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- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

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# — PART 1 —

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## JUSTICE

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JU301

Supreme Court Act 1935

### Supreme Court Amendment Rules (No. 2) 2021

SL 2021/65

Made by the judges of the Supreme Court.

#### 1. Citation

These rules are the *Supreme Court Amendment Rules (No. 2) 2021*.

#### 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 on which the *Road Traffic Amendment (Impaired Driving and Penalties) Act 2020* section 13 comes into operation.

#### 3. Rules amended

These rules amend the *Rules of the Supreme Court 1971*.

#### 4. Schedule 2 Form 101 amended

In Schedule 2 Form 101:

- (a) in note 1 delete “*Road Traffic Act 1974* s. 63, 64, 67 or 67A,” and insert:

*Road Traffic Act 1974* Part V Division 2 (including s. 63, 64, 64AB, 64B, 67, 67AA, 67AD and 67A),

- (b) in note 2 delete “State the hardship and inconvenience that would result if this application were refused.”

**5. Schedule 2 Form 104 amended**

In Schedule 2 Form 104 in note 1 delete “*Road Traffic Act 1974* s. 63, 64, 67 or 67A,” and insert:

*Road Traffic Act 1974* Part V Division 2 (including s. 63, 64, 64AB, 64B, 67, 67AA, 67AD and 67A),

The Hon. Chief Justice Peter Quinlan  
Chief Justice of Western Australia  
Supreme Court of Western Australia

Date 20 May, 2021.

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**LOCAL GOVERNMENT**

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LG301

Local Government Act 1995

**Local Government (COVID-19 Response)  
Amendment Order 2021**

**SL 2021/66**

Made by the Minister under section 10.3 of the Act.

**1. Citation**

This order is the *Local Government (COVID-19 Response) Amendment Order 2021*.

**2. Commencement**

This order comes into operation as follows —

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

**3. Order amended**

This order amends the *Local Government (COVID-19 Response) Order 2020*.

**4. Clause 3 amended**

In clause 3(1) insert in alphabetical order:

**2021/22 annual budget**, in relation to a local government, means the annual budget adopted by the local government under section 6.2 for the 2021/22 financial year;

**2021/22 financial year** means the financial year ending on 30 June 2022;

**5. Clause 8 amended**

- (1) In clause 8(1) delete “in its 2020/21 annual budget.” and insert:

in —

- (a) its 2020/21 annual budget; or
- (b) its 2021/22 annual budget.

- (2) In clause 8(3) delete “section 6.13 in its 2020/21 annual budget is not to exceed 8%.” and insert:

section 6.13 —

- (a) in its 2020/21 annual budget — is not to exceed 8%; and
- (b) in its 2021/22 annual budget — is not to exceed 7%.

**6. Clause 13 amended**

In clause 13(2) delete “in the 2020/21 financial year.” and insert:

in —

- (a) the 2020/21 financial year; or
- (b) the 2021/22 financial year.

**7. Clause 14 amended**

- (1) In clause 14(1) delete “for the 2020/21 financial year.” and insert:

for —

- (a) the 2020/21 financial year; or
- (b) the 2021/22 financial year.

- (2) In clause 14(3) delete “section 6.51 is not to exceed 8%.” and insert:

section 6.51 —

- (a) for the 2020/21 financial year — is not to exceed 8%; and
- (b) for the 2021/22 financial year — is not to exceed 7%.

J. CAREY, Minister for Local Government.

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401

#### BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

##### QUARANTINE AREA AMENDMENT NOTICE

Fremantle

Red Imported Fire-Ant (*Solenopsis invicta*)

1. In accordance with regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (BAM Regulations) a Quarantine Area Notice (QAN) relating to the declared pest Red Imported Fire-Ant *Solenopsis invicta* (RIFA) was published in the *Gazette* on 3 December 2019, in the West Australian newspaper on 5 December 2019 and on the website of the Department of Primary Industries and Regional Development (DPIRD).
2. In accordance with regulation 61 of the BAM Regulations, that QAN was amended by Quarantine Area Amendment Notices published in the *Gazette* on 29 May 2020 and 1 December 2020.
3. Under regulation 61 of the BAM Regulations, the QAN is further amended by deleting in clause 1 “until 4 June 2021” and substituting “until 3 December 2021”.
4. The amended QAN is available on DPIRD’s website: [www.agric.wa.gov.au](http://www.agric.wa.gov.au)

MIA CARBON, Executive Director Biosecurity, Department of Primary Industries and Regional Development, Delegate of the Director General.

Date: 20 May, 2021.

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### CONSUMER PROTECTION

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CP401

#### RETAIL TRADING HOURS ACT 1987

##### RETAIL TRADING HOURS (PERTH METROPOLITAN AREA)

Public Holiday Variation Order (No. 2) 2021

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

**1. Citation**

This order is the *Retail Trading Hours (Perth Metropolitan Area) Public Holiday Variation Order (No. 2) 2021*.

**2. Commencement**

This order comes into operation as follows—

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

**3. Variation of retail trading hours**

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

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

**Table**

Day	Hours
Monday 7 June 2021	from 8.00am until 6.00pm
Monday 27 September 2021	from 8.00am until 6.00pm

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

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

A. SANDERSON, Minister for Commerce.

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## JUSTICE

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**JU401****JUSTICES OF THE PEACE ACT 2004****RESIGNATIONS**

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

Nicholas Andrew Agocs of Bedford

Sydney Florindo Brunalli of Maddington

Bryan Raymond Joy of Pearsall

Geoffrey Desmond Metzke of Southern Cross

Gregory Robert Payne of Falcon

Vilma Watts formerly of Warburton

Peter Stuart Wood of Wyalkatchem

from the Office of Justice of the Peace for the State of Western Australia.

JOANNE STAMPALIA, Executive Director, Court and Tribunal Services.

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## LOCAL GOVERNMENT

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**LG501****BUSH FIRE ACT 1954**

*Shire of Cunderdin*

**FIREBREAK NOTICE**

Pursuant to the powers contained in Section 33 of the *Bush Fire Act 1954*, notice is hereby given to all owners and occupiers of land within the Shire of Cunderdin that Council has adopted the following requirements to prevent the outbreak or spread of a bushfire within the Shire.

**Non-Restricted Burning Period**

1st April – 19th September (No Permits Required)

Landholders must still take necessary precautions to keep their fires under control and on their own properties.

**Restricted Burning Period**

1st October – 1st November (Permits Required)

\*Permits are required for all fires lit during this Restricted Burning period and must be obtained from your local Fire Control Officer or the Shire of Cunderdin who will explain the conditions under which fires may be lit.

**Prohibited Burning Period**

2nd November – 14th February

**No Burning Allowed****Restricted Burning Period**

15th February – 31st March (Permits Required)

The above dates may change due to seasonal fire conditions in which case the details of the changes will be published in the local press and on Council's Website.

Permits are available from the Fire Control Officers advertised.

**NOTICE OF FUEL REDUCTION AND FIREBREAK REQUIREMENTS**

As a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, all owners and occupiers of land within the district of the Shire are required, unless otherwise specified in this notice, before the 20th day of September in any year, to clear firebreaks or to take measures in accordance with this notice and maintain those firebreaks and measures up to and including the 30th day of April in the following year.

**Town Site Land****Land Area of less than 2024m<sup>2</sup>**

All hazardous material is to be removed from the whole of the land except living trees, shrubs and plants. The remaining vegetation is to be maintained to a height of no greater than 7.5cm. Maintain fuel loadings in natural bush areas at less than 8 tonnes per hectare across the land.

**Land Area greater than 2024m<sup>2</sup> and less than 5 Hectares**

Bare earth Firebreaks of not less than three (3) metres in width must be constructed inside the boundary or 3 metres outside the boundary. Where there is a road free of flammable material, applications can be made annually to the Chief Fire Control Officer for exemption.

**Rural Land****(Surrounding Buildings/Haystacks/Fuel Dumps)**

At least 20 metres wide and not more than 100 metres from the perimeter of all buildings and/or haystacks or groups of buildings and/or haystacks and/or fuel dumps so as to completely surround the buildings, haystacks and/or fuel dumps or so as to effectively surround the buildings, haystacks and/or fuel dumps which may be combined with strategic breaks e.g. roads, clear ground etc, with an effective cleared width of 20 metres.

**Fuel Dumps**

In respect of land owned or occupied by you, on which is situated any fuel dump, in addition to the requirements in previous paragraphs you shall remove all flammable materials or material likely to become flammable during summer from land occupied by bulk storage tanks and/or drums used for storage of liquid fuel whether the bulk storage tanks and/or drums contain liquid fuel or not. This includes the land on which ramps for holding the drums are constructed.

The flammable material free ground must be maintained to a distance of at least 3 metres outside the perimeter of any drum, stack of drums or drum ramp or bulk storage tank.

**Burning of Chaff Heaps**

The burning of chaff heaps must be conducted from 12:00am Monday with no further ignitions to take place after 11:59pm Wednesday. This is to ensure that all chaff heaps that have been ignited have been burnt down before Saturday reducing the risk of reignition over a weekend.

STUART HOBLEY, Chief Executive Officer.

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**LG502****BUSH FIRES ACT 1954***City of Kalamunda***FIRE HAZARD REDUCTION NOTICE 2021/2022**

All Owners and Occupiers of Land Within the City of Kalamunda

Compliance Due Before: 1 November 2021

Assessments Commence from: 1 November 2021

**Important:** The works outlined below must be completed by 1 November 2021 and maintained in this state up to and including 31 March 2022.

Pursuant to Section 33 of the *Bush Fires Act 1954*, the City of Kalamunda (City) gives written notice to act as specified in this notice to land that you own and/or occupy and with respect to any matter which is upon the land that you own and/or occupy within the City.

Failure or neglect to comply with this notice is an offence and can result in a penalty of up to \$5000. The City advises that its officers, servants, workmen, contractors, vehicles, machinery, and appliances (as the officers deem fit) may carry out the requisitions of this notice that are not complied with by the date specified above, and any costs and expenses incurred may be recovered from you as the owner and/or occupier of the land.

**ALL LAND WITH A TOTAL AREA OF 4000m<sup>2</sup> OR MORE****Fire breaks**

Install or upgrade a 3-metre-wide by 4-metre-high clearance, bare mineral earth, continuous (no dead ends) trafficable fire break as close as possible inside the entire perimeter of the land. Maintained, reticulated living lawns that are kept completely green is acceptable in conjunction with, or in lieu of, a mineral earth fire break/s (see definition FIRE BREAK).

**Dead Flammable Material (DFM)**

Maintain all dead flammable material below 8 tonne per hectare (see definition FUEL LOAD).

**Slashing**

Slash, mow, or trim dead grasses, dead shrubs, and dead plants to a height no greater than 50mm and remove cuttings/swath across the entire property.

**Asset Protection Zone (APZ)**

Maintain a fuel reduced zone around all buildings or assets which extends 20 metres from the outermost point of the building or asset—

- Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained.
- Fuel load within the 20-metre zone is reduced and maintained to no more than 2 tonne per hectare.
- Trees over 5 metres in height within the 20-metre zone to be under pruned up to 2 metres.
- Trees or shrubs within 2 metres of the asset shall be pruned to a height no greater than 2 metres and/or pruned away from the asset to a distance no greater than 2 metres.

**ALL LAND WITH A TOTAL AREA LESS THAN 4000m<sup>2</sup>****Dead Flammable Material (DFM)**

Reduce and/or maintain all dead flammable material below 8 tonne per hectare (see definition FUEL LOAD).

**Slashing**

Slash, mow, or trim dead grasses, dead shrubs, and dead plants to a height no greater than 50mm and remove cuttings/swath across the entire property.

**Clean Gutter Debris**

Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained.

**VARIATION TO THE FIRE HAZARD REDUCTION NOTICE**

If you consider it impractical to meet a requirement/s of this Notice, you may apply to the City for a variation no later than 1 October 2021. Note: A variation is not an exemption but an application to employ other methods of property preparedness to land that you own and/or occupy. An administration fee of \$150 applies for applications received after 1 October 2021. If your application is not granted you must comply with all requirements outlined in the Fire Hazard Reduction Notice 2021/2022. Variation request application forms are available before 1 October 2021 on the City's website at: [www.kalamunda.wa.gov.au/our-city/fire/variations](http://www.kalamunda.wa.gov.au/our-city/fire/variations)

**Additional Works**

You may be required to carry out further bushfire property preparedness works on your land to reduce any fire hazards considered necessary by a Fire Officer. If required, these will be outlined in a 'work order' and sent to the address of the owner and/or occupier.

**Emergency Management Plans and City Approved Treatment Plans**

All properties and/or land subject to a Bushfire Management Plan, Emergency Management Plan, or an approved Bushfire Attack Level assessment (BAL), as a result of subdivision, development application or a City approved treatment plan, must comply with the listed requirements in their entirety. Compliance with any additional plans does not constitute compliance with this notice.

**Environmental Conditions**

Any property subject to environmental value such as, but not limited to, Threatened Ecological Communities (TEC), Bush Forever sites, Declared Rare Flora and Fauna (DRF) sites etc, should seek further information about what can or cannot be done prior to carrying out requirements under this Notice.

**DEFINITIONS****Fire break**

A strip of land free of all flammable material with the intention of minimising the spread or extension of a bushfire and provide safe access on the property for emergency vehicles and other firefighting operations.

- Clearance must be no less than 3-metres wide and 4-metres in height inside and along all boundaries (including boundaries adjacent to roads, rail and drain reserves and all public open space reserves).
- Must not be more than 4-metres wide (further width extensions may be considered upon written application for approval to the City).
- Maintained, reticulated living lawns are lawns considered to be kept completely green. Driveways may be acceptable in conjunction with, or in lieu of, mineral earth fire breaks. Contact a City Fire Officer for further assistance.
- Must have a corner turning radius of up to 10 metres.
- Must be a mineral earth break with a continuous trafficable surface for a 4WD vehicle, be clear of any obstructions and must not terminate in a cul-de-sac (dead end).

**Fuel Load**

Can be live and dead vegetation that accumulates over time. This Notice refers only to dead vegetation.

Fine fuels include = leaf litter, grasses, twigs (up to 6mm diameter), bark etc.

Heavy (course) fuels include = branches, logs, stumps etc.

- A fuel load depth of 15mm (fine fuels) to the mineral earth is indicative of approximately 8 tonne per hectare.
- The more fuel load, the higher the flame height and increased fire intensity.
- Mulch piles, stored firewood and burn piles can contribute to fuel loading on land and must be stored safely away from assets, removed from the property, or actioned as directed by a Fire Officer.

If you require any further information, please contact the City of Kalamunda Community Safety team on (08) 9257 9999, email at—

[enquiries@kalamunda.wa.gov.au](mailto:enquiries@kalamunda.wa.gov.au) or visit [www.kalamunda.wa.gov.au/our-city/fire](http://www.kalamunda.wa.gov.au/our-city/fire)

RHONDA HARDY, Chief Executive Officer.

## MINERALS AND PETROLEUM

MP401

### MINES SAFETY AND INSPECTION ACT 1994

Instrument of Declaration No. 2 of 2021

Made under section 6A(2) of the *Mines Safety and Inspection Act 1994*

The Minister for Mines and Petroleum, being the Minister administering the *Mining Act 1978* and the *Mines Safety and Inspection Act 1994*, and the Minister for Industrial Relations, being the Minister administering the *Occupational Safety and Health Act 1984*, declare that the Instrument of Declaration No. 1 of 2019, which was published in the Western Australian *Government Gazette* (No. 149) on 18 October 2019 at page 3688, is cancelled with effect from the date of gazettal of this Instrument.

Hon. WILLIAM JOHNSTON, MLA, Minister for Mines and Petroleum.  
Hon. STEPHEN DAWSON, MLC, Minister for Industrial Relations.

## PLANNING

PL401

### PLANNING AND DEVELOPMENT ACT 2005

#### APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of South Perth*

Town Planning Scheme No. 6—Amendment No. 57

Ref: TPS/2304

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 Town Planning Scheme amendment on 20 May 2021 for the purpose of—

1. Amending clause 3.2 by adding a new clause (p) as follows “(p) Precinct 16: Canning Highway (East)”.
2. Amending clause 1.6(1), 3.2 and the definition of the term ‘precinct’ contained in Schedule 1 by deleting reference to the number of Precincts.
3. Amending clause 4.3(1)(n) by adding “and Schedule 14” after each occurrence of “Schedule 9B”.
4. Amending clause 4.7 by adding a new subclause (4) as follows “(4) For any dwellings within comprehensive new development in Precinct 16 Canning Highway (East) precinct, the applicable setbacks are contained within Schedule 14 and the provisions of clause 4.7 and Table 2 do not apply”.
5. Amending clause 5.1 by adding a new subclause (7) as follows “For all comprehensive new development within Precinct 16 Canning Highway (East) Precinct, development requirements are contained within Schedule 14 and the provisions of clause 5.1 and Table 3 do not apply”.
6. Amending clause 5.2 by adding a new subclause (4) as follows “For all comprehensive new development in Precinct 16 Canning Highway (East) Precinct, development requirements are contained within Schedule 14 and the provisions of clause 5.2 and Table 4 do not apply”.
7. Amending clause 5.3 by adding a new subclause (4) as follows “For all comprehensive new development in Precinct 16 Canning Highway (East) Precinct, the applicable setbacks are contained within Schedule 14 and the provisions of clause 5.3 and Table 5 do not apply”.
8. Inserting a new Schedule 14 as follows—

#### Schedule 14—Precinct 16 Canning Highway (East)

##### Operation of Schedule

###### Area

Precinct 16: Canning Highway (East) as delineated on the Scheme Map, being the land along either side and close to Canning Highway generally between the boundary with the Town of Victoria Park and Elizabeth Street and Arundel Street.

- (1) The provisions of this Schedule shall not apply to minor alterations or additions, or to the development of a Single House.
- (2) Where variation to Table A: Primary Controls relating to matters other than height is sought, the Local Government shall have regard to clause 7.8 of the Scheme.

- (3) Any setbacks to lot boundaries affected by a primary regional road reservation are to be measured from the extent of the reservation boundary.
- (4) **storey** means the portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top floor and ceiling above it but does not include—
- a basement;
  - a space that contains only a lift shaft, stairway or meter room;
  - a mezzanine;
  - a loft.

**Table A: Primary Controls**

<b>Streetscape Type</b>	<b>Low-rise</b>	<b>Medium-rise</b>	<b>High Density Residential</b>	<b>Medium-rise urban centre</b>
<b>(1) Site R-Coding</b>	R50	R50	R80	R-100
<b>(2) Maximum plot ratio</b>	As per R-codes		1.5	2.0
<b>(3) Maximum building height</b>	As per the Building Height Limit Scheme Map (Precinct 16) and the number of storeys set out in provision (3A).			
<b>(3A) Maximum number of storeys</b>	As per R-codes		5	6
<b>(4) Land use</b>	Notwithstanding Table 1 of this Scheme, Grouped Dwellings are not permitted on sites with frontage to Canning Highway coded R80, R100 or R-AC3 within Precinct 16 where this Schedule applies, except for Lots 231, 232, 233, 234, 235, 236, 237, 238, 240, 241, 242 on Plan 576 Canning Highway, South Perth and Strata Lots 1 and 2 on Strata Plan 72059 (No. 33-35) Canning Highway, South Perth.			
<b>(5) Vehicle access</b>	<p>In this Schedule ‘<b>street block</b>’ means all lots fronting Canning Highway, bound by two public street(s) or existing public right-of-way(s). For the land not subject to Special Control Area No. 3—</p> <ol style="list-style-type: none"> <li>1. The Local Government shall not grant approval to a comprehensive new development or recommend support of an application for subdivision of a lot within Precinct 16, unless— <ul style="list-style-type: none"> <li>(a) The subject lot(s) or site is provided with legal access to a public road or right-of-way other than Canning Highway, that is capable of providing trafficable vehicle access to a development, and,</li> <li>(b) The subdivision and/or development does not entirely prejudice the ability for any other lot or site within the same street block from obtaining access from a public street or right-of-way other than Canning Highway.</li> </ul> </li> <li>2. If the subject lot(s) or site adjoins an existing right-of-way, the Local Government shall not grant approval to a comprehensive new development unless trafficable vehicle access along the right-of-way adjoining the subject lot(s) or subject site is at least, or could made as a result of the development and/or subdivision, 6.0 metres in width.</li> </ol>			
<b>(6) Additional plot ratio</b>	<p>On any of Lot 1 (No. 3), 3 (No. 2), 2 (No. 10) or 16 (No. 11) Canning Highway, South Perth, additional plot ratio up to a maximum of 3.0 may be granted where development satisfactorily addresses the following criteria—</p> <ul style="list-style-type: none"> <li>(a) The architectural design of any proposed comprehensive new development shall meet the relevant requirements of any policy and guidelines of the Western Australian Planning Commission relating to good design outcomes, and objectives.</li> <li>(b) Development provides facilities of public benefit as determined by the Local Government, such as publicly accessible communal open space (pocket parks), public plazas, or through-site links connecting two publicly accessible spaces that improve pedestrian connectivity or access to public open space.</li> </ul>			

9. Amend clause 10.1 Operation of Special Control Areas by inserting the following—

‘(c) Special Control Area 3—Canning Highway (East) as included in Schedule 9C.’

10. Inserting a new Schedule 9C as follows—

**Special Control Area 3 (SCA3)—Precinct 16 Canning Highway (East)**

Name of area	Purpose	Objectives	Additional provisions
SCA3—Canning Highway (East)	To ensure a Local Development Plan is prepared to coordinate and rationalise vehicle access to land in the Special Control Area.	(a) To provide vehicle access to land in the Special Control Area from roads other than Canning Highway. (b) To allow for direct, rationalised access to Canning Highway in circumstances where alternative access cannot be achieved.	1. The Local Government shall not grant approval to a comprehensive new development or recommend support of the subdivision of land within the area designated as 'SCA3' on the Scheme Map unless a Local Development Plan has been adopted relating to the Special Control Area. The Local Development Plan may relate to only part of the Special Control Area and may also relate to land adjoining the Special Control Area where deemed appropriate. 2. The Local Development Plan shall contain provisions relating to the coordination of vehicle access within the Special Control Area.

11. Amend the Scheme Map to show codings, zonings, and the boundary of Precinct 16—Canning Highway (East) and the boundary of Special Control Area 3 (SCA3).

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

**PL402**

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Armadale*

Town Planning Scheme No. 4—Amendment No. 114

Ref: TPS/2650

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 Armadale Town Planning Scheme amendment on 20 May 2021 for the purpose of—

- a. Include Lot 9500 Armadale Road, Forrestdale as designated on the Scheme Amendment Map into the Scheme boundary;
- b. Rezone Lot 9500 Armadale Road, Forrestdale as depicted on the Scheme Amendment Map from unzoned to 'Industrial Development' zone;
- c. Amend Special Control Area Map 3 to designate Development Area No. 69 over Lot 9500 Armadale Road, Forrestdale as depicted on the Special Control Area Map 3;
- d. Amend Schedule 8—Development (Structure Planning) Areas to include the following new Development Area—

No.	Description of Land	Additional provisions applicable to subdivision and development
DA 69	Lot 9500 Armadale Road, Forrestdale.	<p>69.1 Prior to any subdivision or development, comprehensive planning shall be undertaken by the preparation of a Structure Plan to guide subdivision and development.</p> <p>69.2 Any Structure Plan shall be accompanied by detailed plans and environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to—</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment;</li> <li>3. wetland management plan;</li> <li>4. local water management strategy; and</li> <li>5. bushfire management plan.</li> </ol>

No.	Description of Land	Additional provisions applicable to subdivision and development
		<p>The recommendations of the above plans and environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the determining authority on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p> <p>Any necessary fire management requirements should be provided for within the industrial portion of the lot and should not impact the wetland or its buffers.</p>

e. Amend the Scheme Map accordingly.

R. BUTTERFIELD, Mayor.  
J. ABBISS, Chief Executive Officer.

## PL403

### PLANNING AND DEVELOPMENT ACT 2005

#### AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF OFFICERS

Notice of amendment to the Instrument of Delegation 2018/01 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018 (and as amended).

#### Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

#### Resolution under s16 of the Act (delegation)

On 26th May 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO AMEND the Instrument of Delegation 2018/01 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

#### Schedule 1

##### 1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2018/01 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018, and as amended.

##### 2. Amendment to Schedule 1

The following row is inserted into Schedule 1 after item 1.3 on page 3823 of the Gazette (No. 150; 3 October 2018)—

1.3A Power to issue a notice to— a. approve varied requirements for the publication of documents. (r76B(2), cl88(2)) b. approve varied requirements for the advertising of complex applications. (cl88(4)) c. revoke a notice previously issued under r76B(2), cl88(2) and cl88(4). (r76B(4)(c)(i), cl88(6)(c)(i))	<ul style="list-style-type: none"> <li>• Chairperson of the WAPC</li> <li>• Director General</li> <li>• Assistant Director General, Land Use Planning</li> </ul>	Power only to be exercised after consultation with the Chairperson of the WAPC.
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## TRANSPORT

TN401

### ROAD TRAFFIC (AUTHORISATION TO DRIVE) REGULATIONS 2014

#### EXEMPTION FROM FEE FOR TAKING OR RESITTING THEORY TEST

(RTADR—2021—204455)

Pursuant to regulation 76(2) of the *Road Traffic (Authorisation to Drive) Regulations 2014* (the Regulations), I, Peter Woronzow, Acting Chief Executive Officer of the Department of Transport, hereby specify that the persons and bodies listed below are persons and bodies for the purpose of subregulation (1) of that regulation.

Regulation 76 provides that a person is not required to pay the fee set out in Schedule 9 items 1 and 2 of the Regulations, to take or resit a theory test if the body administering the test is specified in a notice published under subregulation (2).

Organisation Name	Address
Bloodwood Tree Association Inc (ABN: 93975267470)	19 Hamilton Road, South Hedland, WA 6722
Fortescue Metals Group Ltd (ABN: 57002594872)	Level 2, 87 Adelaide Terrace, East Perth, WA 6004
Goomburra Aboriginal Corporation (ABN: 75580153973)	16 Little Street, Bunbury, WA 6230
Mowanjam Aboriginal Corporation (ABN: 38721336893)	1/Lot 85 Gibb River Road, Derby WA 6728
Ngarliyarrndu Bindirri Aboriginal Corporation (ABN: 67026946941)	46 Roe Street, Roebourne, WA 6718
Wunan Foundation (ABN: 61577218799)	76 Coolibah Drive, Kununurra, WA 6743

This Notice revokes and replaces the notice identified as RTADR-2020-203844, published in the *Government Gazette* on 3 July 2020.

This Notice commences on 24 May 2021.

PETER WORONZOW, A/Director General, Department of Transport.

Dated 26 May, 2021.

## PUBLIC NOTICES

ZZ401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

In the matter of the Estate of Patricia Anne Mansfield, late of City of Bayswater Hostel, 21 Embleton Avenue, Embleton, 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 3rd day of December 2020, are required by the Executor, Steven Charles Mansfield, 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 1st day of July 2021, 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.

Dated the 26th day of May, 2021.

GLEN GILES, Taylor Smart.