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azette

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CONTENTS

PART 1

Main Roads (Highways and Main Roads) Proclamation 2020.....	Page 3923
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PART 2

Environment	3926
Fire and Emergency Services	3927
Health.....	3927
Industry Regulation.....	3928
Local Government.....	3928
Planning	3933
Public Notices.....	3933

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

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- 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.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2020 AND NEW YEAR HOLIDAY PERIOD 2021

Publishing Dates	Closing Dates and Times for copy
Tuesday, 22 December 2020	Friday, 18 December 2020 at 12 noon
Thursday, 24 December 2020	Wednesday, 23 December 2020 at 12 noon
Thursday, 31 December 2020	Wednesday, 30 December 2020 at 12 noon

The Government Gazette will not be published on

Tuesday 29 December 2020

Tuesday 5 January 2021

The next edition will be published on Friday 8 January 2021 and copy will close 12 noon Wednesday 6 January 2021

— PART 1 —

PROCLAMATIONS

AA101

MAIN ROADS ACT 1930

MAIN ROADS (HIGHWAYS AND MAIN ROADS) PROCLAMATION 2020

Made under the *Main Roads Act 1930* section 13 by the Governor in Executive Council on the recommendation of the Commissioner of Main Roads.

1. Citation

This proclamation is the *Main Roads (Highways and Main Roads) Proclamation 2020*.

2. Commencement

This proclamation comes into operation as follows—

- (a) clauses 3(1) and 3(2)—on the day on which this proclamation is published in the *Gazette*,
- (b) the rest of the proclamation—on the day after that day.

3. Roads or sections of roads to be highways or main roads

It is declared that—

- (1) The roads or sections of roads, excluding any footpaths, as shown on the drawings listed in Schedule 1, are highways; and
- (2) The roads or sections of roads, excluding any footpaths, as shown on the drawings listed in Schedule 2, are main roads.

4. Roads or sections of roads to cease to be highways or main roads

It is further declared that—

- (1) The roads or sections of roads shown on the drawings listed in Schedule 3 cease to be highways; and
- (2) The roads or sections of roads shown on the drawings listed in Schedule 4 cease to be main roads.

5. Roads or sections of roads to cease to be proclaimed by revocation

It is further declared that—

- (1) The roads or sections of roads shown on the drawings listed in Schedule 5 cease to be proclaimed highway by revocation. (section 13 (5))

Schedule 1—Roads or sections of roads to be highways (to be a highway)

[cl. 3(1)]

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H006	Great Northern Highway	Victoria Plains	201421-0036-02; 201821-0016-00
H027	Rivervale Wattle Grove Link (Orrong Road)	Belmont	200921-0201-02; 201821-0060-00
H027	Rivervale Wattle Grove Link (Orrong Road)	Victoria Park	201821-0062-00; 201821-0063-00
H043	Bussell Highway	Augusta-Margaret River	201921-0015-00; 201921-0018-00; 201921-0019-00; 201921-0020-00; 201921-0021-00; 201921-0023-00
H045	Coalfields Highway	Collie	201721-0027-00; 201721-0031-00; 201721-0032-00; 201721-0033-00; 201721-0034-00; 201721-0035-00; 201721-0036-00
H053	Williams Narrogin Highway	Narrogin	201021-0185-02; 201221-0187-02; 201921-0025-00

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H274	On ramp from Loftus Street off ramp to Mitchell Freeway	Perth	200921-0190-02; 201521-0043-00
H297, H390, H391	Ramps Bussell Highway	Augusta-Margaret River	201921-0015-00; 201921-0018-00; 201921-0019-00; 201921-0021-00; 201921-0023-00
H385, H386, H387, H388	Service Centre ramps Forrest Highway	Murray	201021-0195-02; 201821-0009-00
H406	Busselton West Roundabout	Busselton	201021-0155-02; 201621-0101-00
H441, H442, H427	Rotaries along Bussell Highway realignment	Augusta-Margaret River	201921-0015-00; 201921-0018-00; 201921-0019-00; 201921-0020-00; 201921-0021-00

**Schedule 2—Roads or sections of roads to be main roads
(to be a main road)**

[cl. 3(2)]

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
M024	Muir Highway	Plantagenet	201221-0105-01; 201821-0003-00
M031	Northam Cranbrook Road	Narrogin	201021-0185-02; 201221-0187-02; 201621-0117-01; 201921-0025-00
M037	Collie Lake King Road	West Arthur	201721-0047-00; 201721-0051-00; 201721-0757-00
M038	Narrogin Kondinin Road	Narrogin	201021-0185-02; 201221-0187-02; 201921-0025-00
M402	Pioneer Drive Rotary	Narrogin	201021-0185-02; 201221-0187-02; 201921-0025-00
M407	Narrogin South Rotary	Narrogin	201021-0185-02; 201221-0187-02; 201621-0117-01

**Schedule 3—Roads or sections of roads ceasing to be highways
(to cease to be a highway)**

[cl. 4(1)]

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H006	Great Northern Highway	Victoria Plains	201421-0036-02; 201821-0016-00
H024	Brearley Avenue	Belmont	200921-0201-02; 201821-0061-00;
H043	Bussell Highway	Augusta—Margaret River	201921-0015-00; 201921-0018-00; 201921-0019-00; 201921-0021-00; 201921-0022-00; 201921-0023-00
H045	Coalfields Highway	Collie	201721-0027-00; 201721-0031-00; 201721-0032-00; 201721-0033-00; 201721-0034-00; 201721-0035-00, 201721-0036-00
H053	Williams Narrogin Highway	Narrogin	201021-0185-02; 201221-0187-02; 201921-0025-00
H408	Rotary at junction of Bussell Highway, John Archibald Drive and Boodjidup Road	Augusta—Margaret River	201921-0015-00; 201921-0018-00; 201921-0022-00

**Schedule 4—Roads or sections of roads ceasing to be main roads
(to cease to be a main road)**

[cl. 4(2)]

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
M024	Muir Highway	Plantagenet	201221-0105-01; 201821-0003-00
M031	Northam Cranbrook Road	Narrogin	201021-0185-02; 201221-0187-02; 201621-0117-01; 201921-0025-00
M037	Collie Lake King Road	West Arthur	201721-0047-00; 201721-0051-00; 201721-0757-00

**Schedule 5—Roads or sections of roads to cease to be proclaimed by
revocation (to cease to be proclaimed)**

[cl. 5(1)]

MRWA Road No.	MRWA Road Name	Local Governments	As delineated on MRWA drawing number(s)
H039	Stephenson Highway	Stirling	9422-042-3

K. BEAZLEY, Governor.

L.S.

R. SAFFIOTI, Minister for Transport.

— PART 2 —

ENVIRONMENT

EV401

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 43

The Environmental Protection Authority (“Authority”), acting pursuant to section 19 of the *Environmental Protection Act 1986* (“the Act”), has resolved to delegate all its powers and duties conferred or imposed by—

- a. section 17(3)(b) of the Act save that these powers and duties may only be exercised in circumstances where an implementation condition provides for the Authority’s advice to be given to the Minister for Environment on a matter relating to the implementation of the proposal;
- b. sections 38(5c), 38A(1), 39, 39A, 40(2)(a), 40(2)(aa), 40(2)(b), 40(2a), 40(4), 40(5), 40 (6)(b), 40A, 41A, 43A, 48A, 48C, 107(1) of the Act;
- c. section 40(3) of the Act save that these powers and duties may only be exercised in circumstances where it has been decided, and set out in the public record, that the level of assessment includes a requirement for an environmental review with no public review;
- d. sections 44(1) and 44(2a) of the Act save that these powers and duties may only be exercised in circumstances where the Authority has resolved that, a person to whom this delegation applies, should prepare and approve the final report and give that report to the Minister;
- e. section 46 of the Act, including s46(4) save for exercising the discretion under s46(4) in relation to the decision as to whether or not to inquire into implementation conditions relating to proposal declared a derived proposal under s39B of the Act;
- f. section 48D (1) of the Act save that these powers and duties may only be exercised in circumstances where the Authority has resolved that, a person to whom this delegation applies, should prepare and approve the final report and give that report to the Minister.

Pursuant to section 59(2) of the *Interpretation Act 1984* the delegation of the powers referred to in the sections of the Act listed above shall be deemed to include the delegation of any duty incidental thereto or connected therewith.

Persons to whom this delegation applies—

- a. The Chairman of the Environmental Protection Authority appointed under s7(4a) of the Act;
- b. The Deputy Chairman of the Environmental Protection Authority appointed under s7(4a) of the Act on the conditions that the delegation is only exercised by the Deputy Chairman when the Chairman is unable to exercise the delegation either because of an absence (including, but not limited to on business, on leave or vacancy of office) or due to a conflict of interest.

Pursuant to section 19 of the Act and section 59(1)(e) of the *Interpretation Act 1984* the delegation gazetted 7 March 2017 is hereby revoked.

Dated the 15th day of October 2020.

Dr TOM HATTON, Chairman,
Environmental Protection Authority.

Approved by—

Hon STEPHEN DAWSON, Minister for Environment.

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 22nd October 2020 for the local government districts of—

Halls Creek, East Pilbara, Port Hedland, Wiluna, Laverton, Menzies and Ngaanyatjarraku

PAUL RYAN, 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*.

21st October 2020.

HEALTH

HE401

CREMATION ACT 1929
LICENCE TO USE AND CONDUCT A SPECIFIED CREMATORIUM

Whereas by an application bearing the date 15 August 2019, Cremations Australia Inc, an association duly incorporated under the provisions of the *Associations Incorporation Act 1895*, for the purpose of conducting a crematorium holding a certificate under the hand of the Chief Health Officer that the association aforesaid is an association to which the provisions of section 4 may reasonably be extended, applied to His Excellency the Governor in Council for a licence under the provisions of the *Cremation Act 1929*, for the said association to use and conduct a crematorium within the boundaries of land, not being part of a public cemetery, being the whole (or portion) of Lot 104 (166) Beringarra Avenue, Malaga, in the State of Western Australia, held by the said association for the purpose aforesaid, upon a site thereon as defined in the said application; and whereas the said applicants have satisfied His Excellency the Governor, in accordance with section 4 of the *Cremation Act 1929*, that the association has sufficient authority to use the proposed site as aforesaid for the purpose of a crematorium, that the crematorium has not yet been established, the Chief Health Officer has approved of the plans and specifications of the proposed building, fittings, works and apparatus to be built and used for the purposes of crematorium, and that in all other respects the requirements of section 4 of the *Cremation Act 1929*, have been duly complied with.

Now, therefore, His Excellency the Governor, in exercise of the powers conferred by section 4 of the *Cremation Act 1929*, doth by these presents grant to the said association, but subject as hereinafter provided, a licence to use and conduct a crematorium within the boundaries of the land (or cemetery) as aforesaid, upon the site therein as defined in the application, to be established in accordance with the plans and specifications of the proposed building fittings, works, and apparatus, which have been approved by the Chief Health Officer as aforesaid.

Provided that the licence hereby granted shall be held and the crematorium shall be used and conducted under and subject to the provisions of the *Cremation Act 1929*, and that the licence hereby granted shall not have any validity or effect unless and until the Chief Health Officer shall certify, within one year of the date on which the licence is granted, that the necessary buildings, fittings, works and apparatus have been erected and installed in accordance with the plans and specifications which have been approved by him, and that the regulations have been complied with.

Dated at Perth in the State of Western Australia, this 6th day of October 2020.

By His Excellency's Command

R. COOK, Minister for Health.

INDUSTRY REGULATION

IS401

MINES SAFETY AND INSPECTION ACT 1994
INSTRUMENT OF DETERMINATION NO. 01 OF 2020

Determination of Exposure Standard different to the Exposure Standards for Atmospheric Contaminants in the Occupational Environment

Made under regulation 9.2 of the *Mines Safety and Inspection Regulations 1995*.

I, William Johnston MLA, Minister for Mines and Petroleum, on advice from the Mining Industry Advisory Committee, hereby determine that the eight-hour time weighted average, being the average of a particular substance permitted over an eight hour working day and five day working week, for—

1. respirable crystalline silica is 0.05 milligrams per cubic metre (mg/m^3) to take effect on the date of Gazettal of this Instrument of Determination; and
2. respirable coal dust is 1.5 mg/m^3 to take effect 12 months from the date of Gazettal of this Instrument of Determination;

and applies to all mining operations.

Date of signing: 15th October 2020.

Hon WILLIAM JOHNSTON MLA, Minister for Mines and Petroleum.

IS402

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
INSTRUMENT OF DETERMINATION NO. 01 OF 2020

Determination of Exposure Standard different to the Exposure Standards for Atmospheric Contaminants in the Occupational Environment

Made under regulation 5.1 of the *Occupational Safety and Health Regulations 1996*.

I, William Johnston MLA, Minister for Industrial Relations, on advice from the Commission for Occupational Safety and Health, hereby determine that the eight-hour time weighted average, being the average of a particular substance permitted over an eight hour working day and five day working week, for—

1. respirable crystalline silica is 0.05 milligrams per cubic metre (mg/m^3) to take effect on the date of Gazettal of this Instrument of Determination; and
2. respirable coal dust is 1.5 mg/m^3 to take effect 12 months from the date of Gazettal of this Instrument of Determination;

and applies to all workplaces.

Date of signing: 15th October 2020.

Hon WILLIAM JOHNSTON MLA, Minister for Industrial Relations.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995
Shire of Moora

NOTICE OF INTENTION TO REVEST LAND IN THE CROWN

To: Jane Robinson of Lot 89 Gardiner Street, Moora, Western Australia and Jane Robinson of Moora
Notice is hereby given that pursuant to section 6.74 of the *Local Government Act 1995* (WA) the local government intends to request the Minister to approve the revestment in the Crown of the land described in the schedule below, by the reason that the land is land in respect of which rates and service charges have been unpaid for a period of at least three years, if the rates, service charges, costs and expenses are not paid within 30 days from the date of service of this notice.

Any person who seeks to object may lodge an objection to the revestment with the Shire of Moora within 30 days from the date of publication of this notice.

Signed for and on behalf of the Shire of Moora this 9th day of October 2020.

ALAN LEESON, Chief Executive Officer.

Description of Land

Names of owners and all other persons appearing to have an estate or interest in the land	Description of land referred to, including title references
Jane Robinson	Lot 89 Gardiner Street, Moora, WA and being Lot 89 on Plan 3166 as contained in the Certificate of Title Volume 547 Folio 29

LG402

LOCAL GOVERNMENT ACT 1995

City of Greater Geraldton

APPLICATION OF LOCAL LAW OUTSIDE DISTRICT

It is hereby noted for public information that under section 3.6(1) of the *Local Government Act 1995*, the Governor has approved of the making of the *City of Greater Geraldton Public Places and Local Government Property Local Law 2020* to apply to the area bounded by the low water mark of the Indian Ocean and extending for a distance 200 metres seaward from the western boundary of the district of the City of Greater Geraldton.

GORDON MacMILE, A/Executive Director—Local Government,
Department of Local Government, Sport and Cultural Industries.

LG501

BUSH FIRES ACT 1954

Shire of Collie

FIREBREAK AND FUEL HAZARD REDUCTION NOTICE 2020-2021

Notice to all owners/occupiers of land in the Shire of Collie

You are hereby required, and are therefore ordered by the local government for all property owners/occupiers to comply with this Notice and/or an approved Bush Fire Management Plan (BMP) by 1 December each year and maintained compliance until 31 May following for each year and every year. These requirements are defined further in this Notice by the relevant property area.

Pursuant to the powers contained in section 33 of the *Bush Fires Act 1954* (as amended) you are required on or before 1 December to remove from your land whether owned or occupied by you, all flammable material to install unobstructed mineral earth fire breaks if required that can be trafficable. Thereafter maintain the land up to and including 31 May, in such positions/dimensions as specified within this Notice, or approved in writing by Council or its authorised officers.

Landowners should note that restrictions exist on clearing native vegetation under other legislation. Clearing in accordance with this Firebreak Notice should be limited to the extent necessary to comply with this Notice.

FAILURE TO COMPLY MAY RESULT IN A \$5000 FINE.

Firebreak: Means a strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or flammable material leaving clear bare mineral earth 3 metres wide and 5 metres vertical clearance. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the firebreak area.

What and When can I burn	Garden Refuse	Wood or Solid Fuel BBQ, Camp and Cooking Fires	Grass Paddock
RESTRICTED BURNING PERIOD 2 November to 14 December	Yes, permit required	Yes, check fire danger ratings	Yes, permit required
PROHIBITED BURNING PERIOD 15 December to 14 March	ALL FIRES PROHIBITED		
RESTRICTED BURNING PERIOD 15 March to 31 May	Yes, permit required	Yes, check fire danger ratings	Yes, permit required

On any day during the restricted burning period where the fire danger rating is CATASTROPHIC, SEVERE, EXTREME and VERY HIGH, garden refuse, wood or solid fuel barbecues, camp and cooking fires or pizza ovens are NOT permitted to be used under any circumstances. Permits are automatically cancelled on these days.

Due to unseasonable weather conditions RESTRICTED and PROHIBITED burning dates may be extended or shortened. Fire Control Officers have the authority under the *Bush Fires Act 1954* to halt any activity or operation that they deem as hazardous or likely to start a fire.

Penalties will be enforced by the Shire of Collie for failing to comply with the annual Firebreak notice.

You must check the local newspaper for details or call Shire Rangers on 9734 9000 or 0408 931 274 for further information. The fire danger rating can be found by calling the Bureau of Meteorology SW information line 1300 659 210.

Failure to comply with this notice: on the spot fine of \$250 or prosecution of up to \$5000. Offences relating to lighting fires in open air: \$3000. Setting fire to the bush during prohibited burning times: \$250,000 or up to 14 years imprisonment. Failure of occupier to extinguish bush fire: \$10,000. Refusal to state name and abode or stating false name or abode: \$1000. Failure to produce a permit to burn \$1000.

What is your total Fire Ban?

On a Total Fire Ban day you are not allowed to light an open-air fire or conduct any activity that could start a fire. This includes lighting a campfire, using a welder, grinder or incinerator, conducting a burn-off, burning leaves and garden waste, firing up a wood or charcoal BBQ, using a wood-fired pizza oven, driving a vehicle in fire-prone areas and more.

Penalties for breach of a Total Fire Ban are \$1,000 on-the-spot fine or up to \$25,000 and even receive jail time of up to 12 months if it's a serious breach.

Your Legal Requirements are: Lot Sizes Under 2024m²

Compliance Date: 1st December through to 31st May inclusive each and every year.

Compliance—

1. Fuel reduction: where your land is under 2024 square metres (half acre), all hazardous materials is to be removed from the land excluding living plants and trees.
2. Clearance around dwellings and outbuildings: grasses are to be slashed, mowed or by other means, maintained below 10cms throughout the period of 1st December until 31st May inclusive.
3. Vacant land: cleared blocks: where you have a vacant block that has been cleared. Grasses are to be slashed, mowed or by other means, maintained below 10cms throughout the period of 1st December until 31st may inclusive.
4. Vacant land: timbered or bush block: where you have a vacant block that is timbered or bush. Hazardous material is to be removed from the land excluding living plants and trees. This includes dead branches, trees, leaf litter, twigs and bark to an acceptable standard.
5. Garden refuse and or wood stacks/piles: 2 metre clearance is required around all piles of garden refuse and or wood.

Your Legal Requirements are: Lot Sizes Between 2024m² and 5 Hectares

Compliance Date: 1st December through to 31st May inclusive each and every year.

Compliance—

1. All subdivisions with Bush Fire Management Plans/and or variations to firebreak: properties to comply with Approved Bush Fire Management Plans, approved variation to firebreaks and this notice.
2. Mineral earth firebreaks: Minimum 3 metre firebreak immediately inside all boundaries (can be extended to 6 metres of all boundaries) or as stated in your Fire Management Plan. Exempt if pasture maintained below 10cms.
3. Clearance around dwellings and outbuildings: 1 metre horizontal and 5 metres vertical clearance around all dwellings and outbuildings. There include sheds, garages water tanks, storage containers etc. Garden beds are allowed within this area if they are reticulated and maintained.
4. Asset Protection Zone: 0-20 metres around dwellings: Area to be free from garden beds, shrubs, plants and grasses, unless it can be demonstrated to be reticulated and/or regularly maintained. Hazardous material is to be removed excluding living plants and trees. This included dead branches, trees, leaf litter, twigs and bark. To an acceptable standard of no more than 10cm in depth.
5. Hazard Separation Zone: Low fuel area (up to 10cm in depth) up to a distance of 100 metres between the buildings and the hazard if land is available.
6. Ungrazed pastureland: To be slashed, mowed or by other means, maintained below 10cm throughout the period of 1 December until 31 May inclusive.
7. Garden refuse and or wood stack/piles: a 3 metre clearance is required around all piles of garden refuge and or wood.
8. Fuel storage and haystack protection zone: Construct a 4 metre firebreak not closer than 6 metres around haystacks, and immediately around fuel storage tanks or gas cylinders.

Your Legal Requirements are: All Land Over 5 Hectares

Compliance Date: 1st December through to 31st May inclusive each and every year.

Compliance—

1. All subdivisions with Bush Fire Management Plans / and or variations to Firebreaks: All properties to comply with approved bush Fire management Plans, approved variation to firebreaks and this notice.
2. Clearance around dwellings and outbuildings: 1 metre horizontal and 5 metre vertical clearance around all dwellings and outbuildings. These include sheds, garages, water tanks,

storage containers etc. Garden beds are allowed within this area if they are reticulated and maintained.

3. Asset Protection Zone: 0-20 metres around all dwellings: Area to be free from garden beds, shrubs, plants and grasses, unless it can be demonstrated to be reticulated and / or regularly maintained. Hazardous material is to be removed excluding living plants and trees. This includes dead branches, trees, leaf litter, twigs and bark. To an acceptable standard of no more than 10cm in depth.
4. Hazard Separation Zone: Low fuel area (up to 10cm in depth) up to a distance of 100 metres between the buildings and the hazard if tank is available.
5. Garden refuse and or wood stacks/piles: 3 metre clearance is required around all piles of garden refuse and or wood.
6. Mineral Earth Firebreaks: Minimum 3 metre firebreak within 100 metres of all boundaries. Plantations 15 metres.
7. Fuel storage and haystack protections zone: Construct a 4 metre firebreak not closer than 6 metres around haystacks, and immediately around fuel storage tanks or gas cylinders.

Chief Bush Fire Control Officer: Julian Martin
 Deputy Chief Bush Fire Control Officer: Kohdy Flynn
 Firebreak Inspection Officers: Community Rangers
 Fire Control Officers:

Collie	Community Rangers Shane Hickson
Allanson	Kohdy Flynn
Buckingham	Graeme Pilatti
Collie Burn/Cardiff	Neil Waywood
Harris River	Michael Hart
Williams Road	Julian Martin
Worsley	Graham Genev
Collie-Preston	Phil Bartolo
Mungilup Road	Community Rangers

For Information on applying for a Permit to Burn, Asset Protection Zone, Firebreak Variation guidelines and other general information, please refer to the website: collie.wa.gov.au

LG502

BUSH FIRES ACT 1954

FIREBREAK NOTICE

Shire of Katanning

Notice to all Owners and/or Occupiers of Land in the Shire of Katanning

Pursuant to Section 33 of the *Bush Fires Act 1954* you are hereby required, on all land owned or occupied by you, as a measure for preventing the spread and extension of a bush fire, to plough, cultivate, scarify, burn, chemically spray or otherwise clear upon the lands Fire Access tracks (fire breaks) in such manner as set out in the Shire of Katanning Fire Management Requirements notice.

1. Suburban and Residential Blocks

1.1 If the area of land is 2023m² (approximately ½ acre) or less, remove flammable material on the land except living standing trees from the whole of the land by 1 November 2020 by one of the above methods.

1.2 Where residential zoned land exceeds 2023m² (approximately ½ acre), in addition to the grass height above, a 2.5 metre wide firebreak immediately inside and along all external boundaries is required.

2. Rural Land and Special Rural Land Outside of Town Boundary

Firebreaks shall be installed at least 10 metre wide around the perimeter of any homestead building (excluding isolated non-flammable buildings), haystacks (within 100 metres of any building) or group of structures or installations and are to be cleared to the satisfaction of the Shire Officer. In addition, you may be required to carry out further works which may be deemed necessary by the Shire Officer and specified by way of a separate written notice forwarded to the address as shown on the Shire of Katanning rate records for the land. In some instances naturally occurring features such as rocky outcrops, natural water courses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with and approved by the Shire Officer.

2.1 All properties within the Moojebing Heights subdivision are to ensure compliance with the additional requirements of the Fire Management Plan dated April 2009.

3. Special Rural within Katanning and Pinwernying Townsites

3.1 Must have a 2.5 metre wide bare earth firebreak immediately inside along all external boundaries. Grass to be no higher than 150mm. living standing trees, remnant vegetation, maintained gardens and natural bush are exempt. Where multiple blocks of land are grouped together, a perimeter 2.5 metre firebreak encompassing all land will be considered subject to an application for variation.

All fire breaks as designated above must be prepared on or before 1 November 2020 or within 14 days of becoming the owner or occupier should this be after that date and maintained clear of flammable material up to and including 30 April 2021.

4. Application to Vary the Above Requirements

4.1 It is considered to be impracticable for any reason whatsoever to meet requirements as required by this notice, you may apply to the Shire of Katanning no later than 1 November 2020, for permission to provide alternative risk mitigation measures on the land. If permission is not granted by the Shire you must comply with the requirements of this notice.

4.2 If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

4.3 The penalty for failing to comply with this notice will be in accordance with the *Bush Fires Act 1954*, and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

5. Private Property

5.1 Wood and solid fuel barbecues shall only be where they are enclosed and all flammable material in a 5m radius is cleared. Fire cannot be lit on days of very high, severe, extreme or catastrophic fire danger.

5.2 BBQs and incinerators—gas and electric barbecues are permitted at any time. Solid fuel barbecues and incinerators are prohibited on days of VERY HIGH, SEVERE, EXTREME OR CATASTROPHIC fire danger days.

6. Regulation 38A—Harvesting, Swathing/Baling of Stubble and Track Chaining

6.1 Conditions: It is hereby notified for public information that pursuant to the power granted under Regulation 38A of the above Act, a person shall not operate or suffer the operation of a grain harvesting machine, or any machine used for swathing, baling or slashing of stubble and track chaining, on any land within the Shire of Katanning except in accordance with the following specified condition—

6.2 Specified condition: No person shall operate grain harvesting machinery as stated above on any land unless a mobile and operational firefighting unit, having a water capacity of at least 500 litres, is situated in or immediately adjacent to the paddock where harvesting operations are being conducted.

6.3 Penalties: An infringement of \$250.00. A penalty of up to \$5000.00. The recommended minimum standards for fire unit requirements are based on property size as follow—

- I. 50-1000ha—Light Duty Unit. One tonne utility either 2WD or 4WD. 500 litre water capacity.
- II. 1000 to 2500ha—Medium Duty Unit. Light truck either 2WD or 4WD. 2500 litre water capacity.
- III. 2500 + ha—Heavy Duty Unit. 6 tonne capacity truck, preferably diesel. 4000 litre water capacity.
- IV. All units are to be fully operational and ready to go at all times during the prohibited burning period.
- V. Trailer Mounted Fire Units and Chaser Bins with Fire Units—for safety reasons they are not acceptable as your only or primary fire unit. Therefore, are not to be taken to a fire incident.
- VI. Boundary fire breaks are compulsory within the Special Rural Land Areas within the town site. Council or its agents will establish fire breaks at strategic points at its discretion or on a Risk Base Assessment on land its managers.

7. Permit to Burn

7.1 Under the *Bush Fires Act 1954*, it is an offence to light fires during the Burning Prohibited time.

7.2 During the Restricted Burning Time, permits to burn are required. These may be obtained from the Local Volunteer Fire Control Officer, for your area or the Shire of Katanning if the property is within the Fire and Rescue District.

7.3 A Permit is required for burning of bush, grass and garden waste at any time between 1 October to 31 October inclusive and 15 February and 30 April inclusive. No burning can be carried out during the Prohibited Burning Period unless it's protective burning around dwellings up until 15th November under section 23 of the Bush Fires Act.

I. Restricted: Permit Required—1 October to 31 October

II. Prohibited: 1 November to 14 February

III. Restricted: Permit Required—15 February to 30 April

It is not necessary for Council to notify property owners or give prior warning that legal action may proceed for failing to comply with the requirements of this notice.

JULIAN MURPHY, Chief Executive Officer.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
DECLARATION OF PLANNING CONTROL AREA 159
Hutton Street (Hector Street to Howe Street)
City of Stirling

File: RLS/0924

General description

The Minister for Planning has granted approval to the declaration of a Planning Control Area (PCA) 159 over land for Hutton Street (Hector Street to Howe Street), Osborne Park as shown on Western Australian Planning Commission (WAPC) plans number 1.7975 and 1.7976.

Purpose

The purpose of the PCA 159 is for future upgrade of Hutton Street and to facilitate its regional road function. The WAPC considers that the PCA 159 is required over the whole of the property to ensure that no development occurs on this land which might prejudice this purpose reserved for Other Regional Road in the Metropolitan Region Scheme.

Duration and effects

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette* or until revoked by the WAPC with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a PCA without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the WAPC in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Display locations

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Stirling, 25 Cedric Street, Stirling

Documents can also be viewed online at the Department of Planning, Lands and Heritage website <https://www.dplh.wa.gov.au/planning-control-areas>.

Ms SAM FAGAN, Secretary,
Western Australian Planning Commission.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Erwin Michael Biemel, late of 7 Moss Close, Leeming, 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 9 November 2019 are required by the Executor Michelle Patricia Byrnes to send particulars of their claims to her care of IRDI Legal, 248 Oxford Street, Leederville, Western Australia 6007 by 24 November 2020 after which date the Executor may convey or distribute the assets having regard to the claims of which she then has notice.

IRDI LEGAL as solicitors for the personal representative.

ZZ402**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Garry Leigh Mullins, late of Unit 6, 152 Marine Parade, Cottesloe, 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 28 July 2020, are required by the Executor, Dr Jane Patricia Hadfield (née Mullins), care of Butlers Lawyers & Notaries of 45 Stirling Highway, Nedlands, Western Australia, to send particulars of their claims to her within one (1) month from today, after which date the Executor may convey or distribute the assets, having regard only to the claims of which she then have notice.

ZZ403**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Judy Cranston (also known as Judy Cluss), late of Valencia Nursing Home, 24 Valencia Road, Carmel, 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 18 June 2019, are required by Executor, Perpetual Trustee Company Limited ACN 000 001 007 of Level 15 Central Plaza One, 345 Queen Street, Brisbane Queensland to send particulars of their claims to them within one (1) month from the date of publication of this Notice, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

PERPETUAL TRUSTEE COMPANY LIMITED,
Level 15 Central Plaza One, 345 Queen Street, Brisbane Queensland.