheme amendment on 23 April 2020 for the purpose of—

- 1. Rezoning Lot 21 Caves Road, Hamelin Bay from the General Agriculture Leeuwin Naturaliste Ridge Conservation and Leeuwin Naturaliste Ridge Landscape Amenity Zones to National Parks and Natural Reserves and Rural Residential Zone, and amending the scheme maps accordingly;
- 2. Amending the scheme map by including portion of Lot 21 in Rural Residential Area designated RR36 as depicted on the scheme amendment map; and
- 3. Modifying 'Schedule 7—Special provisions relating to land zoned Rural Residential' by

Area No. (SPA)	Site Description	Specific Conditions and Requirements
	Site Description Lot 21 Caves Road, Hamelin Bay	1. Subdivision will be generally in accordance with the adopted Structure Plan and associated provisions for the land. 2. Notwithstanding the Zoning Table, the following use classes are not permitted on Lots 1-14 in the Structure Plan (the northwestern portion of the Rural Residential area)— Home Business Guest House Convenience Store Industry—Cottage Agriculture—extensive Dam 3. As a variation to Clause 4.22.2(c), clearing of land outside the building envelope is permitted to the extent necessary to comply with the approved Bushfire Management Plan forming part of the adopted Structure Plan. Consistent with this, clearing of land is prohibited in the following areas shown on the adopted Structure Plan, except for the purposes of constructing and maintaining boundary fencing— Proposed Conservation Area Managed Bushland Vegetation to be Retained Screening Vegetation All dwellings and outbuildings are to be confirmed to the identified building envelopes. Any dwelling located on Lots 1-3, 11-12 and 18-20, as outlined on the Structure Plan Map is to be constructed to a minimum BAL-29 rating, in accordance with the requirements of the Bushfire Management Plan.
		6. At the development stage, building setbacks are to comply with the BAL contour map forming part of the Bushfire Management Plan (refer Figure 20. BAL Contour Map) 7. All applications for residential development are to be supported by information confirming their consistency with the approved landscape assessment including having particular regard to the maximum height of building pads.
		8. A consistent type and standard of boundary fencing is required for all lots in accordance with Clause 4.22.7(a). In addition to boundary fencing, any fencing of building envelopes shall be visually permeable, unobtrusive and sensitive to the objective of maintaining the rural character and visual amenity of land within the Zone. Solid fencing such as corrugated fibro cement and iron is prohibited.
		9. The areas identified as Managed Bushland in the adopted Structure Plan are to be fenced with a suitable standard of rural fencing to protect vegetation and landscape values as a condition of subdivision approval.

Area No. (SPA)	Site Description	Specific Conditions and Requirements		
		10. No direct access to Caves Road will be permitted from proposed lots adjoining Caves Road.		
		11. At the time of subdivision and development, the following approved management plans consistent with the adopted Structure Plan will be required to be implemented—		
		- Urban Water Management Plan		
		- Bushfire Management Plan		
		- Landscape Management Plan		
		12. The land identified as proposed 'Natural Parks and Nature Reserves' is to be ceded to the Crown free of cost at the first stage of subdivision.		

Cr I. EARL, Shire President. G. EVERSHED, Chief Executive Officer.

PL402

HOPE VALLEY WATTLEUP REDEVELOPMENT ACT 2000

AMENDMENT NO. 18 TO THE HOPE VALLEY-WATTLEUP REDEVELOPMENT PROJECT MASTER PLAN

The Minister has granted approval under Section 15 the *Hope Valley Wattleup Redevelopment Act 2000* for Amendment No. 18 to the Hope Valley-Wattleup Redevelopment Project Master Plan.

The amendment incorporates changes that include modifying the existing precinct boundaries, consolidating development areas and development contribution areas and modifying existing land use permissibility under Table 1.

A copy of the Hope Valley-Wattleup Redevelopment Project Master Plan (as amended) is available for inspection at the offices of the Western Australian Land Authority (DevelopmentWA) or the Authority's website www.latitude32planning.com.au.

For and on behalf of the Authority,

FRANK MARRA.

PL403

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of South Perth

Local Planning Scheme No. 6—Amendment No. 60

Ref: TPS/2396

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 South Perth Local Planning Scheme amendment on 23 April 2020 for the purpose of—

- 1. Recoding the following properties as follows
 - a. Lot 24 (No. 1), Lot 23 (No. 3), Lot 22 (No. 5) and Lot 21 (No. 7) McKay Street, Waterford; Lot 25 (No. 2), Lot 26 (No. 4), Lot 27 (No. 6) and Lot 28 (No. 8) Garvey Street, Waterford; and Lot 20 (No. 1), Lot 19 (No. 3), Lot 18 (No. 5), and Lot 29 (No. 7) Keaney Place, Waterford from R20 to R100.
 - b. Amending the Zoning Map for Precinct 14—Waterford accordingly.
- 2. Modifying the 'Building Height Limit' of the following properties as follows
 - a. Lot 24 (No. 1), Lot 23 (No. 3), Lot 22 (No. 5) and Lot 21 (No. 7) McKay Street, Waterford; Lot 25 (No. 2), Lot 26 (No. 4), Lot 27 (No. 6) and Lot 28 (No. 8) Garvey Street, Waterford; and Lot 20 (No. 1), Lot 19 (No. 3), Lot 18 (No. 5), and Lot 29 (No. 7) Keaney Place, Waterford from 7.0 metres to 17.5 metres.
 - b. Amending the Building Height Limit Scheme Map for Precinct 14—Waterford accordingly.
- 3. Introduce a new sub-clause 5.4(14) as follows—
 - (a) In this sub-clause, 'Site P' means Lot 24 (No. 1), Lot 23 (No. 3), Lot 22 (No. 5) and Lot 21 (No. 7) McKay Street, Waterford; Lot 25 (No. 2), Lot 26 (No. 4), Lot 27 (No. 6) and Lot 28 (No. 8) Garvey Street, Waterford; and Lot 20 (No. 1), Lot 19 (No. 3), Lot 18 (No. 5), and Lot 29 (No. 7) Keaney Place, Waterford.
 - (b) The plot ratio requirements of the R-Codes do not apply to developments on 'Site P'.

- (c) Notwithstanding Table 1 of the Scheme, 'Grouped Dwelling' shall be an 'X' (Prohibited Use) on 'Site P'.
- (d) The minimum setback to all street boundaries for developments on 'Site P' shall be 6 metres.
- (e) The requirements of (d) above may be varied where the objectives of element 2.3—Street Setbacks of State Planning Policy 7.3 Residential Design Codes Volume 2—Apartments are met to the satisfaction of the local government.
- (f) The setback to all side and rear boundaries, and distances between buildings on the same site shall be as per Element 2.4—Side and Rear Setbacks and Element 2.7—Building Separation, of State Planning Policy 7.3 Residential Design Codes Volume 2—Apartments.
- (g) Building elevations shall not exceed a wall length of 40 metres without modulation in the form of a setback or projection with a depth of at least 3 metres and a length of at least 6 metres.
- (h) Notwithstanding the requirements of (g) above, all building elevations shall incorporate additional modulation to break up the massing of the building, including but not limited to, balconies, bay windows, feature windows, frames, shade-structures, and other architectural details.
- (i) Changes in level between private terraces, front gardens and the ground floor level of the building and the street level average less than 1 metre and do not exceed 1.2 metres.
- (j) The local government, in respect of 'Site P', may grant development approval permitting a development with a maximum building height of 24.5 metres (7 storeys), if it is satisfied that all of the following requirements are met—
 - (i) The development site has a minimum site area of 3,000 square metres.
 - (ii) The minimum side and rear boundary setback for all buildings shall be 6 metres. For those portions of the development above 17.5 metres (5 storeys), the minimum side and rear boundary setback shall be as per Element 2.7—Building Separation of State Planning Policy 7.3 Residential Design Codes Volume 2— Apartments.
 - (iii) Portions of building above 17.5 metres (5 storeys) shall be contained beneath an angled plane extending from a height of 1.6 metres above ground level at the street boundary of any residential property directly opposite 'Site P', through a point 17.5 metres above ground level at a setback of 6.0 metres from the street boundary of 'Site P'.
 - (iv) The ground floor gross floorplate area of all buildings on the site shall not exceed 60% of the site area.
 - (v) Communal open space, usable for passive recreation by occupants, shall be provided at ground level to a minimum area equivalent to 25% of the site area.
- (k) On 'Site P' only, the local government may grant approval to a 'Student Accommodation Facility' as defined in clause (m) below, having regard to the following—
 - (i) The objectives and provisions of any local planning policy adopted by the local government for the purpose of providing guidance for development on 'Site P'.
 - (ii) The design of the development including advice of the relevant nominated Design Review Panel, or other suitably qualified consultant(s) appointed by the local government for the purposes of providing advice on architectural design.
 - (iii) The use generates a level of activity that provides an appropriate transition between the adjacent Bentley/Curtin Specialised Activity Centre and surrounding residential neighbourhood.
 - (iv) The use(s) proposed are complementary in scale and intensity to the range of accommodation facilities, commercial activities and community services envisioned within the adjacent Bentley/Curtin Specialised Activity Centre; and,
 - (v) Any matters listed in Clause 67 of the Deemed Provisions.
- (l) In addition to clauses 5.4(14)(j) and 5.4(14)(k), any 'Student Accommodation Facility' on 'Site P' shall meet the following criteria—
 - (i) The development shall have due regard to the Element Objectives and Design Guidance for all Elements of State Planning Policy 7.3 Volume 2—Apartments.
 - (ii) Developments shall provide a variety of unit typologies. Units may comprise various levels of shared facilities including—
 - (A) Self-contained units with all amenities except laundry facilities
 - (B) Units with en-suite bathrooms and shared laundry and kitchen facilities; or,
 - (C) Hostel type facilities where rooms are for sleeping, studying and storage only and shared laundry, kitchen and bathroom facilities are provided.
 - (iii) Self-contained units shall be no smaller than 14 square metres.
 - (iv) Developments shall incorporate communal facilities and amenities for residents such as, but not limited to, sporting facilities, entertainment and recreation facilities, laundry facilities and other essential amenities.

- (v) Resident, staff and visitor parking is provided in accordance with a Parking Needs Study, which is to be prepared in a conjunction with a Development Application, to the satisfaction of the local government.
- (vi) Other non-residential land uses other than 'Student Accommodation Facility' are permitted on the ground floor of comprehensive new developments. The combined total area of these other non-residential land uses shall be no greater than 500 square metres in Gross Floor Area.
- (vii) Notwithstanding the land use controls set out in Table 1, 'Indoor Sporting Activities' may be considered as a 'DC' use within 'Site P', subject to subparagraph (vi) above.
- (viii) A Waste Management Plan is to be prepared in conjunction with a Development Application, to the satisfaction of the local government.
- (m) For the purposes of 'Site P' only, 'Student Accommodation Facility' is defined as—
 - A purpose-built facility whose predominant purpose is to accommodate
 - o Students while studying at a tertiary education facility; and
 - o Staff of a tertiary education facility or visiting staff to a tertiary education facility;
 - That is designed and managed to facilitate the predominant purpose;
 - That typically provides students with a principle place of residence for 3 months or more; and
 - That may have shared facilities, such as a communal living room, kitchen and amenities.
- 4. Amending Table 1 by
 - a. Replacing the 'P' with 'P2' for the Grouped Dwelling use in the Residential zone; and
 - b. Inserting the following footnote—
 - "(2) Grouped Dwelling is not permitted (X) within 'Site P' (refer to Clause 5.4(14))

S. DOHERTY, Mayor. G. GLASS, Chief Executive Officer.

PL404

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Wanneroo

Local Planning Scheme No. 2—Amendment No. 170

Ref: TPS/2439

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 Local Planning Scheme amendment on 23 April 2020 for the purpose of—

(a) Introducing an 'Additional Use' of 'Storage Yard' over Lot 31 (No. 90) Rousset Road, Jandabup into Schedule 2—Section 1 (Clause 3.20)—Additional Uses, as follows—

N	No Street/Locality		Particulars of Land	Additional Use and Conditions (Where Applicable)
A40	1-40	90 Rousset Road, Jandabup	Lot 31	Storage Yard Conditions— To expire within 3 years of the date the subject land is gazetted 'Urban' under the Metropolitan Region Scheme.

(b) Amending the Scheme Map accordingly.

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

PREMIER AND CABINET

PR401

RESIGNATION OF CLERK OF THE EXECUTIVE COUNCIL

It is hereby notified for public information that the Governor, in Executive Council, has accepted the resignation of Mr Darren Foster as Clerk of the Executive Council.

R. NEILSON, Clerk of the Executive Council.

PR402

APPOINTMENT OF CLERK OF THE EXECUTIVE COUNCIL

It is notified for public information that the Governor, in Executive Council, has appointed Ms Rebecca Ann Brown as Clerk of the Executive Council with effect on and from 5 May 2020.

R. NEILSON, Clerk of the Executive Council.

PR403

COMMISSION

appointing a Royal Commission to inquire into and report on national natural disaster arrangements

To: Air Chief Marshal Mark Donald Binskin AC (Retd)
The Honourable Dr Annabelle Claire Bennett AC SC
Professor Andrew Kerr Macintosh

RECITALS

- 1. Australia is experiencing an extreme bushfire season in 2019-2020, resulting in devastating loss of life, property and wildlife, and environmental destruction across the nation.
- 2. These bushfires have profoundly affected communities across Australia and engaged the responsibilities and powers of State and Territory Governments as well as those of the Commonwealth Government.
- 3. The changing global climate carries risks for the Australian environment and Australia's ability to prevent, mitigate and respond to bushfires and other natural disasters.
- 4. Australia as a nation must take action, including the development and implementation of adaptation actions, to address the consequences of longer, hotter, drier seasons and severe weather events.
- 5. Recognising that, while all levels of government will review various operational aspects of the 2019-2020 bushfire season as they consider necessary, an inquiry focused on national coordination, conducted jointly between the Commonwealth and State and Territory Governments will give Australians confidence that natural disaster coordination arrangements are the best they can be.

OPERATIVE PART

By this commission under the Public Seal of the State, I, the Governor, acting under the Royal Commissions Act 1968 and all other enabling powers and with the advice and consent of the Executive Council—

- (a) appoint you to be a Royal Commission to inquire into the following matters—
 - (i) the responsibilities of, and coordination between, the Commonwealth and State, Territory and local Governments relating to preparedness for, response to, resilience to, and recovery from, natural disasters, and what should be done to improve these arrangements, including with respect to resource sharing;
 - (ii) Australia's arrangements for improving resilience and adapting to changing climatic conditions, what actions should be taken to mitigate the impacts of natural disasters, and whether accountability for natural disaster risk management, preparedness, resilience and recovery should be enhanced, including through a nationally consistent accountability and reporting framework and national standards;
 - (iii) whether changes are needed to Australia's legal framework for the involvement of the Commonwealth in responding to national emergencies, including in relation to the following—
 - (A) thresholds for, and any obstacles to, State or Territory requests for Commonwealth assistance;
 - (B) whether the Commonwealth Government should have the power to declare a state of national emergency;

- (C) how any such national declaration would interact with State and Territory emergency management frameworks;
- (D) whether, in the circumstances of such a national declaration, the Commonwealth Government should have clearer authority to take action (including, but without limitation, through the deployment of the Australian Defence Force) in the national interest;
- (iv) any relevant matter reasonably incidental to a matter referred to in subparagraphs (i) to (iii);

and

- (b) direct you to make any recommendations arising out of your inquiry that you consider appropriate, including recommendations about any policy, legislative, administrative or structural reforms; and
- (c) direct you, for the purposes of your inquiry and recommendations, to have regard to the following matters—
 - (i) the findings and recommendations (including any assessment of the adequacy and extent of their implementation) of other reports and inquiries that you consider relevant, including any available State or Territory inquiries relating to the 2019-2020 bushfire season, to avoid duplication wherever possible;
 - (ii) ways in which Australia could achieve greater national coordination and accountability, through common national standards, rule-making, reporting and data-sharing, with respect to key preparedness and resilience responsibilities, including for the following—
 - (A) land management, including hazard reduction measures;
 - (B) wildlife management and species conservation, including biodiversity, habitat protection and restoration;
 - (C) land-use planning, zoning and development approval (including building standards), urban safety, construction of public infrastructure, and the incorporation of natural disaster considerations;
 - (iii) any ways in which the traditional land and fire management practices of Indigenous Australians could improve Australia's resilience to natural disasters;

and

- (d) declare that you are not required to inquire, or to continue to inquire, into a particular matter to the extent that you are satisfied that the matter has been, is being, or will be, sufficiently and appropriately dealt with by another inquiry or investigation, or a criminal or civil proceeding; and
- (e) without limiting the scope of your inquiry or the scope of any recommendations arising out of your inquiry that you may consider appropriate, direct you, for the purposes of your inquiry and recommendations, to consider the following matters, and authorise you, as you consider appropriate, having regard to the date by which you are required to submit your final report, to take (or refrain from taking) any action arising out of your consideration—
 - (i) the need to establish mechanisms to facilitate, subject to any applicable law, the timely communication of information, or the timely furnishing of evidence, documents or things, including, for example, for the purpose of enabling the timely investigation and prosecution of offences;
 - (ii) the need to establish appropriate arrangements for information-sharing in relation to any other inquiries or reviews, in order to support concurrent inquiries or reviews as well as your own, in ways consistent with relevant obligations, and in ways that avoid unnecessary duplication, improve efficiency and avoid unnecessary trauma to witnesses:

and

- (f) appoint you, Air Chief Marshal Mark Donald Binskin AC (Retd), to be the Chairman of the Royal Commission; and
- (g) declare that the Royal Commissions Act 1968 section 18 applies to the Royal Commission;
- (h) declare that you are authorised to conduct your inquiry into any matter under this commission in combination with any inquiry into the same matter, or a matter related to that matter, that you are directed or authorised to conduct by any commission, letters patent, order or appointment issued or made by the Commonwealth, another State or a Territory; and
- (i) require you to begin your inquiry as soon as practicable; and
- (j) require you to make your inquiry as expeditiously as possible; and
- (k) authorise you to submit to me any interim recommendations that you consider appropriate; and
- (l) require you to submit to me a report of the results of your inquiry, and your recommendations, not later than 31 August 2020.

Issued under the Public Seal of the State at Perth on 5 May, 2020.

K. BEAZLEY, Governor.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Sarah Nidorf, late of Maurice Zeffert Home, 119 Cresswell Road, Dianella 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 16th day of March 2020 are required by the Executor, Stefan Mark Nidorf, 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 8th day of June 2020, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

GARRY E. SAME, Taylor Smart.

ZZ402

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 estate of the deceased persons listed below are required to send particulars of their claims to the legal personal representatives of care of Kott Gunning, Level 8, 140 St Georges Terrace, Perth by 26 June 2020, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which they then have notice.

Rene Marcia Hartland, late of Aegis Alfred Carson, 30 Bay Road, Claremont, date of death 26 March 2020.

William John Peasley, late of Ocean Star Aged Care, 207 Ocean Drive, Bunbury, date of death 19 March 2020.

ZZ403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

John Ashton Robertson, late of 1441 Felicitas Street, Sta. Maria I, Balibago, Angeles City, Philippines, 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 3 May 2018, are required by the trustee of the late John Ashton Robertson of c/- Denmark Legal, 55 Strickland Street, Denmark, Western Australia 6333, to send particulars of their claims to it by the 10th of June 2020, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 5th day of May 2020.

DENMARK LEGAL.

ZZ404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late Pieternella Cornelia Ottenhoff of Mercycare, 18 Barrett Street, Wembley, deceased. Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect to the Estate of the deceased who died 11 April 2020, are required by the executor Anton Ottenhoff, 45 Ord Street, Nedlands, to send particulars of their claim within 1 month of publication of this notice, after which date the executor may distribute assets and which the executor will not be held liable to any claimant or unknown claim of notice.

ZZ405

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Alexander Lewis Bergl, late of 32 Richardson Street, West Perth, 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 23rd day of February 2020, are required by the Executors, to send the particulars of their claims to SFR Legal, Level 4, 10 Eastbrook Terrace, East Perth, 6004, by the day of 8th June 2020, after which date the Executors may convey or distribute the assets having regard only to the claims which they then have notice.

ZZ406

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Brian Henry McArdell late of Kooringa Village, Unit 11, 12-14 Hicks Street, Esperance 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, Brian Henry McArdell, who died on 27 November 2019, are required by the executors, Jennifer Daphne Mundy and Robert James Mundy, to send particulars of their claims to them care of EW Gray Lawyer, Post Office Box 317, Esperance WA 6450 on or before the expiration of one (1) month from the date of publication of this notice, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated this 6th day of May 2020.

E. W. GRAY LAWYER.

ZZ407

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 8 June 2020 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bransby, Wayne Edward also known as Bransby, Wayne Stuart, formerly of 11 Stanley Street, Belmont, late of 240-242 Orrong Road, Carlisle, who died on 22 May 2019 (PM33079447 EM214).

Choi, Augustine Yi Liang, late of 3 Loxleigh Gardens, Kiara who died on 28 February 2020 (PM33098175 EM214).

Dew, Gillian Margaret, late of Nazareth House, 17 Crowtherton Street, Bluff Point who died on 15 April 2020 (DE33027206 EM17).

Dunford, Margaret Ann, late of Craigcare Ascot Waters, 2 Waterway Crescent, Ascot who died on 2 March 2020 (DE19730852 EM26).

Fernandez, Dionisio, late of 31 The Avenue, Alexander Heights who died on 17 January 2020 (DE32004103 EM36).

Hahn, Amy Evelyn, late of Ella Williams House, 77 Camboon Road, Noranda who died on 21 February 2020 (DE19793340 EM17).

Harvey, Meghan Roma, also known as Harvey, Meghan, Harvey, Megs or Harvey, Megsy late of 66 Secret Harbour Boulevard, Secret Harbour who died on 10 January 2012 (DE33135520 EM23).

Kelly, Steven Grant, late of 36 Cassia Way, Morley who died on 31 December 2019 (DE33056276 EM16).

Khaled, Mohamed Ibrahim, late of Tuohy Memorial Hospital, 22 Morrison Road, Midland who died on 20 October 2018 (PM33028716 EM27).

King, Glenda Margaret, late of U3 87 Mars Street, Carlisle who died on 20 May 2016 (PM33092017 EM214).

Marshall, Steven Mark, late of 9 Maley Place, Spencer Park who died on 21 January 2020 (PM33064166 EM214).

Maxwell, Charles James, formerly of 2/18 Nanvan Place, Rivervale, late of Aegis Care Group—Balmoral Aged Care, 29 Gardner Street, Como who died on 10 April 2018 (PM33141009 EM214).

Murphy, Brenda Veronica, late of Meath Care Nursing Home, 18 Hocking Road, Kingsley who died on 31 March 2020 (DE33046300 EM36).

Reed, Terence Noel also known as Reed, Terrence formerly of Unit 11, 352 Guildford Road, Bayswater, late of 6 Third Avenue, Maylands who died on 17 September 2014 (PM33105621 EM214).

Williams, Margaret Anne late of Germanus Kent House, 20 Dickson Drive, Broome who died on 9 March 2020 (PM33134897 EM27).

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

ZZ408

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 estates of the undermentioned deceased persons.

Dated at Perth on the 8th day of May 2020.

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

Name of Deceased	Address	Date of Death	Date Election Filed
(also known as Hendricus Van	Formerly of Lot 266 Blackboy Way, Morangup, late of 39 Blackboy Way, Morangup	5 January 2020	23 April 2020