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azette

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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

- Inquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

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.*

ADVERTISING RATES AND PAYMENTS

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— PART 1 —

AGRICULTURE AND FOOD

AG301

Animal Welfare Act 2002

Animal Welfare (General) Amendment Regulations 2020

SL 2020/161

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Animal Welfare (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* (**gazettal day**);
- (b) regulation 9 —
 - (i) if the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020* section 76 comes into operation on or before gazettal day — immediately after regulation 8 comes into operation; or
 - (ii) otherwise — on the day on which the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020* section 76 comes into operation;
- (c) the rest of the regulations — on the day after gazettal day.

3. Regulations amended

These regulations amend the *Animal Welfare (General) Regulations 2003*.

4. Regulation 6 replaced

Delete regulation 6 and insert:

6. Codes of practice adopted (s. 94(2)(d))

- (1) Under section 94(2)(d) of the Act, the following codes of practice relating to the use, care, welfare, safety or health of animals are adopted as they are amended from time to time —
 - (a) *Australian Animal Welfare Standards and Guidelines for Cattle* (Edition 1, Version 1.0, January 2016), published by Animal Health Australia (AHA), Canberra;
 - (b) *Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock* (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra;
 - (c) *Australian Animal Welfare Standards and Guidelines — Livestock at Saleyards and Depots* (Edition 1, Version 1.0, 23 February 2018), published by the Department of Economic Development, Jobs, Transport and Resources, The Victorian Government;
 - (d) *Australian Rules of Racing*, as at 1 April 2020, published by Racing Australia Limited;
 - (e) *Code of practice for the conduct of circuses in Western Australia*, first published by the Department of Local Government and Regional Development in March 2003;
 - (f) *Code of practice for exhibited animals in Western Australia*, first published by the Department of Local Government and Regional Development in March 2003;
 - (g) *Code of practice for keeping rabbits in Western Australia*, first published by the Department of Local Government and Regional Development in March 2003;
 - (h) *Code of practice for the conduct of rodeos in Western Australia*, first published by the Department of Local Government and Regional Development in March 2003;
 - (i) *Rules of Harness Racing*, 1 August 2004, published by Racing and Wagering Western Australia.
- (2) Under section 94(2)(d) of the Act, the code of practice relating to the use, care, welfare, safety or health of

animals specified in column 2 of each item in the Table is adopted as it exists on the day on which the *Animal Welfare (General) Amendment Regulations 2020* regulation 4 comes into operation, with the modification specified in column 3 of the item.

Table

Column 1 Item	Column 2 Code of practice	Column 3 Modification
1.	<i>Code of practice for goats in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	In the Introduction after the 1 st paragraph insert: To the extent that this Code applies to the transport process for goats in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.
2.	<i>Code of practice for farmed buffalo in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	In the Introduction clause 1.1 after the 2 nd paragraph insert: To the extent that the Code applies to the transport process for buffalo in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.
3.	<i>Code of practice for farming deer in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	In the Introduction after the 2 nd paragraph insert: To the extent that the Code applies to the transport process for deer in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i>

Column 1 Item	Column 2 Code of practice	Column 3 Modification
		(Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.
4.	<i>Code of practice for pigeon keeping and racing in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	In the Preface after the 2 nd paragraph insert: To the extent that this Code applies to the transport process for pigeons in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.
5.	<i>Code of practice for poultry in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	In the Introduction after the 3 rd paragraph insert: To the extent that this Code applies to the transport process for poultry in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time. Delete Part 15 titled “Transport of Poultry”.
6.	<i>Code of practice for sheep in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	In the Introduction after the 2 nd paragraph insert: To the extent that the Code applies to the transport process for sheep in Western Australia, the transport process is to be undertaken in accordance with

Column 1 Item	Column 2 Code of practice	Column 3 Modification
		the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.
7.	<i>Code of practice for the capture and marketing of feral animals in Western Australia</i> , first published by the Department of Local Government and Regional Development in March 2003	<p>In the Introduction after the 1st paragraph insert:</p> <p>To the extent that this Code applies to the transport process for feral animals in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.</p> <p>In Part B under the heading “Transportation” delete “Operators should refer to other relevant State Codes of Practice for specific guidelines on transport.”.</p>
8.	<i>Model Code of Practice for the Welfare of Animals: Husbandry of Captive-Bred Emus</i> (2 nd edition), first published by the Primary Industries Ministerial Council in 2006	<p>In the Introduction after clause 1.1 insert:</p> <p>1.1A To the extent that the Code applies to the transport process for emus in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal</p>

Column 1 Item	Column 2 Code of practice	Column 3 Modification
		Health Australia (AHA), Canberra, as it is amended from time to time.
9.	<i>Model Code of Practice for the Welfare of Animals: Livestock at Slaughtering Establishments</i> , first published in 2001 (paperback) and 2002 (online) by CSIRO publishing, acting on behalf of the Primary Industries Ministerial Council	In the Introduction delete clause 1.3 and insert: 1.3 To the extent that this Code applies to the transport process for livestock animals to slaughtering establishments in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.
10.	<i>Model Code of Practice for the Welfare of Animals: Pigs</i> (3 rd edition), first published by the Primary Industries Ministerial Council in 2008	In the Introduction after clause 1.1 insert: 1.1A To the extent that the Code applies to the transport process for pigs in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.

Column 1 Item	Column 2 Code of practice	Column 3 Modification
11.	<i>Model Code of Practice for the Welfare of Animals: The Camel</i> (2 nd edition), first published by the Primary Industries Ministerial Council in 2006	In the Introduction after the 1 st paragraph insert: To the extent that the Code applies to the transport process for camels in Western Australia, the transport process is to be undertaken in accordance with the <i>Australian Animal Welfare Standards and Guidelines — Land Transport of Livestock</i> (Edition 1, Version 1.1, 21 September 2012), published by Animal Health Australia (AHA), Canberra, as it is amended from time to time.

5. Regulation 7 replaced

Delete regulation 7 and insert:

7. Use of devices: electric shock (s. 29)

(1) In this regulation —

depot, *saleyard* and *transport process* have the meanings given in the *Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020* regulation 3.

(2) For the purposes of section 29 of the Act, it is a defence to a charge under section 19(1) of the Act, committed in circumstances described in section 19(2)(b) of the Act, if a device specified in column 2 of an item in the Table is used —

- (a) by a person engaged in an activity specified in column 3 of the item; and
- (b) on an animal of a kind specified in column 4 of the item; and
- (c) in accordance with the manner of use specified in column 5 of the item.

Table

Column 1 Item	Column 2 Device	Column 3 Activity	Column 4 Kind of animal	Column 5 Manner of use
1.	Electric stock prod	Driving, herding, mustering or controlling an animal	Sheep, pig, goat, buffalo or camel	Must not be applied to the face, udder or genital organs of an animal
2.	Electric stock prod	Driving, herding, mustering or controlling an animal	Cattle	Must be used in accordance with the <i>Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020</i> regulation 20
3.	Electric stock prod	Handling an animal in a transport process or at a depot or saleyard	Cattle or sheep	Must be used in accordance with the <i>Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020</i> regulation 20
4.	Electric stock prod	Controlling an animal at a rodeo	Horse or cattle	Must not be applied to the face, udder or genital organs of an animal
5.	Electric stunning device	Electrical stunning of an animal in an abattoir	Cattle, sheep, goat or pig	Must be used in accordance with the relevant code of practice for the particular animal
6.	Electro-ejaculator	Collecting semen from a conscious animal	Cattle or sheep	Must be used in accordance with any relevant code of practice for the particular animal
7.	Electro-ejaculator	Collecting semen from a tranquillised or anaesthetised animal	All species of animal, including cattle and sheep	Must be used in accordance with any relevant code of practice for the particular animal

Column 1 Item	Column 2 Device	Column 3 Activity	Column 4 Kind of animal	Column 5 Manner of use
8.	Electric training collar activated by the animal or a person in the course of training an animal	Training an animal	Dog	Must be used in accordance with the generally accepted method of usage for the type of collar
9.	Electrical device known as the "invisible fence"	Containment and training of an animal	Dog	Must be used in accordance with the generally accepted method of usage for the type of "invisible fence"

- (3) For the purposes of section 29 of the Act, it is a defence to a charge under section 19(1) of the Act, committed in circumstances described in section 19(2)(b) of the Act, if an electro-immobiliser is used on cattle in the following circumstances —
- (a) to restrain the animal in order to perform a procedure on the animal;
 - (b) in the circumstances, an alternative restraining method would not sufficiently restrain the animal for the purposes of performing the procedure;
 - (c) the electro-immobiliser is not being used as an alternative to providing the animal with pain relief;
 - (d) the animal has reached 6 months of age;
 - (e) the person using the electro-immobiliser is —
 - (i) trained to use it on cattle; or
 - (ii) using it under the direct supervision of a person who is a veterinary surgeon or trained to use it on cattle.
- (4) For the purposes of subregulation (3)(e)(ii), a person (the *supervised person*) is using an electro-immobiliser under the direct supervision of another person (the *supervisor*) if the supervisor —
- (a) provides instruction and guidance to the supervised person in relation to the use of the electro-immobiliser; and
 - (b) oversees and evaluates the use of the electro-immobiliser; and

- (c) is on the same premises as the supervised person while the electro-immobiliser is being used; and
- (d) is able to immediately render assistance to the supervised person, if required, at any time during the use of the electro-immobiliser.

6. Regulations 9A and 9B inserted

After regulation 9 insert:

9A. Prescribed offences and modified penalties (s. 65(1) and 66(2))

- (1) An offence described in Schedule 1 is a prescribed offence for the purposes of section 65(1) of the Act.
- (2) The modified penalty specified opposite an offence in Schedule 1 is the modified penalty for the offence for the purposes of section 66(2) of the Act.

9B. Prescribed forms (s. 66(1) and 68(1))

- (1) Schedule 2 Form 1A is the prescribed form of an infringement notice for the purposes of section 66(1) of the Act.
- (2) Schedule 2 Form 1B is the prescribed form of a notice to withdraw an infringement notice for the purposes of section 68(1) of the Act.

7. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Prescribed offences and modified penalties

[r. 9A]

Table

Item	Offence under the <i>Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020</i>	Modified penalty
1.	r. 17(3)	\$750
2.	r. 18(1)	\$750
3.	r. 18(3)	\$750
4.	r. 19(1)	\$750
5.	r. 19(2)	\$750

Item	Offence under the <i>Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020</i>	Modified penalty
6.	r. 19(3)	\$750
7.	r. 20, but only in relation to an offence committed in circumstances referred to in paragraphs (a), (b), (c) or (e)	\$750
8.	r. 21(1)	\$500
9.	r. 22(3)	\$750
10.	r. 23(1)	\$750
11.	r. 23(3)	\$750
12.	r. 24(1)	\$500
13.	r. 24(3)	\$500
14.	r. 24(4)	\$500
15.	r. 25(1)	\$500
16.	r. 25(2)	\$500
17.	r. 26(2)	\$500
18.	r. 28	\$500
19.	r. 29(1)	\$500
20.	r. 30(1)	\$500
21.	r. 30(2)	\$500
22.	r. 31(1)	\$500
23.	r. 32(1)	\$750
24.	r. 32(2)	\$750
25.	r. 33(1)	\$750
26.	r. 33(2)	\$750
27.	r. 35(1)	\$750
28.	r. 39	\$500
29.	r. 40(2)	\$750
30.	r. 40(3)	\$750
31.	r. 43(2)	\$750

Item	Offence under the <i>Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020</i>	Modified penalty
32.	r. 44	\$750
33.	r. 45	\$750
34.	r. 46(2)	\$750
35.	r. 47(2)	\$750
36.	r. 49	\$500
37.	r. 50(1)	\$500
38.	r. 50(3)	\$500
39.	r. 50(4)	\$500
40.	r. 51(1)	\$500
41.	r. 51(2)	\$500
42.	r. 52(2)	\$500
43.	r. 54(2)	\$500
44.	r. 55(1)	\$500
45.	r. 56(4)	\$750
46.	r. 56(5)	\$750
47.	r. 58(2)	\$750
48.	r. 58(3)	\$750
49.	r. 63(1)	\$750
50.	r. 63(3)	\$750
51.	r. 64(1)	\$500
52.	r. 64(2)	\$750
53.	r. 65(1)	\$500
54.	r. 65(3)	\$500
55.	r. 67(2)	\$500
56.	r. 68(1)	\$750

8. Schedule 2 Forms 1A and 1B inserted

In Schedule 2 after Form 1 insert:

Form 1A — Infringement notice

[r. 9B(1)]

<i>Animal Welfare Act 2002</i>		Infringement notice no.
Infringement Notice		
Alleged offender	Name	
	Address	
Alleged offence	Date or period	
	Place	
	Written law contravened	
	Details of offence	
Date	Date of notice	
Inspector	Name	
	Office	
	Signature	
Modified penalty	\$ _____	
TAKE NOTICE	<p>It is alleged that you have committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty to the Authorised Person within 28 days after the date of this notice.</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver's licence may be suspended, your vehicle licence may be suspended or cancelled, your details may be published on a website, your vehicle may be immobilised or have its number plates removed, and your property may be seized and sold.</p> <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Authorised Person at the address below.</p> <p>Paying the modified penalty is not regarded as an admission for the purposes of any civil or criminal proceedings.</p>	

	<p>If you want this matter to be dealt with by prosecution in court, sign and date here:</p> <p>_____ / ____ /20</p> <p>and post this notice to the Authorised Person at the address below within 28 days after the date of this notice.</p>	
How to pay	In person	<i>[Insert details for paying in person]</i>
	By post	<i>[Insert details for paying by post]</i>
	Online	<i>[Insert details for paying online]</i>
	By telephone	<i>[Insert details for paying by telephone]</i>

Form 1B — Withdrawal of infringement notice

[r. 9B(2)]

<i>Animal Welfare Act 2002</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name	
	Address	
Details of infringement notice	Infringement notice no.	
	Date of issue	
	Date or period	
	Place	
	Written law contravened	
	Details of offence	
Authorised person withdrawing notice	Name	
	Office	
	Signature	
Date	Date of withdrawal	
Withdrawal of infringement notice <i>[*Delete whichever is not applicable]</i>	<p>The above infringement notice issued against you for the above alleged offence has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence, you are entitled to a refund.</p> <p>1. Your refund is enclosed.</p> <p><i>or</i></p>	

	<p>2. If you have paid the modified penalty but a refund is not enclosed, you may claim your refund by signing and dating this notice and posting it to:</p> <p>Authorised Person — <i>Animal Welfare Act 2002</i></p> <p><i>[Insert address]</i></p>		
Your signature		Date	

9. Schedule 2 Form 1A amended

In Schedule 2 Form 1A delete the passage that begins with “your driver’s licence” and ends with “seized and sold.” and insert:

your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.

V. MOLAN, Clerk of the Executive Council.

— PART 2 —

AERIAL ADVERTISING

AX401

MAJOR EVENTS (AERIAL ADVERTISING) ACT 2009 EVENT ORDERS

The Minister for Sport and Recreation the Hon Mick Murray, MLA, has declared the following event to be subject to an Event Order under the Act.

Table 1: Optus Stadium: Schedule of Events—October 2020

Date	Location/ Venue	Event/s	Event Order Start time/s	Event Start time/s	Event Finish time/s	Event Order Finish time/s
03/10/20	Optus Stadium	AFL Match	07:00	15:30	23:58	23:59

Place at event/s conducted—

Optus Stadium

Event Organiser—

VenuesLive

The manner in which the event organiser must publicise that the event is covered by the event order—

In all advertisements for the above-mentioned matches in the West Australian newspaper and prior to the events

Event Order Conditions—

There are no conditions applied

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 28th September 2020 for the local government districts of—

East Pilbara, Port Hedland, Laverton, Ngaanyatjarraku, Wiluna

PETER CURRAN, 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*.

27th September 2020.

FE402

BUSH FIRES ACT 1954

BUSH FIRES (RESTRICTED BURNING TIMES) AMENDMENT NOTICE (NO. 5) 2020

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 18(2) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Restricted Burning Times) Amendment Notice (No. 5) 2020*.

2. Commencement

This notice comes into operation as follows—

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

3. The notice amended

The amendments in this notice are to the *Bush Fires (Restricted Burning Times) Notice 2012**.

[* Published in *Gazette* 3 February 2012, p. 615-619.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the restricted burning times of the Shire of Jerramungup, and inserting the following instead—

Restricted Burning Time	Zone of the State
1 October—30 April	Shire of Jerramungup (That portion of the Shire shown as Zones 1,2,3 and 4 on deposited plan 412417)
1 September—31 May	Shire of Jerramungup (That portion of the Shire shown as Zones 5 on deposited plan 412417)

DARREN KLEMM AFSM, FES Commissioner of the
Department of Fire and Emergency Services.

24 September 2020.

FE403**BUSH FIRES ACT 1954****BUSH FIRES (PROHIBITED BURNING TIMES) AMENDMENT NOTICE (NO. 6) 2020**

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 17(1) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Prohibited Burning Times) Amendment Notice (No. 6) 2020*.

2. Commencement

This notice comes into operation as follows—

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

3. The notice amended

The amendments in this notice are to the *Bush Fires (Prohibited Burning Times) Declaration 2012**.

[* Published in *Gazette* 3 February 2012, p. 610-615.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the prohibited burning times of the Shire of Jerramungup and inserting the following instead—

Prohibited Burning Time	Zone of the State
1 November—7 February	Shire of Jerramungup (That portion of the Shire shown as Zones 1,2,3 and 4 on deposited plan 412417)
1 November—5 April	Shire of Jerramungup (That portion of the Shire shown as Zones 5 on deposited plan 412417)

DARREN KLEMM AFSM, FES Commissioner of the
Department of Fire and Emergency Services,
as a delegate of the Minister under section 15
of the *Fire and Emergency Services Act 1998*.

24 September 2020.

FE404**BUSH FIRES ACT 1954****BUSH FIRES (RESTRICTED BURNING TIMES) AMENDMENT NOTICE (NO. 4) 2020**

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 18(2) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Restricted Burning Times) Amendment Notice (No. 4) 2020*.

2. Commencement

This notice comes into operation as follows—

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

3. The notice amended

The amendments in this notice are to the *Bush Fires (Restricted Burning Times) Notice 2012**.

[* Published in *Gazette* 3 February 2012, p. 615-619.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the restricted burning times of the Shire of Wandering, and inserting the following instead—

Restricted Burning Time	Zone of the State
1 October—19 April	Shire of Wandering

DARREN KLEMM AFSM, FES Commissioner of the
Department of Fire and Emergency Services.

24 September 2020.

FE405**BUSH FIRES ACT 1954****BUSH FIRES (PROHIBITED BURNING TIMES) AMENDMENT NOTICE (NO. 5) 2020**

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 17(1) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Prohibited Burning Times) Amendment Notice (No. 5) 2020*.

2. Commencement

This notice comes into operation as follows—

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

3. The notice amended

The amendments in this notice are to the *Bush Fires (Prohibited Burning Times) Declaration 2012**.

[* Published in *Gazette* 3 February 2012, p. 610-615.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the prohibited burning times of the Shire of Wandering and inserting the following instead—

Prohibited Burning Time	Zone of the State
1 November—21 February	Shire of Wandering

DARREN KLEMM AFSM, FES Commissioner of the
Department of Fire and Emergency Services,
as a delegate of the Minister under section 15
of the *Fire and Emergency Services Act 1998*.

24 September 2020.

FE406**FIRE AND EMERGENCY SERVICES ACT 1998**
CANCELLATION OF APPROVAL OF FES UNIT

Correspondence No. 02160

Department of Fire and Emergency Services

Pursuant to section 18M(2) of the *Fire and Emergency Services Act 1998*, the approval of the following group of persons is cancelled as a FES Unit for the purposes of the Act—

Ngaanyatjarraku Emergency Response Team

DARREN KLEMM AFSM, FES Commissioner.

24 September 2020.

FE407**BUSH FIRES ACT 1954**
APPOINTMENTS
Fire Weather Officers

Correspondence No. D10267

Department of Fire and Emergency Services

The following persons have been appointed as Fire Weather Officers for the Shire of Esperance in accordance with the *Bush Fires Act 1954*—

Part of District	Fire Weather Officer	Deputy Fire Weather Officer
East Zone	Ashley Stewart	Phil Longmire William Carmody Lyndon Mickel Gavin Egan
East Coast Zone	Ashley Stewart	Phil Longmire William Carmody Simon Fowler Adrian Perks
Urban Rural Zone	Ashley Stewart	Phil Longmire William Carmody Peter Rowe Ron Chambers
North Zone	Ashley Stewart	Phil Longmire William Carmody Rory Graham Chris Hallam
West Zone	Ashley Stewart	Phil Longmire William Carmody Tomas Carmody
West Coast Zone	Ashley Stewart	Phil Longmire William Carmody Kingsley Scott Peter Luberda

All previous appointments of Fire Weather Officers for the Shire of Esperance are hereby cancelled.

DARREN KLEMM AFSM, FES Commissioner.

24 September 2020.

LOCAL GOVERNMENT**LG401****LOCAL GOVERNMENT ACT 1995**
Shire of Northam
BASIS OF RATESI, 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 30 April 2020, determined that the method of valuation to be

used by the Shire of Northam 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 201 to 207 inclusive as shown on Deposited Plan 406471; Lot 301 as shown of Deposited Plan 411986 and Lots 808 to 811 inclusive as shown on Deposited Plan 415723.

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

LG501

BUSH FIRES ACT 1954

City of Albany

FIRE MANAGEMENT NOTICE 2020-2021

First and final notice is hereby served to all land owners and occupiers in the City of Albany. These are your legal requirements. Please read carefully and retain for future reference. This Notice constitutes the City of Albany Fire Management Notice and is issued under Section 33 of the *Bush Fires Act 1954*.

You are required to prepare your property for the fire season. This Notice sets out the actions you must take.

All fire mitigation measures must remain in place until the completion of the fire season:

Burning Times

NORTH EAST SECTOR FIRE SEASON	
1 October 2020-14 November 2020	Restricted Burning permits required
1 October 2020	Fire mitigation installation deadline
15 November 2020-15 February 2021	BURNING PROHIBITED
16 February 2021-30 April 2021	Restricted Burning permits required
SOUTH WEST SECTOR FIRE SEASON	
1 November 2020-14 December 2020	Restricted Burning permits required
1 December 2020	Fire mitigation installation deadline
15 December 2020-14 March 2021	BURNING PROHIBITED
15 March 2021-14 May 2021	Restricted Burning permits required

These dates are subject to change. Any changes will be published in local newspapers and on the City of Albany website at www.albany.wa.gov.au.

Prohibited Burning Times

It is an offence to light an unauthorised fire during the Prohibited Burning Time.

Penalties of up to \$10,000 or 12 months' imprisonment, or both, may apply under the *Bush Fires Act 1954*.

Restricted Burning Times

You must not light a fire without a permit during the Restricted Burning Time. All permit holders must comply with the requirements of the *Bush Fires Act 1954* and any additional conditions imposed.

These dates are subject to change depending on the prevailing weather conditions. Any changes will be published in local newspapers and on the City of Albany website at www.albany.wa.gov.au.

Variations to Requirements

If you cannot meet the fire management requirements listed in this Notice, you must apply for a variation or submit a Bush Fire Management Plan.

If approved the conditions of the approval are to be complied with.

For details, please visit the City's website at www.albany.wa.gov.au.

Bush Fire Management Plans

Approved Bushfire Management Plans are a strategy for specific fire risk management and can encompass singular or multiple properties. The City will only accept plans completed by an accredited Bush Fire Planning and Design practitioner. Where an approved Bushfire Management Plan is in place, all properties covered by the Plan are to comply with the conditions of the plan. Please contact the City of Albany Planning Department on 9820 3000 for more details.

Definitions

Brigade zone—the designated response area for specific volunteer bush fire brigades. A map is available at <https://www.albany.wa.gov.au>

Fine fuel—Combustible dead vegetation matter less than 6mm in thickness reduced to and maintained at an average of 2 tonnes/hectare. Does not include processed mulch below an average depth of 50mm

Harvest and Movement Bans—A municipality specific prohibition on the use of combustion powered vehicles driven in paddocks or bush areas, harvesting, and ‘hot works’ (includes welding, grinding, soldering and gas cutting) in the open air

Hazard Specific Fire Break—a 3 metre low fuel area with vegetation below 50mm around, includes but is not limited to Haystacks, non-dwelling sheds, green power domes, power poles and fuel storage areas

North East/South West Sector—division of brigade boundaries in relation to where they are located within the Albany region. A map is available at <https://www.albany.wa.gov.au>

Perimeter fire break—a continuous access track with the capacity to allow a firefighting truck to safely navigate the interior perimeter of a property. All vegetation on the break is to be maintained below 50mm in height. Standard dimensions are 3 metres wide with 4 metres vertical clearance and located within 20 metres of the property boundary

Strategic fire break—a designated emergency access route included into subdivisions at a planning stage. Contact the City of Albany Planning Department to see if your subdivision has specific fire mitigation requirements

Total fire ban—a DFES declaration on days of extreme weather or when widespread fires are seriously stretching firefighting resources. Certain activities and the lighting of any fires are restricted or prohibited. Refer to <https://www.dfes.wa.gov.au> for more information

Conservation, Special Residential and Rural Residential (Special Rural) Zones

Properties located in these zones may be subject to specific fire mitigation requirements contained in the Albany Local Planning Scheme, a subdivision guide plan (structure plan) or an approved Bush Fire Management Plan.

All bush fire mitigation conditions that apply to your property are to be complied with.

Conditions may include (but are not limited to)—

- Additional Asset Protection Zone (APZ) requirements
- Compliant access to dwellings
- Permanent water supply
- Maintenance of Strategic Fire Access Routes
- Vegetation protection

Any zoned properties without the above fire mitigation provisions or prohibitions on clearing for fire purposes are to comply with the conditions of this notice.

Paddock and grassed areas are to be maintained to reduce fine fuel loading.

For more information or to check your properties zoning, please contact the City of Albany Planning Department on 6820 3000.

Asset Protection Zones

All properties, regardless of size must meet Asset Protection Zone (APZ) (building protection zone and hazard separation zones) requirements.

An Asset Protection Zone is at least a 20 metre area (as far as practicable) within a property boundary that surrounds all habitable buildings to reduce the bushfire hazard and create a defensible space.

If the development of your property includes APZ conditions, those conditions must be adhered to. For all other properties the following applies—

- Fine Fuel (combustible dead vegetation matter less than 6 millimetres in thickness) is to be reduced to and maintained at an average of two tonnes per hectare
- Branches that have the potential to fall on the house must be removed
- Clearance of 2.5 metres between trees and power lines

Vegetable gardens, tended lawns, landscaped gardens and trees are acceptable if they are maintained. Fine fuel and dead vegetation must be reduced that in opinion of an inspecting COA officer it does not constitute an unacceptable fire risk.

Additional recommendations on how to prepare your APZ to mitigate fire risk are available on the City of Albany and the Department of Fire and Emergency Services (DFES) websites.

Properties up to 4,000m²

(May exclude some Conservation, Special Residential and Rural Residential zoned properties.)

The following mitigation requirements apply to vacant and developed land with an area of 4,000m² or less—

- Asset Protection Zone conditions
- Fine fuel load (see definitions) is to be reduced and maintained to an average of no more than two tons per hectare across the whole property
- Install hazard specific fire breaks

Properties 4,000m² to 50 Ha

(May exclude some Conservation and Rural Residential zoned properties.)

The following fire mitigation measures apply to vacant and developed land with an area between 4,000m² and 50 Ha—

- Perimeter fire breaks
- Hazard specific fire breaks
- Asset Protection Zone conditions
- Maintain fine fuel load to an average of 8 tons per hectare or less across the whole property

Properties over 50 Ha

Non-agricultural Properties

Non-agricultural properties with an area over 50 Ha require the following measures—

- Hazard specific breaks, Asset Protection Zone conditions and perimeter fire breaks

You can apply for a Variation to Requirements if your property is managed in a way that—

- reduces the risk of bush fire; or
- you have additional capacity for preventing the outbreak and/or spread of bushfire.

Agricultural properties

During **restricted and prohibited burning times**, all tractors and trucks involved in harvesting operations are to carry a hand-held fire extinguisher. All harvesting machinery must carry a fire extinguisher.

You can apply for a Variation to Requirements if your property is managed in a way that—

- reduces the risk of bush fire; or
- you have additional capacity for preventing the outbreak and/or spread of bushfire.

If a Variation is not granted the following requirements apply—

- Asset Protection Conditions
- Hazard specific fire breaks
- Perimeter fire breaks
- Cropping paddocks must be broken into compartments not exceeding 250Ha in area each separated by internal fire breaks
- During harvest operations, a fully operational self-propelled (i.e. not trailer mounted) firefighting unit with a minimum water capacity of 600 litres is to be located in the paddock being harvested. Where two or more harvesting machines are operating, the minimum water capacity is to be 1,000 litres. If more harvesting machines are operating, the minimum water capacity is to be 1,000 litres

Plantations and Regeneration Lots

Owners and lessees of plantation and regeneration lots must comply with the conditions detailed in DFES *Guidelines for Plantation Fire Protection*. (Available from the DFES website at www.dfes.wa.gov.au)

The following measures are also required (unless a variation has been granted by the City of Albany)—

- Provide a red PVC container at the main entry point to the property containing map(s) showing water points, tracks and contact details
- Ensure the property is broken into compartments not exceeding 250Ha in area and separated by internal fire breaks 6 metres wide and with 4 metres vertical clearance
- Install a 15 metres wide fire break devoid of vegetation with a height above 50mm under all power lines

Cooking Fires

NO COOKING FIRES ARE TO BE LIT DURING A TOTAL FIRE BAN

Public land

Unauthorised fires are prohibited on all City of Albany land throughout the year.

This includes—

- City of Albany reserves
- Campsites
- Beaches
- Council road verges

Gas appliances can be utilised and the City provides free BBQ facilities at multiple locations for public use.

Private land

Cooking or BBQ style encapsulated fires (solid fuel) can be used on private land during the fire season under the following conditions—

- the fire is not lit on a day where the Fire Danger Forecast is “very high” or above (approval from the City of Albany can be granted in special circumstances)

- the fire has a 3 metre zone clear of flammables
- the fire is fully contained to prevent escape
- the fire is attended at all times
- sufficient water is available to extinguish fire
- the fire and any remnants are completely extinguished with no possibility of re-ignition

Volunteer Bush Fire Brigades

The City of Albany has 16 volunteer fire brigades, spread from Youngs Siding in the West through to Wellstead in the East.

They are run by selfless men and women who donate their time and skills to ensure that we remain safe in the event of an emergency.

Each brigade is always in need of new volunteers, whether they are an active member or an auxiliary member. If you are aged 16 and above they would love to see you.

The City of Albany, working with each local brigade, will provide you with comprehensive and on-going training and uniform.

If you would like to join a brigade, or to make a donation, please contact the City of Albany Ranger and Emergency Services Team on 6820 3999 who will be able to put you in contact with your local brigade.

PENALTIES MAY APPLY

City of Albany officers are authorised to enter private property in order to confirm compliance with this notice. If you fail to comply with the conditions contained in this Notice, penalties up to \$5,000 under the *Bush Fires Act 1954* may apply.

The City of Albany, or a contractor engaged by the City, may enter your land to install fire breaks or reduce fuel loads with any expenses incurred charged to the landowner.

Any 'variation to requirements' approval you hold may be declared void.

Clearing or the removal of native vegetation beyond the requirements of this notice may require permission from other legislative authorities.

Disclaimer: The City of Albany may vary a condition or conditions of this Notice at its discretion.

This notice is issued and authorised by—

ANDREW SHARPE, Chief Executive Officer.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Cockburn
 Local Planning Scheme No. 3—Amendment No. 146

Ref: TPS/2550

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 Cockburn Local Planning Scheme amendment on 7 September 2020 for the purpose of—

1. Zoning a portion of Lot 705 (No. 255) and Lot 707 Armadale Road, Treeby 'Development' on the Scheme Map inclusive of 'Development Area 43' (DA43).
2. Amending 'Table 9: Development Areas' to include DA 43 as follows—

Ref. No.	Area	Provisions
DA 43	Lots 705 and 707 Armadale Road, Treeby	<ol style="list-style-type: none"> 1. An approved Structure Plan together with all the approved amendments shall be give due regard in the assessment of applications for subdivision, land use and development in accordance with Clause 27(1) of the Deemed Provisions. 2. The Structure Plan is to provide for an appropriate mix of residential and compatible land uses.

L. HOWLETT, Mayor.
 S. CAIN, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Nedlands

Local Planning Scheme No. 3—Amendment No. 5

Ref: TPS/2605

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 Nedlands Local Planning Scheme amendment on the 16 September 2020 for the purpose of—

- (a) Reclassifying 14 Napier Street, Nedlands from ‘Residential’ Zoning to the ‘Drainage/Waterway’ Local Planning Scheme Reserve;
- (b) Removing the residential density code of R15 from 14 Napier Street, Nedlands;
- (c) Rezoning 16 Napier Street, Nedlands from ‘Drainage/Waterway’ Local Planning Scheme Reserve to ‘Residential’;
- (d) Amending the LPS 3 Scheme Map to reserve 14 Napier Street, Nedlands for ‘Drainage/Waterway’ and zone 16 Napier Street, Nedlands to ‘Residential’ with an R15 residential density code.

C. DE LACY, Mayor.
M. GOODLET, Chief Executive Officer.

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon S. M. Ellery MLC to act temporarily in the office of Minister for Transport; Planning in the absence of the Hon R. Saffioti MLA for the period 29 September to 2 October 2020 (both dates inclusive).

R. BROWN, A/Director General,
Department of the Premier and Cabinet.

PR402

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon W. J. Johnston MLA to act temporarily in the office of Minister for Housing; Fisheries; Veterans Issues; Asian Engagement in the absence of the Hon P. C. Tinley MLA for the period 4 to 7 October 2020 (both dates inclusive).

R. BROWN, A/Director General,
Department of the Premier and Cabinet.

WATER

WA401

WATER SERVICES ACT 2012 EXEMPTION NOTICE

Class exemption for some types of irrigation and water supply services

In accordance with section 7 of the *Water Services Act 2012*, the Minister for Water, Hon Dave Kelly MLA, has revoked the previous Class Exemption for some types of irrigation and water supply services (dated 20 December 2013). The following notice now applies—

EXEMPTION NOTICE FOR SOME TYPES OF IRRIGATION AND WATER SUPPLY SERVICES

In accordance with section 7 of the *Water Services Act 2012*, the Minister for Water, Hon Dave Kelly MLA, has granted a class exemption from section 5 (1) of the Act in respect of the following provision of water services—

- ‘irrigation services’ where the—
 - water does not contain treated or untreated ‘wastewater’ (i.e. sewage);
 - service is not in the Gascoyne, Ord, Harvey, Waroona, Collie and Preston Valley irrigation districts proclaimed under the *Rights in Water and Irrigation Act 1914*; and the
 - service is not provided by Southern Forests Irrigation Co-operative Ltd.
- ‘water supply services’ where the—
 - water does not contain any treated or untreated ‘wastewater’ (i.e. sewage); and
 - water is to be used only for industrial processing or manufacturing, mining or mineral processing, cleaning, thermal cooling, dust suppression or the construction, maintenance and cleaning of uninhabited buildings and infrastructure.

The class exemption does not apply in any circumstances where the water will be used in ‘aquatic facilities’, domestic dwellings or to workplaces for domestic purposes, including but not limited to use for drinking, preparing food, washing clothes, personal hygiene, bathing or toilets. The *Health (Aquatic Facilities) Regulations 2007* define the term ‘aquatic facilities’.

The exemption is to come into effect on the day it is published in the *Government Gazette*.

Summary of reasons for the decision

Granting the exemption will reduce regulatory burden and avoid the costs of licensing these types of irrigation and water supply services. These include—

- administrative costs to the service provider including costs of licence fees, annual regulatory reporting costs and the costs of operational audits and asset management reviews every two to three years; and
- costs to Government for enforcing and administering water service licences for all of these types of irrigation and water supply services.

Granting of this exemption is not contrary to the public interest.

Hon DAVE KELLY MLA, Minister for Water.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Others in the estate of John Elvin Teasdale, deceased, late of 330 Clayton Road, Helena Valley, Western Australia, who died on 27 January 2020.

Take notice that all persons having claims upon the estate of the above named must file with the undersigned Estate Trustee by 2 November 2020 a full statement of their claims and of securities held by them.

Contact Estate Trustee

James Teasdale

Email: jimmy.teasdale@hotmail.com

Phone: 0438 679 272

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 Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 2 November 2020 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Andrews, Patricia Constance, late of Juniper John Bryant, Unit 23, 95 Rawlinson Drive, Marangaroo, who died on 13 September 2020 (DE19941346 EM23).

Cable, Winifred, late of Fremantle Nursing Home, 162 Holland Street, Fremantle, who died on 9 March 2019 (PM33111920 EM27).

Emery, Gordon, late of Little Sisters Of The Poor, 2 Rawlins Street, Glendalough, who died on 10 August 2020 (DE19972371 EM38).

Hawke, Kenneth Charles, late of 15 Scott Street, York, who died on 9 August 2020 (DE19943796 EM32).

Kerr, Hugh Ferguson, late of 2B Norton Street, South Perth, who died on 5 August 2020 (DE20011826 EM113).

Miller, Ruth Rochelle, late of 119 Cresswell Road, Dianella, who died on 11 August 2020 (MINR 33164319 EM214).

Rowe, Corinne, late of Belgrade Park Village, Unit 714, 55 Belgrade Road, Wanneroo, who died on 23 July 2020 (DE19942796 EM24).

Singarayar, Jayaraj, also known as Singarayar, George, late of Concorde 25 Anstey Street, South Perth, who died on 14 June 2020 (PM33146961 EM27).

Wedd, Keir Hartley, also known as Wedd, Hartley, late of 32 Darch Street, Yokine, who died on 30 May 2016 (DE33176216 EM38).

Woolcock, Margaret Mary formerly of 1 Violet Street, Mosman Park, late of Wearne Nursing Home, Lennon Room 1 Gibney Street, Cottesloe, who died on 8 August 2020 (DE33161051 EM24).

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

ZZ403

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 2 October 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
Howe, Edna Edith May	Formerly of Unit 6/24 Sewell Street, East Fremantle; late of Bert England Lodge Southern Cross Care WA, 111 Woodbridge Drive, Coo롱gup	27 May 2020	22 September 2020